

EXHIBIT A

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M E E T I N G

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 In Re:)
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 MEETING HELD ON)
 AUGUST 21, 2014,)
 BETWEEN PRESIDENT DRAKE)
 AND OHIO STATE UNIVERSITY)
 MARCHING BAND LEADERS)
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TRANSCRIPT OF PROCEEDINGS
 TRANSCRIBED FROM AUDIO RECORDING

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1 (The following was transcribed by
2 Casey G. Schreiner, RMR-RDR, Court Reporter and
3 Notary Public, from an audio recording:)

4 FEMALE SPEAKER: Hi.

5 MULTIPLE SPEAKERS: Hi, there.

6 FEMALE SPEAKER: How is everybody?

7 MULTIPLE SPEAKERS: Good.

8 FEMALE SPEAKER: Good. Thanks a lot
9 for being here.

10 MULTIPLE SPEAKERS: Thank you.

11 FEMALE SPEAKER: We have about 40
12 minutes or so. Whew.

13 MALE SPEAKER: Big steps.

14 FEMALE SPEAKER: They killed me.

15 PRESIDENT DRAKE: Let me say a word
16 while you're -- while you're breathing.

17 FEMALE SPEAKER: Perfect.

18 PRESIDENT DRAKE: So I've met some of
19 you before, I think, some in different venues.
20 So let me say hello to the ones I've met
21 before, and then hello to the ones I haven't
22 met until now.

23 How many -- how many -- we had a
24 meeting a month ago. So how many of you were

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1 at that meeting?

2 So pretty -- most everybody, I guess;
3 and then some people weren't. So let me --
4 I'll say hello again to everybody. Some of you
5 I recognize, and some (inaudible). Okay.

6 FEMALE SPEAKER: Okay. So, uhm,
7 Dr. Sharma has been meeting with you guys, and
8 you wanted an opportunity to talk to the
9 president. This is our opportunity. Okay.

10 MALE SPEAKER: All right. Excellent.

11 Uhm, Dr. Drake, thanks for coming to
12 our home.

13 PRESIDENT DRAKE: Thank you.

14 MALE SPEAKER: Uhm, TAKING time out of
15 your day to come and talk with us.

16 PRESIDENT DRAKE: Okay.

17 MALE SPEAKER: But a -- a common theme
18 that we've heard from the administration, from
19 us internally, is, uhm, the desire to move
20 forward. And, uhm, that is in our goal, and we
21 intend to.

22 But, uhm, before we move forward,
23 there are -- there are some things we would
24 like you to listen to about the past and the

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1 present that we cannot move forward without
2 addressing. And, uhm, this is coming right
3 from the students.

4 So, uhm, what you see here before you
5 is the squad leaders for the band, as well as
6 some heads of staff and our drum major. So,
7 uhm, this is coming from us.

8 PRESIDENT DRAKE: Okay.

9 MALE SPEAKER: Uhm, so moving forward,
10 obviously, is a common theme I think we all
11 share. But I think the important distinction
12 that I think, as a group, we're trying to make
13 is how we want to move forward, what our vision
14 of moving forward is, and versus what we
15 believe your vision moving forward is.

16 PRESIDENT DRAKE: Okay.

17 MALE SPEAKER: And, uhm, I think in a
18 lot of ways, we need to take two steps back to
19 be able to move forward and kind of analyze
20 what has happened and what is happening to us.

21 Uhm, so we had a lot of plans this
22 season to, you know, continue all the strides
23 that we've made as a group to continue to
24 achieve and to achieve even more --

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1 PRESIDENT DRAKE: Yes.

2 MALE SPEAKER: -- and a lot of that's
3 been interrupted. I've got some concrete
4 examples with that.

5 But, uhm, basically this is -- this
6 whole investigation and the report and
7 everything that has happened has affected us
8 from fifth years to first-year members.

9 And, uhm, it has affected the way our
10 season has panned out. And, uhm -- and right
11 now, it doesn't seem to be, any of this stuff,
12 seem to be going away. And all -- it -- it
13 seems to be to be getting a lot worse in -- in
14 some regard.

15 One of the things that we -- uhm, you
16 said when you e-mailed us was that you would
17 try to make sure that this would not be
18 affecting this season.

19 And, uhm, so I've -- we have a list
20 here of -- of -- I'll let you have one of
21 those.

22 PRESIDENT DRAKE: Thank you.

23 MALE SPEAKER: I have the other one.

24 Uhm, at the top of that page, there is

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1 a list of full band effects. And this isn't
2 absolutely complete.

3 But there -- uhm, there may be even
4 more that we haven't all put together on here.

5 One of them is, you know, not being
6 able to attend the Penn State game. Uhm, that
7 meant a lot to all of us in our relationship
8 with Penn State community and their marching
9 band, who has been trying to get back into a
10 greater relationship with that.

11 Uhm, It's affected the i-dotters,
12 specifically Seth here, who was going to be
13 dotting the "i" at that game. And now -- now
14 that we aren't going, you know, that's tough
15 news that he had to go back and tell his
16 parents. And that was a direct result of the
17 University saying we weren't -- we weren't
18 going to Penn State. Uhm --

19 PRESIDENT DRAKE: Just, uhm, uhm --
20 and mainly I'm going to listen, so I --

21 MALE SPEAKER: Uh-huh.

22 PRESIDENT DRAKE: Uhm, uhm -- okay.
23 So we'll talk about the going to Penn State and
24 where that came from and why, since I would --

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1 I would have separated those. But okay.

2 MALE SPEAKER: Yeah, yeah. There's
3 a -- yeah, there's a couple other things, too.

4 Uhm, so we have -- also, you know,
5 we've been able -- or we haven't been allowed
6 to do a certain half-time show that was going
7 to -- a lot of us felt would be the highlight
8 of the season, because the company who had the
9 licensing for that pulled out of that. And it
10 was a huge disappointment.

11 And, obviously, it was a direct effect
12 from the investigation and the report and what
13 was -- what was put out there.

14 Another concrete example for full band
15 effects are that the -- a high school, local
16 high school, used this marching band as an
17 example of a hazing culture in their training
18 sessions to their students recently. And to a
19 lot --

20 PRESIDENT DRAKE: Do you know --

21 MALE SPEAKER: And to a lot of us,
22 that was incredibly disheartening.

23 Uhm, continuing on this, you know, we
24 have -- so those are the -- a short list of the

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1 full band effects that we have.

2 But we also have over 150 personal
3 accounts of what this report has led to as
4 individuals in this group.

5 And just to highlight some of those,
6 second page, I'll just -- I'll just read this
7 one. A person who had not yet made the band
8 for the first time was wearing a shirt from the
9 OSU Bands Night a couple days after the report
10 was released.

11 OSU Bands Night is a night for
12 interactive high school students to learn more
13 about the several OSU bands that we offer.

14 A man who was obviously offended by
15 the shirt, due to the report, began to question
16 the person about OSU Bands Night, asking if
17 it -- asking if it is the night where everyone
18 gets naked and does a half-time show for the
19 directors.

20 Obvious -- there's been a ton of
21 harassment by peers and by media in similar
22 fashions like that. That's just one concrete
23 example of something that's occurred. I'm not
24 going to read all of these.

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1 PRESIDENT DRAKE: Okay. I appreciate
2 that.

3 MALE SPEAKER: There's a lot of these.
4 But they're, uhm -- going down here, there's --
5 there was a member who, you know, approached us
6 saying that, uhm, suicide was a thought after
7 this.

8 Uhm, he said -- the word is "suicide."
9 The word has -- was occasionally permeated in
10 my thoughts for a few days at a time for the
11 past several years, well before I made band.

12 It was always brought on by
13 self-inflicted, negative images of myself.
14 Never had -- had I received negative comments
15 from any external sources that brought on such
16 thoughts.

17 The week following July 24th had
18 changed that when the University remained
19 completely sign on the current -- silent on the
20 current band members. At that time, no was
21 fighting to preserve our individual characters.

22 The message I interpreted from
23 President Drake and the univers -- and the
24 University was, We don't care about you.

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1 It was then that I had thought that if
2 I were to commit suicide, President Drae --
3 President Drake, the Board of Trustees, and the
4 Office of Compliance would be happy, because it
5 would mean having to deal with one less person
6 who assisted in the alleged sexualized culture.

7 Those were my thoughts for the first
8 two weeks of -- after July 24th. I no longer
9 have those thoughts of suicide, but I still
10 believe the University, as a whole, does not
11 care about me at all.

12 My character has been publicly
13 tarnished, and with no one from the University
14 to defend me.

15 Uhm, another example -- obviously,
16 that is -- it's incredibly disheartening for me
17 to hear that. And, uhm, I think we all are
18 pretty disgusted that that is -- that is
19 happening.

20 But another example -- this will be my
21 last example from these -- these personal
22 accounts -- are there was a girl who, uhm,
23 has -- has the last name Wood, who was wearing
24 her bowl jersey to a doctor's office.

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1 And someone came up to her and asked
2 her if that was her dirty rookie name,
3 because -- and she received -- asked her if she
4 received that because she gave men erections.

5 That's her give -- that's her birth
6 last name. And that's the image that's --
7 what's surrounded us with this, that everything
8 that's come out with this.

