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****CONFIDENTIAL SETTLEMENT COMMUNICATION****

VIA EMAIL (president@uiowa.edu)

VIA CERTIFIED MAIL

Bruce Harreld
The University of Iowa
Office of the President
101 Jessup Hall
Iowa City, Iowa 52242-1316

VIA EMAIL (gary-barta@uiowa.edu; kirk-ferentz@uiowa.edu; brian-ferentz@uiowa.edu)

VIA CERTIFIED MAIL

Gary Barta
Kirk Ferentz
Brian Ferentz
The University of Iowa Dept. of Athletics
Hansen Football Performance Center
992 Evanshevski Drive
Iowa City, Iowa 52242-1020

Re: Settlement Negotiations for Unlawful Race Discrimination by University Employees

Dear Messrs. Harreld, Barta, Ferentz, and Ferentz:

We write in an attempt to amicably resolve the above matter on behalf of our current clients, Akrum Wadley, Aaron Mends, Jonathan Parker, Marcel Joly, Maurice Fleming, Reggie Spearman, Kevonte Martin-Manley, and Andre Harris, prior to filing suit. To the extent necessary and in the event of filing suit, and because Athletes are still reaching out to us for representation, we will be seeking to certify a class of all similarly situated African-American student-athletes (“Athletes”).

Our current clients are former members of the University of Iowa football program (“Program”). During their respective tenures as student-athletes, they were subjected to intentional race discrimination by coaching staff and administration. Through the Program’s pervasive harassment, bullying, policies causing disparate impact, and race-based threats and retaliation, our clients were deprived of a meaningful opportunity to pursue a high-quality education while competing at the highest level of collegiate athletics. This letter summarizes the events experienced and damages sustained by our clients, and includes coaches’ racist and dehumanizing remarks, such as:

“Only a dumb ass Black player would do it like that!”

“This nigger, this nigger, this nigger.”

“Go back to the ghetto”

Because of remarks such as these, which accompany disparate treatment of Athletes, it is our desire to ensure relief for our clients' injuries and, more broadly, secure the rights of all African-American student-athletes, both present and future, who are or will be subjected to race discrimination within the Program and greater University of Iowa athletic department ("Iowa Athletics"). Accordingly, we demand the following.

INTRODUCTION

Historically, the State of Iowa has been a leader in African-Americans' quest for equality. Iowa courts have been a powerful player in creating a great foundation for racial equality. In 1868, the Iowa Supreme Court, in its first construction of the equality clauses of the Iowa Constitution, embraced a vision of full citizenship and racial equality for African-Americans in *Clark v. Board of Directors*, 24 Iowa 266 (1868). Not only was the Iowa Supreme Court the first in the nation to hold racial segregation of public schools unlawful, it was the only nineteenth-century court to do so.

Clark was a courageous and powerful decision that articulated a vision for an inclusive U.S. society. One-hundred fifty years later, however, we have yet to fulfill *Clark's* vision of a society in which justice and equality are enjoyed by all.

Like the state, the University of Iowa has historically been on the cutting edge of providing racial equality in some areas. However, as explained below, the University of Iowa has dismally failed to treat its African-American athletes with equality required by law and consistent with Iowa's rich tradition.

GENERAL FACTUAL ALLEGATIONS

“There are too many racial disparities in the Iowa football program. Black players have been treated unfairly for far too long.”¹

In the wake of flagrant misconduct by police officers in Minneapolis, Minnesota that led to the death of George Floyd, African-Americans all across the United States found their voices and raised objection to racial inequities. Former University of Iowa ("Iowa") football players, in accepting the risks of (further) ostracization from the Program and ridicule from Program supporters across the country, courageously exposed that African-American players within the Program suffered from continuous race discrimination at the hands of coaching staff.

On June 5, 2020, James Daniels, a current National Football League player and former Iowa star football player, tweeted that “[t]here are too many racial disparities in the Iowa football program. Black players have been treated unfairly for far too long.”² Following Mr. Daniels' comments, more than sixty (60) former Iowa football Athletes, including Plaintiffs, came

¹ James Daniels (@jamsdans), TWITTER (June 5, 2020, 7:08 PM), <https://twitter.com/jamsdans/status/1269058668663844864>.

