

Individuals Who May Be Mentioned During the Hearing

Case No. M285 – Indiana University, Bloomington

Blair, DeJuan – then prospective student-athlete.

Brinegar, Jennifer – assistant athletics director for compliance.

Brinkley, Dan – Morris' twins high school coach.

Buford Jr., William – prospective student-athlete.

Calhoun, Grace – associate athletics director for student development and compliance, and senior woman administrator.

Chillious, Raphael – Ayodele Coker's high school coach.

Coker, Ayodele – then prospective student-athlete.

[REDACTED] – then prospective student-athlete and current men's basketball student-athlete.

Daugherty, Travis – Derek Elston's coach.

Dees, Tony – Yancy Gates' father and coach.

Ebanks, Devin – prospective student-athlete.

[REDACTED] – men's basketball student-athlete.

Elston, Derek – prospective student-athlete.

Frease, Kenny – prospective student-athlete.

Gates, Yancy – prospective student-athlete.

Green, Jerry – former director of basketball operations.

Greenspan, Rick – director of athletics.

Hicks, Billy – Jonathon "Bud" Mackey's high school coach.

[REDACTED] – current men's basketball student-athlete.

Hummel, Robbie – then prospective student-athlete.

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Jackson, Yvonne – Devin Ebanks' mother.

Johnson, Chris – Jonathon "Bud" Mackey's AAU coach.

Jurick, Phillip – prospective student-athlete.

Mackey, Erica – Jonathon "Bud" Mackey's mother.

Mackey, Jonathan "Bud" – prospective student-athlete.

Martin, Scott – then prospective student-athlete.

McCallum, Ray – former assistant men's basketball coach.

McCamey, Demetri – then prospective student-athlete.

McElroy, B.J. – Kelvin Sampson's administrative assistant.

McClure, Keith – William Buford Jr.'s coach.

Meyer, Jeff – former assistant men's basketball coach.

Morris, Marcus – prospective student-athlete.

Morris, Markieff – prospective student-athlete.

Morris, Thomasine – Morris twins' mother.

McLaughlin, Elizabeth – assistant office manager.

Pope, Christian – former director of compliance.

Porter, Darelle – DeJuan Blair's coach.

Sampson, Kelvin – former head men's basketball coach.

Senderoff, Rob – former assistant men's basketball coach.

[REDACTED] – former men's basketball student-athlete and then prospective student-athlete.

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Thompson, Brett – prospective student-athlete.

Toth, Rob – prospective student-athlete Kenny Frease's coach.

Turner, Evan – then prospective student-athlete.

MAN:smc

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Attachment A: Interpretation from NCAA membership services regarding the application of the NCAA telephone contact legislation as it relates to the recruitment of twin prospects.

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Attachment C: February 6, 1991, official interpretation regarding when a prospect's parents advise that the prospect is not available, the call is not countable.

Attachment D: Senderoff's cell phone records.

ENFORCEMENT STAFF CASE SUMMARY

Case No. M285 – Indiana University, Bloomington

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Case Chronology

March 29, 2006 – Indiana University, Bloomington, ("the institution") hired Kelvin Sampson as head men's basketball coach.

April 19, 2006 – Sampson and the institution executed a compliance agreement adopting and transferring the University of Oklahoma's self-imposed penalties regarding Sampson.

May 25, 2006 – The NCAA Division I Committee on Infractions issued Infractions Report No. 250 –University of Oklahoma.

June 9, 2006 – Sampson and the institution executed a revised compliance agreement adopting and transferring further recruiting restrictions imposed by the committee.

July 2007 – The institution conducted an annual compliance review for all sports and initially discovered three-way calls contrary to the committee's penalties.

August 22, 2007 – The institution requested and was granted an extension of the August 31, 2007, deadline for filing a report with the committee detailing the institution's implementation and fulfillment of the penalties adopted by and transferred to the institution.

October 3, 2007 – The institution filed a report with the committee regarding implementation and fulfillment of the penalties adopted by and transferred to the institution. The report identified telephone contacts that were contrary to the assessed penalties and/or to NCAA Bylaw 13.1.3.1.2.

October 25, 2007 – The institution filed a self-report of secondary violations with the enforcement staff identifying the violations of Bylaw 13.1.3.1.2 reported to the committee in the institution's October 3 report.

October 26, 2007 – The institution filed a self-report of a secondary violation of Bylaw 13.12.1.3 and a student-athlete reinstatement request for prospective student-athlete Derek Elston (Tipton, Indiana).

October 2007 – February 2008 – The enforcement staff interviewed numerous student-athletes and prospective student-athletes or their parents, legal guardians or coaches. When permitted, the institution participated in the interviews.

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November 13, 2007 – The enforcement staff and the institution interviewed Kelvin Sampson, former head men's basketball coach; Jeff Meyer, former assistant men's basketball coach; and Ray McCallum, former assistant men's basketball coach.

November 16, 2007 – The enforcement staff interviewed Rob Senderoff, former assistant men's basketball coach.

December 13, 2007 – The enforcement staff and the institution interviewed Jerry Green, former director of men's basketball operations.

January 17, 2008 – The institution notified the enforcement staff that it had identified additional telephone contacts that were contrary to assessed penalties and/or Bylaw 13.1.3.1.2.

January 29, 2008 – The enforcement staff and the institution interviewed Jennifer Brinegar, assistant athletics director for compliance, and conducted follow-up interviews with Sampson and Meyer.

January 31, 2008 – The enforcement staff conducted a follow-up interview with Senderoff.

February 6, 2008 – Notice of inquiry sent to the institution.

February 8, 2008 – Notice of allegations sent to the president of the institution, Sampson, Senderoff and Meyer.

May 8, 2008 – The institution, Sampson, Senderoff and Meyer submitted their responses to the notice of allegations.

May 13, 2008 – The enforcement staff conducted a prehearing conference with Meyer.

May 15, 2008 – The enforcement staff conducted separate prehearing conferences with Sampson and Senderoff.

May 16, 2008 – The enforcement staff conducted a prehearing conference with the institution.

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Violations self-reported by the institution

Allegation No. 1

1. [NCAA Bylaws 2.8.1, ~~2.8.3 and 19.01.4~~, and NCAA Infractions Report No. 250]

It is alleged that ~~from~~ between March 29 ~~through~~ and July 31, 2007, Indiana University, Bloomington (Indiana), and members of the men's basketball staff failed to comply with the penalties assessed by the NCAA Division I Committee on Infractions in Infractions Report No. 250 when Kelvin Sampson, then head men's basketball coach; Jeff Meyer, then assistant men's basketball coach; and Rob Senderoff, then assistant men's basketball coach, placed or participated in telephone calls that violated recruiting restrictions imposed on the institution, Sampson and the men's basketball staff as penalty for Sampson's prior involvement in violations of NCAA legislation. Specifically:

- a. Sampson and Senderoff engaged in multiple telephone calls that violated a recruiting restriction prohibiting Sampson from being present when members of his staff made telephone calls related in any way to recruiting (Penalty L of Infractions Report No. 250, as adopted by and transferred to Indiana).
- b. Senderoff and Meyer placed approximately 100 telephone calls that violated the following recruiting restrictions:
 - (1) Telephone calls were reduced from one call per month to one call every other month to prospective student-athletes or the prospective student-athletes' parents or legal guardian(s) on or after June 15 of the prospect's sophomore year in high school (Penalty E of Infractions Report No. 250, as adopted by and transferred to Indiana).
 - (2) Telephone calls were reduced from two calls per week to one call per week to prospective student-athletes or the prospective student-athletes' parents or legal guardian(s) on or after August 1 of their senior year in high school (Penalty F of Infractions Report No. 250, as adopted by and transferred to Indiana).

Overview: The institution and the enforcement staff are in substantial agreement to the facts of this allegation and that they constitute violations of NCAA legislation.

- Concerning Allegation No. 1-a, Sampson did not specifically respond to this allegation because of misinformation provided to his legal counsel by the enforcement staff

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regarding his risk and the enforcement staff's expectations regarding his response. This matter was clarified Monday, May 19, after the pre-hearing conference between the enforcement staff and Sampson's counsel Thursday, May 15. The enforcement staff has advised Sampson's counsel that Allegation Nos. 1-a and 3-a concern the same alleged impermissible calls and that by responding to Allegation No. 3-a, Sampson's response may be incorporated into Allegation No. 1-a. The enforcement staff does not believe that Sampson was prejudiced by this error. In his response to Allegation No. 3-a, Sampson denies engaging in telephone calls that violated the committee's recruiting restrictions prohibiting him from being present when members of his staff placed telephone calls related to recruiting.

- Concerning Allegation No. 1-a, Senderoff makes the procedural argument that this allegation does not satisfy the requirements of Bylaw 32.6.1.2 in that it does not sufficiently provide the details of each allegation. However, without waiving his procedural objection, Senderoff incorporated his response to Allegation No. 4-a into Allegation No. 1-a. By incorporating his response to Allegation No. 4-a, Senderoff denies engaging in telephone calls that violated the committee's recruiting restrictions prohibiting Sampson from being present when members of his staff placed telephone calls related to recruiting.
- Concerning Allegation No. 1-b, Senderoff argues that the allegation also lacks the details of the violations alleged. Senderoff disagrees that he made approximately 100 telephone calls that violated recruiting restrictions in Infractions Report No. 250, but he acknowledges that he did make some calls that violated the restrictions.
- Concerning Allegation No. 1-b, Meyer acknowledges his responsibility for placing four telephone calls that violated recruiting restrictions found in penalties E and F of Infractions Report No. 250, but argues that he did not place a total of 10 impermissible calls as reported by the institution. Meyer argues that his involvement in the impermissible phone calls constitutes a secondary violation.

Remaining Issues:

1. Did Sampson and Senderoff engage in telephone calls that violated the recruiting restriction prohibiting Sampson from being present when members of his staff made telephone calls related in any way to recruiting?
2. Did Senderoff and Meyer place approximately 100 telephone calls that violated the recruiting restrictions set forth in Penalties E and F of Infractions Report No. 250?

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ISSUE NO. 1: Did Sampson and Senderoff engage in telephone calls that violated the recruiting restriction prohibiting Sampson from being present when members of his staff made telephone calls related in any way to recruiting?

Position of Institution: The institution agrees the information set forth in Allegation No. 1 is substantially correct and that the conduct described was contrary to the listed sanctions imposed by the committee. The institution understands that the impermissible conduct referred to in this allegation includes: (1) three-way recruiting phone calls (involving three phones) that included Sampson, and (2) use of a speakerphone or passing of the phone by Senderoff to include Sampson in recruiting calls (involving two phones).

Position of Sampson: In his response to Allegation No. 3-a, Sampson disagrees that he knowingly violated the recruiting restrictions imposed by the committee and that he violated the principles of ethical conduct.

Position of Senderoff: In his response to Allegation No. 4-a, Senderoff disagrees that the facts alleged are substantially correct, that he knowingly violated the committee's sanctions and that he violated the principles of ethical conduct.

Position of Enforcement Staff and Reasons for Position: The enforcement staff believes that both Sampson and Senderoff knowingly violated the committee's recruiting restrictions prohibiting Sampson from being present while members of his staff made calls related to recruiting. The enforcement staff relies on the information detailed in its discussion of Allegation Nos. 3-a and 4-a to support its position.

ISSUE NO. 2: Did Senderoff and Meyer place approximately 100 telephone calls that violated the recruiting restrictions set forth in Penalties E and F of Infractions Report No. 250?

Position of Institution: The institution agrees that approximately 100 telephone calls were made that exceeded the number of phone calls allowed per prospect, as set forth in Penalties E and F of Infractions Report No. 250.

Position of Meyer: Meyer acknowledges placing four phone calls that violated the committee's recruiting restrictions but disputes that he placed a total of 10 impermissible calls. Meyer argues that his involvement in the impermissible calls should be considered a secondary violation.

Position of Senderoff: Senderoff acknowledges that he made phone calls that violated the committee's recruiting restrictions but disagrees that he made approximately 100 telephone calls that violated the restrictions.

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Position of Enforcement Staff and Reasons for Position: The enforcement staff believes that Senderoff and Meyer placed approximately 100 telephone calls that violated the recruiting restrictions. The staff relies on the following information to support its position:

- Concerning Penalty E of Infractions Report No. 250, telephone calls were reduced from one call per month to one call every other month to prospective student-athletes or the prospective student-athletes' parents or legal guardian(s) on or after June 15 of the prospects' sophomore year in high school. The enforcement staff relies on the information self-reported by the institution and reviewed by the enforcement staff as detailed in the charts below:

DEJUAN BLAIR – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 15-minute call to Blair from Sampson's cell phone April 24, 2006, at 9:50 p.m.</i>					
Sampson Cell	Blair	05/02/06	10 p.m.	2	Another call could not be placed to Blair in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	Blair's grandmother	05/16/06	7:49 p.m.	6	Another call could not be placed to Blair in May per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by a six-minute call to Blair's grandmother from Senderoff's cell phone May 16, 2006, at 7:49 p.m.</i>					
Senderoff Cell	Blair	06/09/06	5:08 p.m.	18	Another call could not be placed to Blair in June per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an 18-minute call to Blair from Senderoff's cell phone June 9, 2006, at 5:08 p.m.</i>					
Senderoff Cell	Blair	07/18/06	8:47 p.m.	1	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	Blair	07/18/06	8:48 p.m.	2	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	Blair	07/18/06	8:49 p.m.	1	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	Blair	07/18/06	8:50 p.m.	3	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	Blair	07/19/06	8:15 p.m.	2	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	Blair	07/22/06	4:51 p.m.	2	Another call could not be placed to Blair in July per Penalty E of NCAA Infractions Report No. 250.

KENNY FREASE – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a four-minute call to Frease from Senderoff's cell phone June 17, 2006, at 4:23 p.m.</i>					
Senderoff Cell	Frease	07/02/06	6:47 p.m.	2	Another call could not be placed to Frease in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Frease	07/18/06	9:16 p.m.	1	Another call could not be placed to Frease in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Frease	07/18/06	9:16 p.m.	1	Another call could not be placed to Frease in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Frease	07/18/06	9:17 p.m.	1	Another call could not be placed to Frease in July per Penalty E of Infractions Report No. 250.
<i>The impermissible August calls below were triggered by the calls made to Frease in July, as there was no requisite one month without a call and another call could not be placed to Frease in August per Penalty E of Infractions Report No. 250.</i>					
Senderoff Cell	Frease	08/13/06	8:40 p.m.	2	Another call could not be placed to Frease in August per Penalty E of Infractions Report No. 250.
Senderoff Cell	Frease	08/14/06	9:33 p.m.	38	Another call could not be placed to Frease in August per Penalty E of Infractions Report No. 250.

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KENNY FREASE – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 38-minute call to Frease from Senderoff's cell phone August 14, 2006, at 9:33 p.m.</i>					
Senderoff Home	Frease	09/04/06	9:43 p.m.	1	Another call could not be placed to Frease in September per Penalty E of Infractions Report No. 250.
Senderoff Home	Frease	09/04/06	9:45 p.m.	1	Another call could not be placed to Frease in September per Penalty E of Infractions Report No. 250.
Senderoff Home	Frease	09/05/06	9:45 p.m.	31	Another call could not be placed to Frease in September per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by a 31-minute call to Frease from Senderoff's cell phone September 5, 2006, at 9:45 p.m.</i>					
Senderoff Cell	Frease	10/11/06	8:54 p.m.	41	Another call could not be placed to Frease in October per Penalty E of Infractions Report No. 250.

YANCY GATES – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 16-minute call to Gates from Senderoff's cell phone June 28, 2006, at 4:27 p.m.</i>					
Senderoff Cell	Gates	07/11/06	2:28 p.m.	2	Another call could not be placed to Gates in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	07/17/06	5:16 p.m.	2	Another call could not be placed to Gates in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	07/18/06	7:28 p.m.	1	Another call could not be placed to Gates in July per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a 13-minute call to Gates from Senderoff's home phone September 5, 2006, at 8:58 p.m.</i>					
Senderoff Cell	Gates	10/09/06	9:25 p.m.	1	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	10/22/06	6:01 p.m.	1	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	10/23/06	9:12 p.m.	1	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	10/24/06	8:40 p.m.	2	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	10/25/06	7:20 p.m.	1	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Gates	10/26/06	9:34 p.m.	1	Another call could not be placed to Gates in October per Penalty E of Infractions Report No. 250.

ROBBIE HUMMEL – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a four-minute call to Hummel from Meyer's cell phone June 29, 2006, at 2:11 p.m.</i>					
Meyer Cell	Hummel	06/29/2006	5:46 p.m.	1	Another call could not be placed to Hummel in June per Penalty E of Infractions Report No. 250.
Meyer Cell	Hummel	06/29/2006	5:54 p.m.	3	Another call could not be placed to Hummel in June per Penalty E of Infractions Report No. 250.
Meyer Cell	Hummel	07/10/2006	5:38 p.m.	8	Another call could not be placed to Hummel in June per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an eight-minute call to Hummel from Meyer's cell phone July 10, 2006, at 5:38 p.m.</i>					
Meyer Cell	Hummel	7/10/2006	5:46 p.m.	1	Another call could not be placed to Hummel in July per Penalty E of Infractions Report No. 250.
Meyer Cell	Hummel	7/10/2006	5:58 p.m.	3	Another call could not be placed to Hummel in July per Penalty E of Infractions Report No. 250.

PHILLIP JURICK – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by a 15-minute call to Jurick from Senderoff's cell phone August 21, 2006, at 6:22 p.m.</i>					
Senderoff Home	Jurick	09/04/06	9:51 p.m.	18	Another call could not be placed to Jurick in September per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an 18-minute call to Jurick on Senderoff's home phone September 4, 2006, at 9:51 p.m.</i>					
Senderoff Cell	Jurick	10/09/06	7:17 p.m.	2	Another call could not be placed to Jurick in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Jurick	10/09/06	9:03 p.m.	1	Another call could not be placed to Jurick in October per Penalty E of Infractions Report No. 250.
Senderoff Cell	Jurick	10/18/06	10:06 p.m.	13	Another call could not be placed to Jurick in October per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a 29-minute call to Jurick's mother from Senderoff's home phone March 4, 2007, at 9:55 p.m.</i>					
Senderoff Home	Jurick's mother	03/26/07	9:55 p.m.	1	Another call could not be placed to Jurick in March per Penalty E of Infractions Report No. 250.
Senderoff Home	Jurick	03/26/07	10 p.m.	18	Another call could not be placed to Jurick in March per Penalty E of Infractions Report No. 250.
Senderoff Cell	Jurick	04/10/07	9:57 p.m.	10	Another call could not be placed to Jurick in March per Penalty E of Infractions Report No. 250.
Senderoff Home	Jurick's mother	04/15/07	9:28 p.m.	1	Another call could not be placed to Jurick in March per Penalty E of Infractions Report No. 250.

JONATHAN "BUD" MACKEY -- CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by a three-minute call to Mackey from Senderoff's cell phone December 24, 2006, at 10:52 a.m.</i>					
Senderoff Home	Mackey	01/17/07	10:01 p.m.	8	Another call could not be placed to Mackey in January per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by an eight-minute call to Mackey from Senderoff's home phone January 17, 2007, at 10:01 p.m.</i>					
Senderoff Home	Mackey	02/12/07	9:30 p.m.	11	Another call could not be placed to Mackey in February per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an 11-minute call to Mackey from Senderoff's home phone February 12, 2007, at 9:30 p.m.</i>					
Senderoff Home	Mackey	03/01/07	8:41 p.m.	1	Another call could not be placed to Mackey in March per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	03/01/07	8:49 p.m.	1	Another call could not be placed to Mackey in March per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	03/01/07	8:58 p.m.	17	Another call could not be placed to Mackey in March per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	03/01/07	9:16 p.m.	5	Another call could not be placed to Mackey in March per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an 18-minute call from Senderoff's home phone March 1, 2007, at 8:58 p.m.</i>					
Senderoff Cell	Mackey	04/08/07	8:05 p.m.	2	Another call could not be placed to Mackey in April per Penalty E of Infractions Report No. 250.
Senderoff Cell	Mackey's grandfather	04/16/07	5:09 p.m.	4	Another call could not be placed to Mackey in April per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	04/23/07	9:24 p.m.	1	Another call could not be placed to Mackey in April per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	04/23/07	9:26 p.m.	2	Another call could not be placed to Mackey in April per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	04/23/07	9:28 p.m.	5	Another call could not be placed to Mackey in April per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a five-minute call to Mackey from Senderoff's home April 23, 2007, at 9:28 p.m.</i>					
Senderoff Home	Mackey	05/02/07	9:49 p.m.	16	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/07/07	9:16 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/07/07	9:16 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.