9 So students are questioning whether or
10 not to, uhm, include their -- to be -- to
11 include their involvement in the band on
12 resumes and grad school applications, something
13 in which we have placed great pride and have
14 now be -- has now become taboo.

15 We're -- we're -- you know, a lot of
16 us gave up a lot to be a part of this band
17 because we knew how much it meant.

18 PRESIDENT DRAKE: Okay.

19 MALE SPEAKER: And people are afraid
20 to include that as moving forward.

21 Uhm, as a whole -- and I think other
22 people can attest to this, too, specifically.
23 But when the Title IX people came in, a lot of
24 us were embarrassed and, uhm -- I'm trying to

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1 think of the word.

2 MALE SPEAKER: "Angered."

3 MALE SPEAKER: -- angered when they
4 brought -- they -- a lot of the examples that
5 they used to try to help us understand the
6 things in terms of us were completely out of
7 line and just disgusting examples, one of which
8 was, So you come to band after the weekend, and
9 you guys want to talk about sexual positions.
10 And that was --

11 FEMALE SPEAKER: During rehearsals.

12 MALE SPEAKER: Yeah, during rehearsal.

13 And --

14 PRESIDENT DRAKE: Act them out.

15 MALE SPEAKER: Act them out.

16 MALE SPEAKER: And that's not
17 something that defines us at all, and that's
18 not an example that should have been used for
19 us.

20 And to us, our question was, Who do
21 you think -- who do you think we are with that.
22 You know, what we --

23 PRESIDENT DRAKE: Let me say, I
24 happened to see some of you, I think, just

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1 after that.

2 And I didn't -- I didn't know that it
3 was -- I didn't know what had happened. And
4 I -- I understand that that type of band
5 message shouldn't have been. Sorry about that.

6 MALE SPEAKER: All right.

7 PRESIDENT DRAKE: So I -- let me
8 just -- I wish -- I didn't know. And it's --
9 it's -- uhm, I can only say I didn't. I'm
10 sorry that happened.

11 MALE SPEAKER: And to wrap this up,
12 there is a lot of families discouraging
13 involvement, especially to first-year members
14 who haven't been through this.

15 A lot of families were upset that
16 their -- that their children continued to go
17 through tryouts and -- and try to be a member
18 of this band, because they hadn't -- they
19 hadn't had the experience, the year of being in
20 this band, and understanding that this culture
21 is not one of -- conducive to sexual harassment
22 or anything of that nature.

23 And so people not having that
24 experience, you know, were really questioning

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1 their -- their involvement with the band.

2 Obviously, we have a whole list of
3 these personal accounts, harassment by the
4 media, harassment by peers, just the negativity
5 that's followed this whole thing.

6 PRESIDENT DRAKE: Yes.

7 MALE SPEAKER: And we, as a group,
8 believe that this isn't going away any time
9 soon. And, quite frankly, it's going to
10 become, you know, a shadow that will be
11 following us if this isn't cleared up --

12 PRESIDENT DRAKE: Okay.

13 MALE SPEAKER: -- and this, what --
14 what has happened isn't corrected.

15 PRESIDENT DRAKE: Sure.

16 MALE SPEAKER: So but -- but why we
17 think has happened was there's -- the report
18 was flawed.

19 I would ask -- ask you a question: Do
20 you -- from the report that you were given,
21 when you first made decision, was it -- did you
22 only think it was from 2013 to 2014?

23 PRESIDENT DRAKE: That the report
24 covered?

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1 MALE SPEAKER: Covered that time.

2 PRESIDENT DRAKE: No. No, of course
3 not.

4 MALE SPEAKER: Okay. Because there
5 was some --

6 PRESIDENT DRAKE: I mean -- I mean,
7 let me -- so let me -- a couple things that
8 I -- just two -- a couple words to say.

9 Certainly this is not -- this was not
10 an individual decision. I mean, that would
11 be -- you -- you wouldn't think that. This was
12 something that -- that, uhm, uhm, many people
13 looked at quite, uhm, thoughtfully, just to
14 make sure.

15 And, uhm, I mean, you're also totally
16 clear how, uhm, uhm, uhm, uhm, uhm, reluctant,
17 uhm, you know, uhm, we were to make this
18 decision. Just -- just -- I'll just say that's
19 the case. It was extraordinarily, uhm,
20 reluctant. Just say to that. That's one.

21 Two, just to make sure I'm clear on
22 the point -- but I want you to talk and me to
23 listen -- uhm, there were -- there were things
24 between 2013 and 2014; and then there were --

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1 there was a whole sheaf of historical material
2 that was from 2006 -- or 2011, some 2006, and
3 before that.

4 So I'm totally clear that the -- the
5 vast majority of the material was from 2011 or
6 before. And I think a lot of it from 2006 or
7 before.

8 MALE SPEAKER: Okay. And -- and how
9 we felt was some of the material was
10 exaggerated, uhm, and even in the -- how it
11 was -- it was worded for more shock value.

12 But what we wanted to convey, and
13 which was not conveyed in the report, was
14 Waters was changing the culture exponentially.

15 Since I was -- things that happened
16 when I was rookie would get you kicked out of
17 band now with Waters. As soon as he took --
18 the day he took it over, he was changing it.

19 And we feel it was unfair to throw all
20 that evidence that happened so long ago --

21 PRESIDENT DRAKE: Yeah.

22 MALE SPEAKER: -- into a report that
23 had, you know, tarnished all of our reputations
24 on an individual level.

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1 And we weren't contacted. The sample
2 size was so small. There were four students
3 out of the band that were, uhm, interviewed.
4 And, you know, one of them was the
5 complainant's child.

6 So, you know, with -- with a -- you
7 know, from my statistics classes I've taken
8 here, that's not a very a -- a very good sample
9 size. You know, you can find -- of course, you
10 can find one or two people that say something
11 bad about someone.

12 PRESIDENT DRAKE: Yeah.

13 MALE SPEAKER: But, you know, I -- I
14 don't think that that was a method for seeking
15 truth, if you're going to, uhm, fire -- you
16 know, terminate someone.

17 PRESIDENT DRAKE: No, no. I know
18 that.

19 MALE SPEAKER: I know that when we met
20 about a month ago that this was a topic of
21 discussion.

22 PRESIDENT DRAKE: Yes.

23 MALE SPEAKER: And the reason that we
24 had felt that it was important to bring this up

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1 again, frankly, because we when go and talk to
2 our peers --

3 PRESIDENT DRAKE: Yes.

4 MALE SPEAKER: -- and our fellow
5 bandsmen, and we -- we sort of relay what goes
6 on, and we say, like, Hey what message do you
7 want brought forward.

8 PRESIDENT DRAKE: Yes.

9 MALE SPEAKER: This is overwhelming
10 the message that we are called to bring to
11 you.

12 PRESIDENT DRAKE: Right.

13 MALE SPEAKER: So I just wanted to --
14 to let you know that.

15 PRESIDENT DRAKE: So let me -- let me
16 make sure I hear the message again. So the,
17 uhm -- so say it -- say it again, just to make
18 sure I hear the message again, the one --

19 MALE SPEAKER: The re -- the report is
20 flawed.

21 PRESIDENT DRAKE: Okay.

22 MALE SPEAKER: That's the -- that's
23 the biggest thing we want -- we want to know,
24 that things in that report, we have never seen,

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1 and we've been striving to even -- to, you
2 know, to better the culture of the band
3 before --

4 PRESIDENT DRAKE: Yeah.

5 MALE SPEAKER: -- before this all
6 happened.

7 MALE SPEAKER: It was, uhm, poorly
8 conducted, as well.

9 MALE SPEAKER: Yeah. It -- it
10 wasn't -- it was poorly conducted; it was
11 poorly written, and, uhm --

12 FEMALE SPEAKER: We feel like we have
13 to defend ourselves to our friends and family,
14 to the community, when it has, you know, some
15 sort of the University stamp of approval. And
16 we're trying to defend ourselves, almost,
17 against the University --

18 PRESIDENT DRAKE: Yeah.

19 FEMALE SPEAKER: -- saying, These
20 things aren't us. Like, this isn't --

21 MALE SPEAKER: And every time somebody
22 stands up saying that they support the
23 decisions and the consequences of the report,
24 that's another smack in the face, saying that

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1 this stuff in the report is true.

2 And we can't move forward knowing --
3 as a person, I -- my name was listed in the
4 report, and I know that there were falsities in
5 the report. And I can't move forward, and
6 other people can't move forward, and we can't
7 move forward as a group knowing that we would
8 be moving forward on the basis of this false
9 report and this poorly conducted report.

10 PRESIDENT DRAKE: Let me say -- try
11 something and see if it, uhm, uhm, helps a bit
12 as a (inaudible).

13 So my -- yeah. I Believe that the
14 report was overwhelmingly about people I've
15 never met, and that you've probably never met,
16 in times gone by.

17 The -- the overwhelming volume of this
18 was historical information that was not
19 relevant to you, uhm, at all. Overwhelmingly.

20 So I don't want to give a percentage,
21 but overwhelmingly I think that's the case; in
22 fact, I just would say that's true.

23 If there's a way to convey that more
24 clearly or we that could figure out some way of

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1 sharing that, I'd be happy -- I would -- I
2 would be more than happy to do that. Because
3 I -- that's always been the impression that I
4 had.