² See *id.*

forward with their destructive racial experiences while playing football at Iowa. Each former Iowa football player described racially motivated bullying, disparate treatment, discrimination, and threats made by the Iowa football coaching staff under the direction and knowledge of Head Coach Kirk Ferentz (“K. Ferentz”), currently the longest active-tenured head coach in Division I football.

In response to the numerous statements by former Hawkeyes, K. Ferentz publicly admitted he had a “blind spot”³ when referring to the racial disparity and bullying in the Program, for which he has been responsible for over twenty (20) years. In reply to a recent investigation sanctioned by Iowa and conducted by the law firm Husch Blackwell, LLP, Coach K. Ferentz admitted he “dropped the ball” by failing to make necessary and effective changes described in the report prepared by Husch Blackwell, LLP.

As explained below, the issues surrounding the program’s culture of race discrimination against African-American athletes were in no way revelatory to coaching staff and Iowa administrators, who knew of and tolerated said issues well before June 2020. Under the watchful eye of K. Ferentz, Iowa football coaching staff utilized racially discriminatory and punitive means to force African-American athletes into strict compliance with the Program’s racist philosophy that effectively stripped away from them every cultural aspect of being an African-American. The daily grind of enduring negative treatment, comments, and threats made it virtually impossible for African-American athletes to focus on their education and, thus, African-American athletes were denied the benefits of a high-quality education and subjected to continuous discrimination at Iowa based on their race. Numerous African-American football athletes fled Iowa and transferred to other institutions of higher learning where many ultimately graduated. However, if they remained at Iowa, they were unfairly demeaned, humiliated, and dehumanized.

* * * *

“[It] seemed like every Black player had two strikes the day we entered Iowa... I was either a criminal or a dumb motherfu* to these guys.”⁴***

K. Ferentz was hired as the head football coach of Iowa on December 2, 1998, and has since amassed a record of 162-104. During his tenure, he has won two Big Ten Conference championships (2002 and 2004) and has been named Big Ten Conference Coach of the Year four times (2002, 2004, 2009, 2015), AP College Football Coach of the Year (2002), Walter Camp Coach of the Year (2002), Bobby Dodd Coach of the Year (2015), and Eddie Robinson Coach of the Year (2015). K Ferentz’s annual salary for the 2020 season exceeds \$4 million.

But as K. Ferentz’s success within the ultra-competitive landscape of college football grew, so too did the number of instances in which Iowa administrators, including current athletic

³ Adam Rittenberg, *Iowa's Kirk Ferentz admits 'blind spot' on black players' issues, vows to improve environment*, ESPN (June 12, 2020), https://www.espn.com/college-football/story/_/id/29304234/iowa-kirk-ferentz-admits-blind-spot-black-players-issues-vows-improve-environment.

⁴ Quote attributed to a former African-American UI football player. See Husch Blackwell, LLP, *Report of External Review – Football Program Culture, University of Iowa* (July 30, 2020).

director Gary Barta (“Barta”), turned a blind eye to the racially discriminatory culture and systematic failures occurring within the Iowa Program.

Among those failures was the hiring and twenty-plus-year retention of former Head Strength and Conditioning Coach Christopher Doyle (“Doyle”). K. Ferentz hired Doyle in 1999 to serve as the Head Strength and Conditioning Coach for Iowa athletics. As such, Doyle played an integral role in the development of student-athletes and had access with Athletes when coaches on the Iowa football staff were not permitted to work with Athletes per NCAA rules. Given his level of access with Athletes, and having joined the staff at virtually the same time as K. Ferentz’s own hiring, Doyle quickly became K. Ferentz’s “right-hand man”⁵ and chief confidant. In highlighting the influence of Doyle within the program, former Iowa safety Diauntae Morrow explained, “[i]f Kirk is the CEO, Chris Doyle is the COO.”⁶ Prior to his departure, Doyle was the nation’s highest-paid strength and conditioning coach at \$800,000 per year.

