

Law Office of Linda Kenney Baden

15 West 53rd Street, Suite 18B
New York, New York 10019

Linda Kenney Baden, Esq.
Admitted New Jersey, US Sup. Ct., D.C. Cir.
And New York

Telephone: (732) 219-7770
Facsimile: (212) 397-2754
E-mail: kenneybaden@msn.com

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Via e-mail ltaylor@uamail.albany.edu

Records Access Officer:

Lisa Taylor
University Hall Room 203
University at Albany
1400 Washington Ave.
Albany, NY 12222

Re: Coach Kevin Broadus FOIL REQUEST NCAA VIOLATIONS et. al.

Dear Mr. Luntta:

Please accept this request as a FOIL request on behalf of Coach Kevin Broadus through his attorney:

1) Any and all records in any format, compiled, received, retained, used or in the possession of this particular SUNY institution for both this particular SUNY school, and/or the applicable conference(s) that any of the sports teams play in for: NCAA major violations, NCAA secondary violations, including those kept by the University administration, its Athletic department, or its NCAA compliance officer. Please send all information or compilations about the number of violations, type of violations, and specific facts surrounding the violations as kept by SUNY-Binghamton including whether school in the conference the violation applies to, the Division, Sports Team, Date, Violation of Bylaw, Coach/Staff/Student (**NOT BY NAME BUT BY THESE TITLE DELINEATIONS**)/ Details, How Discovered. Please supply this information for all years it is in existence between 2000 and 2010.

Please Note: For all documents requested, where there is a privacy right claim of an individual student athlete or employee, such records can be redacted so as not to disclose any protected information about student athletes. However, if any un-redacted document was given or disclosed to a third party entity involving student athletes please return a 'privilege log' itemizing same with the redacted document.

2) a) Any and all records in any format, compiled, received, retained, used, or how notified, no matter how such notification was received even if only by newspaper reports, or in the possession of this particular SUNY institution for both this particular SUNY school, of all student athlete arrests, adjudications, disorderly conduct, or other judicial process involvement, whether in-house or by law enforcement for the years 2000-2010. This information should include the team the student played on, the student's matriculating year, the alleged violation, any final adjudication, and any penalty whether in house or otherwise pertaining to either continued involvement on the team or in school. Please also supply the name of the student athlete coach and the coach's ethnicity as reported on any governmental agency from.

Please Note: For all documents requested, where there is a privacy right claim of an individual student athlete or employee, such records can be redacted so as not to disclose any protected information about student athletes. However, if any un-redacted document was given or disclosed to a third party entity involving student athletes please return a 'privilege log' itemizing same with the redacted document. However if this information is already public (as are many reports already on the internet with on-line papers), it is expected that the information does not qualify under any statutory federal or state law privacy protections.

b) Any and all records (or if there is a claim of privilege a listing of such records), in any format, compiled, received, retained, used, concerning the recruitment by any member of the coaching staff including any scholarship data that are legally available to be released with the following players who pleaded guilty to rape in 2006:

- i. Julius Harris
- ii. Lorenzo Ashbourne
- iii. Charles Guadagno

c) Any and all records in any format, compiled, received, retained, used, concerning the recruitment by any member of the coaching staff including any scholarship data that are legally available to be released for basketball point guard, Mike Johnson, who was allegedly charged with resisting arrest and 2nd degree harassment as reported on or about July 14, 2009 as reported publicly by the news media; and any reporting of such arrest to any member of the SUNY administrative staff both in Albany and to the Chancellor of her office; any an all communication(s) in any form whatsoever concerning relating to or touching upon this matter between the coaching staff and any member of the SUNY administration concerning same from the above date through the present.

d) Any and all **RECORDS** in whatever format of either documents or communication(s), compiled, retained, reviewed, or in the possession of including but not limited to lists of persons to be interviewed or actually interviewed, memos, paper, electronic data, multimedia, correspondence, contact logs, appointment logs, emails messages, cell phone records, cell phone texts sent or received, mobile device records, copies, blind copies, papers, visitors logs, call logs, oral or written statements, memoranda, notes, tapes of interviews, transcripts of interviews or any other document transferred through a third party, or exchanged among or between any coach, member of the athletic staff, or administrator in this SUNY and any person, agent, representative lawyer of the "Audit Firm" Skadden Arps Meagher Slate from 2009 through February 2010. **(This request is seeking records to determine the level of involvement of this school if any with the recent SUNY wide audit concerning athletics.)**

3) Please advise me of the appropriate time during normal business hours for inspecting the following records prior to obtaining copies.

4) Please inform me of the cost of providing either electronic or paper copies of the requested records.

5) If all the requested records cannot be e-mailed to me, please inform me by e-mail of the portions that can be e-mailed and advise me of the cost for reproducing the remainder of the records requested.

6) If the requested records cannot be e-mailed to me due to the quantity of records identified in response to my request, please advise me of the actual cost of copying all records onto a CD or floppy disk.

7) If my request is too broad or does not reasonably describe the records, please contact me via e-mail so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated.

8) If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name, address and e-mail address of the person or entity to whom an appeal should be directed.

9) If this request is denied in whole or in part, I hereby request that you make reference at each deletion to the specific statutory section of FOIL you rely on for the claimed justification. If any record can be separated to release non-exempted portions, please accept this as a request to release all otherwise exempt material in line with the intent of the law to ensure transparency in government. The right to appeal and litigate any decision to withhold any information is further reserved.

Please also contact me by email at kenneybaden@msn.com when the documents are available if they cannot be emailed. I will arrange to have them either picked up or supply you with my Fed-ex number for overnight delivery.

My complete contact information is as above.

Yours very truly,

LAW OFFICE OF LINDA KENNEY BADEN

A handwritten signature in cursive script, appearing to read "Linda Kenney Baden".

Linda Kenney Baden, Esq.

LKB:ph

cc: Don Jackson, Esq.
Coach Kevin Broadus