



Office of the General Counsel FAX Transmission

To: Stephen C. Clark, Esq.
801-328-0537

From: Michael R. Orme
801-422-3089
801-422-0265 (FAX)

of Pages: 2



OFFICE OF THE GENERAL COUNSEL
MICHAEL R. ORME
Assistant to the President
General Counsel

January 9, 2009

Via U.S. Mail and Fax

Stephen C. Clark, Esq.
Jones Waldo Holbrook & McDonough
170 S. Main Street, Suite 1500
Salt Lake City, Utah 84101
FAX: 801-328-0537

Re: Chad Hardy

Dear Mr. Clark:

Thank you for your letter dated December 21, 2008. I also appreciate you arranging for Chad Hardy to provide a signed Family Educational Rights and Privacy Act ("FERPA") consent form, which we received via fax on December 29, 2008.

BYU will provide Mr. Hardy with access to his education records pursuant to FERPA. Under FERPA, its corresponding federal regulations, and university policy, Mr. Hardy is entitled to inspect all education records maintained by BYU. I refer you to two online sources for more information on Mr. Hardy's rights and the process for Mr. Hardy to review his education records:

<http://saas.byu.edu/registrar/records/ferpa.php> and
<http://saas.byu.edu/registrar/records/Official FERPA Procedure.pdf>.

The appropriate process for inspection in this instance is for Mr. Hardy to call the assistant registrar at 801-422-1155 to arrange a time for him to inspect and review his education records. Of course, you may also personally inspect and review Mr. Hardy's education records now that he has provided a FERPA consent for you.

I will send you a letter early next week with more detail regarding Mr. Hardy's university review through the dean of students. If you would like to discuss these issues, I will be available to meet with you at a mutually convenient time and place.

Sincerely,

Michael R. Orme