At the direction of K. Ferentz, Doyle administered and bullied African-American football athletes at Iowa by propagating the “Iowa Way”. The “Iowa Way” was a racially discriminatory philosophy that singled out African-American athletes and forced them to conform to an anti-Black structure that stripped every cultural aspect of being an African-American. African-American athletes were ridiculed, threatened, and bullied as a result of having common African-American hairstyles, wearing hats, and wearing jewelry commonly associated with Black culture and dress. All the while, White athletes were permitted to have long hair, long beards, and other styles commonly associated with White culture and dress. Similarly, African-American athletes were more harshly, if not exclusively, punished or reprimanded for menial “disruptions” like singing and dancing. African-American athletes were made to feel like second class citizens and widgets that were easily pushed out of the program without issue.

K. Ferentz further exacerbated racial disparities within the Program by installing his son, Brian Ferentz (“B. Ferentz”), as offensive line coach and offensive coordinator in 2012 and 2017, respectively. He was only thirty-three (33) years old when he was promoted to offensive coordinator over more senior and qualified African-American coaches on K. Ferentz’s staff at the time. Through his time at Iowa, B. Ferentz has discriminated and harassed African-American football athletes daily, by referring to them as drug dealers and criminals simply for being African-American males.

K. Ferentz, with the help of Doyle and B. Ferentz, created and perpetuated a pervasive culture of targeted race discrimination against African-American athletes that intended to and did treat African-American athletes different than White teammates. African-American athletes were commonly referred to as “stupid” and “dumb” based on the way they talked: their common

⁵ Articles from numerous sports media outlets extensively described Doyle as K. Ferentz’s “right-hand man” and noted Doyle’s influence within the program. *See e.g.*, Matt Howe, *Chris Doyle releases statement after departure from Iowa*, 247SPORTS (June 15, 2020, 11:21 AM), <https://247sports.com/Article/Chris-Doyle-Iowa-Hawkeyes-football-releases-statement-after-separation-agreement--148187938/>.

⁶ Teddy Greenstein, *What’s next for Iowa football?*, CHICAGO TRIBUNE (June 09, 2020, 9:35 AM), <https://www.chicagotribune.com/sports/college/ct-iowa-football-kirk-ferentz-chris-doyle-20200609-v354a53pi5eedk4hf4du4y4lqa-story.html>.

English diction was referred to as “broken English.” These comments were made in open forums during team meetings and at practices regularly, if not daily, in the presence of K. Ferentz, other coaches, and teammates. If African-American athletes chose not to turn the other cheek to discriminatory treatment, they were threatened with losing their scholarships and told they would have “to go back to the ghetto”. Further, Doyle and B. Ferentz would commonly say things like:

- “nigger”;
- “what gang is he in”;
- “dumbass Black player”;
- “you are not smart at all”;
- “stupid motherfucker”;
- “go back to the ghetto”;
- “maybe you should take up rowing Oh wait, Black people don’t like boats in water, do they?”; and
- an African-American athlete looked like he was going to “rob a liquor store” while wearing Iowa football team issued apparel.

Moreover, in a heated verbal exchange with our client, Maurice Fleming, Doyle, with a smirk on his face, repeatedly said “**this nigger, this nigger, this nigger,**” to the shock of Mr. Fleming. African-American athletes, including our client, Akrum Wadley, were made to drink protein shakes and electrolyte drinks until they vomited by the Iowa football coaching staff in order “to make weight”. Ultimately, the daily grind of enduring negative treatment, comments, and threats made it virtually impossible for African-American athletes to focus on their education and, thus, African-American athletes were denied the benefits of a high-quality education and subjected to continuous discrimination at Iowa based on their race.

* * * *

“The biggest question to me is, why the blind spot? And I think every person has a blind spot. I'm sure every leader has a blind spot. The former players were very forthcoming. They were very direct, and just pointed out some things that perhaps gave me a new awareness.”

