



Office of the General Counsel
FAX Transmission

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From: Michael R. Orme
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OFFICE OF THE GENERAL COUNSEL
MICHAEL R. ORME
Assistant to the President
General Counsel

February 12, 2009

Via U.S. Mail, Fax and E-mail

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Re: Chad Hardy

Dear Mr. Clark:

Thank you for your letter of earlier today. I respectfully disagree and reject your opinion on the scope of the university review. I remind you that Mr. Hardy's university review will be collegial and non-adversarial, and I again assure you that the dean of students takes this review seriously and intends to engage in a meaningful and substantive discussion with Mr. Hardy. He remains willing to hear and consider any information Mr. Hardy wishes the university to take into account, including any mitigating factors (to which you have alluded in your communications) that may bear on the university's decision not to award a degree. Please be advised that the dean of student's decision in this matter following the university review will be final; therefore, we encourage Mr. Hardy to take advantage of this opportunity to share any information he wishes the dean of students to consider.

As you may or may not be aware, Mr. Hardy has informed the Dean of Student's Office that he intends to bring an Associated Press reporter, who has covered the withholding of posting Mr. Hardy's degree, as a support person to his university review. The Dean of Student's Office has told Mr. Hardy that no media may attend.

Please be advised that in order to maintain an appropriate level of confidentiality with respect to Mr. Hardy's university review, no media will be allowed to attend. In addition, we find it incompatible with professional best practices of objectivity and balance for credentialed

journalists to attend a private university review masquerading as a support person on behalf of one of the participants.

If Mr. Hardy insists on conditioning his presence and participation in his university review on the attendance of a member of the media as a support person, the dean of students will convene the university review in Mr. Hardy's absence (though Mr. Hardy's bona fide support persons will remain welcome to attend and record the review on Mr. Hardy's behalf, and we trust they will maintain appropriate levels of confidentiality when they provide that recording to Mr. Hardy and to you as Mr. Hardy's legal counsel). Following the university review, the dean of students will consider the issues involved, make a determination based on the information available to him, and issue a written decision to Mr. Hardy on behalf of the university.

I urge you to counsel your client to reconsider his demand regarding media attendance, which strikes me as an unwarranted attempt to turn a private university review into a public spectacle. I also remind you that the dean of students has agreed to allow Mr. Hardy to record the university review, and you will be able to verify personally afterwards with your client all aspects of the university review.

Sincerely,



Michael R. Orme
General Counsel

MRO/bmj