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JONATHAN "BUD" MACKEY – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
Senderoff Home	Mackey	05/07/07	9:17 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/07/07	9:53 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/20/07	10:40 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/20/07	10:43 p.m.	2	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/23/07	9:12 p.m.	6	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/27/07	8:36 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/27/07	9:29 p.m.	1	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/27/07	9:30 p.m.	7	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/27/07	10:03 p.m.	7	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/28/07	6:46 p.m.	3	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	05/29/07	9:43 p.m.	14	Another call could not be placed to Mackey in May per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a 16-minute call to Mackey from Senderoff's home phone May 2, 2007, at 9:49 p.m.</i>					
Senderoff Cell	Mackey	06/08/07	10 p.m.	4	Another call could not be placed to Mackey in June per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	06/13/07	8:50 p.m.	1	Another call could not be placed to Mackey in June per Penalty E of Infractions Report No. 250.
Senderoff Home	Mackey	06/13/07	10:12 p.m.	8	Another call could not be placed to Mackey in June per Penalty E of Infractions Report No. 250.
Senderoff Cell	Mackey's grandfather	06/27/07	6:27 p.m.	2	Another call could not be placed to Mackey in June per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by a four-minute call to Mackey from Senderoff's cell phone June 8, 2007 at 10 p.m.</i>					
Senderoff Home	Mackey's grandfather	07/17/07	8:52 p.m.	4	Another call could not be placed to Mackey in July per Penalty E of Infractions Report No. 250.

SCOTT MARTIN – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 15-minute call to Martin from Meyer's cell phone June 26, 2006, at 2:08 p.m.</i>					
Meyer Home	Martin	07/17/06	8:58 p.m.	9	Another call could not be placed to Martin in July per Penalty E of Infractions Report No. 250.
Meyer Home	Martin	07/18/06	1:26 p.m.	8	Another call could not be placed to Martin in July per Penalty E of Infractions Report No. 250.

DEMETRI McCAMEY – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 16-minute call to McCamey from Sampson's cell phone May 2, 2006, at 10:51 p.m.</i>					
Senderoff Cell	McCamey	05/07/06	7:56 p.m.	2	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	McCamey	05/09/06	10:56 p.m.	20	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	McCamey	05/30/06	11:24 p.m.	1	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	McCamey	06/22/06	10:38 p.m.	1	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.

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DEMETRI McCAMEY – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
Senderoff Home	McCamey	06/22/06	11:02 p.m.	1	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	McCamey	06/22/06	11:06 p.m.	1	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	McCamey	06/22/06	11:12 p.m.	1	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.
Senderoff Home	McCamey	06/22/06	11:13 p.m.	37	Another call could not be placed to McCamey in May per Penalty E of Infractions Report No. 250.

MARCUS AND MARKIEFF MORRIS – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by an eight-minute call to the Morris' mother from Senderoff's cell phone April 24, 2006, at 7:13 p.m.</i>					
Senderoff Cell	The Morris' mother	05/07/06	7:59 p.m.	2	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	The Morris' mother	05/22/06	6:37 p.m.	2	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	The Morris' mother	05/22/06	8:06 p.m.	1	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	The Morris' mother	05/23/07	6:07 p.m.	2	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	Marcus Morris	05/23/06	7:01 p.m.	1	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	Markieff Morris	05/23/06	7:02 p.m.	1	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	Marcus Morris	05/23/06	8:32 p.m.	1	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
Senderoff Cell	Markieff Morris	05/23/06	8:33 p.m.	10	Another call could not be placed to either Morris brother in May per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a 10-minute call to Markieff Morris from Senderoff's cell phone May 23, 2006, at 8:33 p.m.</i>					
Senderoff Cell	The Morris' mother	06/01/06	7:38 p.m.	2	Another call could not be placed to either Markieff or the Morris' mother in June per Penalty E of Infractions Report No. 250.
Senderoff Cell	The Morris' mother	06/21/06	12:12 p.m.	9	Another call could not be placed to either Markieff or the Morris' mother in June per Penalty E of Infractions Report No. 250.
Senderoff Home	Markieff Morris	06/25/06	8:17 p.m.	6	Another call could not be placed to either Markieff or the Morris' mother in June per Penalty E of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a six-minute call to Markieff Morris from Senderoff's home June 25, 2006, at 8:17 p.m.</i>					
Senderoff Home	The Morris' mother	07/17/06	9:13 p.m.	1	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	The Morris' mother	07/18/06	4:13 p.m.	1	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	The Morris' mother	07/18/06	7:26 p.m.	1	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	The Morris' mother	07/18/06	9:05 p.m.	1	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.
Senderoff Cell	The Morris' mother	07/19/06	6:15 p.m.	2	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.

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MARCUS AND MARKIEFF MORRIS – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
Senderoff Cell	The Morris' mother	07/19/06	8:30 p.m.	20	Another call could not be placed to the Markieff or the Morris' mother in July per Penalty E of NCAA Infractions Report No. 250.

BRET THOMPSON – CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by an 18-minute call to Thompson from Senderoff's cell phone March 6, 2007, at 8:50 p.m.</i>					
Senderoff Cell	Thompson	04/15/07	9:52 p.m.	2	A call could not be placed to Thompson in April per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by a two-minute call to Thompson from Senderoff's cell phone April 15, 2007, at 9:52 p.m.</i>					
Senderoff Home	Thompson	05/08/07	10:35 p.m.	21	There was no requisite one month without a call and another call could not be placed to Thompson in May per Penalty E of Infractions Report No. 250.

EVAN TURNER – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by An 11-minute call to Turner from Senderoff's cell phone May 8, 2006, at 9:55 p.m.</i>					
Senderoff Cell	Turner	05/11/06	11:01 p.m.	14	Another call could not be placed to Turner in May per Penalty E of Infractions Report No. 250.

2. Concerning Penalty F of Infraction's Report No. 250, telephone calls were reduced from two calls per week to one call per week to prospective student-athletes or the prospective student-athletes' parents or legal guardians on or after August 1 of their senior year in high school. The enforcement staff relies on the following information self-reported by the institution and reviewed by the enforcement staff, as detailed in the charts below:

DEJUAN BLAIR – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by a seven-minute call to Blair from Senderoff's home phone September 13, 2006, at 10:22 p.m.</i>					
Senderoff Cell	Blair	09/15/06	7:17 p.m.	6	Another call could not be placed to Blair in that same week per Penalty F of Infractions Report No. 250.

– CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 15-minute call to Crawford's mother from Meyer's cell phone September 26, 2006, at 12:25 p.m.</i>					
Meyer Home	mother	09/30/06	3:49 p.m.	14	Another call could not be placed to or his mother in that same week per Penalty F of Infractions Report No. 250.
<i>The impermissible call below was triggered by a nine-minute call to Crawford from Meyer's cell phone October 1, 2006, at 9:13 p.m.</i>					
Meyer Cell	mother	10/02/06	1:52 p.m.	4	Another call could not be placed to or his mother in that same week per Penalty F of Infractions Report No. 250.

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MARCUS AND MARKIEFF MORRIS – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a nine-minute call to the Morris' mother from Senderoff's cell phone August 22, 2006, at 8:52 p.m.</i>					
Senderoff Cell	Markieff Morris	8/22/06	9:34 p.m.	2	Another call could not be placed to either Morris brother in that same week per Penalty F of Infractions Report No. 250.
Senderoff Cell	Marcus Morris	8/22/06	9:36 p.m.	2	Another call could not be placed to either Morris brother in that same week per Penalty F of Infractions Report No. 250.
<i>The impermissible calls below were triggered by an eight-minute call to the Morris' mother from Senderoff's cell phone September 6, 2006, at 8:32 p.m.</i>					
Senderoff Cell	Marcus Morris	09/06/06	9:04 p.m.	2	Another call could not be placed to either Morris brother in that same week per Penalty F of Infractions Report No. 250.
Senderoff Cell	Markieff Morris	09/06/06	9:06 p.m.	1	Another call could not be placed to either Morris brother in that same week per Penalty F of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a three-minute call to Marcus Morris from Senderoff's cell October 9, 2006, at 9:08 p.m.</i>					
Senderoff Cell	The Morris' mother	10/9/06	9:12 p.m.	2	Another call could not be placed to Morris' mother in that same week per Penalty F of Infractions Report No. 250.
Senderoff Cell	The Morris' mother	10/13/06	5:07 p.m.	2	Another call could not be placed to Morris' mother in that same week per Penalty F of Infractions Report No. 250.

Enforcement Staff Position on Refuting Information:

- On Page Nos. 1-3 to 1-5 of his response, Senderoff argues that the reported impermissible calls to prospective student-athletes and twin brothers Marcus and Markieff Morris have been overstated by the enforcement staff and the institution. In making his argument, Senderoff states that the enforcement staff has taken the position that any call to the twins' mother constitutes the single permissible call for both prospective student-athletes "regardless of whether both brothers were discussed." This statement is inaccurate because during a January 23, 2008, interview of Markieff Morris conducted by the enforcement staff and the institution in which the prospects' mother, Thomasine Morris, participated, Ms. Morris was asked about her telephone contact with Senderoff and provided the following information:

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MN: Mark Neyland, NCAA assistant director of enforcement.

TM: Thomasine Morris, mother of Marcus and Markieff Morris.

MN: Uh, in terms of what you do remember, uh, just the couple times that you, you think you might've talked to him, was it, was coach Senderoff talking to you about both Marcus and Markieff, or was he talking about one or the other?

TM: No, both of the boys.

On March 10, 2008, the enforcement staff requested an interpretation from membership services regarding the application of the NCAA telephone contact legislation as it relates

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to the recruitment of twin prospects. On March 13, the enforcement staff forwarded membership services' interpretation and analysis to Senderoff's legal counsel and to legal counsel for the institution (Attachment A). The membership services analysis stated the following:

The interpretation below confirms that the recruiting regs apply separately. However, if one phone call incorporated discussion on both prospects, that counts as the school's one call per month for EACH prospect. In other words, they get one call for each kid and they used it at once since they discussed both kids.

The enforcement staff's position is the position found in the interpretation and analysis obtained from membership services and forwarded to Senderoff's legal counsel. The interpretation was forwarded to Senderoff's legal counsel in its entirety, and the enforcement staff made no statements that it was taking any position other than that contained within the interpretation itself. The interpretation and the enforcement staff's position are clear. If a telephone call to the twins' mother involved discussion of both prospects, then the call counts as two calls. Ms. Morris reported that the conversations she had with Senderoff involved discussion of both her sons. Each twin had an individual cell phone number, and Ms. Morris' number was separate from those of her sons. Recognizing that it is possible that Senderoff may have called Ms. Morris' number and talked to only one of the twins, when Senderoff documented a call to Ms. Morris as having talked to or left a message for only one of the twins, then the call was only counted as one call. Therefore, the number of impermissible calls to the Morris twins is not overstated.

- On Page No. 1-4 of Senderoff's response to the notice of allegations, Senderoff references language in the enforcement staff's request for an interpretation from membership services in an attempt to justify his impermissible calls to the Morris twins. In the request, the enforcement staff member stated that he thought it would be permissible to make two calls per month to the parent of twin prospects regardless of whether both prospects were discussed in each call. The interpretation from membership services confirmed that this analysis was incorrect. Senderoff argues that because of the enforcement staff's inaccurate presumption in its request for an interpretation, that it was reasonable for Senderoff to have made the telephone calls under the same mistaken belief. The enforcement staff does not fault Senderoff for arriving at the same incorrect interpretation of the rule; however, a critical distinction exists between Senderoff's actions, or lack thereof, and those of the enforcement staff -- the enforcement staff requested an interpretation from membership services, the appropriate authority regarding the issue. NCAA bylaws governed Senderoff's actions; however, there is no evidence in the record or in Senderoff's response that he requested an interpretation from the institution's compliance staff, the appropriate authority for athletics staff members.

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Regardless of how reasonable Senderoff's mistaken belief may have been, it was his responsibility to make sure that his interpretation was correct. If violations occurred as a result of this failure, Senderoff is responsible for those violations. Although Senderoff argues that the institution's compliance staff never informed him that the calls to the Morris twins' mother could count as a recruiting call for both twins, the institution's compliance staff cannot be blamed for not answering a question that was not asked.

- On Page Nos. 1-5 and 1-6 of his response, Senderoff argues that the institution did not inform him of the committee's sanctions until May 30, 2006; therefore, he should not be held accountable for calls made in violation of the sanctions prior to that date. However, in its response to the notice of allegations, the institution provided copies of a May 1, 2006, e-mail exchange between Senderoff and the assistant director of athletics for compliance in which Senderoff was informed of the sanctions (Institution's Response, Attachment No. 9).
- On Page Nos. 1-6 to 1-9 of Senderoff's response, Senderoff argues that the calls the institution reported with respect to prospective student-athlete Yancey Gates are not impermissible because they were made to Gates' father, who is also his coach. The enforcement staff reviewed Senderoff's documentation of phone calls to Gates. In his documentation, some calls are documented as conversations with and/or messages for the prospect. Other calls to the same number are documented as conversations with and/or messages for the prospect's father/coach. The enforcement staff has eliminated any calls that Senderoff documented as going to the prospect's father/coach from the list of impermissible calls.
- Senderoff and Meyer both dispute the institution's method of counting calls logged as messages as "trigger" calls. [Senderoff's response, Page Nos. 1-9 and 1-10; Meyer's response, Page Nos. 1-3 to 1-8]. The enforcement staff recognizes the importance the committee has placed on contemporaneous documentation of phone calls in Infractions Report No. 281 - Texas Christian University. It is the enforcement staff's position that although contemporaneous documentation is important, it is not dispositive and the documentation should provide a plausible account of the call. The documentation and the duration of the call should be taken together to determine whether the call should be counted as a recruiting call. The staff recognizes that calls of three minutes or more are of sufficient duration and likely contain statements beyond an exchange of a greeting. As an example, the enforcement staff notes that one of the calls at issue with respect to Meyer is an eight-minute call that was logged as a message (Institution's Response, Page Nos. 2-7 and 2-8; Meyer's response, Page No. 1-5). The enforcement staff believes it is unreasonable to conclude that absent further explanation, an eight-minute call logged as a message would only contain a greeting. It is implausible that such a call did not involve recruiting-related discussions. Regardless of whether Meyer talked specifically about the prospect's recruitment, he established contact with someone in the prospect's life. The

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fundamental premise of recruiting is based on relationships established through sustained contact with the prospect and his family.

- In his response to the notice of allegations, Meyer argues that his involvement in calls that violate the committee's sanctions, as detailed in Allegation No. 1-b, should be treated as a secondary violation. Although the enforcement staff recognizes that Meyer was not responsible for the bulk of the impermissible calls alleged, the staff views Allegation No. 1 in its entirety as a major violation.

Additional Matters that Relate to the Allegation:

- In his response to the notice of allegations, Senderoff argues that eight of the calls that the institution reported as impermissible were the result of logging errors and that there were no actual records of the calls. The enforcement staff's position is that only calls for which there are actual phone records should be counted as impermissible; all calls for which there are no phone record have been removed from the charts that appear in this document.
- Concerning Penalty E of Infractions Report No. 250, telephone calls reduced from one call per month to one call every other month to prospective student-athletes or the prospective student-athletes' parents or legal guardian(s) on or after June 15 of the prospect's sophomore year in high school, the following chart summarizes impermissible calls discovered by the institution as a result of information obtained during the enforcement staff and the institution's interview of then prospective student-athlete Ayodele Coker. The institution accepts responsibility for the impermissible calls; however, the enforcement staff and the institution are in agreement that Senderoff has not had an opportunity to respond to this information.

AYODELE COKER -- CLASS OF 2007					
Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a six-minute call to Coker from Senderoff's cell phone July 2, 2006 at 6:21 p.m.</i>					
Senderoff Cell	Coker's uncle	07/17/06	5:05 p.m.	1	Another call could not be placed to Coker or his uncle in July per Penalty E of Infractions Report No. 250.
Senderoff Cell	Coker's uncle	07/17/06	6:24 p.m.	14	Another call could not be placed to Coker or his uncle in July per Penalty E of Infractions Report No. 250.
<i>The impermissible call below was triggered by a 13-minute call to Coker's uncle from Senderoff's cell phone August 6, 2006, at 8:30 p.m.</i>					
Senderoff Cell	Coker	08/07/06	5:03 p.m.	12	Another call could not be placed to Coker in that same week per Penalty F of Infractions Report No. 250.
<i>The impermissible call below was triggered by a 16-minute call to Coker's uncle from Senderoff's cell phone August 28, 2006, at 9:05 p.m.</i>					
Senderoff Cell	Coker's uncle	08/28/06	9:24 p.m.	1	Another call could not be placed to Coker or his uncle in that same week per Penalty F of Infractions Report No. 250.
<i>The impermissible calls below were triggered by a nine-minute call to Coker from Senderoff's cell phone September 4, 2006, at 6:09 p.m.</i>					
Senderoff Cell	Coker's uncle	09/05/06	6:41 p.m.	2	Another call could not be placed to Coker or his uncle in that same week per Penalty F of Infractions Report No. 250.
Senderoff Cell	Coker's uncle	09/06/06	2:44 p.m.	2	Another call could not be placed to Coker or his uncle in that same week per Penalty F of Infractions Report No. 250.

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AYODELE COKER – CLASS OF 2007					
Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a three-minute call to Coker from Senderoff's cell phone September 26, 2006, at 9:07 p.m.</i>					
Senderoff Cell	Coker's uncle	09/29/06	9:33 p.m.	2	Another call could not be placed to Coker or his uncle in that same week per Penalty F of Infractions Report No. 250.
Senderoff Cell	Coker's uncle	09/29/06	9:35 p.m.	19	Another call could not be placed to Coker or his uncle in that same week per Penalty F of Infractions Report No. 250.

- Concerning Allegation No. 1-a, Senderoff makes the procedural argument that this allegation does not satisfy the requirements of Bylaw 32.6.1.2 in that it does not sufficiently provide the details of each allegation. However, without waiving his procedural objection, Senderoff incorporated his response to Allegation No. 4-a into Allegation No. 1-a (Allegation No. 4-a).

Procedural issue raised by Senderoff. The enforcement staff believes that the notice of allegations was sufficient for the following reasons:

- Senderoff received notice of impermissible three-way and sanction calls before the enforcement staff obtained the information -- he received a copy of institution's self-report and was interviewed regarding them.
- With respect to new information developed (phone passing and actual three-way conversations), Senderoff was informed of and questioned about the new information during a January 31, 2008, follow-up interview with the enforcement staff. Senderoff was informed and questioned specifically regarding the new information reported by each individual when the enforcement staff summarized the information reported and asked him for his response.

Regarding the approximate dates and times of three-way conversations, there was no reason to believe that the enforcement staff was inquiring about calls other than those reported by the institution because when questioned in the follow-up interview, Senderoff was only presented information regarding the individuals whom the institution had reported three-way calls, with the exception of incoming three-way call information provided by McCamey and phone passing information.

- The enforcement staff could not provide phone records to show phone passing or speakerphone calls, as such information is not identified by a phone record. It should also be noted that Allegation Nos. 3-a(1) and 4-a(1), concerning speakerphone calls, have been withdrawn.
- Immediately following Senderoff's January 31 follow-up interview, the enforcement staff informed Senderoff's legal counsel that a notice of allegations was pending and that it would be based on the institution's self-report and the new information about which Senderoff had recently been interviewed. Furthermore,

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in advance of the issuance of the notice of allegations, the enforcement staff offered all parties access to the enforcement staff case file, including access to the recordings and transcripts containing new information obtained after the initial interviews of the coaching staff. Senderoff and his legal counsel refused to sign the confidentiality agreement required for access to the case file via a secure Web custodial. Although Bylaw 32.3.10.2 states that involved individuals may review the enforcement staff case file **in the national office or through a secure Web-based custodial site** (emphasis added), the enforcement staff set up two physical sites to assist Senderoff and his legal counsel in accessing information on which the notice of allegations was based.

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Allegation No. 2

2. [NCAA Bylaw 13.1.3.1.2]

It was reported that from May 7, 2006, through ~~July 17~~ June 27, 2007, Jeff Meyer, then assistant men's basketball coach, and Rob Senderoff, then assistant men's basketball coach, placed at least 25 impermissible telephone calls to multiple prospective student-athletes and the prospective student-athletes' parents or legal guardian(s). Specifically, it was reported that:

- a. ~~From May 31, 2006, through June 7, 2006, Senderoff placed two impermissible telephone calls to prospective student-athlete Yancy Gates, the prospective student-athletes' parents or legal guardian(s), prior to June 15 of his sophomore year in high school.~~
- b. Senderoff made the following impermissible telephone calls after he had already made a permissible call to that individual during that month (one call per month permitted on or after June 15 of a prospective student-athlete's sophomore year in high school through July 31 of his junior year in high school):
 - (1) On May 11, 2006, Senderoff placed an impermissible call to then prospective student-athlete Evan Turner and the prospect's parents or legal guardian(s).
 - (2) During May 2006, Senderoff placed three impermissible calls to then prospective student-athlete Demetri McCamey and the prospect's parents or legal guardian(s).
 - (3) On ~~June 29, 2006~~, June 25, 2006, Senderoff placed an impermissible call to prospective student-athlete Markieff Morris and the prospect's parents or legal guardian(s).
 - (4) During July 2006, Senderoff placed two impermissible calls to then prospective student-athlete DeJuan Blair and the prospect's parents or legal guardian(s).
 - (5) From March 1 through ~~July 17~~ June 27, 2007, Senderoff placed ~~22~~ 19 impermissible calls to prospective student-athlete Jonathan "Bud" Mackey and the prospect's parents or legal guardian(s).