-Kirk Ferentz, June 12, 2020⁷

“I had convinced myself that we were doing enough. Frankly, the past few weeks have been a wakeup call for me, I know [for] Kirk. But everybody in Iowa football and Iowa athletics [was woken up].”

-Gary Barta, June 15, 2020

Despite the above statements suggesting Iowa was unaware of racial bias and discrimination within the Program, our investigation has confirmed that Iowa coaching staff and administrators had previous knowledge of said issues well before June 2020. On several

⁷ Quote by K. Ferentz on June 12, 2020. *See supra* n. 3.

occasions prior to June 2020, African-American athletes, parents of Athletes, and the team’s Leadership Group⁸ approached K. Ferentz about the racial injustices within the Program. Their concerns, however, were immediately dismissed by K. Ferentz.

Not only was K. Ferentz aware of players’ concerns of discriminatory treatment of African-American athletes within the Program, he also witnessed, tolerated, and enabled most, if not all, instances of race discrimination against African-Americans. For instance, our client, Jonathan Parker, expressed his dismay after **K. Ferentz directed him to apologize to B. Ferentz after B. Ferentz called him a “dumbass black player” in front of the entire team and coaching staff**. K. Ferentz told Jonathan he was aware of and heard the racist comment made by B. Ferentz, but would not side with an athlete over his coaches and ordered Jonathan to apologize to B. Ferentz.

Finally, Iowa personnel, chiefly Barta and K. Ferentz,⁹ had full knowledge of an internal report released by the University confirming the circumstances described above. The report was released by the UI Athletics Diversity Task Force (“Task Force”), an internal group commissioned in response to Iowa ranking at the bottom of the Conference in graduation rates amongst African-American athletes (*i.e.*, forty-two percent (42%)). The Task Force’s directive was to diagnose potential causes for racial disparities in graduation rates and recommend measures to address such disparities.

The Task Force interviewed athletes, administrators, and coaches and, ultimately, drafted the written report known as the UI Athletics Diversity Task Force Report (“Report”).¹⁰ Although the Report was prepared and disseminated internally in the Spring of 2019, it was not until mid-July 2020, *after* the public statements made in June by former players, that such Report was made publicly available.

In pertinent part, the Report stated as follows:

- “African American student-athletes do not feel comfortable being their authentic selves....”
- “‘I was told by my coach to change my hairstyle because it did not fit the Iowa culture. I can’t be free. I feel like a slave to the system.’ ”
- “‘Nearly all African American student-athletes interviewed used the term ‘double-standard’ to describe the difference between how African American student-athletes are treated in relation to their White peers.’ ”

⁸ The football team’s Leadership Group was comprised of rostered football players typically elected by other members of the football team. The Leadership Group’s purpose was to serve as a conduit for players to present K. Ferentz with players’ grievances with the football program, assist coaching staff in formulating policies and in decision-making matters,

⁹ K. Ferentz has since admitted that he read the entire Report in 2019.

¹⁰ University of Iowa Diversity Task Force Report (2018–19), <https://www.hawkeyenation.com/app/uploads/2020/07/Full-UI-Diversity-Task-Force-Report.pdf>.

- “Nearly all of the African American student-athletes interviewed believe that one of the predominant reasons that African American student-athletes leave is because of the way they are talked to by coaches and some support staff while their White peers are not subjected to the same negative interactions.”
- “One White student-athlete mentioned that African American athletes are ‘tested more for drugs’ than White student-athletes, and that ‘White student-athletes stay off the radar.’ ”
- “Many student-athletes, both White and Black, believe there is a short period of time to make a good impression and that the margin of error is perceived to be much smaller for African American student-athletes.”
- “[P]unishments are not equal based on race’.”
- “I felt I had to put a mask on and check my identity at the door.’ ”
- “A number of African American student-athletes interviewed reported that they did not see the “Iowa culture” (i.e., the difference in treatment between African American and White student-athletes or the inability for African Americans to be themselves) on their recruiting trip and if they had, they would have never committed to [Iowa].”
- “White student-athletes were more likely to be described as being from a ‘two parent home’, ‘good upbringing’, ‘smart’, ‘tough’, ‘talented’, whereas African American student-athletes were described by their “socio-economic background’, ‘tough upbringing’, or ‘at risk’.... [C]oaches were more likely to discuss what African American athletes can do for the University, and less about what the institution, Athletics, and their team can do to help the student-athlete.”
- “The White student-athletes at Iowa are viewed as the standard that African-American student-athletes should strive to mold themselves after.’ ”

