

Exhibit R

From: Tobias, Jessica L.
Sent: Tuesday, July 01, 2014 5:43 PM
To: Waters, Jonathan
Cc: Glaros, Chris M.
Subject: RE: Questions

Hi Jon,

The questions are attached.

Thanks,
Jessica

From: Waters, Jonathan
Sent: Tuesday, July 01, 2014 4:48 PM
To: Tobias, Jessica L.
Subject: Questions

Hi Jessica,
When you have a moment, would you please send over the questions you asked today? Thanks!
-Jon



THE OHIO STATE UNIVERSITY

Jonathan Waters

Director

The Ohio State University Marching Band
The Ohio State University Athletic Bands

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Follow-Up Questions for Jonathan Waters, Marching Band Director

Questions:

1. On June 13th you called to let us know about a Facebook post by [REDACTED] on a reporter's Facebook page. Is the reporter you referred to [REDACTED]?
2. It appears that [REDACTED] comment is no longer on his Facebook page. Did you contact [REDACTED] and ask him to remove it? Why?
3. How did your student secretary know to bring this comment to your attention?
4. [REDACTED] and others reported the assault to you on a Saturday evening. Why did you wait until Monday night at 10 p.m. to leave a message for Andrea Goldblum?

5. With respect to Title IX issues, how would you describe marching band culture?

6. Is the band's culture sexualized?

7. Are there any inappropriate behavior or attitudes?

8. Does the band's culture include sexual harassment?

9. Does the band's culture include sexual innuendo?

10. Does the marching band culture create a hostile environment for students?

11. I assume you are familiar with Trip Tic because we have learned that you did away with it in 2012. Did you read that issue of Trip Tic?

12. How did you get a copy?

13. Had you read previous issues?

14. Did Trip Tic issues usually include material of a sexual nature?

15. When exactly did you ban it?

16. Did anyone ask you to ban it?

17. How did you address Trip Tic?

18. How did you direct your staff or students to address Trip Tic?

19. Did you seek training (sexual harassment or otherwise) or any other means of effecting change after you banned Trip Tic? If no, how do you ensure that this behavior no longer occurs?
20. As Director, you are present for F night, correct? And during F night the Rookie names are shared with the entire band, right?
21. As a staff member, did you do anything to address the rookie nicknames?
22. As the assistant director or director, have you ever used the nicknames?

23. What about Less Grossman? Tiggles?

24. To name a few sexually oriented nicknames, we have heard

- Jizzy
- Jewoobs
- Taintbrush
- Mushroom Stamp
- Tits Magee
- Snatch

Do you think these nicknames are appropriate? If not, why tolerate them at all?

25. Can you estimate how many rookie nicknames could be considered offensive or sexual in nature?

26. How long have you known that sexually oriented nicknames are assigned to rookies?

27. How have you addressed the use of sexual nicknames?

28. How have you directed staff or students to address the use of sexual nicknames?

29. Some of the rookie tricks that we have heard of include:

- A female student sits on laps and pretends to orgasm. This included her sitting on her younger brother's lap and pretending to orgasm on make the band night. Her nickname was Squirt.
- A female student thumping the ground with her foot and pretending to orgasm. Her nickname was Thumper.
- Two females rubbing their chests together. Their nicknames were Jewoobs and Tiggles.
- A male scooting across the floor on his hindquarters. His nickname was Taintbrush.
- A male stamping other students' foreheads with a penis stamp. His nickname was Mushroom Stamp.
- A male conducting a full-body demonstration of a flaccid penis becoming erect and spitting candy. This trick was also occasionally performed with another female student who pretended to stimulate the male student.

It is our understanding that these tricks are performed at band parties, during down time such as waiting in a locker room before a Bangles game, on other trips and at events with alumni. Have you ever witnessed or heard of rookie tricks being performed?

30. Do you believe these tricks are appropriate? If no, why tolerate them at all?

31. Can you estimate how many rookie tricks could be considered sexual in nature?

32. How long have you known that sexually oriented tricks are performed by rookies?

33. How have you addressed the use of sexually-oriented tricks? When?

34. How have you directed staff or students to address the use of sexually-oriented tricks?
When?

35. Did you seek training (sexual harassment or otherwise) or any other means of effecting change after you learned of sexually oriented nicknames or tricks? If no, how do you ensure that this behavior no longer occurs?

36. What is the marching band policy for alcohol consumption? How does that compare to policies governing alcohol consumption during athletic competitions?

37. Did the band have issues with alcohol or any other misconduct at the 2013 CAL State Game?

38. Did anyone from Cal send a letter to OSU Leadership regarding the band's behavior?

39. Pam Bork was a volunteer for 18 years, why did she leave her position with the band after the Cal game?

40. What was your response to her leaving? Did you seek training (alcohol abuse or otherwise) at that time?

41. During the bus ride from Santa Barbara to the Cal game did Pam comment to you that if she heard the words “penis” or “vagina” one more time she would scream?

42. On the Cal trip, did you witness a flying 69 on your bus? Did Pam tell you she witnessed a flying 69 on your bus?

43. Did you play rollerbus?

44. Multiple sources have indicated that rookies are subject to questioning on different buses and that these questions often involve sexually explicit content or jokes. Following these questions, rookies march to the bathroom on the bus and their clothes are pulled from them as they walk. Have you witnessed this activity or heard about it?

45. Two sources have indicated that students were groped during the march to the bathroom. Have you witnessed students being groped on buses or heard about it?

46. Other stories include rookie midterms where rookies are subject to sexual activities such as putting a condom on a banana and putting a banana between a graduate assistant's legs and putting a condom on it. Have you witnessed this behavior or heard of it?

47. Have you witnessed or heard about students bringing a box of porn on the bus and sharing passing it out to other students? Are you aware of this behavior? What have you done to address it? When did you address it? How do you ensure this type of activity does not happen on other buses?

48. Did you seek training (sexual harassment or otherwise) or any other means of effecting a cultural change based any of this behavior? If no, how do you ensure that this behavior no longer occurs?

49. Do you have student cell phone numbers? Why? Did you ever text students or other staff dirty limericks?

50. Where are band members expected to change before and after games or performances? Did you ever offer alternatives? Did students ever ask you for alternatives? How did you respond?

51. Two weeks ago when we asked about the culture of the band in the context of a Title IX investigation and midnight ramp, why didn't you share this information with us?

52. You met with the Provost last fall in the wake of [REDACTED]'s assault. Did you share with him any of these cultural issues in terms of sexual harassment or sexual innuendo?

53. Did you meet with any other senior leaders about the assault or band culture in general?

54. Two weeks ago, you stated that in all your years you never yelled and cursed at a student?

55. Is it possible that there have been times when you did yell and curse at a student or students and that that yelling and cursing was warranted?

56. Were there times when the yelling and cursing was not warranted? Did you lose your temper?

57. We have separate accounts of you yelling and cursing at students. Can you help us understand why this might be?

58. Do you recall [REDACTED] speaking with Eleven Warriors? Was that in violation of any band rules? Can you show us the policy?

59. Why was [REDACTED] suspended? Why did he lose his scholarship?

60. Do you recall meeting with [REDACTED] and Chris Hoch before the Wisconsin Game? Is it possible that you yelled and cursed at [REDACTED]? Did you say "you better fucking realize who you are dealing with" and "if we tell you to stand on your goddamn head you will stand on your head?"