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- (6) From March 26 through April 15, 2007, Senderoff placed three impermissible calls to prospective student-athlete Philip Jurick and the prospect's parents or legal guardian(s).
- c. Meyer made the following impermissible telephone calls after he had already made a permissible call to that individual during that month (one call per month permitted on or after June 15 of a prospective student-athlete's sophomore year in high school through July 31 of his junior year in high school):
- (1) On July 18, 2006, Meyer placed an impermissible call to then prospective student-athlete Scott Martin and the prospect's parents or legal guardian(s).
 - (2) From June 29 through July 17, 2006, Meyer placed ~~six~~ four impermissible calls to then prospective student-athlete Robbie Hummel and the prospect's parents or legal guardian(s).
-

Overview: The institution and the enforcement staff are in substantial agreement as to the facts of this allegation and that violations of NCAA legislation occurred. The institution believes the violations to be secondary in nature.

- Concerning Allegation No. 2-b-(1), Senderoff agrees that on May 11, 2006, he placed an impermissible call to Turner and the prospect's parents or legal guardians.
- Concerning Allegation No. 2-b-(2), Senderoff agrees that during May 2006, he placed three impermissible calls to McCamey and the prospect's parents or legal guardians.
- Concerning Allegation No. 2-b-(3), Senderoff disagrees that on June 25, 2006, he placed an impermissible call to prospective student-athlete Markieff Morris and the prospect's parents or legal guardians.
- Concerning Allegation No. 2-b-(4), Senderoff disagrees that during July 2006, he placed two impermissible calls to Blair and the prospect's parents or legal guardians.
- Concerning Allegation No. 2-b-(5), Senderoff agrees that from March 1 through July 17, 2007, he placed 19 impermissible calls to Mackey and the prospect's parents or legal guardians.
- Concerning Allegation No. 2-b-(6), Senderoff agrees that from March 26 through April 15, 2007, he placed three impermissible calls to Jurick and the prospect's parents or legal guardians.

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- Concerning Allegation No. 2-c(1), Meyer disagrees that on July 18, 2006, he placed an impermissible call to Martin and the prospect's parents or legal guardians. Meyer maintains that if the call he placed was impermissible, then it constitutes a secondary violation.
- Concerning Allegation No. 2-c(2), Meyer disagrees that from June 29 through July 17, 2006, he placed four impermissible calls to Hummel and the prospect's parents or legal guardians. Meyer maintains that if the calls he placed were impermissible, then they constitute a secondary violation.

Remaining Issues:

1. Did Senderoff place impermissible telephone calls to Morris and Blair, their parents or legal guardians?
2. Did Meyer place impermissible calls to Hummel and Martin, their parents or legal guardians?
3. Are the violations detailed in Allegation No. 2 secondary or major in nature?

ISSUE NO. 1: Did Senderoff place impermissible telephone calls to Morris and Blair, their parents or legal guardians?

Position of Institution: The institution believes the calls to Morris and Blair were impermissible.

Position of Senderoff: Senderoff believes that the alleged impermissible call to Morris' mother was permissible for the reasons set forth in his response to Allegation No. 1-b. Concerning Blair, Senderoff believes that the two alleged impermissible calls were permissible because their alleged impermissibility was triggered by a three-minute message call that should not have been considered a countable call.

Position of Enforcement Staff and Reasons for Position: The enforcement staff relies on the following to support its position that the violations constitute a major violation:

1. The call concerning Morris was impermissible for the reasons set forth in the discussion of calls to the Morris twins in Allegation No. 1-b of the enforcement staff case summary.
2. Regarding the calls to Blair, it is the enforcement staff's position that calls of three minutes or more in duration are likely to contain statements beyond an exchange of a greeting; thus, the documentation of the call and the duration of the call should both be considered in order to determine whether the call should be counted as a recruiting call.

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Relevant Information Reported/Obtained:

[NOTE: See Attachment B for a chart summarizing all impermissible calls referenced in this allegation.]

1. Concerning the alleged impermissible call to Morris, the enforcement staff incorporates the relevant portions of Allegation No. 1-b of its case summary regarding the Morris twins, particularly the portions related to Ms. Morris' statement that calls she received from Senderoff involved discussion of both twins and the relevant membership services interpretation regarding the recruitment of twin prospects.

MARCUS AND MARKIEFF MORRIS – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible call below was triggered by a nine-minute call to the Morris' mother from Senderoff's cell June 21, 2006, at 12:12 p.m.</i>					
Senderoff Cell	Markieff Morris	06/25/06	8:17 p.m.	6	Only allowed one call per month to junior prospects.

2. Concerning the alleged impermissible call to Blair, as previously stated, the enforcement staff recognizes the importance the committee has placed on contemporaneous documentation of phone calls, as discussed in Infractions Report No. 281 – Texas Christian University. However, it is the enforcement staff's position that although contemporaneous documentation is important, it should not be dispositive. Rather, the documentation and the duration of the call should be taken together to determine whether the call should be counted as a recruiting call. The enforcement staff believes that calls of three minutes or more in duration are likely to contain statements beyond an exchange of greeting and a request for a return call.

DEJUAN BLAIR – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a three-minute call to Blair from Senderoff's cell phone July 18, 2006, at 8:50 p.m.</i>					
Senderoff Cell	Blair	07/19/06	8:15 p.m.	2	Only allowed one call per month to junior prospects.
Senderoff Cell	Blair	07/22/06	4:51 p.m.	2	Only allowed one call per month to junior prospects.

ISSUE NO. 2: *Did Meyer place impermissible calls to Hummel and Martin, their parents or legal guardians?*

Position of Institution: The institution takes the position that the calls concerning Hummel and Martin were impermissible.

Position of Meyer: Concerning the calls to Hummel, Meyer believes that the calls to Hummel were permissible because their alleged impermissibility was triggered by a four-minute call logged as a message and an eight-minute call logged as a message. Concerning the call to Martin, Meyer believes the call was permissible because its impermissibility was triggered by a nine-minute call that he contends was a non-countable message.

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Position of Enforcement Staff and Reasons for Position: The enforcement staff relies on the following to support its position that the calls to Hummel and Martin were impermissible.

1. The alleged impermissible call to Martin was impermissible because the nine-minute "message" call was a countable call.
2. Concerning the alleged impermissible calls to Hummel, the enforcement staff believes that the eight-minute "message" should be a countable call; thus, the subsequent calls triggered by that call were impermissible.
3. With respect to the alleged impermissible calls triggered by the four-minute "message" call, the enforcement staff believes a four-minute call logged as a message is sufficient to be considered a countable call, thus, triggering impermissible calls.

Relevant information obtained:

1. The nine-minute call to Martin that Meyer logged as a message was a countable call. At Page No. 2-2 of Meyer's response, Meyer discussed the nine-minute call to Martin that was logged as a message. In Meyer's discussion, he referenced his November 13, 2007, interview with the enforcement staff and the institution where he gave details of the nine-minute "message" call. Meyer stated that he spoke briefly with Martin's brother during the call and then spoke to Martin's mother. Meyer stated that he introduced himself to Martin's mother, mentioned that he had seen Martin play and that he would like to speak with Martin. Meyer stated that Martin's mother told him that Martin was not home, followed by a brief discussion as to what would be the best time to reach Martin, and then the call ended.

The enforcement staff believes that a call of this length should be presumed to be a recruiting call regardless of whether the call is logged as a message. Furthermore, the enforcement staff's position is that the call, as described by Meyer, was sufficient to trigger a countable recruiting call. Meyer correctly notes in his response that a February 6, 1991, official interpretation (Attachment C) states that when a prospective student-athletes' parents advise that the prospect is not available, then the call is not countable provided that a conversation in excess of a greeting does not occur. The enforcement staff submits that the nine-minute call during which Meyer spoke briefly with both Martin's younger brother and mother, and during which Meyer mentioned seeing Martin play, was sufficient to trigger a countable recruiting call.

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SCOTT MARTIN – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a nine-minute call to Martin from Meyer's home phone July 17, 2006, at 8:58 p.m.</i>					
Meyer Home	Martin	07/18/06	?	8	Only allowed one call per month to junior prospects.

ROBBIE HUMMEL – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a four-minute call to Hummel from Meyer's cell phone June 29, 2006, at 2:11 p.m.</i>					
Meyer Cell	Hummel	06/29/06	5:46 p.m.	1	Only allowed one call per month to junior prospects.
Meyer Cell	Hummel	06/29/06	5:54 p.m.	3	Only allowed one call per month to junior prospects.
<i>The impermissible calls below were triggered by an eight-minute call to Hummel from Meyer's cell phone July 10, 2006, at 5:38 p.m.</i>					
Meyer Cell	Hummel	07/10/06	5:46 p.m.	1	Only allowed one call per month to junior prospects.
Meyer Cell	Hummel	07/10/06	5:58 p.m.	3	Only allowed one call per month to junior prospects.

2. The eight-minute call that Meyer logged as a message should be considered a countable recruiting call. The enforcement staff rejects the notion that a call lasting eight minutes should be counted as a message. Rather, the call should be presumed to be a countable recruiting call. The enforcement staff believes that a message call consists of a brief introduction or greeting and a request for a return call. It is unreasonable to believe that a call lasting eight minutes did not involve an actual conversation with the individual on the other end and also unreasonable to believe that during the course of an eight-minute call involving a conversation that no statements in excess of an exchange of greetings or concerning recruitment occurred.
3. For the same reasons stated in the discussion of Senderoff's calls to Blair above, the enforcement staff believes a four-minute call logged as a message is sufficient to be considered a countable call.

ISSUE NO. 3: *Are the violations detailed in Allegation No. 2 secondary or major in nature?*

Position of Institution: The institution believes the violations are secondary in nature.

Position of Meyer: Meyer believes that if he committed violations, then those violations are secondary in nature.

Position of Senderoff: Senderoff believes that the committee should consider the length of the calls in determining whether the calls constitute a secondary or major violation and whether the calls resulted in a significant recruiting advantage.

Position of Enforcement Staff and Reasons for Position: The enforcement staff relies on the following to support its position that the violations constitute major violations:

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19.02.2.1 Violation, Secondary. A secondary violation is a violation that is isolated or inadvertent in nature, provides or is intended to provide only a minimal recruiting, competitive or other advantage and does not include any significant recruiting inducement or extra benefit. Multiple secondary violations by a member institution may collectively be considered as a major violation. (Revised: 1/11/94)

Bylaw 19.02.2.1 creates a three-pronged test to determine whether violations are secondary:

1. Are the violations isolated or inadvertent;
2. Do the violations provide or are they intended to provide more than a minimal recruiting, competitive or other advantage; or
3. Do the violations provide a significant recruiting inducement or extra benefit.

If a violation fails any one of the three prongs of the test, then the violation is not secondary and, thus, major per Bylaw 19.02.2.2, which states that all violations other than secondary violations are major.

The enforcement staff believes the violations as detailed in Allegation No. 2 are major for the following reasons:

1. The violations are major because the impermissible phone calls were neither isolated nor inadvertent.
2. The violations provided a significant recruiting advantage.
3. The multiple secondary violations should be considered major.

Relevant Information Reported/Obtained:

1. The impermissible calls were neither isolated nor inadvertent. The impermissible calls were not isolated because they were placed by two coaches (Senderoff and Meyer) to eight different prospects during a period of time covering at least one year. The majority of the calls were not inadvertent because they were intentionally placed to Mackey by Senderoff, who knew the calls exceeded permissible limits.
2. The violations provided a significant recruiting advantage (i.e., an advantage over the committee's sanctions). The enforcement staff believes that the violations, as detailed in this allegation, must be viewed in the context of the committee's sanctions. The sanctions imposed were intended to reduce the number of permissible calls allowed by the men's basketball staff to a level below (half) that of the number allowed by Bylaw 13.1.3.1.2.

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The calls made in violation of Bylaw 13.1.3.1.2 not only disregarded the committee's sanctions but also were violations of rules governing all member institutions. It is the enforcement staff's position that the calls made in violation of the sanctions only, as detailed in Allegation No. 1, constitute a major violation because they provided a significant advantage in that they nullified those sanctions. Likewise, to the extent that the calls detailed in Allegation No. 2 not only violated the committee's sanctions but went beyond them to violate Bylaw 13.1.3.1.2, it is the enforcement staff's position that the advantage gained over the sanctions was extensive and that those violations should be considered major.

3. The multiple secondary violations should be considered major. Although the enforcement staff strongly asserts that collectively the violations, as detailed in Allegation No. 2, constitute a major violation, the staff argues that even if the committee were to determine those violations individually as secondary, multiple secondary violations would exist. The enforcement staff believes that given the heightened awareness that should have existed due to the sanctions imposed, multiple secondary violations in this context should be considered a major violation.

Enforcement Staff's Position on Refuting Information:

- In its response to the notice of allegations, the institution argues that the impermissible phone calls are secondary because they are isolated to one sport and one bylaw. The enforcement staff believes this argument is fundamentally flawed. If the institution's reasoning were used, then an institution could make an unlimited number of impermissible calls and argue that the calls were isolated so long as the violations were limited to one sport and one bylaw. This is not the intended application of the term isolated within the context of the definition of a secondary violation.
- The institution, Meyer and Senderoff all argue that the duration of the phone calls should be considered in determining whether a recruiting advantage was gained by the impermissible calls. However, as the enforcement staff noted in the analysis of Bylaw 19.02.2.1, the more appropriate analysis is of the contact made despite the committee's sanctions.

Additional Matters that Relate to the Allegation:

- Consistent with the position that calls, for which there is no actual record, should not be included among the list of impermissible calls, one call from Meyer to Hummel, which had been reported as impermissible by the institution, have been removed, leaving four alleged impermissible calls to Hummel.

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- Late in the investigation, the institution reported the following additional impermissible calls discovered as a result of new information developed during an interview with prospective student-athlete Ayodele Coker. Although the institution accepts responsibility for the impermissible calls, Senderoff has not had an opportunity to respond to this information.

AYODELE COKER -- CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a six-minute call to Coker from Senderoff's cell phone July 2, 2007, at 6:21 p.m.</i>					
Senderoff Cell	Coker's uncle	7/17/06	5:05 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Cell	Coker's uncle	7/17/06	6:24 p.m.	14	Only allowed one call per month to junior prospects.

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Allegation No. 3

3. [NCAA Bylaws 10.1, 10.1-(d) and 11.1.2.1]

It is alleged that (a) during the period of time beginning May 25, 2006, through May 24, 2007, Kelvin Sampson, then head men's basketball coach, acted contrary to the NCAA principles of ethical conduct when he knowingly violated recruiting restrictions imposed by the NCAA Division I Committee on Infractions, as penalty for Sampson's prior involvement in violations of NCAA legislation; (b) Sampson failed to deport himself in accordance with the generally recognized high standard of honesty normally associated with the conduct and administration of intercollegiate athletics by providing the institution and the enforcement staff false or misleading information; and (c) Sampson failed to promote an atmosphere for compliance within the men's basketball program and failed to monitor the activities regarding compliance of one or more of his assistant coaches. Specifically:

- a. Concerning Sampson's knowing violation of recruiting restrictions, on a number of occasions from May 25, 2006, through May 24, 2007, Sampson was present while a member of his coaching staff made telephone calls related to recruiting. Sampson was prohibited from doing so pursuant to penalty L, NCAA Infractions Report No. 250; as adopted by and transferred to Indiana University, Bloomington. [NCAA Bylaw 10.1]

Specifically, on a number of occasions from May 31, 2006, through May 1, 2007, Sampson knowingly participated in three-way telephone conversations between himself, then assistant men's basketball coach Rob Senderoff and prospective student-athletes Yancy Gates and William Buford Jr. Sampson also participated in three-way conversations between himself, Senderoff, and then prospective student-athletes DeJuan Blair, Demetri McCamey and [REDACTED]. Furthermore, Sampson participated in three-way conversations between himself, Senderoff and Yvonne Jackson, mother of prospective student-athlete Devin Ebanks. Sampson participated in the three-way telephone conversations despite being instructed not to do so by the institution's compliance staff and despite receiving specific clarification from the committee that three-way calls were prohibited.

Additionally, on a number of occasions from May 25, 2006, through May 24, 2007, Sampson participated in recruiting calls made by Senderoff:

- (1) ~~Sampson participated by speakerphone in recruiting calls placed by Senderoff to [REDACTED] and prospective student-athlete Marcus Morris.~~

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- (2) Sampson was present during one or more recruiting calls placed by Senderoff to prospective student-athlete Kenny Frease. Senderoff then handed Sampson the phone and allowed Sampson to speak with Frease.
- (3) While Senderoff was in the presence of then prospective student-athletes Blair, Ayodele Coker and [REDACTED], and the prospective student-athletes' parents or legal guardian(s) during off-campus recruiting contacts, Senderoff called Sampson and allowed Sampson to speak with the prospective-student athlete, the prospective student-athletes' parents or legal guardian(s).
- (4) Sampson spoke with Erica Mackey, mother of prospective student-athlete Jonathan "Bud" Mackey, via Senderoff's cell phone while Senderoff was in Ms. Mackey's presence.

- b. Concerning Sampson's provision of false or misleading information, Sampson repeatedly provided the institution and the enforcement staff false information regarding his involvement in violations of the committee's recruiting restrictions. [NCAA Bylaw 10.1-(d)]

Specifically, during a November 13, 2007, interview with the institution and the enforcement staff, Sampson stated that he was unaware Senderoff was using three-way calls to allow him to speak with prospective-student athletes the prospective student-athletes' parents, legal guardian(s) or coaches at the time of the violations. Sampson further stated that he did not engage in three-way conversations with prospective student-athletes or their relatives during the period of recruiting restrictions. Additionally, Sampson stated that there was never an instance when he was on the phone with a prospective student-athlete when Senderoff also spoke. Finally, Sampson stated that he never spoke with Buford.

In fact, Sampson engaged in three-way telephone conversations with multiple prospective student-athletes or the prospective student-athletes' parents or legal guardian(s), as set forth in this allegation, including a June 19, 2006, three-way telephone conversation between himself, Senderoff and Buford. ~~In addition, Sampson participated in speakerphone conversations involving himself, Senderoff and prospective student athletes or the prospective student athletes' parents or legal guardian(s), as set forth in this allegation.~~

- c. Concerning Sampson's failure to promote an atmosphere for compliance within the men's basketball program and failure to monitor the activities regarding

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compliance of one or more of his assistant coaches, Sampson (1) failed to promote compliance with the recruiting restrictions imposed by the committee, (2) failed to promote compliance with applicable NCAA legislation concerning telephone recruiting calls, and (3) failed to monitor the documentation of recruiting calls by the men's basketball staff required to ensure compliance. [NCAA Bylaw 11.1.2.1]

Specifically, Sampson's failure is evidenced by the facts and circumstances set forth in Allegation Nos. 1 and 2 of this case summary.

Overview: The enforcement staff and the institution are in substantial agreement as to the facts and that violations occurred, as set forth in Allegation No. 3.

- Concerning Allegation No. 3-a, Sampson disagrees that he knowingly violated recruiting restrictions imposed by the committee and that he violated the NCAA principles of ethical conduct.
- Concerning Allegation No. 3-b, Sampson disagrees that the allegation is substantially correct and disagrees that he provided the institution and the enforcement staff with false or misleading information.
- Concerning Allegation No. 3-c, Sampson disagrees that he failed to promote an atmosphere of compliance within the men's basketball program and disagrees that he failed to monitor the activities regarding compliance of one or more of his assistant coaches.

Remaining Issues:

1. Did Sampson knowingly violate the committee's sanctions prohibiting him from being present while a member of his staff made telephone calls related to recruiting and violate the NCAA principles of ethical conduct?
2. Did Sampson provide the institution and the enforcement staff with false or misleading information?
3. Did Sampson fail to promote an atmosphere of compliance within the men's basketball program and fail to monitor the activities regarding compliance of one or more of his assistant coaches?

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ISSUE NO. 1: Did Sampson knowingly violate the committee's sanctions prohibiting him from being present while a member of his staff made telephone calls related to recruiting and violate the NCAA principles of ethical conduct?

Position of the Institution: The institutions believes that there is sufficient information and evidence to support the majority of the specific information alleged, as well as the general allegations that Sampson knowingly violated recruiting restrictions imposed by the committee.

Position of Sampson: Sampson's position is that he did not knowingly violate recruiting restrictions imposed by the committee primarily because he lacked knowledge of Senderoff's involvement in the calls that are the subject of the allegation. Sampson also contends that he complied with the terms of the original restrictions put in place and intended to comply with the related interpretations of those restrictions.