Despite the Report, Iowa did little, if anything, to address rampant anti-Black discrimination, racial inequality, and systematic harassment and bullying. K. Ferentz remained as head coach, who in turn retained Doyle and B. Ferentz, both of whom were left to continue to wreak havoc on the lives of young men who were seeking an education and the opportunity to compete at the highest level of intercollegiate football. K. Ferentz’s level of success meant there were no checks and balances and no oversight from anyone, including his superior, Barta.

* * * *

“Being an Iowa football player was a daily struggle for black players. We were punished for no apparent reason, singled out by coaches, and threatened and ridiculed every day. It is hard to explain how difficult it was. Think about being under pressure every day for 4 years solely because of your race. That is how it was for me and my black teammates.”¹¹

¹¹ Husch Blackwell, LLP, *Report of External Review – Football Program Culture, University of Iowa* (July 30, 2020).

After numerous former Iowa athletes came forward and explained the pain and hurt they felt and continue to feel as a result of their time as football athletes at Iowa, Iowa moved quickly to find a “scapegoat” and placed all blame on Doyle.

On June 15, 2020, Iowa and Doyle entered into the Separation Agreement and General Release (“Separation Agreement”) in which Iowa agreed to pay Doyle \$1,112,499.00 and permitted Doyle to continue health and dental benefits for fifteen (15) months.¹² Despite having extensive evidence of Doyle’s abuse of Athletes, violations of state and federal law, and violations of Iowa policies¹³, Iowa chose to pay Doyle the full value of his contract and, further, agreed that his resignation was “not a resignation in lieu of termination”.¹⁴

K. Ferentz and B. Ferentz have never had to answer for their extensive roles in creating, developing, and taking part in the pervasive culture of discrimination that humiliated and beat down the numerous African-American athletes under their control, profoundly impacting not just their experiences as team members, but their overall physical and psychological well-being, and their educations as well. B. Ferentz has remained silent and has hidden behind his father’s cloak of denial.

Further, in or about July 2020, Iowa retained the law firm of Husch Blackwell, LLP (“Law Firm”) to “conduct an external review of alleged racial inequities within the [Iowa] football program, including mistreatment of Black student-athletes and a racially charged climate.”¹⁵ Law Firm’s findings as issued on July 30, 2020, do not address many of the volatile public reports (including those made by our clients), but, nevertheless, conclude that Barta and K. Ferentz should “create action steps aimed at improving the culture of the program” after twenty (20) years of disparate treatment towards African-Americans. Law Firm’s *Report of External Review: Football Program Culture, University of Iowa* (“Law Firm Report”) concludes as follows:

In sum, the program’s rules perpetuated racial and culture biases and diminished the value of cultural diversity. The program over-monitored players to the point that they experienced heightened anxiety and maintained a culture that allowed a small group of coaches to demean players. We have separately provided four personnel reports to the University summarizing allegations of mistreatment made against current and former employees so that they may be addressed, as appropriate, pursuant to the institution’s personnel policies and procedures.

¹² Robert Read, *UI, Chris Doyle reach separation agreement*, THE DAILY IOWAN (June 15, 2020), <https://dailyiowan.com/2020/06/15/ui-chris-doyle-reach-separation-agreement/>.

¹³ Iowa’s Anti-Harassment policy states Iowa “is committed to maintaining an environment that recognizes the inherent worth and dignity of every person, and that fosters tolerance, sensitivity, understanding, and mutual respect.” According to Iowa policies and procedures, “harassment” includes “intentional conduct, including speech, directed toward an identifiable person or persons that is sufficiently severe, pervasive, or persistent that it interferes with work, educational performance, on-campus living, or participation in a University activity on or off campus.” Additionally, the Iowa Non-Discrimination Policy “prohibits discrimination in employment, educational programs, services and activities on the basis of race....”