5 Uhm, if -- if the report had been
6 true, at all, of today, then we would have had
7 have been -- it would have been the band -- we
8 would have had a different action.

9 So I -- my view was that you were an
10 entirely different group of people, and able
11 to, uhm, uhm, represent the University proudly
12 and -- and, uhm -- and in a way that we all
13 would be able to support.

14 MALE SPEAKER: And then why did our
15 director --

16 MALE SPEAKERS: (Inaudible.)

17 MALE SPEAKER: -- and then why did our
18 director have to lose his job over this? Why
19 was our leader, who was doing these changes,
20 who was responsible for the success and will be
21 responsible for the success in the coming years
22 because of all the work that he's put in over
23 the last two years, why did he have to lose his
24 job over things that happened before him?

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1 PRESIDENT DRAKE: Uhm, so let me just
2 talk about what I can say and the kind of
3 constraints that are around that.

4 Because it's a -- uhm, a -- a
5 personnel decision, and there are pathways that
6 those follow, and there are things that I can
7 and can't do or can and can't say as the
8 pathway is moving forward.

9 They're very formal pathways meant to
10 protect people on both sides of things like
11 this. This is not the only time that we, uhm,
12 have somebody who's been removed from a
13 position. And there are protections in place
14 for that process.

15 So let me say that I'm sorry nothing
16 can be satisfactory. Because I'm going to say
17 that I'm not going to talk about that
18 specifically, because it would be -- it would
19 compromise the -- the fairness of the process
20 that goes forward.

21 Let me say that when we have a -- a
22 personnel action, it's -- it is directed to the
23 actions of the particular person involved. And
24 so that's what -- that's what's looked at.

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1 And -- and that's the separation that we're
2 making.

3 MALE SPEAKER: Can we --

4 PRESIDENT DRAKE: I think that was --

5 MALE SPEAKER: Okay --

6 PRESIDENT DRAKE: I wanted that to be
7 clear enough and -- but I mean -- I mean --
8 well, as clear as I could be without, uhm --

9 MALE SPEAKER: But he -- well, I guess
10 how we feel is he was fighting to change this
11 culture, and he was making great -- like just
12 an example.

13 Back in the old days, the band used
14 flip off a Go Blue sign under the stadium.

15 MALE SPEAKER: Yeah.

16 MALE SPEAKER: And as soon as Waters
17 took over, he said, We're stopping that. He
18 said, We're better than that. And that's just
19 an example of things he did.

20 Another example, he called me into his
21 office right after drum major tryouts this
22 year.

23 He says, I'm gonna continue on this
24 path of culture change. Some of it might be

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1 unpopolar, but you, as a student leader, need
2 to support me. Because if it comes from the
3 students, it will last. If I lay down a
4 hammer, it will be, Go underground.

5 PRESIDENT DRAKE: Yeah.

6 MALE SPEAKER: And that was his kind
7 of style. And then to see him punished and --
8 and -- and conveyed as a -- like a deviant and
9 a supporter of a sexualized culture, is -- is
10 just sickening.

11 MALE SPEAKER: So if I may interject
12 for a moment, please.

13 PRESIDENT DRAKE: Thank you.

14 MALE SPEAKER: Something significant
15 happened in here. And I don't want to miss it.
16 I don't want it to get lost.

17 I've heard from all of you repeatedly
18 say to me and say to others, I want the
19 President to say something positive about us
20 and say it publicly.

21 I heard David a moment ago say, I want
22 you to say that publicly.

23 I heard Dr. Drake say, I will do that.

24 PRESIDENT DRAKE: I'd be happy to do

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1 that.

2 MALE SPEAKER: And I don't want that
3 to get lost, folks. Because I've heard you
4 talk about that a lot, and that's significant.
5 So I want that to be part of this.

6 PRESIDENT DRAKE: I get that.

7 MALE SPEAKER: And one point that I --
8 might sort of serve as the bridge there between
9 that and that, I feel like a lot of people are
10 maybe a little upset in the thought that the
11 progress that we have made in the past is
12 certainly going to be reflected on the field
13 this year, both in the way -- you know, our
14 shows, uhm, they're going to be great. You
15 know, we're gonna -- we're just going to kill
16 'em on the field. And that's a result of the
17 work that we're putting in now and from what
18 we've put in.

19 And also off the field. I mean, we're
20 going to continue to make strides to better
21 ourselves and the way that we that treat each
22 other. And that's all sort of the fruits of
23 labor that we've done --

24 PRESIDENT DRAKE: Yeah.

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1 MALE SPEAKER: -- in the past. And I
2 think people are a little bit worried that
3 they're gonna -- there's going to be a
4 perception that you look at this report and
5 that was a problem, and then, bam, there's a
6 flat action, and then now this is the -- the
7 success.

8 Where internally we see it as this
9 isn't just a, you know,
10 we-made-one-personnel-change-and-now --

11 PRESIDENT DRAKE: That's true.

12 MALE SPEAKER: -- -everything's-fine.
13 And that's why I think that the message -- that
14 when we say we want a positive message, people,
15 I think, are worried that it's going to be
16 credited towards Jon being gone. Which isn't
17 the case.

18 PRESIDENT DRAKE: I understand. So
19 let me say, if, uhm, one of the places we get
20 to is that a -- uhm, some communication would,
21 uhm, uhm, be positive, uhm, uhm, I would love
22 to have you help me craft it.

23 I say "help," I don't -- I don't want
24 you to write it for me. But I would love to

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1 have you help craft this so that it -- it,
2 uhm -- I mean, you could help me write it. I
3 didn't mean to be, uhm, silly about it.

4 But I want to make sure that it was
5 something that addressed the issues that you
6 wished to have addressed in a way that, uhm, we
7 can all agree on that it would be addressed.

8 MALE SPEAKER: We have -- we have some
9 things, like requests, that we'll get to. But
10 I think just continuing on --

11 PRESIDENT DRAKE: Okay.

12 FEMALE SPEAKER: In the interest of
13 time, I want you to be cognizant that we have
14 about 20, 25 more minutes.

15 I want to make sure you get to the
16 things --

17 MALE SPEAKER: Uh-huh. Yeah.

18 FEMALE SPEAKER: -- that you wanted to
19 be sure you got covered.

20 MALE SPEAKER: Okay.

21 MALE SPEAKER: Dr. Drake, I think it
22 is our belief that you still don't know who we
23 are as students, leaders and members of this
24 band.

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1 And as a result of this report, every
2 single member of this band has been broad-brush
3 labeled as a contributor to a non-existent
4 harmful and sexualized culture.

5 And I just want to ask you a question.

6 PRESIDENT DRAKE: Sure.

7 MALE SPEAKER: And it -- it may be
8 hard for you to answer.

9 But do you believe that the report
10 that was published accurately represents the
11 thoughts, actions, and character of the people
12 in this room sitting before you?

13 PRESIDENT DRAKE: Well, so, two
14 things: First, of course not. And I hope I've
15 said that over and over again. No, I don't.

16 I believe the report is largely
17 historical, uhm, both -- largely historical,
18 first.

19 And, second, I -- I appreciate the
20 progress that's been made, or given that
21 things -- I don't believe things today are like
22 they were in the past. Which I think is good.

23 And I don't think -- I'll try and say
24 it again. If the band were behaving as it were

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1 reflected in -- in the report, then that --
2 that group couldn't march and represent the
3 University, uhm, in this -- in this era.

4 So I think -- so I wouldn't say -- so
5 I think -- so, no, I don't believe that it
6 reflects you accurately.

7 Let me say something else, too, to
8 make sure that I'm clear about this, just to
9 make sure we have the same understanding.

10 The, uhm, process of the complaints
11 that are filed lead to a certain varied,
12 specified series of actions in a timeline, uhm,
13 uhm, uhm, specified to the day.

14 So -- so this kind of report filed has
15 to go to this office, has to be investigated in
16 this way, and has to lead to a report on -- on
17 this day. And the day the report is finished,
18 it's then a public document.

19 So we don't -- we don't publish these
20 things. Uhm, they are -- there's a Freedom of
21 Information Act that allows anybody who
22 requests a document at a public institution to
23 have that in -- that -- that information
24 released.

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1 So it's not, Oh, we have this, we put
2 it out.

3 It's -- uhm, the investigation has a
4 specified way that it goes forward, and the
5 fruits of that investigation, whatever they
6 are, become a public document. Just to make
7 sure you know our position on that.

8 MALE SPEAKER: So the --

9 PRESIDENT DRAKE: So, uhm, you guys --
10 I'm sorry.

11 MALE SPEAKER: Well, why was the
12 recording of Jon Waters yelling at a student
13 released the day after, if it (inaudible)?
14 What was the purpose of that?

15 PRESIDENT DRAKE: Those are all
16 public, uhm, records. All of our -- uhm, all
17 these things are public records. All of --

18 MALE SPEAKER: Would the media find
19 out about it, unless like the complainant's
20 parents told them that they had done an
21 investigation?