Position of Enforcement Staff and Reasons for Position: The enforcement staff relies on the following to support its position that Sampson knowingly violated the committee's sanctions prohibiting him from being present while members of his staff made telephone calls related to recruiting:

1. Sampson knew that he was prohibited from being present while members of his staff made calls related in any way to recruiting and that three-way telephone calls were also prohibited.
2. Six individuals reported that Sampson had engaged in three-way conversations between themselves, Sampson and Senderoff, or that Sampson had been alerted to their presence on a three-way call by Senderoff.
3. One prospective student-athlete and his coach reported that the prospective student-athlete had spoken to Sampson after Senderoff handed the telephone to Sampson.
4. Three individuals reported that while Senderoff was with them during an off-campus recruiting contact, Senderoff called Sampson and allowed them to speak with Sampson.
5. One individual reported that Senderoff was on his cell phone and speaking to Sampson when Senderoff approached her, handed her his phone and allowed her to speak with Sampson.

Relevant Information Reported/Obtained:

1. Sampson knew that he was prohibited from being present while members of his staff made calls related in any way to recruiting and that three-way telephone calls were also prohibited.

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- a. When the committee issued Infractions Report No. 250, May 25, 2006, Sampson was put on notice that pursuant to Penalty L of the report, he would be prohibited from making recruiting calls or from being present while members of his staff made such calls. Pursuant to the committee's procedure, Sampson was provided with a copy of the infractions report prior to its public release.
 - b. The institution reported that during a May 30 meeting between the compliance staff, athletics administrators and the men's basketball coaching staff, the coaching staff raised a number of questions regarding the application of the committee's sanctions, including the permissibility of three-way calls. The institution reported that a decision was made to seek clarification of the penalties from the committee and that the coaching staff was instructed to not make any three-ways calls pending clarification from the committee (Institution's Response, Page No. 1-8). The institution submitted a request for clarification to the committee May 31 (Institution's Response, Attachment 28).
 - c. Sampson and the institution executed a revised compliance agreement adopting and transferring the restrictions imposed by the committee in Infractions Report No. 250, June 9, 2006 (Attachment B to the institution's October 3, 2007, report to the committee).
 - h. The committee issued its clarification of the sanctions to the institution June 12, including a clear response that three-way calls were prohibited (Institution's Response, Attachment 3). The institution's compliance staff communicated the committee's clarification to the men's basketball coaching staff via e-mail and written memorandum (Institution's Response, Attachment 4, Item No. 8).
2. Six individuals reported that Sampson had engaged in three-way conversations between themselves, Sampson and Senderoff, or that Sampson had been alerted to their presence on a three-way call by Senderoff.
- a. Yvonne Jackson, mother of prospective student-athlete Devin Ebanks. The institution reported a May 1, 2007, three-way telephone call involving Sampson, Senderoff and Jackson (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response). The institution further reported that it had interviewed Jackson in late summer of 2007 and that Jackson had reported her specific recollection that Sampson and Senderoff had engaged in an actual three-way conversation with her (Institution's Response, Page No. 3-8).

During a November 27, 2007, interview with the enforcement staff, Jackson corroborated this information:

November 27, 2007 – Page Nos. 2-5

MN: Mark Neyland, NCAA assistant director of enforcement.

YJ: Yvonne Jackson, mother of prospective student-athlete Devin Ebanks.

MN: Well, uh, uh, tell me, uh, tell me about this three-way call that you described.

YJ: Uh, the three-way call that I had received that one time was, I spoke, spoke to coach, coach Senderoff initiated the, the call and then coach Sampson, uh, came on. But that's pretty much how it went.

MN: And so tell me, tell me what coach Senderoff said to you when he first contacted you before he added coach Sampson in?

YJ: Uh, you know, we had our, you know, regular, routine call, he's checking in to see how I was doing and how Dev was doing, and then, uh, you know, the hold on, uh, with coach Sampson on the line, you know, line with you. And that's pretty much how, how it went. And at that point, the conversation was between myself and the coach, Sampson.

MN: Okay and so what did coach, once coach Senderoff added coach Sampson into the call, uh, what did coach Senderoff say?

YJ: Uh, he, at that point, it was just coach Sampson and I having a conversation.

MN: Okay. Did you, uh, at any time during this conversation was, were all three of you talking sort of at the same time? I guess --

YJ: Oh, in, in the very beginning of the conversation we were, and then after that, uh, you know, it was just coach Sampson and I on the phone.

MN: So, uh, during that period of time in the conversation where all of you were talking, uh, tell me what you talked about,

YJ: Uh, basically you, you know, there was, they, you know, talked about how Dev was doing in school, uh, uh, was he gonna go to summer school or was he gonna be going out on the circuit. Uh, 'cause that time like was around summertime and I, you know, basically I said, no, Dev was gonna go to summer school. He was only gonna be able to participate in I think

like two or three events and then that would be it, then he would be in summer school. And, uh, basically, you know, that was the extent of the conversation, you know, just find out how he was doing academically and, uh, you know what, what his summer was gonna look like.

MN: So if you could, uh, you know, estimate for me how long it was that the conversation, the portion of the conversation where coach Senderoff, coach Sampson and you were all three sort of talking at the same time in an actual three-way conversation? Can you es --

YJ: I --

MN: -- how long --

YJ: -- I, I would have to say it was approximately between maybe five but no more than 10 minutes.

MN: And do you recall when this phone call occurred?

YJ: Uh, I believe this call happened, uh, two, I believe it might've been around, around May.

MN: And, uh, do you remember roughly what time of day?

YJ: Uh, it was around, uh, I would say mid, mid-day to close to afternoon.

MN: And how certain are you about the portion of the call where there was an actual three-way conversation?

YJ: Oh, I'm, I'm certain, I'm very certain of that.

MN: And so, uh, tell me what happened at the, at the point where the three-way conversation stopped or, or where, where you stopped actually having a conversation with both coach Senderoff and coach Sampson at, at the same time. Uh, tell me how it became just a conversation with you and coach Sampson.

YJ: Uh, with just, with, uh, uh, hmm, 'cause we spoke a little bit about Dev and then coach said, you know, he, uh, was gonna let coach Sampson speak. And I, like I said, that was possibly, you know, between five to 10 minutes, no more than 10 minutes. And, you know, after that point, it was just a conversation between myself and coach Sampson.

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MN: And so how long did you speak, was it that you spoke with, with coach Sampson?

YJ: I spoke with coach I would say anywhere from maybe after, after the, after coach, with the three of us, I would say maybe about 10 minutes or so, no more than 15.

MN: And let me ask you this. When, when coach, uh, Senderoff first added coach Sampson into the call, what did coach Senderoff say to coach Sampson?

YJ: Uh, he just let, let him know that I was on the line.

MN: And, and did you say, when, when that, when the call first started, did you say anything once, when coach Senderoff let coach Sampson know that you were on the line? Uh, did you sort of say hello or anything like that?

YJ: Yeah. I said hello. Yes, I did.

MN: Uh, was, to your knowledge was, was coach Sampson aware that this call was a three-way call?

YJ: Uh, I, I, I would have to think that he might've known that he was being attached to, uh, onto me. Uh, now how they did it, I can't really, I don't really know. But I, I, I believe so.

MN: And so tell me how the, the phone call ended.

YJ: Uh, you know, uh, basically he just said that, uh, you know, he would be, you know, that they would be, uh, in touch, they will call, uh, you know, when they could again, uh, you know, and just, you know, and tell Dev that they called and asked about him.

MN: Did, did coach Senderoff come back into the conversation at the end?

YJ: Uh, he said, bye. All, both, uh, you know, both of them said bye. Uh, I don't know if he, you know, I don't, if that meant that he was listening in on the whole conversation, I don't know. But we all did, did say, you know, bye, take care.

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MN: And so when you all said, bye, was that sort of all at the same time, all three of you saying bye to each other?

YJ: Pretty much, yes.

- b. William Buford Jr., prospective student-athlete. The institution reported a June 19, 2006, three-way phone call between Sampson, Senderoff and Buford's coach (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response). During a January 28, 2008, interview with the enforcement staff, Buford reported that Senderoff called the coach's phone, spoke with Buford and then connected Buford to Sampson via a three-way call.

January 28, 2008 – Page Nos. 6 and 7

MN: Mark Neyland, NCAA assistant director of enforcement.

WB: William Buford Jr., prospective student-athlete.

MN: Coach McClure? Is that, uh, Keith McClure?

WB: Yes.

MN: Okay. Uh, and so tell me what you remember about, uh, talking to coaches on Keith, coach McClure's phone.

WB: Uh, it was, it was nothing much. You know, we were just talking and he was talking about, uh, my style of play, how they liked the way I play.

MN: Okay. And do you remember, uh, if you talked to more than one Indiana coach?

WB: Yes.

MN: Uh, how many coaches did you talk to?

WB: Like, two.

MN: Okay. And, and was this at the same time?

WB: Yes.

MN: Okay. Uh, well, tell me as much as you can remember about, uh, about that phone call. Like, uh, how did you end up getting on the phone and, and, you know, who was saying what?

WB: Well, the assistant coach, I was talking to the assistant coach at first, and he called the head coach and put him on three way.

MN: Okay. And when the assistant coach called the head coach and put him on three way, uh, tell me what the assistant coach said.

WB: Uh, I really don't remember.

MN: Okay. Do you, when, when the assistant, when the head coach came in on three way, did the assistant coach, uh, say anything to the head coach?

WB: Yes, He let him know who, who I was.

MN: Okay. And so how long do you think you were on the phone?

WB: Uh, it was probably about five, 10 minutes.

MN: Okay. And so how, how certain are you that the assistant coach and the head coach were on the phone with you at the same time?

WB: I'm positive.

January 28, 2008 – Page No. 8

MN: All right. So, and, and how certain are you that the assistant coach let the, let the head coach know that you were on the phone?

WB: I'm positive.

- c. DeJuan Blair, then prospective student-athlete. The institution reported an October 4, 2007, three-way phone call between Sampson, Senderoff and Blair surrounding Blair's cancellation of an official visit (institution's October 3, 2007, report, Page No. 18; and Institution's Response, Page Nos. 3 through 8). The institution also reported three additional three-way phone calls (May 31, June 9 and August 22, 2006) between Sampson, Senderoff and Blair's grandmother, and between Sampson, Senderoff and Blair's coach (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response).

During a December 11, 2007, interview with the enforcement staff, Blair recalled a conversation that he had with Sampson and Senderoff on the day he cancelled his official visit.

December 11, 2007 – Page No. 14

MN: Mark Neyland, NCAA assistant director of enforcement.

DB: DeJuan Blair, then prospective student-athlete.

DC: Dennis Coleman, Blair's legal counsel.

DC: Yeah. I just wanted to be clear. The second call that, on that day where you decided you weren't going to visit, who orig, as best you can remember, who originated that call? Was it coach Senderoff or coach Sampson or don't you recall?

DB: Uh, I really don't rec, re, recall who, uh, called me. I don't wanna give you misinformation but, uh, uh, uh, I would believe that Senderoff called me, you know, and they, that's when they started to flop phones, so.

MN: Let me ask you this. How certain are you that when you say flop phones, how certain are you that both of, that both coach Senderoff and coach Sampson were present during these phone calls to you?

DB: I, I am not certain at all. They could've been on three way at that time, you know.

MN: But in terms of, when I say, so how certain are you that they were both involved at the same time in the phone call whether it be they were together in person together or whether it be on three way, how certain are you that they were both involved in the actual call?

DB: They both were on the phone, I'm, they both was on the phone talking, we all was on the phone. And it could've been, like I said, it could've been, uh, uh, a speakerphone. You know, I don't, I, I was at my house so I can't say what was, what was going on at Indiana, so.

Blair also recalled additional conversations during which he, Sampson and Senderoff were on the phone at the same time.

December 11, 2007 - Page Nos. 9 through 11

MN: Well, describe to me, uh, as best you can how those phone calls went down. Like, what did coach Senderoff say to you before coach Sampson got on the phone?

DB: Like --

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MN: Did coach Sampson say or did coach Senderoff say anything to coach Sampson when coach Sampson came into the conversation?

DB: Uh, he was, uh, he, he called, started, started the conversation, see how I was doing, see how my family was doing. Then, uh, he would try, he would say, I want, uh, see if I can get coach Sender, Sampson on the line, you know. And, I, I, I don't know what he meant by that, you know. He could've said three way or he could've went in his office and gave him the phone, uh.

MN: So when coach Sampson came on the line, describe to me what coach Sampson said.

DB: He said that, like, like, he, he said, yo, like yo, big fella -- that's what they called me. He said, yo, uh, uh, what's up? Like, he knew, I never call, I never, uh, made any calls to coach Sampson. I made it to Senderoff, and he, he, he didn't have my number so he was aware that I was on the phone. Like, Senderoff had to tell him, I guess.

MN: Do you recall hearing coach Senderoff ever, while you were on the phone, tell, talk to coach Sampson and say, hey, I, whatever, I've got DeJuan on the line, anything similar to that?

DB: Yeah. It was, it was, it was a couple times when, uh, I guess both of 'em was on the, on the line. But I can't, like, recall, like, the, you know, it was --

MN: Well, and, and without having to recall specifically what they said, tell me what, what you do remember about them both being on the, on the line at the same time?

DB: Uh, like, you know if coach Sampson would say something funny, coach Senderoff would laugh; or he would ask a question and coach Senderoff would answer; or coach Senderoff would ask a question and he would answer about Indiana, they'll talk about Indiana to me.

MN: How many times do you recall that happening where you were on the line with both of them at the same time, all three of you talking at the same time?

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DB: Uh, that was, that was only a, uh, a couple times, I'd say five or six times throughout the whole recruitment, you know, 'cause it was, it, it was a lot of times when he would call, coach Senderoff will call and just get coach Sampson on the phone, and coach Senderoff would disappear. And it was only like, like five or six times when they both would just stay on the phone, yeah.

MN: So, tell me about the ones where you say coach Senderoff would disappear. Describe to me how that phone call went down, how those types of phone calls went down. When you say disappear, what do you mean?

DB: I don't know if he pressed mute, he would leave the room, uh, like I said, uh, it, it, he would, uh, he would start the conversation off and coach Sampson would get on, then he'll finish it, coach Senderoff would finish the conversation.

MN: And when you say start the conversation off, are you, you referring to start it off with you or would he start it off with you and coach Sampson?

DB: Start it off with me. He will say, how, like I said, how you doing, how your family, uh, how's school been? Then he'll say, then he'll say, hold on, let me get coach Sampson on the line. Then he would, uh, coach Sampson would just come on, like he would give him the phone I guess and coach Senderoff would disappear.

MN: Now when you said he finished the conversation --

DB: Uh-huh.

MN: -- describe to me how coach Senderoff came back and finished the conversation.

DB: Uh, like he would, uh, coach Sampson, we would end our conversation, it'd be like all right, I'll see you later; and then, uh, coach Senderoff would get on the phone, like, DeJuan are you there, uh, I'll call you later and see how you're doing in school and that's, that's how it, that's how most of 'em, uh, was all.

MN: So we wanna be really clear on this on the calls that you say all three of you were on the phone at the same time having an actual three-way

conversation. Estimate again for me how many times you think that happened?

DB: Five or six.

MN: And how certain are you that that actually happened, that all three of you were actually on the phone at the same time?

DB: 100 percent.

- d. Yancy Gates, prospective student-athlete. The institution reported a February 7, 2007, three-way call involving Sampson, Senderoff and Gates (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response). During a January 9, 2008, interview with the institution and the enforcement staff, Gates recalled a three-way conversation between himself, Sampson and Senderoff.

January 9, 2008 – Page Nos. 8 and 9.

MN: Mark Neyland, NCAA assistant director of enforcement.

YG: Yancy Gates, prospective student-athlete.

MJ: Mark Jones, Ice Miller, outside counsel to the institution.

MN: So tell me again and, and describe to me how the call started. You know, I knew, you've already mentioned that coach Senderoff called you and then, you know, he talked to you. So what, what did you talk about with coach Senderoff first of all?

YG: Bas, basically the same thing, just in a different way really. Basketball, how, how they was looking for a forward to replace a forward once, the, the year I was coming in one would be leaving. And that was really it. Then --

MN: So how, how long did you talk to coach Senderoff do you think, and, and I know it's hard to remember but can you just estimate how long you think you were talking to coach Senderoff before --

YG: It wasn't too long, probably, maybe five-10 minutes. Not too long.

MN: So, and you, you mentioned that coach Senderoff then said that coach Sampson wanted to talk to you.

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YG: Uh-huh.

MN: So tell me exactly as best you can recall what happened then after, you know, after he told you that coach Sampson wanted to talk to you. What did coach Senderoff do?

YG: Uh, he said hold on, and then it was like I heard another line pick up and then I heard coach Sampson say how are you doing? Then he started talking to me a little bit.

MN: When, when coach Sampson picked up, did coach Senderoff say anything to coach Sampson?

YG: Yeah. He told him that I was on the line.

MN: Coach Senderoff told coach Sampson that you were on the line?

YG: Uh-huh.

MN: You, you remember, as best you can recall what he said?

YG: He, uh, he said, I think he said coach Sampson, Yancey's on the line with me.

MN: And so, so then what did, what did coach Sampson say to you?

YG: He asked me how I was doing and he was, he was telling me how he was interested in getting a chance to see me play during, when the season started. And, uh, 'cause he said he ain't never seen me play yet and how, it's cool how coach Senderoff was telling him about me and stuff like that.

MN: Now during, during the time when you were talking to coach Sampson, did coach Senderoff say anything?

YG: Uh, not really, not too much. He would add in something like if coach Sampson would say something and ask me, like coach Sampson would ask me something about my game and I would tell him. And coach Senderoff would kind of, uh, cosign on it, like, yeah, he can or I seen it and stuff like that.

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MN: So in terms of, of this phone conversation, was, were all three of you, both you, coach Senderoff and coach Sampson having a conversation between the three of you?

YG: Yes. He just, yeah.

MJ: Your answer was yes?

YG: Yes.

- e. Demetri McCamey, then prospective student-athlete. The institution reported a May 31, 2006, three-way call between an unidentified incoming number, Senderoff and Sampson (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response). During a December 19, 2007, interview with the enforcement staff, McCamey reported that he had a three-way conversation with Sampson and Senderoff. There was some confusion during the December 19 interview as to whether McCamey called Senderoff or Senderoff called McCamey prior to Sampson being added to the call via three-way. However, during an April 28, 2008, interview conducted by Sampson's legal counsel in which the institution and the enforcement staff participated, McCamey clarified that he had called Senderoff's cell phone and that Senderoff then added Sampson via three way. During the April 28 interview, McCamey also clarified that the call took place a couple of weeks after the King James Classic tournament as opposed to the Spiece Indiana tournament as was initially reported. Relevant portions of the December 19 interview transcript appear below.

December 19, 2007 – Page Nos. 7 and 8

MN: Mark Neyland, NCAA assistant director of enforcement.

DM: Demetri McCamey, prospective student-athlete.

MN: Okay. So he called you on the cell phone that you had during high school?

DM: Yes.

MN: Okay. And, okay, so tell me and, and it's, it's important, I wanna get as much detail about this as possible. When, when coach Senderoff said, told you that he was gonna call coach Sampson and when he called coach Sampson, tell me exactly what coach Senderoff said when coach Sampson picked up the phone.

DM: Uh, he was, like, hey, coach, uh, I have Demetri on the phone.

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MN: And are, are you sure that he talked to coach Sampson first and told him that you were on the phone?

DM: Yeah. I, I guess so 'cause, uh, he just, I don't know if he called him particularly to tell him that I was gonna, uh, he's gonna call me but, uh, he just called on three way and coach Sampson picked up the phone. He's like, we've got Demetri on the phone. And then he was just talking about cooking greens and all that with the, uh, players.

MN: Okay. And who was talking about cooking greens?

DM: Uh, Sampson, uh, for his new house.

MN: Now, how long were you on the phone with coach Sampson?

DM: For a good, like, 15-20 minutes.

MN: And while you were talking to coach Sampson during that phone call, did coach Senderoff say anything?

DM: Uh, well, yeah, they, it was like a, like a regular three-way conversation 'cause, uh, I, they was, was asking about like the types food I like to eat and stuff 'cause I was a little bit bigger in high school so they was asking me the type of food and coach Sampson said how he, when he used to stay down south how they used to cook and all that so just a regular, normal conversation.

MN: And so how certain are you that it was actually three-way conversation with all three of you on the phone at the same time talking?

DM: Uh, the, it was, like I said, like a regular three, 'cause there's only three people on the phone. There was no more of the coaches or nothing.

MN: But you're sure all three of you were on the phone at the same time?

DM: Yes.

MN: And are you sure that coach Sampson was talking to coach Senderoff while you were on the phone, too?

DM: Yes.

December 19, 2007 – Page Nos. 12 and 13

MN: Okay. Now when you had, let's go back to that, the, the conver, the phone call that you talked about, the, the actual three-way conversation that you had.