¹⁴ *Id.*

¹⁵ *See supra* n. 4.

The Law Firm Report further revealed that “[m]any current and former players told investigators that three members of the coaching staff abused their power and verbally abused and bullied players.” Notably, the Law Firm provided the “specific allegations” to Iowa separate and apart from the Law Firm Report.

The Law Firm Report described the very same issues that have permeated the Iowa Program since K. Ferentz’s arrival and as described by former players in their publicly issued statements and further described in the Report:

- “Being an Iowa football player was a daily struggle for black players. We were punished for no apparent reason, singled out by coaches, and threatened and ridiculed every day. It is hard to explain how difficult it was. Think about being under pressure every day for 4 years solely because of your race. That is how it was for me and my black teammates.”
- “Echoing the sentiments of many current and former players, this coach explained that it is harder to be a Black player in the program because of the player ‘mold.’”
- “A different former player said the environment was ‘hard to take’ on a daily basis, hurt his self-esteem, and made it difficult to focus on receiving a quality education.”
- “Several former players commented that Coach Doyle should not be a ‘scapegoat’ for the systematic issues in the program.”
- “[T]he Iowa Way requires players to fit a ‘mold’ that discourages self-expression and is not inclusive of Black players.”
- “One coach agreed that the concept [of the Iowa Way] has not been inclusive and can ‘very much alienate individualism.’ A second coach states that players have told him the Iowa Way means ‘you act like a White person and cannot be yourself.’”
- “A different former player said he was required to drink excessive Powerade and shakes to gain weight, which made him sick daily.”
- “[I]t ‘seemed like every Black player had two strikes the day we entered Iowa... I was either a criminal or a dumb motherfu**** to these guys.’”

Two (2) weeks before the Law Firm Report was released, K. Ferentz publicly commented about the number of individuals interviewed and his excitement about the upcoming Law Firm Report that ultimately detailed the extensive racism within the Program under K. Ferentz’s control and guidance. But despite the Report and numerous individual reports made to K. Ferentz and other Iowa Athletics administrators and coaches, Iowa utterly and completely ignored Iowa’s policies and procedures that denounce harassment, bullying, and discrimination based on race. Iowa Athletics continues to permit, encourage, and practice race discrimination and retaliatory measures against African-American student-athletes.

FACTUAL ALLEGATIONS PARTICULAR TO OUR CLIENTS

Particular allegations concerning the disparate treatment and harassment directed towards our clients are outlined as follows:

Akrum Wadley

Akrum is a former member of the University of Iowa football team. In 2013, Akrum was an enthusiastic young football player in Newark, New Jersey, who pursued his goal of playing Division I football by signing with Iowa on February 4, 2013. Akrum arrived on campus with a full athletics scholarship, which included aid for tuition, fees, room & board, and books as permitted by NCAA legislation. Akrum, like many of his African-American teammates, selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Big Ten Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete.

While at Iowa, Akrum developed into one of the most prolific running backs in program history. By graduation, Akrum ranked fifth in all-time rushing yards and fourth in touchdowns. However, Akrum's success on the field did not insulate him from continuous racial discrimination off the field.

For instance, the program distributed black wool Nike hats to each player on the team. One winter day Akrum chose to jog to the practice facility. B. Ferentz spotted Akrum and yelled out, "**Hey, Akrum, are you going to rob a gas station?!?**" Although clearly upset by the comment, Akrum ignored him. However, Coach B. Ferentz continued offering his unsolicited comments by repeatedly asking Akrum things like, "**Are you going to rob a liquor store?!?**" Fearing retaliation, the best response Akrum could offer was to simply shake his head as he walked away.

B. Ferentz continued targeting Akrum during the latter's time at Iowa. One morning right before an important exam, Akrum drove to the practice facility to retrieve a mandatory protein shake to help him make weight before practice. Akrum pulled into an unmarked, unoccupied parking spot knowing he would only be there momentarily. After returning from the facility, B. Ferentz saw him while jogging and yelled, "**You dumb mother fucker, who the fuck do you think you are?! I will get you when I get back.**" Rattled, Akrum got in his car and went to his exam.