22 PRESIDENT DRAKE: The media requests,
23 uhm, things like everything that we have in
24 reference to this case.

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1 That's -- that's what our -- they'll
2 say, We'd like to have --

3 MALE SPEAKER: How do they know the
4 case is going on, though? We never knew a case
5 was going on.

6 PRESIDENT DRAKE: Yeah. Uhm, the --
7 uhm, let me say that the information in cases
8 of this type are released to people other than
9 the, uhm --

10 FEMALE SPEAKER: The University
11 community.

12 PRESIDENT DRAKE: Yeah. -- the people
13 to whom the report is released outside the
14 University community right from the very
15 beginning.

16 We have Freedom of Information Act
17 requests that come, just so you'll -- on a
18 regular basis for everything. For my records,
19 for instance, just everything that I do gets
20 requested and looked at. And so -- so we know
21 that that is there and that that's coming.

22 I will say sometimes we fight them on
23 it. Actually, when we fight them on it, it's
24 usually worse. And so when we have public

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1 records that they're interested in, we do what
2 we can to get those records released.

3 And it's a -- it's a federal law. So
4 we just -- we -- we have a full-time office
5 that releases records to the media.

6 MALE SPEAKER: So then why did they
7 write a damning report that was so exaggerated
8 and --

9 PRESIDENT DRAKE: The media?

10 MALE SPEAKER: Taken out of context --

11 MALE SPEAKER: No, the --

12 MALE SPEAKER: -- and biased.

13 MALE SPEAKER: No, Glaros. Why did he
14 write such a -- an out-of-context, uhm, damning
15 report?

16 PRESIDENT DRAKE: This is the --
17 you're -- you're asking why the report itself
18 was written as it was?

19 MALE SPEAKER: Yeah. If it's going to
20 be a representation of the entire band --

21 MALE SPEAKER: A cultural assessment
22 of the entire band.

23 MALE SPEAKER: A cultural
24 assessment --

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1 PRESIDENT DRAKE: Yeah.

2 MALE SPEAKER: -- why was it --

3 PRESIDENT DRAKE: I couldn't -- I mean
4 I couldn't -- I don't want to make a comment
5 that I couldn't answer. I can say that --

6 MALE SPEAKER: Dave, I don't know how
7 he could answer that.

8 MALE SPEAKER: Yeah, I don't know.

9 PRESIDENT DRAKE: Right. I mean,
10 somebody says, Here's this.

11 MALE SPEAKER: Uh-huh.

12 PRESIDENT DRAKE: And I, uhm -- uhm,
13 we'll switch places for a minute. It wasn't --
14 it was a -- it was a bad evening for me when it
15 landed on the desk.

16 MALE SPEAKER: Uh-huh. Uh-huh.

17 PRESIDENT DRAKE: Because, uhm -- uhm,
18 it just -- so I'll just state it.

19 But let me make sure I go back to the
20 one thing we've said over and over again. It
21 was clear to me that the vast majority of all
22 that stuff -- uhm, which, actually, I wish I
23 didn't, uhm, know -- was stuff from, uhm, years
24 gone by and wasn't reflective of you in the

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1 modern era.

2 MALE SPEAKER: The problem is it is
3 reflecting on us in the public eye.

4 PRESIDENT DRAKE: Well, reflecting --
5 let me understand. I understand the fact that
6 that reflection -- that that distinction, uhm,
7 is blurred in the eyes of some. And maybe in
8 our communication we can address that.

9 MALE SPEAKER: Okay.

10 PRESIDENT DRAKE: Okay. I mean,
11 that's one of the things if we can -- if it
12 helps, we can maybe address.

13 MALE SPEAKER: So let me interject
14 briefly again. I want -- I want to hit another
15 point here that I think is significant.

16 PRESIDENT DRAKE: All right.

17 MALE SPEAKER: No, no, no.

18 PRESIDENT DRAKE: Okay.

19 MALE SPEAKER: Because what the
20 president has just said to your question, Do
21 you think this reflects our individual
22 character.

23 And I heard him say, Absolutely not,
24 because if I did, you would not be marching

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1 this season.

2 You asked about the people in this
3 room. And I heard that.

4 And you're talking about this
5 separation. I think we're saying we're getting
6 to a point of what you want to hear the
7 President communicate to the larger community
8 gets to that piece.

9 MALE SPEAKER: Yeah. I wish you would
10 have said that on day one, though.

11 PRESIDENT DRAKE: I hope I did. But I
12 might not have said it clearly enough and --

13 MALE SPEAKER: Not at all.

14 FEMALE SPEAKER: No.

15 (Inaudible. Multiple speakers
16 overlap.)

17 PRESIDENT DRAKE: Okay.

18 FEMALE SPEAKER: So let's -- let's --
19 let's go with we've agreed you'd like a
20 positive message; the President is willing to
21 give a positive message.

22 You want to make sure that his message
23 reflects that those things -- that you are good
24 people, because we believe that.

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1 What else do you need the President to
2 know? Because we've got about 15 minutes, and
3 I want to make sure you are telling him about
4 who the band is, who the band members are.

5 Who are you?

6 MALE SPEAKER: And, honestly, uhm,
7 I -- I -- I feel that the best way that you can
8 get -- that you can know that is to come in and
9 either -- you know, see us.

10 But more importantly, I know that
11 there are 220 other people that want to hear
12 what you have just told us from yourself.

13 Because they feel like they are just
14 as, uhm, affected by all of this, and they're
15 as caught up in it as we are.

16 PRESIDENT DRAKE: Yes.

17 MALE SPEAKER: And they -- they're
18 sort of tired of hearing through us what's
19 coming from you.

20 PRESIDENT DRAKE: Okay.

21 MALE SPEAKER: I think that from
22 talking to -- through my row, that's the
23 biggest things I'm hearing is, We just want to
24 hear from President, the President.

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1 PRESIDENT DRAKE: Okay.

2 MALE SPEAKER: Do you want to show him
3 the video?

4 MALE SPEAKER: So, uhm, we'll give you
5 some context.

6 After hearing the report on Thursday,
7 uhm, we had immediately performed in our
8 uniforms in front of the public. And it was
9 extremely painful for all of us to have to do
10 that, but we were together.

11 PRESIDENT DRAKE: Yes.

12 MALE SPEAKER: Uhm, then the first
13 time that we had the ability to talk to each
14 other was on Sunday.

15 And so the squad leaders, most of the
16 people in this room, we spent about 15 hours,
17 locked ourselves in this room, to prepare a
18 statement that, uhm, Dr. J and Micky have both
19 seen that talks about who we are.

20 And like I said before, we don't
21 believe that you really understand who we are.
22 So we want you to watch this video of who we
23 think that we are.

24 MALE SPEAKER: Okay.

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1 MALE SPEAKER: Push play.

2 PRESIDENT DRAKE: Yeah. I can push
3 play [inaudible].

4 MALE SPEAKER: Okay.

5 (The following was provided for the
6 record via videotape:)

7 (On video) FEMALE VOICE ONE: As
8 student members of the Ohio State University
9 Marching Band, we have always taken great
10 pride, not only in our University, but in
11 ourselves.

12 The public has seen our dedication and
13 excellence in musicianship and marching we
14 demonstrate week after week on the field, as
15 well as our community involvement and service
16 off the field.

17 Now we would like to share the core
18 values that we, as a band, embrace.

19 (On video) MALE VOICE ONE: The Ohio
20 State University Band experience presents an
21 environment cultivating personal growth. We
22 spend countless hours working with fellow band
23 members during rehearsals, performances, and
24 the campus environment, fostering

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1 self-confidence that carries through all
2 aspects of our personal lives.

3 We are students first, and managing
4 time effectively requires a diligent work
5 ethic. This translates to academic achievement
6 and positive student growth in the classroom,
7 as the band maintains an average GPA Over 3.5.

8 We believe our time in this band has
9 better prepared us for life after college.

10 This is who we are.

11 (On video) MALE VOICE TWO: Being a
12 part of this unique student community is having
13 peers you can always count on for support, not
14 just in band, but in life.

15 We feel our community is a network of
16 individuals with a common goal. People from
17 all walks of life come together to create a
18 great experience, both on and off the field.
19 This community is what holds us together. It's
20 what keeps us coming back. (Inaudible.)

21 We come as fellow musicians. We leave
22 as one family.

23 This is who we are.

24 (On video) FEMALE VOICE TWO: The

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1 marching band is composed of 250 students, all
2 with diverse backgrounds. Each is valued by
3 the others for their role as a member of the
4 group and as a unique individual.

5 We are encouraged to voice our
6 opinions to help shape the band and foster
7 growth. Our mission is to help the band embody
8 the musicians it encompasses, not to change the
9 musicians to fit the band.

10 This is who we are.

11 (On video) MALE VOICE THREE: We are
12 dedicated to continuous improvement and
13 innovation. From our first year to our last
14 year, each member develops leadership skills
15 that will last a lifetime. To develop these
16 skills, we enable our peers to do their best by
17 putting their needs above our own. We do this
18 with a deep respect for others as well as
19 ourselves.

20 This is who we are.

21 (On video) FEMALE VOICE THREE: It is
22 an honor to be a member of this band. In our
23 time, we have seen positive and substantial
24 developments relating to our core values

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1 consistently improving year after year.

2 We, as student leaders, want to make
3 it absolutely clear that the striving for
4 improvement will continue to be an integral
5 part of our organization.

6 We cannot thank Buckeye Nation enough
7 for the support we receive. We look forward to
8 the upcoming season as our best and most
9 exciting performances are yet to come.