DM: Uh-huh.

MN: Was anyone else with you when you had that phone call?

DM: No. It was just us three.

MN: Did you, did you tell anybody else about it?

DM: No. Uh, actually I was, uh, we was, uh, leaving the AAU tournament, the, uh, that coach couldn't, uh, go to and I called coach 'cause I was, uh, riding back from, going home with my AAU coach. So that was the reason why I called him. I decided to call, uh, coach Senderoff to talk to him. And then he, uh, put, that's when I told you about the barbeque and stuff and he put him on the phone.

MN: Okay. So, so, let me, let me, let me be clear. When he told you about the barbeque and all that stuff, was that an actual three-way conversation?

DM: Yeah, that's, yeah, that's the same when I was talking about, about the first time with, uh --

MN: Okay.

DM: -- barbeque.

MN: Okay. Now tell me anything else you can remember about what coach Sampson said during that.

DM: Uh, that was, that was pretty much it. We just, uh, talked about school and, uh, trying to get the visit 'cause that was before the visit 'cause they wanted me to come down to see the school.

MN: And you said you were with your AAU coach when --

DM: Yeah.

MN: -- you made that call?

DM: I was, yeah, I was in the car in the back seat on our way back home from a tournament.

MN: Okay. And that was with coach Mullins?

DM: Yes, Mike Mullins.

MN: Do you remember which tournament you were on your way back from?

DM: Uh, Spiece Indiana.

MN: I just wanna be sure I, I got the details absolutely correct on that. You called coach Senderoff --

DM: Yes.

MN: -- and then you said coach Senderoff called coach Sampson on three way?

DM: Yes.

MN: And coach Senderoff told coach Sampson when coach Sampson answered the phone, coach Senderoff told coach Sampson that you were on the phone?

DM: Yeah, he was like this here is Demetri.

MN: And then you said all three of you were on the phone at the same time?

DM: Yes.

MN: Okay. How did that phone call end?

DM: Uh, I just, I said, bye, and everybody hung up.

MN: Okay. Did anyone else say bye?

DM: No. It was just, I just said bye and all, both of the coaches said bye.

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MN: Is there any doubt in your mind that all three of you were actually on the phone at the same time, all three having a full three-way conversation?

DM: Yes.

MN: Is, is there any doubt in your mind that that happened?

DM: No. Uh, that's exactly what happened.

f. [REDACTED], then prospective student-athlete. The institution reported January 29 and April 5, 2007, impermissible three-way calls between Senderoff, Sampson and [REDACTED] (Attachment N of the October 3, 2007, report and Attachment 11 of the Institution's Response). The institution further reported that during the institution's interview of [REDACTED], he reported that he had participated in an actual three-way conversation with Sampson and Senderoff as opposed to Senderoff speaking only during the first portion of the call and then remaining silent while Sampson was on the phone. The institution reported that [REDACTED] was specific in his recollection that Senderoff was involved during the entire call.

3. One individual reported that he had spoken to Sampson after Senderoff had handed the telephone to Sampson.

Kenny Frease, prospective student-athlete. During a January 14, 2008, interview with the enforcement staff and the institution, Frease reported speaking to Sampson on his high school coach's cell phone after Senderoff had first spoken to the coach and asked the coach to put Frease on the phone to speak with Sampson. The high school coach confirmed this information during the same January 14 interview.

January 14, 2008 – Page Nos. 12 through 14

MN: Mark Neyland, NCAA assistant director of enforcement.

KF: Kenny Frease, prospective student-athlete.

RT: Rob Toth, Frease's coach.

MF: Marge Frease, Frease's mother.

MN: Uh, and since you mentioned, uh, coach Toth that I believe you said once or twice, uh, they asked or, or, or told you that coach Sampson wanted to talk to Kenny --

RT: Yeah.

MN: -- uh, did Kenny, did you ever talk to coach Sampson on coach Toth's phone?

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KF: Yeah, I, yeah, I did.

RT: One time was right outside your, uh, 'cause I can remember specific --

KF: Yeah, 'cause we, we don't --

RT: -- 'cause we couldn't get good reception downstairs so we had to come up here --

KF: -- we had come out, yeah.

RT: -- I remember to --

KF: I was talking to him out, I think on the (unintelligible).

RT: -- talking to them.

MN: Okay.

RT: Yeah.

MN: Do you recall roughly when that might've occurred?

RT: I'm guessing it would've been in the fall of, oh, it was junior year so that's gonna be what, '06, right, fall of '06 I think.

MF: Fall of '06, yeah.

RT: '06.

KF: Yeah.

RT: Twice that I remember. I only remember twice where coach Sampson, where I handed the phone to Kenny and they said it was gonna be coach Sampson. I never talked to coach Sampson personally.

MN: Uh, so you said two times?

RT: Two times.

MN: They said coach Sampson would be on the phone?

RT: Yeah.

MN: And let me ask you this, who told you that coach Sampson --

RT: Coach Senderoff would be on with me and said, can, you know, get the phone to Kenny and I'm gonna have coach Sampson talk to him (unintelligible). I, I just remember that twice happening.

MN: And did both of those occur in the fall of '06?

RT: I believe so, believe so. I can't be sure about that though.

MN: Kenny, let me ask you what you recall about the times that you talked to, to coach Sampson on coach Toth's phone. Uh, what did coach Sampson say to you?

KF: Uh, you know, it, it was mostly just stuff like, uh, uh, just wondered like, 'cause, uh, if it, I, I can't, it was, that was after the visit, right? After?

MF: Yes.

KF: Yeah, 'cause, I mean, I remember him, like, just telling me more and more stuff about the facilities they were gonna get and stuff like that and, uh, uh, 'cause at the time they were telling, they were, when we, when we first went down there, uh, they were telling us about the new, uh, weight room and all the different --

MF: Oh, yeah.

KF: -- stuff that they were getting.

MF: They were building a bunch of stuff.

KF: And, uh, he was telling me, uh, stuff about that and then just, you know, just basic, you know, the sales pitch, so, I mean.

MN: And how many times did you talk to coach Sampson on coach Toth's phone?

KF: Uh, it wouldn't've been more than two or, two I think. Two sounds right because I remember one time I was, one time I was laying down in the middle of the floor and one time I was outside. So, I remember those two but I don't really remember if anything else was.

MN: And, and how certain are you that you --

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KF: (Unintelligible).

MN: -- spoke to coach Sampson on coach Toth's phone?

KF: Yeah. I'm pretty certain that it, that we talked, that I talked to coach Sampson at least two or three times.

4. Three individuals reported that while Senderoff was with them during an off-campus recruiting contact, Senderoff called Sampson and allowed them to speak with Sampson.

a. DeJuan Blair, then prospective student-athlete. Blair reported that while Senderoff was with Blair and his family during an in-home visit, Senderoff used his cell phone to call Sampson and then Senderoff used the speakerphone function on his cell phone to allow Sampson to speak with Blair and his family.

December 11, 2007 -- Page Nos. 6 through 8

MN: Mark Neyland, NCAA assistant director of enforcement.

DB: DeJuan Blair, prospective student-athlete.

MN: Tell me, uh, about the, the next, the next phone call you recall receiving.

DB: Uh, I don't recall getting any, uh, like big phone calls until he comes, coach Senderoff comes to see my family, me and my family at my house and we all was around the, the kitchen table and he calls coach Sampson from my house and that's the, the other big one. He, he could've, of course he called me in between, you know, little, uh, little like conversations but I can't, can't recall them. I just know the big ones that, that stood out.

MN: Let me, uh, and I'll come back to the, to the little ones and see if I can help you --

DB: Okay.

MN: -- refresh your memory at all. But let me, let me talk about this, this visit that you mentioned that coach --

DB: Uh-huh.

MN: -- Senderoff made this home visit. Do you remember when that was? And I, I know it's difficult to, to do time frames so if perhaps you could

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recall in the context of your high school year, was it during basketball season, after basketball season, anything you can do to sort of narrow the time frame?

DB: Uh, uh, af, I recall, I mean, after basketball season because, uh, yeah, it was on a, uh, Friday and I didn't have nothing to do. Yeah, after our, yeah, I remember that.

MN: Was this during your senior year of high school?

DB: Yeah, well, no, my junior year.

MN: During your junior year?

DB: My junior year, yeah.

MN: Okay. So describe to me in more detail what happened on his visit with respect to coach Senderoff calling coach Sampson and, you know, so --

DB: Uh.

MN: -- just tell me how that went down?

DB: Uh, it, of course he was telling us about the, uh, the NCAA Clearinghouse and, uh, talking about my grades and everything like that.

MN: Well, let, let me back you up, uh, before you get too far into that. Tell me how the, the phone call actually went down. What did, you, you mentioned coach Senderoff was there with you --

DB: Yeah.

MN: -- and that he then called Sampson.

DB: Oh, well, we, we all were, like I said, we were, uh, around the kitchen table and, uh, he, he calls coach Sampson, put him on speakerphone so he could talk to everybody, you know, like, coach Sampson.

MN: And did coach Senderoff use his cell phone --

DB: Yes.

MN: -- to? And how long did you, you said it was on speakerphone, so how long did the conversation last, if you can estimate?

DB: Uh, it, about 45 minutes to a hour.

MN: And so then now you, you began to do that, but tell me about what coach Sampson talked with you and your family about.

DB: Uh, he was just telling me again, uh, how much they need me, you know, and how good of a player I am, and he was telling my mom and them, like, he never seen nobody like me, play like, play like me. And, uh, he was just trying to juice my mom and my dad, uh, you know, I think, to, uh, get me to go to Indiana, I guess.

MN: Now, you, you mentioned your mom and dad being there. Who else was there?

DB: My grandmother, my little sister and my brother.

- b. Ayodele Coker, then prospective student-athlete. During a December 7, 2007, interview with the enforcement staff and the institution, Coker reported that while Senderoff was visiting him at his high school, Senderoff called Sampson and allowed Coker to speak with Sampson.

December 7, 2007 – Page Nos. 8 and 9

MN: Mark Neyland, NCAA assistant director of enforcement.

AC: Ayodele Coker, prospective student-athlete.

RH: Robin Harris, Ice Miller, outside legal counsel to the institution.

MN: The times that coach Senderoff called you, tell me about any times that coach Senderoff called you when coach Sampson was there with him or you also talked to coach Sampson.

AC: Uh, when he came, one time he came over to my, my high school, and he called coach Sampson with his phone and I talked to him, I talked to him. That was, that's like the only time. I've never been on a three way or nothing.

MN: So, and, and do you remember when that was?

AC: No.

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MN: Was it during your, were you in high school still?

AC: Yeah.

MN: Uh, you remember if it was during basketball season?

AC: Uh, I can't remember. I think it was. Yeah, I think it was. Maybe, uh, I'm not sure of it. I'm not sure.

MN: So, so tell me how it happened?

AC: Uh, I was in class, no I, I got out of class and my, my coach called me, told me the Indiana coach was coming over to see me that day, and when he came, uh --

RH: And this was Senderoff?

AC: Yeah.

RH: Okay.

AC: -- when he came, we talked, and after we talked, then he, he said he would, like, coach Sampson wanted to say hi. So he called coach Sampson and I talked to him.

MN: What did you and coach Sampson talk about?

AC: Nothing really. He was just talking about when I come for my visit. He said he's gonna cook for me 'cause he likes cooking chicken.

MN: How long do you think you were on the phone with coach Sampson?

AC: Not for long, like, two minutes tops.

RH: And this was, I just wanna make sure I understand. Rob called coach Sampson on his phone and then he passed --

AC: Yes, ma'am.

RH: -- you his phone so that you could talk to coach Sampson?

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AC: Yeah.

- c. [REDACTED] then prospective student-athlete. During a January 29, 2008, interview with the enforcement staff and the institution, [REDACTED] reported that while Senderoff was visiting [REDACTED] at his [REDACTED], Senderoff phoned Sampson and allowed [REDACTED] to speak to Sampson.

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MN: Mark Neyland, NCAA assistant director of enforcement

[REDACTED]: [REDACTED], prospective student-athlete.

RH: Robin Harris, Ice Miller, outside legal counsel to the institution.

MN: Tell me about any times when coach Senderoff was with you in person.

[REDACTED]: Uh-huh.

MN: You were face-to-face, face-to-face with coach Senderoff when coach Senderoff called coach Sampson and let you talk to him?

[REDACTED]: Uh, that happened, that happened I think twice, probably twice. We was in the hallway of my [REDACTED], uh, [REDACTED] gym and we was in the, it looked like the, uh, some, something like this in our stadium, and we could see the court. Uh, and I talked to him then on the phone.

MN: And was that during the April time? Do you remember if it was during the April time you mentioned?

[REDACTED]: I'm not sure. I just remember talking to him on the phone, off coach Senderoff phone.

RH: Was it two times in the same visit? Do you remember?

[REDACTED]: No, it wasn't. No.

MN: So two separate times when --

[REDACTED]: Yeah.

5. One individual reported that Senderoff was on his cell phone and speaking to Sampson when Senderoff approached her, handed her his phone and allowed her to speak with Sampson.

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Erica Mackey, mother of prospective student-athlete Jonathan "Bud" Mackey. During a February 2, 2008, enforcement staff interview of Mackey, Erica Mackey reported that shortly after the Kentucky State High School Basketball Championship game, Senderoff approached her, handed her his cell phone and allowed her to speak with Sampson who was already on the line.

February 2, 2008 – Page Nos. 18 and 19.

MN: Mark Neyland, NCAA assistant director of enforcement.

EM: Erica Mackey, Jonathon "Bud" Mackey's mother.

MN: Now, when coach Senderoff was there at this championship game, I, I just wanna make sure this was the championship game in Kentucky, state basketball tournament?

EM: Uh-huh.

MN: In '07?

EM: Right.

MN: Uh.

EM: Bud didn't see him. He was just in the stands and --

MN: Okay.

EM: -- and I don't think he was actually coming looking for me. I think we just happened to pass each other and we crossed, or he knows I know him he guess, you know, you know, he spoke to me. I don't know if he was coming to look for me or what because I was going down to try to get to him because in the rush of people, I seen him.

MN: Okay. So, so tell me as you were passing, uh, tell me again as --

EM: I was coming down the steps, he was coming up. So, like I said, I don't know if he was coming to get me or what because they put all the parents in the same area.

MN: Okay.

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EM: So I was going down and he was coming up. And he was like, congratulations. You know, we just started talking.

MN: And how long would you say you talked before he called --

EM: Two or three minutes 'cause he was on the phone, he was coming up the steps on the phone.

MN: And then, and so tell me then again when you met him coming up the steps on the phone, tell me again what he did.

EM: Congratulations. Uh, we won, you know, he pulled it out and coach is on the phone. He wants to congratulate you, too. So I got on the phone. He said, congratulations, our boy did it. Woohoo, you know.

MN: And, and your certain that was coach Sampson on the phone when?

EM: Well, he told me it was coach Sampson.

MN: Okay.

EM: Well, he said coach, this is coach and that's all he ever referred to him as.

MN: So you said Senderoff told you it was coach --

EM: Uh-huh.

MN: -- on the phone? And, and did you rec the, was the person you recognized, I mean, when you got on the phone, did, did the person identify himself or did you?

EM: I just assumed it was him 'cause he said coach was on the phone and coach wants to, and I said, hey, coach. He said, hey, Erica. And our boy did it. You know, I heard it was a great game. You know, blah, blah, blah.

MN: Was it your understanding, I mean, after talking to him and listening to him --

EM: Yeah, that it was coach Sampson, yes. But then I gave the phone back to Senderoff, you know, he got, uh, and I went on down to try to find him, and that was the end of that.

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Enforcement Staff Position on Refuting Information and Mitigation:

- Sampson's cell phone practices. At Page No. 3-14 of his response, Sampson states that because of the recruiting restrictions imposed on him, he had to presume that every incoming call was from a prospective student-athlete; therefore, he did not look at caller ID before he answered his cell phone. However, Sampson made the following inconsistent statements during his interviews with the enforcement staff and the institution that call into question the credibility and veracity of the statement in his response:

November 13, 2007 -- Page Nos. 20 and 21

MN: Mark Neyland, NCAA assistant director of enforcement.

MG: Mike Glazier, Sampson's legal counsel.

KS: Kelvin Sampson, former head men's basketball coach.

MN: And what about in terms of caller ID? Were there numbers popping up on your phone?

KS: Yes.

MN: You could actually see the numbers?

KS: Sometimes, sometimes it wouldn't matter. If it was a number that wasn't plugged in, uh, as, uh, I would answer the phone not knowing who it was and, like, take my sheet and see if that, uh, corresponded.

MG: And make sure you're clear on, on between cell phone and home phone, too.

KS: Yeah. The home phone, the caller ID didn't show up until after the second or third ring. It only showed incoming call. There was no caller ID on my home phone.

MN: Now, with respect to your cell phone, is it safe to say that you would on a consistent basis or pretty much always look at the caller ID and, and maybe try to figure out who it was or?

KS: Uh, just, just depends on how many I had in a row. Uh, uh, a lot of times when the phone would ring, I may glance at it, but as I was going from my couch to the front door, I'm just trying to get a connection.

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November 13, 2007 – Page No. 31

MG: There's also an assumption in the question that you look at the, at the caller ID each time you answer it, and you need to tell him whether that is or is not the case.

KS: No. I don't always look at the caller ID, wouldn't have mattered. I had to take the call and if it's a number I didn't recognize, I'm trying to search to see who it is....

January 29, 2009 – Page No. 19.

RH: Robin Harris, Ice Miller, outside legal counsel to the institution.

KS: Kelvin Sampson, former head men's basketball coach.

KS: Uh, there was a lot of, uh, you know, we're going back a year and a half now. Uh, lot of instances when the phone rang, I, I, you know, neither paid attention to the caller ID or it might've been a number I didn't recognize. Like, some of these guys had so many different cell phone numbers, I, I didn't know who it was that would've been calling. Uh, during, Mark asked me last time, do you always look at the caller ID? I, I do now, and I probably did before the sanction period. But during the sanction period, if the phone rang I answered it, home, home and the cell phone ...

January 29, 2008 – Page No. 20

KS: ... uh, I tried to stay away, the, the, the Morris twins' AAU coach, I tried to stay away from his calls 'cause he, he called me constantly about those kids.

January 29, 2008 -- Page Nos. 24 and 25

RH: Can I clarify one thing? Do you remember every prospect calling you or someone related to each of the prospects mentioned calling you?

KS: Both. I remember just the, the, the only time I can, the only time, uh, time I could talk to those guys were, I had to wait on 'em to call. A lot of times they would give me a list that I'd take home. Uh, they said, coach, if this number shows up on caller ID, here, here's who it is. Problem is that it's not always the number that showed up. It was always different numbers....

KS: ... uh, and, you know, coach Sen, Senderoff, coach McCallum, coach Meyer, coach Senderoff called my phone more than anybody. Uh, and usually when he called me it was to say did so-and-so call you? And I'd say, no, haven't heard

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from him yet. And he said, okay. I'll, I'll, I'll, I'll call his coach and make sure he calls you. So, uh, he'll call you in five minutes. So between, in those five minutes, I might've had three other calls coming in. So, I'm talking to whoever's, whoever's on that phone, and a lot of times I didn't know who it was. I'd say, hello, and the kid would start talking. Uh, and it might not have been the number, it might not have been the number. I mean, these kids have so many different cell phone numbers today. Uh, I didn't, uh, then usually when I'm on the phone with a kid, kid, especially in August, September, October, November of that year, there's just so many calls coming in to my, uh, phone that it didn't matter. If sometimes, yeah, most of the times I look call at caller ID, uh, it's a habit, uh, we all have. But it wouldn't have mattered. I had to answer the phone.

- Sampson's home phone system. At Page No. 3-13 of his response, Sampson argues that his home phone system was set up to forward incoming calls to voicemail on the second ring and that the system did not display caller ID until the second ring. Sampson argues that because of this, he had to answer calls on the first ring in order to avoid missing a call from a prospective student-athlete. Sampson argues that with respect to the three-way calls he received on his home phone, he had to have answered them before the caller ID displayed Senderoff's phone number.

It is impossible for the enforcement staff to corroborate this statement in Sampson's response, but the enforcement staff notes that Sampson has provided no verification of the statement. The enforcement staff also points out that it would have been illogical for Sampson to have had his phone system set up in this manner because by doing so, it would have greatly increased the chance that Sampson would miss a call from a prospect. In his November 13, 2007, and January 29, 2008, interviews with the enforcement staff and the institution, Sampson repeatedly stated that he could not afford to miss phone calls from prospects because he could not call them back. Given the emphasis Sampson placed on the necessity to answer every call in order to avoid missing a call from a prospect, it seems inconsistent that he would have his home phone system set up in a way that would substantially increase the likelihood of a call going to voicemail before he could answer it.