Furthermore, Akrum faced retaliation from the coaching staff for his support of several of his African-American teammates' decisions to transfer from Iowa. Akrum's support caught K. Ferentz's ire, who threatened to revoke Akrum's meal card and prevent Akrum from dining with his teammates for his outward support. When Akrum continued supporting the transferring Athletes, K. Ferentz followed through on his threat, and Akrum's meal card privileges were denied at dinner.

Akrum took his grievances to the staff and administration. Akrum's complaints were never remedied, even after he conveyed his desire and intent to transfer from the Program. Finally, after nearing his breaking point later in his career at Iowa, Akum approached Coach Broderick Binns and enlisted his assistance to scheduling mental health counseling sessions. Akrum met with the arranged therapist on one occasion. After that initial session, the therapist inexplicably disappeared, and Akrum was never provided another counselor.

Aaron Mends

Aaron Mends always knew he wanted to be a football player. As a high school student, several NCAA Division I schools recruited Aaron to enroll in their programs. However, Aaron committed to playing for Iowa on August 18, 2013, his junior year of high school. Following a successful high school senior season, the Missouri native traveled to Iowa City to begin his freshman year.

Aaron arrived on campus with a full athletics scholarship. Like many of his African-American teammates, he selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete. Although redshirted in 2014, Aaron saw playing time in his 2015, 2016, and 2017 seasons. Prior to the 2018 football season, Aaron experienced a season ending injury and, thus, was unable to compete.

During his tenure at Iowa, Aaron was exposed to impactful and discriminatory comments and treatment. Aaron observed countless acts of racial discrimination at the hands of the Program's coaches and associated staff. Aaron additionally served on the Leadership Group for the football team and often met with K. Ferentz to address issues inside of the Program including systematic racism, double standards, and the substantial number of African-American transfers. Aaron was disappointed in K. Ferentz's response to the concerns and complaints of African-American players.

After numerous meetings with K. Ferentz and no changes to the system and culture of the Program, despite K. Ferentz's assurances of change, Aaron decided it was in his best interests to leave the Program and pursue his education elsewhere. Aaron transferred from the Iowa's Program in or about December of 2018, because of the Program's racially discriminatory culture.

Jonathan Parker

A native of St. Louis, Missouri, Jonathon decommitted from another collegiate football program to commit to the University of Iowa in February of 2013. He was enthused by the prospect of playing NCAA Division I football in a Power 5 conference. Jonathan, like many of his African-American teammates, selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete.

During practice, Jonathan was the victim of racism perpetrated by Coach B. Ferentz. On one occasion, B. Ferentz began yelling and screaming at Jonathan. B. Ferentz kicked a garbage can and exclaimed in front of all of the other players and coaches, **"Only a dumb ass black player would do it like that!"** Later, another coach approached Jonathan after practice and advised him he did nothing wrong.

But even though Jonathan did nothing wrong, K. Ferentz, who was fully aware of B. Ferentz's racist outburst towards Jonathan, directed Jonathan to apologize to Coach B. Ferentz. When Jonathan objected to Coach K. Ferentz about the directive, K. Ferentz advised him he would be siding with the coaches. After experiencing daily ridicule and bullying at the hands of the Iowa coaching staff, Jonathan decided to pursue his education elsewhere. While at Iowa, Jonathan often felt unsettled, nervous, and anxious while thinking of or competing in football. The Iowa coaching staff made Jonathan feel unimportant, which scared Jonathan. After transferring to a new institution that did not treat African-American players like second class citizens, Jonathan started loving football again and his anxiety subsided.

Marcel Joly

Like the other plaintiffs, Marcel too aspired to play football at a major collegiate program. Although born in Haiti, Marcel was raised in Maryland. Marcel garnered attention and the interest of several powerhouse programs during high school but committed to play football for the University of Iowa on September 24, 2013. Marcel, like many of his African-American teammates, selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete.