10 The only band we are trying to be
11 better than is the band we were yesterday.

12 This --

13 (On video) GROUP VOICES: -- is who we
14 are.

15 (End of video.)

16 PRESIDENT DRAKE: Okay. Thank you.

17 Uhm, I'm sure that's true. And, uhm,
18 I -- so let's, uhm -- so first, I'm sure that's
19 true.

20 And, I -- I, uhm, would say that, uhm,
21 to the extent that I can communicate in some
22 way that, uhm, helps to spread a message that
23 would be supportive of that, uhm, getting out
24 and away, uhm, uhm, that would be effective, I

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1 would be happy to do that.

2 MALE SPEAKER: Yeah, yeah. And I --
3 and we were talking about it earlier. And,
4 right now, we just feel like the -- really the
5 only University-addressed statement of us and
6 our culture is what we feel is outdated and
7 misrepresented.

8 PRESIDENT DRAKE: Okay.

9 MALE SPEAKER: And what -- what we
10 would like is the University to be actively and
11 publicly highlighting what our true culture is
12 and really acknowledging the progress we've
13 made and what -- you know, who we are.

14 PRESIDENT DRAKE: Yes.

15 MALE SPEAKER: And that's, uhm, as far
16 as a message. Uhm, and just maybe, just more
17 co-op -- cooperation. You know, we read a lot
18 of bad stuff about us.

19 PRESIDENT DRAKE: Yes.

20 MALE SPEAKER: And with that, I think
21 that there needs to be, you know, active
22 good.

23 PRESIDENT DRAKE: Great. So let me
24 just -- then, uhm, my suggestion is that we

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1 get, uhm, together and decide how we can do
2 that right away.

3 And I think that, uhm, uhm, today is a
4 good day to start thinking about that. And so
5 I would love to do that right away. Uhm, so
6 I'm -- I'm happy to do that.

7 So, uhm, we'll work on what the
8 mechanism is for that, and uhm -- and, uhm,
9 then we'll bring everybody to bear and try and
10 get some things and then decide where we'd like
11 to go.

12 MALE SPEAKER: I still want to a --
13 stress again how much we think it's very
14 necessary for you to have a statement for the
15 rest of the band, not just the leaders --

16 PRESIDENT DRAKE: Sure.

17 MALE SPEAKER: -- sitting in front of
18 you.

19 PRESIDENT DRAKE: No, no. I'm happy
20 to do that. We'll look forward to facilitating
21 that.

22 MALE SPEAKER: Right. Because I think
23 it can tie into -- you know, we want you to get
24 to know who we really are. And we'd like you

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1 to, uhm, express some willingness to learn
2 about who we are.

3 And I think something like coming into
4 rehearsal -- I mean, we're here so much anyway.
5 We're here.

6 PRESIDENT DRAKE: Yes.

7 MALE SPEAKER: You know we're here.
8 You know, come on in. Listen to us play for a
9 little bit --

10 PRESIDENT DRAKE: Sure.

11 MALE SPEAKER: -- have your statement
12 so that the rest of the band, the other, you
13 know, 200 people aren't hearing through us
14 about what you've said.

15 PRESIDENT DRAKE: Right.

16 MALE SPEAKER: I can't stress
17 enough -- enough how valuable that would be to
18 everyone else.

19 PRESIDENT DRAKE: Yeah. Fine. I
20 would love to do that actually.

21 MALE SPEAKER: Okay.

22 PRESIDENT DRAKE: And, Joe, this is --
23 I'll -- and I'll say something that I assume --
24 I -- I don't know if I should say this thing --

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1 uhm, with things coming up.

2 The blowback that -- that the other
3 side has received has been, uhm, uhm,
4 tremendous. So the amount of heat that's come,
5 uhm, uhm, to the University, uhm, which I would
6 then represent, has been, uhm, tremendous.

7 Now let me say, it's been -- it's a
8 mixed bag. But it's been, uhm, uhm, not
9 entirely, uhm, respectful, I would just say.

10 Uhm, and so I'm more, uhm, than happy
11 to support you and have you move forward.
12 And -- and your interest in working together on
13 this is something that I would support, as
14 well, as I -- so I'm happy to do that.

15 And, uhm, so I think that that's
16 something that we should do. I -- I would be
17 happy to see the rest of this band. And that
18 would be something -- I mentioned this, you
19 know, thinking about this, the first day we
20 talked.

21 In my medical career, I had these
22 things happen. You -- you have bad news. You
23 go in and you say all the things you're going
24 to say, and some of them resonate and some of

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1 them don't. And it's always -- it's
2 interesting to think about those things.

3 One of the things I said then was that
4 one of the -- the things that attracted us to
5 move to Ohio was the band, that I just
6 always -- I always thought the work was
7 tremendous and what a great group and a great
8 spirit it is, and all those things.

9 And so, uhm, I -- I'm very interested
10 in having you be as successful as -- as you
11 can. And if I can be of help with that, uhm,
12 I'm happy to do that.

13 FEMALE SPEAKER: One of the things
14 that I think you guys have been clear on, and I
15 think President is really clear on, is
16 relationships matter.

17 And it is hard when you're in a
18 traumatic experience to work on relationships.
19 But by coming to the table, and the President
20 coming to the table, you guys coming to the
21 table, we have an opportunity.

22 And the intervening work that helped
23 you to be ready for this, I think, was really
24 important. But as important is the willingness

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1 you guys have to come to the table to create
2 that relationship. And that's only going to
3 happen with time and interaction and trust.

4 MALE SPEAKER: I'm a big advocate of
5 summarizing key points. I think some of you
6 may have figured that out about me. Okay.

7 So what I've heard before and today,
8 key points from these squad leaders from the
9 band to you, President Drake, uhm, from your
10 perspective, the report was flawed;

11 The report impacted us individually
12 and collectively as a whole;

13 We feel like we haven't heard anything
14 else publicly but the report;

15 We want something positive out there
16 from you;

17 And we want you to get to know us
18 and -- and -- and meet with the whole band.

19 PRESIDENT DRAKE: Okay. I also heard,
20 if I can --

21 MALE SPEAKER: Uh-huh.

22 PRESIDENT DRAKE: -- say, I heard you,
23 and -- and I saw in the video, that you
24 expressed the values that you hold as

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1 individuals and as a collective community of
2 supporter friends, and that those are very
3 important things to you, and you wanted to make
4 sure that those things were clear. And I
5 believe that.

6 MALE SPEAKER: Oh, you.

7 PRESIDENT DRAKE: No, his hand --
8 he -- his hand was up first.

9 FEMALE SPEAKER: That guy in the blue
10 shirt first.

11 PRESIDENT DRAKE: In the blue, so blue
12 first, yeah. Thank you.

13 MALE SPEAKER: Uhm, so I think -- uhm,
14 this is a little separate, but something moving
15 forward that's important is that, uhm, you guys
16 give us the tools to succeed.

17 And I think some of that is, you know,
18 maybe some training regarding sexual harassment
19 and hazing and stuff for the squad leaders as
20 to how to deal with those scenarios.

21 PRESIDENT DRAKE: Okay.

22 MALE SPEAKER: Because I think
23 everybody here wants to be successful in those
24 endeavors. And, uhm, we've had so many people

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1 come and talk to us this last, you know, few
2 days.

3 It's -- it's -- I guess, our role as
4 student leaders is -- has changed a little.
5 What we are and aren't allowed to do --

6 PRESIDENT DRAKE: Sure.

7 MALE SPEAKER: -- has been more
8 clearly defined regarding how we handle, you
9 know, some of our row members and stuff like
10 that.

11 So I think it would be really helpful
12 to this group to allow us to partake in some of
13 those training opportunities and stuff, and
14 maybe, you know, teach us how to -- how to, you
15 know, comply with some of this stuff that's out
16 there and is important for to us understand.

17 PRESIDENT DRAKE: Let me say, we're
18 more than happy to help you.

19 And I -- uhm, this is my first year
20 here. It's my tenth-year as a university
21 president or chancellor. So I've -- I've had
22 the -- the chance to go through these things
23 over and over again in -- in a variety of
24 circumstances.

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1 And -- and I think that if we can --
2 I'd be happy to, first, make sure that we give
3 support to you in helping you be sensitive to
4 those kinds of things.

5 And, second, I understand the session
6 that you had right before -- I happened to see
7 a couple of you on the Oval, and that that
8 wasn't -- that that seemed like it wasn't the
9 right kind of session.

10 And so we can try and get this done at
11 a better -- at a better -- at a higher level
12 and a more sensitive level, and I -- I would
13 welcome being able to support that.

14 FEMALE SPEAKER: And we have, uhm, the
15 facilities to do that. We have the people and
16 the support and the openness that you now have
17 to be ready for that. So we'll help you.

18 PRESIDENT DRAKE: We will help you
19 with that.

20 I'm sorry. You.

21 MALE SPEAKER: Yeah. So we appreciate
22 that there's, uhm, an effort kind of right now
23 within the University to do kind of a follow-up
24 to see really what's going on in the band.

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1 PRESIDENT DRAKE: Okay.