- Sampson argues that three-way calls made prior to the June 13, 2006, clarification from the committee cannot be used to determine whether he knowingly violated the committee's sanctions because he was not aware that he could not participate in three-way calls before that date. However, this information is contradicted by information provided by Jennifer Brinegar, assistant athletics director for compliance, during Sampson's November 13, 2007, interview with the enforcement staff and the institution.

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November 13, 2007 – Page Nos. 23 and 24

MN: Mark Neyland, NCAA assistant director of enforcement.

JB: Jennifer Brinegar, assistant athletics director for compliance.

KS: Kelvin Sampson, former head men's basketball coach.

KS: Uh, I think it was sometime in June, uh, that we got, what, what did we call it Jennifer? Corrective actions? Uh, you had a memo for us about corrective actions that --

JB: Clarification memo.

KS: Yeah, uh, clarifications and in there, uh, was about a three way. And I can't remember which assistant coach, but someone asked if a kid calls, calls in, uh, if a kid calls in trying to reach me, can we transfer the call? I, I remember that coming up and the answer as being no, that the kid had to directly call me.

MN: And if I understand correctly, and Jennifer I, I think you probably know this as well, my understanding is that that was a June 13, 2006, memo that you sent out clarifying those Committee on Infractions' corrective actions.

JB: Yes.

MN: And my next question was gonna be, and I think you just, you hit on that just a bit. Uh, what precipitated the need for clarification and, and I know that you said maybe one of your assistant coaches had, had --

KS: Do you remember that Jennifer? Somebody asking that question?

JB: Uh, what happened is when we all met on May 30th to discuss the, the Committee on Infractions' corrective actions, and going forward from that point, there were a lot of questions that came out of that meeting.

KS: Yeah.

JB: And I sent off a letter to Shep Cooper, who then went to the Committee on Infractions, and we got clarification on a number of questions.

MN: So you said May 30th?

JB: Was a meeting that we all had to cover this.

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MN: And do you remember which coach asked?

JB: I don't remember.

MN: And, and in terms of that meeting, was, who was there?

JB: Uh, all the coaches were there on the staff, uh, Jerry Green, Rick, Tim Fitzpatrick, Mary Ann Rohleder, Grace, myself and Christian Pope.

MN: So in, in terms of that meeting, and I'll ask you first coach Sampson and then Jennifer you may be able to clarify. You've got a May 30th meeting where there's a question raised about whether it is permissible to connect a prospect via a three-way call. Uh, did you have a sense, uh, coach Sampson, going, going out of that meeting as to whether you should or should not connect any three-way calls pending a clarification from the Committee on Infractions?

KS: I, I don't recall the meeting. Uh, I just knew we couldn't, I just remember being clarified that, uh, we were not allowed, I was not allowed to accept three-way calls.

MN: And was that clarified in that May 30th meeting or, or that was subsequent to the meeting?

KS: Maybe both, I, I.

MN: And Jennifer, well, since I have you here and, and you obviously have a, a fairly detailed recollection of that 30th meeting, did you have a sense as to whether any three-way calls should or should not be suspended pending a clarification from the Committee on Infractions?

JB: My sense was that it was not permissible but we were gonna just get clarification, make sure that we weren't being too conservative with the call.

MN: Were the assistant coaches told not to make any three-way calls until --

JB: Yes.

MN: -- you received clarification? They were specifically told that in that May 30th meeting?

JB: Yes.

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- Yancy Gates. At Page No. 3-20 of his response, Sampson attempts to discredit Gates' specific recollection of a three-way conversation between himself, Sampson and Senderoff because it appears that Gates was mistaken about the month during which the call occurred and the time of day the call was made. Because of this, Sampson argues that Gates is unreliable. However, it is undisputed that a 12-minute three-way call occurred during which Senderoff called Gates' number and then added Sampson via three way. A review of the men's basketball staff's electronic and handwritten recruiting logs reveals that the only two people the men's basketball staff spoke to regarding Gates were Gates himself and Tony Dees, Gates' father and coach. Dees was present during the January 9, 2008, interview of Gates by the enforcement staff and the institution. Both the enforcement staff and the institution questioned Dees regarding his phone contact with the men's basketball staff. Dees did not report being connected to Sampson via a three-way call; therefore, the only individual with whom the known and undisputed three-way call could have occurred was with Gates.

During his January 31, 2008, interview with the enforcement staff, Senderoff stated that he did not recall having a three-way conversation between himself, Gates and Sampson, but Senderoff did not deny that it occurred.

January 31, 2008 – Page No. 4

MN: Mark Neyland, NCAA assistant director of enforcement.

RS: Rob Senderoff, former assistant men's basketball coach.

MN: Okay. Uh, let me then, uh, go ahead and get more specific, uh, since, uh, and you mentioned [REDACTED] and, and Yvonne Jackson so, uh, I think we've sufficiently covered those. But in addition to that, uh, Yancy Gates, a prospective student-athlete, uh, described to the enforcement staff, uh, a, a three-way conversation, uh, like I've described to you today where all parties are involved with and, and aware, uh, that the conversation was taking place. Uh, he has described that, uh, both you and coach Sampson, uh, were on the phone, that, uh, coach Sampson, uh, would ask, uh, uh, or, or ask some questions, uh, ab, about his game, uh, asking him, uh, can you do certain things or do you, is there, do you have certain elements of, uh, of games, certain skills within your basketball game; uh, and he would respond, you know, yes, you know, I, I have that and as, as he put it, uh, uh, that you would cosign and, and say something to the affect of, uh, yeah, coach, he's got that or, or yeah I, I've seen him do that. Uh, so if I could have you respond to that.

RS: Mark, I'm, I'm not gonna, I, if he said that that happened, I'm not gonna, uh, say that that didn't happen. I, I just, I'm trying, you know, I was, I'm trying to recall all of these things, and I don't recall that. But he was the one that, uh,

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specifically, you know, if he, he remembered that conversation, then, Mark, I'm not gonna say that he's, he's wrong. I just don't remember, uh, I just don't remember doing that. I just don't.

There is no reason to believe that Gates would have fabricated his specific recollection of the subject matter of the three-way conversation; therefore, it is reasonable to conclude that the conversation occurred.

- William Buford Jr. Sampson's attempt to discredit information provided by Buford is based on information where Buford stated that the call occurred on his AAU coach's phone after an AAU practice; the coach reported the call occurred after an AAU game. This distinction does not support that Buford's recollection is inaccurate. In fact, the coach's statements that he received a call from Senderoff and then handed his phone to Buford is entirely consistent with Buford's recollection that Buford first spoke to Senderoff and then Senderoff added Sampson to the call. This is likely the reason that the coach had no knowledge that Sampson was connected to the call. The coach was not on the phone when Sampson was added via three way; Buford was. Furthermore, Senderoff did not deny that he engaged in a three-way conversation between himself, Sampson and Buford.

January 31, 2008 – Page Nos. 6 and 7

MN: Mark Neyland, NCAA assistant director of enforcement.

RS: Rob Senderoff, former assistant men's basketball coach.

MN: -- what Will Buford has, has, uh, reported is that, uh, he was with his, his, I believe it's his AAU coach, Keith McClure.

RS: Right.

MN: And the call was placed to, to Keith McClure's phone. Uh, and I, I don't have Will's tra, uh, uh, draft of Will's transcript in front of me, but if I recall correctly, I have some notes from it. Uh, he, he, uh, described that, uh, he was in the car with, uh, Keith McClure. He thought that may have been on their way home, uh, from an AAU practice, uh, and that, uh, he then, uh, got on the phone with you, uh, via Keith McClure's, uh, cell phone, uh, and that you then, uh, connected coach Sampson in on a three way that, and that when, uh, coach Sampson, uh, came onto the phone, uh, you, you let coach Sampson know that, that, that Will Buford was, was on the line and then the three of you engaged in, in actual three-way conversation and, uh, he, he described being, uh, fairly positive of this.

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RS: Then, then I guess that, uh, I mean, then I guess that's what happened. Mark, I don't remember. I really don't. I, I didn't even, I, I, I didn't know, I don't think coach, I didn't think coach, I shouldn't say I didn't think coach, I, I didn't know if he had even spoken with Will Buford. But, uh, apparently he did. I, I don't remember that.

MN: Uh.

RS: But I understand --

MN: (Unintelligible).

RS: -- and I, I wanna just add I'm not saying that, that, that, uh, Will Buford's lying.

- DeJuan Blair. At Page No. 3-25 of his response, Sampson states that Blair's recollection is unreliable because Blair recalled as many as "five or six" three-way calls involving Senderoff and Sampson. Sampson claims that phone records show only two such calls and dismisses the two other three-way calls, one to Blair's grandmother and one to his AAU coach, because they predated the committee's clarification that three-way calls were impermissible. However, the date of the committee's clarification has nothing to do with Blair's recollection. There are as many as four three-way calls to which Blair could be referring. The claim that Blair is not reliable because he recalled as many as five or six calls when there were as many as four is unpersuasive.
- Demetri McCamey. Sampson argues at Page No. 3-30 of his response that McCamey is unreliable because he was mistaken as to how soon Sampson intended to have a barbecue for his players. Sampson argues that because McCamey mistakenly believed that Sampson was planning to have a barbecue within close proximity of the time of the alleged May 31, 2006, three-way call that McCamey's specific and detailed recollection of the call cannot be relied on. It is important to note that while McCamey may have gotten the date of the barbecue wrong (Sampson claims the barbecue did not occur until September 2006), Sampson acknowledges that he did have a barbecue for the players. The fact that McCamey recalled a three-way conversation during which Sampson discussed having a barbecue for the players, combined with the fact that Sampson did have a barbecue, adds to McCamey's credibility.
- [REDACTED]. During his January 29, 2008, interview with the enforcement staff, [REDACTED] contradicted the specific information he previously reported to the institution regarding having actual three-way conversations involving Sampson and Senderoff. However, the enforcement staff believes that the information [REDACTED] provided to the institution is more reliable and accurate because the institution's interview with [REDACTED] occurred in closer proximity to the time that the three-way calls appear in the records and

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before the institution's competition season began. The enforcement staff's interview with [REDACTED] occurred late in the institution's season. Although [REDACTED] did not report being intimidated or coerced into changing his story, it is reasonable that he may have been motivated to do so out of loyalty to his teammates and coaches.

- Yvonne Jackson. On Page No. 3-38 of his response, Sampson argues that Jackson may be mistaken in her recollection of a three-way conversation between herself, Sampson and Senderoff. However, Jackson's recollection has been consistent during the course of three separate interviews: first with the institution, then with the enforcement staff and finally with Sampson's legal counsel. In his response, Sampson attempts to discredit Jackson by ignoring her statements that corroborate her first two interviews, instead focusing on Jackson's statement that because a year has passed since the three-way call occurred, she cannot remember every detail of the call. Jackson expressed no confusion when interviewed by the institution just months after the three-way call took place nor did she express confusion when interviewed by the enforcement staff. It is also important to note that at the time Jackson was interviewed by the institution and the enforcement staff, her son Devin had already committed to attend the institution. It is difficult to understand why Jackson would have reported an actual three-way conversation with Sampson and Senderoff that could interfere with her son's opportunity to attend the institution if she had had any doubt that such a conversation occurred. Given that her interview with Sampson's legal counsel substantially corroborates her first two interviews, it is reasonable to conclude that her recollection is credible and accurate, and that an actual three-way conversation between Jackson, Sampson and Senderoff occurred. Furthermore, Senderoff did not deny that a three-way conversation occurred.

January 31, 2008 – Page No. 4

MN: Mark Neyland, NCAA assistant director of enforcement.

RS: Rob Senderoff, former assistant men's basketball coach.

RS: Well, well, can I just ask when, when, when that, I, I, I guess I need a little bit of clarity. Uh, explain to, when, when you say active three-way conversation, ex, explain what, uh, uh, what that means? Is that what the, all of us are having right now?

MN: Yes. Uh, that, that means both you and coach Sampson on the phone at the same time, talking with the prospect, uh, with everyone aware that, uh, the other individuals are on the phone and talking.

RS: Uh, I, I thought and, and again, maybe I'm wrong in saying this but when I was interviewed last time I knew Yvonne Jackson, Devin's mom, and, uh, and I think it was, uh, [REDACTED], [REDACTED] both said that they thought that we were all

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three in the conversation. And if I'm not mistaken, I think that I said that I wouldn't argue with that if that's what they said. I didn't recall it that way. And I still don't recall doing that but, uh, if, if, if somebody said that I did, I, I'm not gonna call one of these kids and say they, they're being mistruthful to you or, or, or untruthful to you. I just don't remember doing that.

- Erica Mackey. At Page No. 3-38 of Sampson's response, Sampson reports that Senderoff's legal counsel advised him that Mackey's AAU coach reported that he placed a call to Sampson on the date in question so that Mackey's mother could speak with Sampson.

The AAU coach's alleged statement is uncorroborated. Neither Sampson nor Senderoff have provided phone records substantiating the coach's claim nor has a transcript or recording of this alleged statement been produced. In contrast, as Sampson correctly notes in his response at Page No. 3-47, phone records corroborate Ms. Mackey's statement. Furthermore, it is unlikely that Ms. Mackey would have confused Senderoff with the AAU coach given her statement during the enforcement staff's February 2, 2008, interview.

February 2, 2008 – Page Nos. 17 and 18

MN: Mark Neyland, NCAA assistant director of enforcement.

BM: Jonathon "Bud" Mackey, prospective student-athlete.

EM: Erica Mackey, Mackey's mother.

MN: So in terms of when, when you were face-to-face with coach Senderoff at, and you said this was the championship game of the Ken --

BM: That was Meyers.

EM: That was Meyers at the championship? Are, are you sure?

MN: I'll tell you what, describe to me what he looked like.

BM: It was coach Meyers. I didn't see him, but I wanna, I wanna, I wanna say it was coach Meyers.

EM: I, it was Senderoff.

BM: 'Cause coach Meyers came the first game.

EM: I didn't see coach Meyers.

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BM: I seen him.

EM: I seen Senderoff at the championship game.

MN: Well, you, you, describe to me what he looked like.

EM: White guy, going bald, I don't wanna say his hair is red but it's reddish brown.

MN: And, and that's, that's the person who you saw face-to-face at the championship game?

EM: Yeah.

MN: Okay. That, that description sounds to be --

BM: Senderoff.

MN: -- sounds to be Senderoff.

EM: 'Cause I, I used to get a, what's the other name, see I used to, I just, I know Senderoff like the back of my hand. I've seen him and talked to him.

BM: Coach Mac.

MN: Did you --

EM: Yeah. Coach Mac is who I used to get confused with, uh, Meyers. And I, one's black and one's white 'cause I never seen them that much. But I know Senderoff.

MN: Now when coach Senderoff was there at this championship game, I, I just wanna make sure this was the championship game in Kentucky state basketball tournament?

EM: Uh-huh.

MN: In '07?

EM: Right.

MN: Uh.

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EM: Bud didn't see him. He was just in the stands and --

MN: Okay.

ISSUE NO. 2: Did Sampson provide the institution and the enforcement staff with false or misleading information?

Position of the Institution: The institution agrees that Sampson provided false and misleading information to the institution based on numerous inconsistencies found in his five interviews in which the institution participated and conducted, as well as his direct contradiction of credible statements by individuals who had no motivation to provide inaccurate information regarding the calls described in Allegation Nos. 1 and 3-a.

Position of Sampson: Sampson argues that at no time during the investigation did he provide information contrary to what he believed to be truthful and accurate.

Position of Enforcement Staff and Reasons for Position: The enforcement staff believes that Sampson provided false and/or misleading information to the institution and the enforcement staff. The staff relies on the following information to support its position.

- The enforcement staff incorporates the discussion of Sampson's cell phone practices in Allegation No. 3-a of the enforcement staff case summary, particularly the multiple inconsistent statements Sampson made regarding his use of caller ID.
- Based on the information obtained from enforcement staff interviews as detailed in Allegation No. 3 of the enforcement staff case summary and information reported by the institution, the enforcement staff believes the following information provided by Sampson was false or misleading:

November 13, 2007 – Page No. 25

MN: Mark Neyland, NCAA assistant director of enforcement.

MG: Mike Glazier, Sampson's legal counsel.

KS: Kelvin Sampson, former head men's basketball coach.

MN: Well, it's my understanding, uh, in looking at the, the self-report from, uh, IU that the majority of those three way, the, of the impermissible three-way calls occurred subsequent to that June 13th Committee on Infractions clarification that specifically prohibited three-way calls. Do you have an explanation as to why that happened?

KS: As what, what happened?

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MN: As to why you and your assistant coaches received direct clarification from the Committee on Infractions and from compliance that three-way calls were impermissible on June 13, 2006, yet the majority of impermissible three-way calls happened after you specifically received clarification.

KS: I, I wasn't aware I was receiving three-way calls.

November 13, 2007 -- Page No. 26

MN: What, what did coach Senderoff --

MG: -- yeah, what did he tell you?

KS: Yeah. He just said that, uh, uh, these, these kids would call him a lot of times and say, uh, I was on the phone coach, uh, Sampson, uh, and he was putting 'em in because I think he rat, I think he rationalized that because they were on the phone with me, it was just a, uh, he patched 'em in 'cause they were already on, already on the phone with me to begin with. And he was acting as an operator. But there was never, there was never an instance where I was on the phone with a kid where Rob Senderoff talked (emphasis added).

November 13, 2007 -- Page No. 29

MN: It's my understanding that you said you did not know that these were three-way phone calls?

KS: Absolutely.

MN: I wanna be specific about this. Is that, by that statement, do you mean that you did not engage in a three-way phone conversation or you had no knowledge that Senderoff was connecting you to a prospect or connecting a prospect to you via a three-way phone call?

KS: Both. My first knowledge of the three-way call was in July, uh, when I went into, uh, Mr. Greenspan's office.

November 13, 2007 -- Page No. 30

KS: Rob Senderoff called me a lot as did all my other assistant coaches. When that cell phone rang, uh, regardless of when it was, I would answer. If, if I had even looked at Rob's number and said this is Rob, uh, Senderoff calling, and I said

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hello and it was a prospect calling, it would not have registered with me one minute that this was Rob Senderoff calling me with a prospect and I'm involved in a three-way call. At no point would I have thought that 'cause I knew that I could not accept a three-way call. If I had thought that was a three-way call, I would have hung up and reported it.

January 29, 2008 – Page No. 4

MN: Mark Neyland, NCAA assistant director of enforcement.

KS: Kelvin Sampson, former head men's basketball coach.

MN: Okay. The information I've received, or that the enforcement staff has received is that, uh, a number of individuals, uh, have indicated to us that they recall, uh, engaging in an actual three-way conversation with you in which coach Senderoff, uh, first called them and then patched you in on the phone with them and then engaged in an actual three-way conversation where you and coach Senderoff were both actively talking and the prospect was also involved. So, uh, tell me, uh, if I could just have you clarify or get your response to that information?

KS: Who was the individual?

MN: Well, uh, first let me ask you, do you, what would be your response to, uh, the enforcement staff receiving that type of information?

KS: I, I was not involved in a, uh, conversation with a recruit with coach Senderoff.

January 29, 2008 – Page No. 5

MN: Were there ever any conversations in which you, Yvonne Jackson and coach Senderoff were on the phone at the same time in a three-way conversation?

KS: No.

January 29, 2008 – Page Nos. 8 and 9

MN: Will Buford. Information I've received is Will Buford received a telephone call from assistant coach, from an assistant coach, he did not recall the assistant coaches' names. Our records indicate that it was coach Senderoff who was, uh, recruiting Will Buford. So do you recall who was recruiting Will Buford?

KS: Uh, I, I would guess it would've been coach Senderoff.

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- MN: Okay. Information I've received is that, uh, he received a call from an assistant coach, who then, uh, called you, put you on three way, that when you picked up, coach Senderoff let you know that you had Will Buford on the phone and then an actual three-way conversation was, oc, occurred between you, coach Senderoff and Will Buford. The information I've received is that, uh, student-athlete when asked how certain he was stated he was positive of this.
- KS: Was that, was that one of the calls on the, uh, phone call sheet? The 10 three ways?
- MN: Actually it was one of the calls on the 10 three ways was a call to Keith McClure. And the information I've received is that this conversation, when coach Senderoff called and spoke to Will Buford, it was on Keith McClure's phone.
- KS: I don't recall that. I don't recall ever talking to Will Buford.
- MN: That was gonna be my next question because in your interview with the enforcement staff on November 13th, 2007, uh, and Mike, this would be on page 34 of the enforcement staff's, uh, copy of the transcript. Uh, coach Sampson, you stated to me at that time that you never talked to Will Buford. Uh, what is your explanation for or, or how --
- KS: I don't know.
- MN: -- how do you reconcile the statement that you never spoke to Will Buford with the information that I've received that you engaged in an actual three-way conversation with Will Buford?
- KS: Uh, I know who Will Buford is. Uh, never saw him play. Don't ever recall having a conversation with him. The only thing I could say to that is, uh, uh, I'm not sure what I can say. I mean, uh, uh.
- MN: And I just wanna be clear on this because your, your, your statement in a previous interview wasn't that you didn't recall. Your statement was, I never saw Will, Will Buford, never talked to him.
- KS: Right. I, I don't ever recall talking to Will Buford. I know we, uh, sometimes our assistant coaches were recruiting kids and then under my sanctions, I could not go out. Uh, so I've never seen Will Buford play. Uh, and there were so many calls coming into me that my assistant coaches were having to describe who, this is who you're talking to. Uh, and if I recall about that kid, the only thing I know about him is he committed to Ohio State, uh, early. I know who he is. Uh, he's

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one of the best high school players in the state of Ohio. But I never saw him play and I, and there may some, be some other kids that I talked to that I don't recall talking to that we, we may've, that might've been the only I talk with them. So in, uh, the recruiting process didn't go any further than that. But I'm, I'm sure the only kids I talked to were the kids that my assistant coaches were having call me. I certainly don't recall a conversation, three-way conversation between me and Will Buford.