2 MALE SPEAKER: But we also have a few
3 concerns, and this is regarding the Betty
4 Montgomery investigation.

5 PRESIDENT DRAKE: Okay.

6 MALE SPEAKER: Uhm, just kind of the
7 way we feel or the way we perceive it, uhm,
8 happening --

9 PRESIDENT DRAKE: Yeah.

10 MALE SPEAKER: -- it feels to us like
11 it's kind of seeking to confirm the findings of
12 the report. Uhm, and a few examples: Like the
13 only button on the website, when you go to
14 submit a complaint, that it was --

15 PRESIDENT DRAKE: Did that change? I
16 mentioned that. They were going to -- I, at
17 least, addressed that, hoping it was changed.
18 But I don't know if it has. I haven't looked
19 though.

20 MALE SPEAKER: I think it -- last time
21 I checked it, I think, was last night, and it
22 wasn't changed.

23 PRESIDENT DRAKE: Okay. I'll -- I'll
24 try that again.

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1 MALE SPEAKER: And we've heard from
2 some people who have submitted, uhm, kind of a
3 test, like something that sounds positive and
4 something that sounds negative.

5 PRESIDENT DRAKE: Yeah.

6 MALE SPEAKER: So the person who
7 submitted something positive, uhm, waited about
8 four or five days and got a form letter back
9 saying, Thank you for your response.

10 The person who submitted something
11 that sounded like it was going to be negative
12 got a call within 45 minutes asking for a
13 personal meeting with Betty Montgomery.

14 So to us, that feels kind of like --
15 you know, it's like we -- we -- we don't really
16 have anything -- we can't do anything to get a
17 positive message out. Like it's really seeking
18 for something to build something negative about
19 us.

20 PRESIDENT DRAKE: Sure.

21 MALE SPEAKER: Uhm, so we -- we would
22 appreciate, uhm, kind of a third-party, totally
23 independent cultural assessment, not
24 necessarily an investigation --

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1 PRESIDENT DRAKE: Sure.

2 MALE SPEAKER: -- or something based
3 on a complaint, but a real, you know,
4 independent assessment of our culture, uhm,
5 just to kind of help with that positive public
6 message that goes out.

7 PRESIDENT DRAKE: Okay. And I think
8 we had actually -- uhm, there was something
9 like that that we had spoken about. The
10 sequence of events was that that needed to --
11 to wait a little bit.

12 Uhm, but I'm, let me say, happy to do
13 that. And the, uhm, guidelines are to provide
14 us with information that helps support you in
15 the future.

16 So that's what we asked them to do.
17 That's what the letter, the charging letter,
18 said. I'm -- I'm sure that it's looking for
19 problems that might need to be addressed more
20 than things that are okay.

21 Because it's easier to allow things
22 that are okay -- you know, there would be more
23 energy put into correcting things that might
24 need support than there would be in, uhm,

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1 recognizing things that were okay.

2 But, let me say, I appreciate sharing
3 in both directions and getting full
4 information. And that's meant to help us all,
5 uhm, uhm, do better, uhm, next week, next
6 month, et cetera. And that's the reason that
7 it's -- that it's -- that she's here. But I
8 appreciate those concerns.

9 Uhm, then let me make sure I'm hearing
10 this, that -- so I have two requests: So one
11 is to look at the buttons.

12 MALE SPEAKER: Yeah.

13 PRESIDENT DRAKE: And I heard that a
14 week ago and mentioned it, and I'll follow up
15 and see what happened with that.

16 And, uhm, uhm, the second is to look
17 for some level of support that comes forward in
18 the future that's positive support that comes
19 out, if I'm --

20 MALE SPEAKER: Right.

21 PRESIDENT DRAKE: I wasn't articulate,
22 but that's -- I understand that. Okay.

23 MALE SPEAKER: Yeah.

24 FEMALE SPEAKER: Uh-huh.

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1 PRESIDENT DRAKE: Okay. And those are
2 some of the things that I look forward to
3 doing.

4 FEMALE SPEAKER: Does anybody else
5 want to have any closing things they --

6 MALE SPEAKER: Another thing to add to
7 what Andrew said in terms of support that's
8 going to help us succeed.

9 PRESIDENT DRAKE: Yeah.

10 MALE SPEAKER: I think it would be
11 very valuable -- valuable for to you evaluate
12 the memo of understanding that was created two
13 years ago addressing the band's staffing and
14 financial structure and how -- how does this
15 help us succeed from an organizational
16 standpoint with staffing.

17 Uhm, there's basic things, like
18 keeping the lights on and --

19 PRESIDENT DRAKE: Yes.

20 MALE SPEAKER: -- operations we
21 struggles with, and, uhm, a lot of that was put
22 on Jon and the staff to deal with a lot of
23 that.

24 And I think a real objective look into

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1 how we run as an organization would be
2 [inaudible]. And there was proposal for two
3 full-time positions that was denied on two
4 separate occasions by Dean Mark Shanda.

5 PRESIDENT DRAKE: Yeah.

6 MALE SPEAKER: So just another look
7 by -- by you into that whole process.

8 PRESIDENT DRAKE: Okay. I think this
9 is a good time to look at that again.

10 FEMALE SPEAKER: Uhm, I do have to say
11 something.

12 Uhm, so in my four years, this would
13 be my fifth year, I've taken so much away from
14 this band room, and I've learned life lessons
15 that I can't get anywhere on campus. Uhm, and
16 that's something I'm so thankful for.

17 And right now, for the first time in
18 five years, I feel very uncomfortable. And I
19 want people to have the same experience that
20 I've had, because I think it's so vital for
21 success in everything that we do.

22 And I just really want to push that we
23 are making the right strides so that things can
24 some -- somewhat go back to normal, and that

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1 our first-year members are receiving the same
2 kind of experience that we knew.

3 PRESIDENT DRAKE: Okay. And I
4 appreciate that. And you all have -- so I
5 appreciate that and thank you.

6 I think it's very, very important. I
7 think that the sentiments you expressed in the
8 video were -- were very important and one of
9 the things that makes this such a valuable
10 organization.

11 And you have heard me -- or you know I
12 would talk about academic and research
13 excellence, but also character and leadership
14 excellence, and this is the en -- environment
15 where character and leadership excellence grow.

16 FEMALE SPEAKER: Absolutely.

17 PRESIDENT DRAKE: And it's a critical
18 part of what we do as a university so --

19 FEMALE SPEAKER: Uh-huh. I'm just --
20 I'm just really concerned right now that that's
21 going to get lost.

22 PRESIDENT DRAKE: Well, let's work --
23 let -- let's -- let me say that there's steps
24 that we can take to make sure that that doesn't

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1 get lost, because that would be, uhm, uhm,
2 unfortunate. I mean, that would be a tragedy.

3 FEMALE SPEAKER: Absolutely.

4 PRESIDENT DRAKE: So things that we
5 can do -- that I can do to help you make sure
6 it doesn't get lost.

7 You -- the character and leadership
8 excellence that you all learn comes really from
9 you, and it comes, uhm, from your own
10 interactions and the things that you know so
11 well.

12 The hard work you've put in and the
13 progress you can see from that hard work are
14 the kind of life lessons that make this such a
15 valuable experience to participate in.

16 So I can do the things that I can do,
17 like help with the communication or series of
18 communications that help to, uhm, make sure we
19 define who you are. Happy to do that.

20 We can look at resources to make sure
21 there are adequate resources to make sure that
22 that's not a -- a strain.

23 We can look to make sure that going
24 forward we have, first, uhm, uhm, support in

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1 understanding the nuances of things like the
2 compliance regulations and all that -- that
3 uhm, uhm, help to control us; and that we have
4 support on cultural growth and assessment and
5 those things in that broad arena.

6 And I -- and I think those are all
7 very positive things that we would -- I'd like
8 to see us do.

9 MALE SPEAKER: What can we, as a
10 group, both you guys and us, do to help the
11 personal accounts that have taken place due to
12 the falsities in this report and the -- and the
13 false information that has been given out
14 through the media, and the -- and the
15 misrepresentation and depiction that has been
16 portrayed of the band right now, of these
17 things happening right now and that these
18 things -- for instance, my name is on the
19 report.

20 I was never asked about anything to
21 confirm anything like that. A lot of people
22 knew me as that, and my name is now attached to
23 something that's not true or accurate.

24 PRESIDENT DRAKE: Okay. Uhm, so I can

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1 say a couple things: Uhm, one is we'll, uhm,
2 try, uhm, to work together on communications
3 that help to make the statements that I think
4 are clarifying, for one.

5 Uhm, I have two other things I think
6 are true that are really important. Uhm, I,
7 uhm, uhm, believe that the truth wins out
8 generally.

9 FEMALE SPEAKER: Uh-huh.

10 PRESIDENT DRAKE: And that, uhm, what
11 is true is more important than what people
12 think is true.

13 And so to be, uhm, yourselves and be
14 that outstanding organization, I think, is
15 critically important every step of the way
16 going forward. And every -- every day that
17 you're that, the things that aren't true
18 become, uhm, less relevant and -- and turn into
19 background noise. And so I think that's a
20 critically important thing.

21 I think that your, uhm, representing
22 yourselves proudly on the field this year will
23 be -- uhm, that's the largest, uhm, statement
24 of who you are. People will cheer you and

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1 appreciate you.