MN: Can you think of any reason why Will Buford would say that he was positive that he had a three-way conversation with you if it did not occur.

KS: No.

Enforcement Staff Position on Refuting Information and Mitigation:

Sampson references his credibility and integrity at Page No. 3-54 of his response. Sampson cites language from Infractions Report No. 250 and a message sent to him by a member of the enforcement staff early in the Oklahoma University investigation after his initial interview with the enforcement staff. Neither is relevant to whether Sampson provided false and/or misleading information during the investigation of this case.

ISSUE NO. 3: Did Sampson fail to promote an atmosphere of compliance within the men's basketball program and fail to monitor the activities regarding compliance of one or more of his assistant coaches?

Position of the Institution: The institution agrees that Sampson failed to promote an atmosphere of compliance with the committee's recruiting restrictions and that he failed to monitor the activities regarding compliance of one or more of his assistant coaches.

Position of Sampson: Sampson disagrees that he failed to promote compliance with the recruiting restrictions imposed by the committee, that he failed to promote compliance with applicable NCAA legislation concerning telephone recruiting calls and that he failed to monitor the documentation of recruiting calls by the men's basketball staff required to ensure compliance.

Position of Enforcement Staff and Reasons for Position: The enforcement staff believes that Sampson failed to promote an atmosphere of compliance within the men's basketball program and that he failed to monitor the activities regarding compliance of one or more of his assistant coaches for the following reasons.

1. Sampson failed to promote an atmosphere of compliance with the committee's restrictions by virtue of his knowing involvement in violations of the committee's sanctions as detailed in Allegation Nos. 3 and 4.

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2. Sampson failed to monitor the activities of one or more of his assistant coaches with respect to the documentation of recruiting calls, as evidenced by the numerous impermissible calls made in violation of both the committee's recruiting restrictions and NCAA telephone recruiting legislation and by the failure of one or more members of his men's basketball staff to properly document recruiting calls.

Relevant Information Reported/Obtained:

1. The enforcement staff incorporates the relevant portions of Allegation Nos. 3 and 4 of the enforcement staff case summary concerning Sampson's and Senderoff's knowing involvement in telephone calls that violated the committee's recruiting restrictions. Additionally, relevant portions of Allegation No. 4-a are also incorporated regarding Senderoff's explanation that he was acting as an "operator" with respect to three-way calls. Senderoff believed that this was a "gray area" in regard to the committee's prohibition of three-way calls. This is indicative of Sampson's failure to promote an atmosphere of compliance.
2. The enforcement staff incorporates the relevant portions of Allegation Nos. 1 and 2 of the enforcement staff case summary regarding telephone calls made by the men's basketball staff in violation of Penalties E and F of NCAA Infractions Report No. 250 and in violation of Bylaw 13.1.3.1.2.

Enforcement Staff's Position on Refuting Information and Mitigation:

At Page No. 3-59 of his response, Sampson states that Beth McLaughlin, assistant office manager, recalled a staff meeting in which Sampson began requiring his staff to maintain daily call logs instead of weekly call logs. However, Sampson's response fails to put McLaughlin's statement in the proper context. McLaughlin made this statement during an April 14, 2008, interview with Sampson's legal counsel, the institution and the enforcement staff. McLaughlin reported that when the institution's October 3, 2007, report to the committee came out, Sampson made changes to the forms, making them daily, and created monthly lists to avoid duplicate calls. The changes Sampson made were corrective actions after the institution had discovered the numerous calls made in violation of the committee's sanctions and NCAA bylaws.

Additional Matters that Relate to the Allegation:

During a December 13, 2007, interview with the enforcement staff and the institution, Jerry Green, the former director of basketball operations to whom Sampson delegated much of the responsibility for monitoring the recruiting activities of the coaching staff, stated the following:

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December 13, 2007 – Page Nos. 18 and 19

MN: Mark Neyland, NCAA assistant director of enforcement.

JG: Jerry Green, former director of basketball operations.

MN: Now, it's, uh, Indiana University has reported a, a number of phone calls, uh, that, uh, they believe have violated the Committee on Infractions' sanctions that were in place. I guess the, the, the question I, I have to ask you, uh, as being sort of overseeing the compliance of that, in your mind, how, how could that have happened?

JG: In my opinion, I don't, I don't, I, I see absolutely, uh, no way, uh, that, that that could've been an accident, that they, it had to have been done purposefully because there was too much information that was given to the coaching staff, uh, in my opinion, to keep them from making a major mistake. That they were informed, maybe not the first day, maybe not the first month, but after it got going, everybody, in my opinion, knew the process, what we needed to do and I, I don't see any way possible that it could have happened, uh, legally ...

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Allegation No. 4

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

It is alleged that (a) during the period of time beginning May 25, 2006, through May 24, 2007, Rob Senderoff, then assistant men's basketball coach, acted contrary to the NCAA principles of ethical conduct when he knowingly violated recruiting restrictions imposed by the NCAA Division I Committee on Infractions, as penalty for head men's basketball coach Kelvin Sampson's prior involvement in violations of NCAA legislation; and (b) Senderoff failed to deport himself in accordance with the generally recognized high standard of honesty normally associated with the conduct and administration of intercollegiate athletics by providing the institution false or misleading information. Specifically:

- a. Concerning Senderoff's knowing violation of the committee's restrictions, on a number of occasions from May 25, 2006, through May 24, 2007, Senderoff placed telephone calls related to recruiting while in the presence of Sampson. Sampson was prohibited from being present while members of his staff placed telephone calls related to recruiting, pursuant to penalty L, Infractions Report No. 250; as adopted by and transferred to Indiana University, Bloomington. [NCAA Bylaw 10.1]

Specifically, on multiple occasions from May 31, 2006, through May 1, 2007, Senderoff knowingly used three-way telephone calls to connect Sampson to then prospective student-athletes DeJuan Blair, Ayodele Coker and [REDACTED], the prospective student-athletes' parents, legal guardian(s) or coaches; and to prospective student-athletes William Buford Jr., Devin Ebanks and Yancy Gates, the prospective student-athletes' parents, legal guardian(s) or coaches.

Additionally, on a number of occasions from May 31, 2006, through May 1, 2007, Senderoff knowingly participated in three-way telephone conversations between himself, Sampson, and Gates and Buford. Senderoff also participated in three-way conversations between himself, Sampson and then prospective student-athletes Blair, Demetri McCamey and [REDACTED]. Furthermore, ~~Sampson~~ Senderoff participated in three-way conversations between himself, Sampson, and Yvonne Jackson, Ebanks' mother. Senderoff participated in the three-way telephone conversations despite being instructed not to do so by the institution's compliance staff and despite receiving specific clarification from the committee that three-way calls were prohibited.

Furthermore, on a number of occasions from May 25, 2006, through May 24, 2007, Sampson participated in the following recruiting calls made by Senderoff:

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- (1) ~~Senderoff allowed Sampson to participate by speakerphone in telephone calls he placed to prospective student athlete Marcus Morris and [REDACTED].~~
 - (2) Senderoff placed one or more recruiting calls to prospective student-athlete Kenny Frease. Senderoff then handed Sampson the phone and allowed Sampson to speak with Frease.
 - (3) While in the presence of Blair, Coker and [REDACTED], the prospective student-athletes' parents or legal guardian(s) during off-campus recruiting contacts, Senderoff called Sampson and allowed Sampson to speak with the prospective-student athletes, the prospective student-athletes' parents or legal guardian(s).
 - (4) While in the presence of Erica Mackey, mother of prospective student-athlete Jonathan "Bud" Mackey, Senderoff allowed Sampson to speak with Ms. Mackey via Senderoff's cell phone.
- b. Concerning Senderoff's provision of false or misleading information, on multiple occasions, Senderoff submitted false telephone recruiting call documentation to the institution's compliance staff. [NCAA Bylaw 10.1-(d)]

Specifically, Senderoff provided the institution with signed monthly statements indicating that he had not used his home telephone to place recruiting calls during the months of June, July and September 2006; and during the months of February through July May 2007. Senderoff also provided the institution weekly recruiting logs corresponding with those same months, which also indicated that he had not used his home telephone to place recruiting calls. In fact, Senderoff placed at least one recruiting call from his home telephone in each of the months identified. The institution reported that Senderoff placed at least 30 telephone calls from his home phone that were violations of the recruiting restrictions imposed on the men's basketball staff by the committee, as set forth in Allegation No. 1; and at least 15 telephone calls placed from Senderoff's home phone that were violations of NCAA legislation, as set forth in Allegation No. 2.

Overview: The institution and the enforcement staff are in substantial agreement as to the facts of this allegation and that violations of NCAA legislation occurred.

- Concerning Allegation No. 4-a, Senderoff disagrees that he knowingly violated the committee's recruiting restrictions prohibiting Sampson from being present while

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members of his staff placed telephone calls related to recruiting and denies that violations of ethical-conduct legislation occurred.

- Concerning Allegation No. 4-a-(2), Senderoff disagrees that he placed one or more recruiting calls to prospective student-athlete Kenny Frease, then handed Sampson the phone and allowed Sampson to speak with Frease.
- Concerning Allegation No. 4-a-(3), Senderoff agrees that on some occasions he called Sampson in order to allow prospective student-athletes and their families or coaches to speak directly to Sampson because Senderoff did not understand that he was prohibited from doing so. Senderoff disagrees that he initiated such calls involving Coker and [REDACTED].
- Concerning Allegation No. 4-a-(4), Senderoff disagrees that while in the presence of Erica Mackey, he used his cell phone to allow Mackey to speak with Sampson.
- Concerning Allegation No. 4-b, Senderoff agrees that he submitted false recruiting call documentation to the institution's compliance staff as detailed in Allegation No. 4-b as amended but denies that he did so knowingly and therefore denies that violations of ethical conduct legislation occurred.

Remaining Issues:

1. Did Senderoff knowingly violate the committee's recruiting restrictions prohibiting Sampson from being present while members of his staff placed telephone calls related to recruiting and, thus, violate the NCAA principles of ethical conduct?
2. Did Senderoff knowingly submit false recruiting documentation to the institution's compliance staff?

ISSUE NO. 1: Did Senderoff knowingly violate the committee's recruiting restrictions prohibiting Sampson from being present while members of his staff placed telephone calls related to recruiting and, thus, violate the NCAA principles of ethical conduct?

Position of the Institution: The institution believes that there is sufficient information and evidence to support the majority of the specific information alleged in this allegation and that it is reasonable to conclude that Senderoff knowingly violated the committee's sanctions as detailed in this allegation.

Position of Senderoff: Senderoff argues that he did not knowingly violate the committee's sanctions because the evidence does not suggest that he knowingly disregarded the clarification

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received from the committee and that he did not know that some of the conduct alleged was impermissible at the time.

Position of Enforcement Staff and Reasons for Position: The enforcement staff believes that Senderoff knowingly violated the committee's sanctions for the same reasons detailed in Allegation No. 3-a of the enforcement staff case summary and incorporates the relevant portions of Allegation No. 3-a of its case summary, including the enforcement staff's positions on refuting and mitigating information.

The enforcement staff also notes that it is undisputed that Senderoff used his cell phone to connect Sampson to three-way telephone calls. It is also undisputed that as of June 13, 2006, the institution's compliance staff gave notice to the men's basketball coaching staff that the committee had clarified its sanctions to specifically prohibit the use of three-way calls to connect Sampson to recruiting calls. Furthermore, it is undisputed that the majority of the impermissible three-way calls occurred after the committee had issued its clarification of the sanctions. In fact, the impermissible three-way calls occurred during seven of the 11 months from the time the committee issued its clarification through the end of the sanction period.

In addition, the institution reported the following information regarding Senderoff's explanation of the three-way calls, at Page Nos. 18 and 19 of its October 3, 2007, report to the committee:

By using this technique, Senderoff reported that he intended to serve only as an "operator" by allowing two people to have a conversation. Senderoff stated that **he thought this was a "gray" area in regards to the committee's sanction** and that he never intended to put Sampson or the University in a difficult position. He also noted that he used poor judgment and that **he probably should have asked the compliance staff whether his actions were permissible**. Senderoff further stated that he did not think the **spirit** of the rule was broken ... (emphasis added)

Senderoff's statements manifest his knowledge and understanding at the time he placed the calls that the sanctions were in place and that the calls he was making were problematic. It is apparent from his statements that Senderoff knew that making three-way calls violated the letter of the committee's sanctions but that his actions would be justified if he abided by the "spirit" of the sanction.

Enforcement Staff Position on Refuting Information and Mitigation:

- Senderoff acknowledges receiving a June 13, 2006, e-mail and memorandum explaining the committee's sanctions but argues that he "only received one notice" from the compliance staff that three-way calls were prohibited and that he "does not remember reading it or making a mental note of its content" (Senderoff's response, Page Nos. 4-4 and 4-5). The institution disputes Senderoff's claim that there was no other discussion

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with the coaching staff regarding the impermissibility of three-way calls. However, even if Senderoff's claim is true, the enforcement staff argues that no institutional staff member who is subject to sanctions imposed by the committee should have to be told more than once that the committee has specifically clarified its sanctions to prohibit certain conduct, nor should an institutional staff member be allowed to escape liability for violations because that staff member either ignored or did not pay adequate attention to the information provided to him by the compliance staff. It is vital to the enforcement process that institutional staff members not be able to avoid liability for knowing violations of rules by simply remaining willfully ignorant of those rules.

- Concerning the alleged impermissible calls involving Frease, Senderoff argues that the facts do not support Frease's and Rob Toth's, Frease's coach, recollection that he believed the calls occurred in the fall of 2006. Senderoff argues, "The only calls to Toth's cell phone of greater than two minutes in length were made in July 2006." This statement is false. As the institution states in its response at Page No. 3-17, Senderoff's cell phone records reveal three calls to Toth's cell phone that could be the calls in question: a three-minute call September 11 at 11:43 a.m., an eight-minute call October 23 at 7:04 p.m. and a 17-minute call January 29 at 6:58 p.m. (Attachment D). The phone records support the allegation that "one or more" impermissible calls were placed.
- Concerning the alleged impermissible call involving Ms. Mackey, the enforcement staff incorporates its position on information refuting the Mackey call found in Allegation No. 3 of the enforcement staff case summary.

Also concerning this allegation, Senderoff claims to be confused as to which of Ms. Mackey's statements the enforcement staff relies on to support its allegation. Senderoff claims to be confused as to whether what is being alleged is that while in the presence of Ms. Mackey, Senderoff handed his phone *to Mackey* so that she could speak with Sampson or whether Senderoff was in Sampson's presence and handed the phone *to Sampson* so that Sampson could speak with Mackey (emphasis added) (Senderoff's response, Page Nos. 4-16 and 4-17). However, the allegation clearly states that Senderoff engaged in the conduct "while in the presence of Erica Mackey" not while in the presence of Sampson. Furthermore, the heading of the section of Senderoff's response in which he claims to be confused manifests a clear understanding of the conduct being alleged. The section of the response is titled, "Alleged Phone Hand Off *to Erica Mackey*" (emphasis added). Given this heading, it appears that Senderoff's confusion is not genuine.

ISSUE NO. 2: Did Senderoff knowingly submit false recruiting documentation to the institution's compliance staff?

Position of the Institution: The institution agrees that Senderoff knowingly submitted false recruiting documentation to the institution's compliance staff.

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Position of Senderoff: Senderoff denies that he knowingly submitted false recruiting documentation to the compliance staff. Senderoff argues that his failure to report the use of his home phone was not for the purpose of concealing calls but was primarily the result of a lack of diligence in logging his calls.

Position of Enforcement Staff and Reasons for Position: The enforcement staff relies on the following to support its position that Senderoff knowingly submitted false recruiting documentation.

10.1 UNETHICAL CONDUCT. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member (e.g., coach, professor, tutor, teaching assistant, student manager, student trainer) may include, but is not limited to, the following: (Revised 1/10/90, 1/9/96, 2/22/01)

10.1-(d). Knowingly furnishing the NCAA or the individual's institution false or misleading information concerning the individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation.

1. The recruiting logs and monthly call use forms constituted information concerning Senderoff's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation (i.e., sanctions and bylaws).
2. Senderoff provided the institution's compliance staff with handwritten recruiting logs and monthly phone usage statement forms that contained false information.
3. Senderoff knew or should have known that the forms were false when he submitted them.

Relevant Information Reported/Obtained:

1. Senderoff's recruiting logs and monthly call forms constituted information concerning his involvement in or knowledge of matters relevant to a possible violation of NCAA telephone contact legislation and the committee sanctions.
 - a. The institution reported that as part of its monitoring of recruiting phone calls made by the men's basketball staff, the coaches were required to keep handwritten logs of all countable recruiting calls made each week (institution's October 3, 2007, report, Page No. 5).
 - b. The institution reported that as part of its monitoring of recruiting phone calls made by the men's basketball staff, the coaches were required to sign a statement

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indicating what phone(s) (i.e., cell, office, home or other) had been used for recruiting purposes (institution's October 3, 2007, report, Page No. 6).

2. Senderoff provided the institution's compliance staff with handwritten recruiting logs and monthly phone usage statement forms that contained false information.

The institution reported and Senderoff acknowledges that his monthly phone usage statements and handwritten recruiting logs for the months of June, July and September 2006, and during the months of February through May 2007, were false in that they stated that Senderoff had not used his home phone to place recruiting calls during those months when in fact he had (institution's October 3, 2007, report to the committee, Page Nos. 14 and 15; and Senderoff's response at Page No. 4-17).

3. Senderoff either knew or should have known that his recruiting logs and monthly phone usage statements were false when he submitted them.
 - a. The handwritten recruiting logs Senderoff submitted contained a column titled "phone number called from" prompting him to identify the phone used to make the call (Attachment E to the institution's October 3, 2007, report to the committee).
 - b. The monthly call usage forms specifically provided four choices of phones (home phone, office phone, cell phone or additional phone) and asked Senderoff to select which phones were used for the month (Attachment G to the institution's October 3, 2007, report to the committee).

Enforcement Staff's Position on Refuting Information and Mitigation:

- At Page No. 4-3 of his response, Senderoff disagrees that he "intentionally and knowingly" provided false or misleading information. The enforcement staff notes that Bylaw 10.1-(d) refers only to "knowingly providing false or misleading information."
- At Page No. 4-18 of his response, Senderoff states that he used his home phone to make calls from his basement because his cell reception was poor. This information was not reported during any of Senderoff's multiple interviews with the institution or the enforcement staff.

Allegation No. 5

5. [NCAA Bylaws 13.12.1.3 and 13.2.2-(b)]

On June 30, 2007, Kelvin Sampson, then head men's basketball coach, and Jeff Meyer, then assistant men's basketball coach, engaged in an impermissible recruiting contact with a prospective student-athlete. On July 1, Meyer provided the prospective student-athlete with an impermissible benefit.

- a. Concerning Sampson's and Meyer's impermissible recruiting contact, it was reported that Sampson and Meyer impermissibly recruited prospective student-athlete Derek Elston (Tipton, Indiana) during Elston's participation in the institution's two-day sports camp held June 30 and July 1, 2007. [NCAA Bylaw 13.12.1.3]

Specifically, on June 30, Meyer arranged a meeting between himself, Sampson, Elston and Elston's coach, Travis Daugherty, head boys' basketball coach at Tipton High School. The meeting took place on the evening of June 30 in the men's basketball coaches' locker room in Assembly Hall after Elston's team had finished competition for the day. During the meeting, Elston was told that he was the type of player they would like to have playing basketball at the institution. At the conclusion of the meeting, Meyer told Daugherty that the institution planned to offer Elston a scholarship at a later date. At the time of the meeting, Elston had not concluded all camp activities and, in fact, Elston participated in camp activities the following day.