2 And, uhm, so I think that those things
3 are really -- are really true.

4 I don't mean to -- you know, I've --
5 I've had circumstances where there was an awful
6 lot of untruth happening. I'll put a kernel of
7 truth, but a lot of untruth. And the untruth
8 was overwhelming.

9 FEMALE SPEAKER: Uh-huh.

10 PRESIDENT DRAKE: Uhm, overwhelming.
11 And it -- and the path that we took was to --
12 to really create and support the actual truth.

13 And I wasn't sure at the time it was
14 going to work. Uhm, uhm, but -- but let me say
15 that it did work, and the actual truth came to
16 light, and was then celebrated in -- in an
17 incredible way.

18 Uhm, and I -- uhm, I -- so I -- I
19 believe that that -- that that's what works,
20 and I would like to be supportive of that.

21 FEMALE SPEAKER: Uh-huh.

22 MALE SPEAKER: Is there anything being
23 done to, uhm, check the procedural happenings
24 of this -- this initial investigation?

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1 PRESIDENT DRAKE: Yes.

2 MALE SPEAKER: Is there anything done
3 to check to make sure that what these people
4 were doing wasn't biased and that they were
5 doing what they called --

6 MALE SPEAKER: (Inaudible.)

7 MALE SPEAKER: Yeah.

8 PRESIDENT DRAKE: Yeah.

9 MALE SPEAKER: Is there -- is there
10 something -- are we evaluating the people who
11 do this report?

12 PRESIDENT DRAKE: Yeah.

13 MALE SPEAKER: As the people being
14 included in this report, you know, we obviously
15 believe it was poorly conducted and is not a
16 representation of us at all and --

17 PRESIDENT DRAKE: Yeah. So let me say
18 that part of what -- part of the task force is
19 a review of our of policies -- of the policies
20 and procedures, uhm, that -- and they'll look
21 at the ones that happened in this case and make
22 recommendations on going forward.

23 A specific part of it is to look at
24 a -- the policies and procedures to make sure

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1 that they are, uhm --

2 MALE SPEAKER: Is it looking at the
3 people who -- who conducted this initial
4 investigation?

5 PRESIDENT DRAKE: So let me say, I
6 want to be clear about what I know and don't
7 know. Part of it was -- we had three parts to
8 the report or to the task force.

9 And one part was to look at our --
10 our, specifically, Title IX policies and
11 procedures, how those were carried out and were
12 there ways to improve that.

13 MALE SPEAKER: Uh-huh.

14 PRESIDENT DRAKE: That's being done by
15 a law firm that's hired to do it, so I won't
16 interact. But it's totally independent. It's
17 meant to be independent, honestly, so it can be
18 critical of the University.

19 We don't -- if we did it ourselves,
20 then people would say --

21 MALE SPEAKER: I apologize for
22 interrupting.

23 PRESIDENT DRAKE: Yeah.

24 MALE SPEAKER: He was asking you about

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1 the original report, and you were responding
2 about Betty Montgomery's report.

3 PRESIDENT DRAKE: Yes.

4 MALE SPEAKER: So I think you two are
5 missing each other right now.

6 PRESIDENT DRAKE: Okay. Let me try
7 again.

8 MALE SPEAKER: Okay.

9 PRESIDENT DRAKE: So -- so --

10 MALE SPEAKER: I think Chris --
11 Chris Glaros is -- was the name associated with
12 that -- with that report.

13 PRESIDENT DRAKE: Yes, uh-huh.

14 MALE SPEAKER: Is there -- is there an
15 investigation into his methods of -- or his
16 group's methods of --

17 PRESIDENT DRAKE: Yeah. So I thought
18 I was answering that.

19 FEMALE SPEAKER: That is what it is.
20 That's what that is.

21 PRESIDENT DRAKE: I thought that's
22 what I was answering. Forgive me.

23 MALE SPEAKER: Okay.

24 PRESIDENT DRAKE: So what I'm -- what

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1 I'm saying is that the, uhm --

2 FEMALE SPEAKER: There's a separate
3 group, a law firm --

4 PRESIDENT DRAKE: Hired.

5 FEMALE SPEAKER: -- that's hired to
6 look at how we manage our policies and
7 procedures. That --

8 PRESIDENT DRAKE: Would be reflected
9 in that, right.

10 FEMALE SPEAKER: -- example would be a
11 piece of that.

12 PRESIDENT DRAKE: I don't know exactly
13 what they're doing, because, again, it's
14 independent. But our -- our question to them
15 was, how -- are our policies and procedures
16 what they should be, are we following them
17 appropriately.

18 MALE SPEAKER: Are they going to be --

19 FEMALE SPEAKER: And that's separate
20 from Betty Montgomery.

21 MALE SPEAKER: Are they going to be
22 interacting with us, our side of the story, in
23 terms of how we --

24 PRESIDENT DRAKE: Let me -- let me

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1 then -- let me suggest, uhm, that, uhm -- let
2 me -- I have to kind of do it indirectly, but
3 let me suggest that they -- that that's
4 something they consider as they do this report.

5 MALE SPEAKER: Uh-huh.

6 PRESIDENT DRAKE: Let me say why it's
7 done. It's done so that we wouldn't be in a
8 position of having bad policies and procedures
9 and -- and saying that they were okay.

10 So it's meant to be external from the
11 University so that it's a third party, uhm,
12 uhm, giving us guidelines or criticizing or
13 supporting what we've done one way or the
14 other.

15 MALE SPEAKER: Uh-huh.

16 PRESIDENT DRAKE: So, yes, that's
17 being evaluated. Not in a retrospective, you
18 know, going through it and do the whole thing
19 over again, but looking at our policies and
20 procedures and -- and just looking at it.

21 MALE SPEAKER: Yeah. Because --
22 because I think there's a lot -- I mean, you've
23 heard, I'm sure, that there are several people
24 who were used as witnesses in the report who

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1 said that their -- that the words that they
2 used in the report have been taken out of
3 context --

4 PRESIDENT DRAKE: Yes.

5 MALE SPEAKER: -- and not fully
6 represented in the report itself.

7 PRESIDENT DRAKE: Okay.

8 MALE SPEAKER: It's a very biased
9 report.

10 MALE SPEAKER: Yes.

11 PRESIDENT DRAKE: You know, that's
12 just -- I'll try this. Let me say, and, you
13 know, and I always -- I believe we've made good
14 progress today, which I feel, uhm, uhm, uhm,
15 much better about.

16 Uhm, I want you to think that when I
17 saw things that looked like they were biased or
18 tainted or sensationalized that those were
19 discounted because of that, because that's what
20 I would do. Just -- just to -- just to say
21 that.

22 So I -- so let me say, the report had
23 an awful lot of information in it. And, uhm,
24 uhm, speaking for myself and all but -- is that

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1 I did everything I felt that I -- was
2 appropriate to filter out information that I
3 thought was irrelevant or extraneous or
4 inflammatory or historical.

5 FEMALE SPEAKER: Uh-huh.

6 PRESIDENT DRAKE: Uhm, so just I -- so
7 I guess I want to agree with you that I
8 understand that lots of it was.

9 MALE SPEAKER: Yeah. But I mean --
10 and publicly you said you stand by the findings
11 of the report. But why would the University
12 stand by a report that's sensationalized? I
13 feel like it should have been objective.

14 PRESIDENT DRAKE: Let me say, uhm,
15 that -- that if we take all, the hundred
16 percent, of it that's there, uhm, uhm, the
17 decision would have been made on, uhm, bits,
18 parts of it, uhm, that were, uhm, kind of
19 distilled from the report as a whole.

20 So that's what I -- what I said
21 publicly, I tried to be careful to say that I
22 stood by what I felt were the facts that were
23 presented to us. And I meant that to be the
24 facts that we saw them as they came forward.

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1 We have to evaluate the validity and
2 the -- uhm, uhm, (inaudible) those facts and
3 when those fact occurred. And I -- I would say
4 that I would do the best I could to do that.

5 But I -- but I understand -- so I'll
6 just leave it at that. I want to try to be
7 accurate in what I'm saying and --

8 MALE SPEAKER: One follow-up --

9 FEMALE SPEAKER: Okay.

10 MALE SPEAKER: -- to cover the bulk of
11 it.

12 FEMALE SPEAKER: Yes.

13 MALE SPEAKER: The -- what facts were
14 strong enough to you -- I don't know if you can
15 answer this or not.

16 But what -- what facts were strong
17 enough for you that called for termination?

18 PRESIDENT DRAKE: So that's within --
19 you -- you -- you correctly, uhm -- that --
20 that would be the personnel-action part that I
21 couldn't talk about.

22 MALE SPEAKER: Personnel action,
23 okay.

24 PRESIDENT DRAKE: But -- right. So

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1 let me say that there's a time in the future
2 maybe when that's possible, and -- and then I
3 would be more than happy to share it. But I --
4 we just have to wait until that time comes.

5 MALE SPEAKER: Okay.

6 FEMALE SPEAKER: Is there anything
7 else that has to do with, uhm, Dr. Drake
8 knowing who you are as a band that you want to
9 leave with?

10 MALE SPEAKER: Uhm, I think, uhm,
11 between you and our band, we've made a first
12 impression in the worst way possible. And
13 right now, uhm, I -- I think our relationship,
14 in a way, is very broken.