- b. Concerning Meyer's provision of an impermissible benefit, it is alleged that Meyer provided Elston a gift of clothing and equipment prior to Elston's departure from the camp. [NCAA Bylaw 13.2.2-(b)]

Specifically, after Elston had concluded camp activities July 1 but prior to Elston's departure from the institution's campus, Meyer again spoke with Elston and Daugherty. During the conversation, Meyer retrieved at least one drawstring backpack and at least one T-shirt from an area where the institution's merchandise was being sold. Meyer then handed the items to Daugherty, while in the presence of Elston, and made a statement indicating that Daugherty should give the items to Elston on their return home. On returning home, Daugherty gave the backpack and T-shirt to Elston.

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Overview: The institution, Sampson, Meyer and the enforcement staff are in substantial agreement with the facts of this allegation and that violations of NCAA legislation occurred. The enforcement staff believes the violations are secondary.


Remaining Issue(s): None.

Comley, Susan

From: Neyland, Mark
Sent: Thursday, March 13, 2008 10:25 AM
To: 'Tompsett, Scott'; 'Harris, Robin Green'; Jones, Mark
Cc: Najjar, Ameen; Comley, Susan
Subject: FW: D-I Bylaw 13.1.3.1.2 question

Good morning all. Below you will find analysis from NCAA Membership Services regarding the application of Bylaw 13.1.3.1.2 as it relates to the recruitment of twins.

Mark A. Neyland
Assistant Director of Enforcement
National Collegiate Athletic Association
P.O. Box 6222, Indianapolis, IN 46206-6222
Office: 317/917-6274 / Mobile: 317/966-9354 / Fax: 317/917-6055

 Please consider the environment before printing this email.

From: Hostetter, Brad
Sent: Wednesday, March 12, 2008 4:57 PM
To: Neyland, Mark
Subject: RE: D-I Bylaw 13.1.3.1.2 question

Mark

The interpretation below confirms that the recruiting regs apply separately. However, if one phone call incorporated discussion on both prospects, that counts as the school's one call per month for EACH prospect. In other words, they get one call for each kid and they used it at once since they discussed both kids.

Member institution recruits twin prospective student-athletes

Date Issued: Oct 11, 1991
Type: Staff Interpretation
Item Ref: a

Interpretation: [Generate Archive Request](#)

a. Member Institution Recruits Twin Prospective Student-Athletes: Reviewed NCAA Bylaws 13.1.4 (permissible number of contacts) and 13.1.6 (limitations on number of evaluations -- all sports) and confirmed that the recruiting regulations (e.g., permissible number of contacts and evaluations) would apply separately to each twin prospective student-athlete who is being earnestly recruited by a member institution.

From: Neyland, Mark
Sent: Monday, March 10, 2008 10:20 AM
To: Hostetter, Brad
Subject: D-I Bylaw 13.1.3.1.2 question


Brad,

I have a question regarding the application of the "one call per month" rule in Bylaw 13.1.3.1.2, as it relates to multiple psa's living in one home. Specifically, I have an instance where a set of twins were being recruited by an institution as a "package deal". My understanding is that in this circumstance, an institution may make one call per month to each of the twins individually. My question is whether that also applies to calls made to the relative(s), even if it is clear that the call to the relative was for the purpose of recruiting both twins. I have a situation where an institution was calling the mother of twins and when interviewed, the mother said that all calls were for the purpose of recruiting both twins. My instinct tells me that the institution would be able to place two calls per month to the mom (one per son) regardless of whether they discussed both sons in each call, but I wanted to confirm this with you.

Your assistance is greatly appreciated..

Thanks,

Mark A. Neyland
Assistant Director of Enforcement
National Collegiate Athletic Association
P.O. Box 6222, Indianapolis, IN 46206-6222
Office: 317/917-6274 / Mobile: 317/966-9354 / Fax: 317/917-6055

 Please consider the environment before printing this email.

MARCUS AND MARKIEFF MORRIS -- CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
The impermissible call below was triggered by a nine-minute call to the Morris' mother from Senderoff's cell June 21, 2006, at 12:12 p.m.					
Senderoff Cell	Markieff Morris	06/25/06	8:17 p.m.	6	Only allowed one call per month to junior prospects.

DEJUAN BLAIR -- CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
The impermissible calls below were triggered by a three-minute call to Blair from Senderoff's cell phone July 18, 2006, at 8:50 p.m.					
Senderoff Cell	Blair	07/19/06	8:15 p.m.	2	Only allowed one call per month to junior prospects.
Senderoff Cell	Blair	07/22/06	4:51 p.m.	2	Only allowed one call per month to junior prospects.

ROBBIE HUMMEL -- CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
The impermissible calls below were triggered by a four-minute call to Hummel from Senderoff's cell phone June 29, 2006, at 2:11 p.m.					
Meyer Cell	Hummel	06/29/06	5:46 p.m.	1	Only allowed one call per month to junior prospects.
Meyer Cell	Hummel	06/29/06	5:54 p.m.	3	Only allowed one call per month to junior prospects.
The impermissible calls below were triggered by an eight-minute call to Hummel from Senderoff's cell phone July 10, 2006, at 5:38 p.m.					
Meyer Cell	Hummel	07/10/06	5:46 p.m.	1	Only allowed one call per month to junior prospects.
Meyer Cell	Hummel	07/10/06	5:58 p.m.	3	Only allowed one call per month to junior prospects.

PHILLIP JURICK -- CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
The impermissible calls below were triggered by a 29-minute call to Jurick's mother from Senderoff's home phone March 4, 2007, at 9:55 p.m.					
Senderoff Home	Jurick's mother	03/26/07	9:55 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Jurick	03/26/07	10 p.m.	18	Only allowed one call per month to junior prospects.
The impermissible calls below were triggered by a 10-minute call to Jurick from Senderoff's cell phone April 10, 2007, at 9:57 p.m.					
Senderoff Home	Jurick's mother	04/15/07	9:28 p.m.	1	Only allowed one call per month to junior prospects.

JONATHAN "BUD" MACKEY -- CLASS OF 2008

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
The impermissible calls below were triggered by a 17-minute call to Mackey from Senderoff's home phone March 1, 2007, at 8:50 p.m.					
Senderoff Home	Mackey	03/01/07	9:16 p.m.	5	Only allowed one call per month to junior prospects.
The impermissible calls below were triggered by a four-minute call to Mackey from Senderoff's cell phone April 16, 2007, at 5:09 p.m.					
Senderoff Home	Mackey	04/23/07	9:24 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	04/23/07	9:26 p.m.	2	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	04/23/07	9:28 p.m.	5	Only allowed one call per month to junior prospects.
The impermissible calls below were triggered by a 16-minute call to Mackey from Senderoff's home phone May 2, 2007, at 9:49 p.m.					
Senderoff Home	Mackey	05/07/07	9:16 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/07/07	9:16 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/07/07	9:17 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/20/07	10:40 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/23/07	9:12 p.m.	6	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/27/07	8:36 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/27/07	9:29 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/27/07	9:30 p.m.	7	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/27/07	10:03 p.m.	7	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/28/07	6:46 p.m.	3	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	05/29/07	9:43 p.m.	14	Only allowed one call per month to junior prospects.
The impermissible calls below were triggered by a four-minute call to Mackey from Senderoff's cell June 8, 2007, at 10 p.m.					
Senderoff Home	Mackey	06/13/07	8:50 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Home	Mackey	06/13/07	10:12 p.m.	8	Only allowed one call per month to junior prospects.
Senderoff Cell	Mackey's grandfather	06/27/07	6:27 p.m.	2	Only allowed one call per month to junior prospects.

SCOTT MARTIN – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a nine-minute call to Martin from July 17, 2006 8:58 p.m.</i>					
Meyer Home	Martin	07/18/06	1:26 p.m.	8	Only allowed one call per month to junior prospects.

DEMETRI McCAMEY – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a 16-minute call to McCamey from Sampson's cell phone May 2, 2006, at 10:51 p.m.</i>					
Senderoff Cell	McCamey	05/07/06	7:56 p.m.	2	Only allowed one call per month to junior prospects.
Senderoff Cell	McCamey	05/09/06	10:56 p.m.	20	Only allowed one call per month to junior prospects.
Senderoff Cell	McCamey	05/30/06	11:24 p.m.	1	Only allowed one call per month to junior prospects.

AYODELE COKER – CLASS OF 2007

Involved Coach	Individual Called	Date	Time of Call	Duration (Minutes)	Reason Call was Impermissible
<i>The impermissible calls below were triggered by a six-minute call to Coker from Senderoff's cell phone July 2, 2007, at 6:21 p.m.</i>					
Senderoff Cell	Coker's uncle	7/17/06	5:05 p.m.	1	Only allowed one call per month to junior prospects.
Senderoff Cell	Coker's uncle	7/17/06	6:24 p.m.	14	Only allowed one call per month to junior prospects.

NCAA Interpretation - 1 Interpretation

Member institution's coach making telephone calls to a prospective student-athlete

Date Issued: Feb 04, 1991

Type: Staff Interpretation

Item Ref: f

Interpretation: Generate Archive Request

1. Member Institution's Coach Making Telephone Calls to a Prospective Student-Athlete: Reviewed Bylaw 13.1.2.4 (general restrictions, staff members and governing board) and 1991 NCAA Convention Proposal No. 20-D (recruiting -- telephone calls and contacts) that stipulates institutional athletics department staff members shall not telephone a prospective student-athlete more than once per week following the prospective student-athlete's junior year; determined that a staff member who telephones a prospective student-athlete and is informed by the prospective student-athlete's parents that he or she is unavailable would not have to count that call against the one per week, provided the conversation is not in excess of a greeting (i.e., no recruitment takes place).

See Also

1991 Convention Proposal No. 20-D

References

Other		Legislative Reference	
References Interpretations: 0		Div.	Title
Interpretations: 0		1	13.1.2.3 General Restrictions -- Staff Members and Governing Board.
Proposals: 0		1	13.1.3.1 Time Period for Telephone Calls -- General Rule.

Customer	Account Number	Bill Period	Bill Date	Page
ROBERT SENDEROFF	0586169501-8	Aug 26 - Sep 25	Sep 26, 2006	19 of 39

Detail for 812-219-0155 (Continued)

Call Detail

	Date	Time	Phone Number	Call Destination	Rate/Type	Minutes Used	Airtime Charges	LD/Additional Charges	Total Charges
606	9/11	10:34 A M	812-219-0155	Bloomington, IN		2.0	included	0.00	0.00
607	9/11	10:38 A M	812-219-0155	Bloomington, IN		2.0	included	0.00	0.00
608	9/11	10:38 A M	812-219-0155	Bloomington, IN		2.0	included	0.00	0.00
609	9/11	10:38 A M	830-933-0723	Canton, OH		2.0	included	0.00	0.00
610	9/11	10:40 A M	812-219-0155	Bloomington, IN		1.0	included	0.00	0.00
611	9/11	11:27 A M	812-219-0155	Bloomington, IN		1.0	included	0.00	0.00
612	9/11	11:43 A M	812-219-0155	Bloomington, IN		3.0	included	0.00	0.00
613	9/11	11:43 A M	830-933-0723	Canton, OH		3.0	included	0.00	0.00
614	9/11	11:48 A M	812-855-6898	Bloomington, IN		5.0	included	0.00	0.00
615	9/11	11:55 A M	812-855-6898	Bloomington, IN		2.0	included	0.00	0.00
616	9/11	11:55 A M	812-855-6898	Bloomington, IN		2.0	included	0.00	0.00
617	9/11	11:55 A M	Incoming			2.0	included	0.00	0.00
618	9/11	12:00 P M	812-219-0155	Bloomington, IN		2.0	included	0.00	0.00
619	9/11	12:16 P M	516-410-8888	Westbury, NY		2.0	included	0.00	0.00
620	9/11	12:25 P M	812-219-5620	Bloomington, IN		1.0	included	0.00	0.00
621	9/11	12:25 P M	812-219-5620	Bloomington, IN		2.0	included	0.00	0.00
622	9/11	12:27 P M	516-410-8888	Westbury, NY		1.0	included	0.00	0.00
623	9/11	12:27 P M	516-410-8888	Westbury, NY		1.0	included	0.00	0.00
624	9/11	12:28 P M	516-410-8888	Westbury, NY		3.0	included	0.00	0.00
625	9/11	12:31 P M	516-410-8888	Westbury, NY		2.0	included	0.00	0.00
626	9/11	12:33 P M	740-624-2425	Zanesville, OH		2.0	included	0.00	0.00
627	9/11	12:33 P M	740-624-2425	Zanesville, OH		5.0	included	0.00	0.00
628	9/11	12:33 P M	812-219-0155	Bloomington, IN		1.0	included	0.00	0.00
629	9/11	12:38 P M	Incoming		CN	1.0	included	0.00	0.00
630	9/11	12:40 P M	812-345-1349	Bloomington, IN		1.0	included	0.00	0.00
631	9/11	12:40 P M	812-345-1349	Bloomington, IN		2.0	included	0.00	0.00
632	9/11	12:47 P M	812-345-1349	Bloomington, IN		2.0	included	0.00	0.00
633	9/11	12:47 P M	812-345-1349	Bloomington, IN		2.0	included	0.00	0.00
634	9/11	12:52 P M	808-672-6789	Scotsbluff, NE		1.0	included	0.00	0.00
635	9/11	1:06 P M	201-295-7804	Union City, NJ		1.0	included	0.00	0.00
636	9/11	1:06 P M	812-219-5113	Bloomington, IN		2.0	included	0.00	0.00
637	9/11	1:25 P M	812-219-5113	Bloomington, IN		2.0	included	0.00	0.00
638	9/11	1:25 P M	812-219-5113	Bloomington, IN		1.0	included	0.00	0.00
639	9/11	1:54 P M	812-219-5113	Bloomington, IN		1.0	included	0.00	0.00
640	9/11	2:43 P M	Incoming			1.0	included	0.00	0.00
641	9/11	4:58 P M	313-575-6677	Detroit, MI		1.0	included	0.00	0.00
642	9/11	5:00 P M	330-245-0041	Akron, OH		2.0	included	0.00	0.00
643	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00
644	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00
645	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00
646	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00
647	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00
648	9/11	5:00 P M	330-245-0041	Akron, OH		1.0	included	0.00	0.00

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ROBERT SENDEROFF	0586169601-8	Sep 26 - Oct 25	Oct 26, 2006	36 of 43

Detail for 812-219-0155 (Continued)

Call Detail

	Date	Time	Phone Number	Call Destination	Rate/Type	Minutes Used	Airtime Charges	LD/Additional Charges	Total Charges
1353	10/23	11:39 A M	850-272-6848	Marianna, FL		2.0	Included	0.00	0.00
1354	10/23	11:59 A M	812-584-4250	Lawrencebg, IN		2.0	Included	0.00	0.00
1355	10/23	12:03 P M	812-399-2837	Chicago, IL		1.0	Included	0.00	0.00
1357	10/23	12:04 P M	516-410-9686	Westbury, NY		1.0	Included	0.00	0.00
1358	10/23	12:07 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
1359	10/23	12:33 P M	812-399-2837	Chicago, IL		11.0	Included	0.00	0.00
1360	10/23	12:45 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
1361	10/23	12:47 P M	812-322-7332	Bloomington, IN		1.0	Included	0.00	0.00
1362	10/23	12:48 P M	812-322-7332	Bloomington, IN		1.0	Included	0.00	0.00
1363	10/23	1:07 P M	Incoming			7.0	Included	0.00	0.00
1364	10/23	1:12 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
1365	10/23	6:45 P M	313-283-4047	Detroit, MI		1.0	Included	0.00	0.00
1366	10/23	6:46 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
1367	10/23	6:57 P M	423-894-9716	Chattanooga, TN		2.0	Included	0.00	0.00
1368	10/23	6:58 P M	740-826-4738	Newconcord, OH		8.0	Included	0.00	0.00
1369	10/23	7:04 P M	330-933-0723	Canton, OH		2.0	Included	0.00	0.00
1370	10/23	7:12 P M	812-343-1905	Columbus, OH		2.0	Included	0.00	0.00
1371	10/23	7:34 P M	Incoming			2.0	Included	0.00	0.00
1372	10/23	7:35 P M	812-219-5820	Bloomington, IN		4.0	Included	0.00	0.00
1373	10/23	7:48 P M	765-721-0062	Greencastl, IN		1.0	Included	0.00	0.00
1374	10/23	7:52 P M	330-618-5980	Akron, OH		1.0	Included	0.00	0.00
1375	10/23	7:53 P M	740-826-4738	Newconcord, OH		1.0	Included	0.00	0.00
1376	10/23	7:59 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
1377	10/23	8:04 P M	740-826-4738	Newconcord, OH		1.0	Included	0.00	0.00
1378	10/23	8:18 P M	740-826-4738	Newconcord, OH		1.0	Included	0.00	0.00
1379	10/23	8:19 P M	740-624-2425	Zanesville, OH		1.0	Included	0.00	0.00
1380	10/23	8:19 P M	812-343-1905	Columbus, OH		1.0	Included	0.00	0.00
1381	10/23	8:31 P M	740-624-2425	Zanesville, OH		1.0	Included	0.00	0.00
1382	10/23	8:33 P M	740-624-2425	Zanesville, OH		1.0	Included	0.00	0.00
1383	10/23	8:34 P M	216-731-7237	Cleveland, OH		1.0	Included	0.00	0.00
1384	10/23	8:35 P M	846-387-5450	Newyorkzn1, NY		1.0	Included	0.00	0.00
1385	10/23	8:44 P M	846-387-5450	Newyorkzn1, NY		2.0	Included	0.00	0.00
1386	10/23	8:45 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
1387	10/23	8:47 P M	215-669-2025	Phila, PA		1.0	Included	0.00	0.00
1388	10/23	8:47 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
1389	10/23	9:08 P M	Incoming			9.0	Included	0.00	0.00
1390	10/23	9:12 P M	513-399-3192	Cincinnati, OH		1.0	Included	0.00	0.00
1391	10/23	9:13 P M	216-391-7833	Cleveland, OH		1.0	Included	0.00	0.00
1392	10/23	9:22 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
1393	10/23	9:26 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
1394	10/23	9:27 P M	Incoming			2.0	Included	0.00	0.00
1395	10/23	9:34 P M	Incoming			2.0	Included	0.00	0.00
1396	10/23	9:35 P M	812-322-7332	Bloomington, IN		2.0	Included	0.00	0.00

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Customer	Account Number	Bill Period	Bill Date	Page
ROBERT SENDEROFF	0586169601-8	Jan 26 - Feb 25	Feb 26, 2007	6 of 25

Detail for 812-219-0155 (Continued)

Call Detail

	Date	Time	Phone Number	Call Destination	Rate/ Type	Minutes Used	Airtime Charges	LD/ Additional Charges	Total Charges
48	1/28	12:15 P M	218-410-7387	Cleveland, OH		1.0	Included	0.00	0.00
49	1/28	12:18 P M	218-410-7387	Cleveland, OH		13.0	Included	0.00	0.00
50	1/28	12:30 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
51	1/28	12:38 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
52	1/28	12:40 P M	Incoming		CW	13.0	Included	0.00	0.00
53	1/28	5:22 P M	410-790-8133	Towson, MD		1.0	Included	0.00	0.00
54	1/28	5:24 P M	813-268-8133	Detroit, MI		1.0	Included	0.00	0.00
55	1/28	5:27 P M	Incoming			6.0	Included	0.00	0.00
56	1/28	5:27 P M	Incoming			1.0	Included	0.00	0.00
57	1/28	5:27 P M	Incoming			1.0	Included	0.00	0.00
58	1/28	10:34 P M	330-506-3854	Youngstown, OH		3.0	Included	0.00	0.00
59	1/28	10:52 P M	818-771-2720	Vienna, IL		2.0	Included	0.00	0.00
60	1/28	10:53 P M	219-755-4015	Merrillville, IN		1.0	Included	0.00	0.00
61	1/28	12:34 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
62	1/29	1:06 P M	201-709-5777	Newark, NJ		2.0	Included	0.00	0.00
63	1/29	2:18 P M	850-272-6846	Marianna, FL		2.0	Included	0.00	0.00
64	1/29	2:20 P M	859-621-3601	Lexington, KY		1.0	Included	0.00	0.00
65	1/29	2:21 P M	859-621-3601	Lexington, KY		1.0	Included	0.00	0.00
66	1/29	2:24 P M	Incoming			4.0	Included	0.00	0.00
67	1/29	5:58 P M	812-219-0155	Bloomington, IN		3.0	Included	0.00	0.00
68	1/29	6:34 P M	Incoming			1.0	Included	0.00	0.00
69	1/29	6:49 P M	859-621-3601	Lexington, KY		1.0	Included	0.00	0.00
70	1/29	7:46 P M	812-219-0155	Bloomington, IN		2.0	Included	0.00	0.00
71	1/29	8:54 P M	Incoming			6.0	Included	0.00	0.00
72	1/29	9:07 P M	812-219-0155	Bloomington, IN		1.0	Included	0.00	0.00
73	1/29	9:10 P M	847-525-2939	Roselle, IL		2.0	Included	0.00	0.00
74	1/29	9:34 P M	812-856-4025	Bloomington, IN		1.0	Included	0.00	0.00