15 And, uhm, it's something that I would
16 just like to say that you probably already know
17 is that it's going to take a lot of time for us
18 to -- to mend this relationship, and I think
19 even more so, probably the people that, you
20 know, we would like you to speak with and the
21 rest of the band.

22 PRESIDENT DRAKE: Okay.

23 MALE SPEAKER: Not just our leaders.

24 Uhm, uhm, I've heard talking to a lot

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1 of these people that for the first time in
2 their Buckeye careers, uhm, they -- they still
3 are just as proud, just as proud, to be a
4 member of the band, but for the first time,
5 they're not really proud to be calling
6 themselves a Buckeye.

7 And I -- I personally don't want that.
8 I don't want that to hang over my -- my career
9 here, and no one else does.

10 PRESIDENT DRAKE: Okay.

11 MALE SPEAKER: So I think, uhm, the
12 willingness that you've shown to -- to start to
13 help mend that relationship is awesome, and
14 I -- I hope that going forward that -- that we
15 can do that, uhm, very much so.

16 FEMALE SPEAKER: I want to thank all
17 of you for being here today. This is never
18 easy.

19 I want to thank Dr. Drake for being
20 here. It's, uhm, a lot to talk about, we want
21 to work together. It's another thing to take
22 the time. And I think on both sides that's
23 what has occurred.

24 I like how you ended this, uhm, that

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1 mending takes time, but we're both, on both
2 sides, willing to make that happen.

3 So, uhm, I hear you very loud and
4 clearly saying the entire band would like to
5 hear from Dr. Drake; and he was very clear that
6 he is willing and ready.

7 And I think I mentioned that, uhm, the
8 other day. So we just need to put that
9 together. Now we need to rely on you guys to
10 do that.

11 In the interest of time --

12 FEMALE SPEAKER: It's real quick.

13 FEMALE SPEAKER: Okay.

14 FEMALE SPEAKER: Uhm, is there a time
15 frame that we can expect to have you making
16 like a public statement and addressing the
17 band?

18 PRESIDENT DRAKE: Yeah.

19 FEMALE SPEAKER: When will that be?

20 PRESIDENT DRAKE: Uhm, soon. Let me
21 say --

22 (Laughter.)

23 FEMALE SPEAKER: Say, can we get like
24 a concrete -- well, I know (inaudible)

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1 PRESIDENT DRAKE: No, let -- let me
2 say -- no.

3 What -- I think what I would like for
4 our statements or something, why don't we think
5 about that starting now.

6 And, uhm, uhm, if you could sort of
7 roll forward what you think you'd like --

8 FEMALE SPEAKER: Uh-huh.

9 PRESIDENT DRAKE: -- uhm, uhm, uhm,
10 tomorrow, we'd try and get something out by
11 early next week, I think. I mean, that would
12 be a -- well, I said "right away" --

13 FEMALE SPEAKER: Uh-huh.

14 PRESIDENT DRAKE: -- and that would
15 mean, I think, uhm, early next week.

16 FEMALE SPEAKER: Uh-huh.

17 PRESIDENT DRAKE: Do me the favor of
18 writing something that you think that I can
19 send out. I mean, just, you know, I'd say, be
20 thoughtful about that, and then I'll -- I'll be
21 happy to do it. Uhm -- okay.

22 MALE SPEAKER: Would you be open to
23 making a video statement, as you (inaudible) to
24 get earlier?

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1 PRESIDENT DRAKE: Sure, yeah. Sure.

2 Yeah.

3 MALE SPEAKER: I -- I don't know about
4 all of us out here, but do we want to give him
5 the video to -- to maybe use that, or do we
6 want to --

7 MALE SPEAKER: Well, I would -- I
8 would like a statement coming from him --

9 FEMALE SPEAKER: You guys can decide.

10 (Multiple speakers overlap.)

11 FEMALE SPEAKER: You can write it out.
12 You guys can decide what you want to forward,
13 and you have time to do that.

14 (Inaudible. Multiple speakers
15 overlap.)

16 FEMALE SPEAKER: I'm sorry. We've got
17 to give you a chance to say.

18 (Inaudible. Multiple speakers
19 overlap.)

20 PRESIDENT DRAKE: Yeah. I would only
21 say that I would like to make sure that I'm --

22 MALE SPEAKER: He wants a
23 representation --

24 PRESIDENT DRAKE: -- that I'm

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1 representing what you wanted, that I say things
2 that you'd like to say.

3 FEMALE SPEAKER: Uh-huh.

4 PRESIDENT DRAKE: I wouldn't say
5 anything that I didn't mean.

6 FEMALE SPEAKER: Uh-huh.

7 PRESIDENT DRAKE: Don't -- don't worry
8 about that.

9 FEMALE SPEAKER: Uh-huh.

10 PRESIDENT DRAKE: I just want to make
11 sure that I'm capturing, uhm, what you'd like.
12 That's -- so I'm asking for your assistance --

13 MALE SPEAKER: Very good.

14 PRESIDENT DRAKE: -- in giving me
15 information I can use to help frame it. Okay.

16 FEMALE SPEAKER: I don't think you can
17 overstate your support for us. I think you
18 said before that, uhm, you thought it had come
19 across that you thought we were good people and
20 you support us, and I don't think it really did
21 come across.

22 PRESIDENT DRAKE: Fine.

23 FEMALE SPEAKER: And that's what I
24 mean.

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1 PRESIDENT DRAKE: I understand.

2 FEMALE SPEAKER: I think it got lost
3 in translation.

4 PRESIDENT DRAKE: Yes.

5 FEMALE SPEAKER: And I think just,
6 uhm, I don't want to get hurt here by something
7 coming out bad.

8 PRESIDENT DRAKE: Okay.

9 FEMALE SPEAKER: I would love to help
10 out as much as possible, and I would also, you
11 know, really like to get like your own opinions
12 in there, too.

13 PRESIDENT DRAKE: Yes. Yes, I, uhm,
14 am very thoughtful about things I write and put
15 out. Uhm, I promise.

16 FEMALE SPEAKER: Okay.

17 PRESIDENT DRAKE: So I will, uhm, uhm,
18 be happy to -- I mean, I -- I could do it by
19 myself, but I don't --

20 MALE SPEAKER: No, we'll give you some
21 bullet points.

22 PRESIDENT DRAKE: Yeah. I would
23 like -- I mean, I want to make sure that I'm
24 reflecting the communication that you would

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1 like to see.

2 MALE SPEAKER: Maybe we could see it
3 before you put it out.

4 PRESIDENT DRAKE: Yeah. No, I -- I --
5 the -- the closer it is to what you'd like to
6 see, the happier I would be.

7 And the sooner we can work out a visit
8 with, uhm, your fellow band members, uhm, the
9 sooner we will. I don't know if that was good
10 English, but we'll do it soon.

11 (Laughter.)

12 FEMALE SPEAKER: Okay.

13 PRESIDENT DRAKE: There was some
14 language that sounded like -- okay.

15 So I -- so I -- so good. So I'm
16 happy -- happy that we had a chance to, uhm,
17 meet. I was saying, as -- as I was coming, I
18 was looking forward to meeting with the band.
19 I -- this would have been months ago.

20 I had -- I was -- my fantasy was
21 different. Uhm, Uhm, but I'm -- I'm happy to
22 have a chance to be able to talk now about this
23 and to try to -- try to get some steps moving
24 in the right direction. Okay.

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1 MALE SPEAKER: Us, too. Thank you.

2 MALE SPEAKER: Please look at this.

3 You know --

4 PRESIDENT DRAKE: Yeah. And I have
5 them here, and, uhm, they'll -- they'll go with
6 me and all my stuff. Okay.

7 And then I will also find out if there
8 is, uhm -- you, someone asked about input, and
9 we'll talk about ways to get input, uhm, uhm,
10 and that would be things specifically about
11 this year (inaudible). Okay?

12 FEMALE SPEAKER: Okay.

13 PRESIDENT DRAKE: Thanks very much.

14 MALE SPEAKER: Thank you.

15 (End of audio file.)

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1 C E R T I F I C A T E

2

3 I, Casey G. Schreiner, Court Reporter, Notary
4 Public in and for the State of Ohio, duly commissioned
5 and qualified, do hereby certify that this is a true
6 and correct transcription, to the best of my ability,
7 of the audio recording in the aforesaid matter.

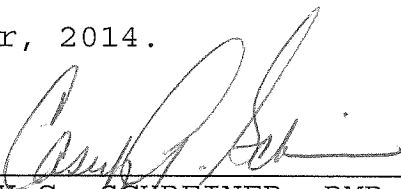
8 I do further certify that I am not a
9 relative, employee of or attorney for any of the
10 parties in this action; that I am not a relative or
11 employee of an attorney of any of the parties in this
12 action; that I am not financially interested in this
13 action, nor am I or the court reporting firm with
14 which I am affiliated under a contract as defined in
15 the applicable civil rule.

16

17 IN WITNESS WHEREOF, I have hereunto set
18 my hand and affixed my seal of office at Toledo, Ohio
19 on this 9th day of September, 2014.

20

21



CASEY G. SCHREINER, RMR-RDR
Notary Public
in and for the State of Ohio

22

23

My Commission expires December 26, 2016.

24