However, the coaching staff subjected Marcel to disparate treatment because he was an African-American. Once in the Program, the coaching staff unfairly and needlessly criticized Marcel for his tattoos and his appearance simply because he did not assimilate into a culture premised upon White stereotypes. The type and extent of criticism Marcel received was not made of Caucasian team members.

On another occasion, Marcel drove his BMW, a vehicle he had recently purchased with his girlfriend, to the Program's workout facility. Once coaches learned of his new vehicle, Marcel was questioned about the legitimacy of his purchase. Through the express and implied nature of the inquiry, his coaches made it clear to Marcel they believed he did not make a bona fide purchase of the vehicle.

Maurice Fleming

Maurice Fleming committed to playing football for the University of Iowa on June 24, 2011. Before then, he played high school football in Illinois and received offers and interests from several other programs. Maurice, like many of his African-American teammates, selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete. Maurice joined the Program in or about 2014.

On arrival to campus, Maurice wore his hair in a braided fashion otherwise known as "dreadlocks", a hairstyle often associated with Black culture. Coach Doyle would regularly antagonize and ridicule Maurice's hairstyle as not being part of "the Iowa Way." Under

mounting pressure, Maurice eventually relented and cut his hair to satisfy the coaching staff. Coach Doyle responded by saying “now it looks like you’re ready to play some football!”

Further, Coach Doyle would use the word “nigger” in Maurice’s presence. When Maurice confronted Coach Doyle about this, Maurice’s teammates reminded him of Coach Doyle’s influence in the program and the retaliatory consequences for challenging a coach like Doyle.

Maurice sought transfer from the program three (3) times. Once Coach K. Ferentz learned of Maurice’s efforts, he took steps to impede the process. Coach K. Ferentz failed to provide direction on the transfer process, instructed Maurice to “sleep on it,” and contacted Maurice’s mother and enlisted her efforts to influence Maurice to remain with the program. Eventually, Maurice transferred to another NCAA Division I program as a graduate transfer. Maurice later signed an NFL contract in 2017.

Kevonte Martin-Manley

Kevonte’s high school football prowess earned him the attention of several universities, including Iowa. By high school graduation, Kevonte had established new records for career touchdown receptions and career receiving yards. Iowa relied heavily on its African-American wide receiver coach, Erik Campbell, to recruit Kevonte to the Program. Kevonte developed a good relationship with Coach Campbell and eventually accepted Iowa’s offer to play football. He received a full athletics scholarship and arrived in Iowa City for freshmen enrollment in 2010.

In or about March of 2013, Kevonte had a meeting with Coach Doyle. Although the meeting was ostensibly a strength and conditioning meeting, Coach Doyle immediately identified Kevonte as a “ring leader” who caused problems within the Program. At this point, Kevonte suspected the coaching staff was targeting him due to his race.

On September 21, 2013, Iowa hosted Western Michigan University for a non-conference football game, in which Kevonte started at punt returner for Iowa. During the game, Kevonte returned several punts, two of which included consecutive touchdowns of 83 yards and 63 yards, respectively. Once Kevonte amassed 184 punt return yards, bringing him within 17 yards of breaking the (then) Big Ten and school record set by the legendary Heisman trophy winner and stadium namesake, Nile Kinnick, the coaching staff pulled Kevonte from returning any more punts. This coaching decision occurred in the first half, much earlier than previously discussed and decided, and was designed to prevent Kevon from breaking Kinnick’s 1939 record. Even Coach K. Ferentz’s post-game comments revealed his desire for Kinnick’s record to remain intact, stating, “With all due respect to Kevonte, I love the guy, he’s a great young man. I think it’s OK if that (record) stayed right where it’s at. Not that we would have held him back, but that’s one that needs to stay.”¹⁶

After graduation, Kevonte met with Coach K. Ferentz to discuss the ongoing racial discrimination African-American athletes experienced within the Program. Kevonte echoed

¹⁶ <https://hawkeyesports.com/news/2013/09/21/a-kinnick-like-performance/>

concerns that the coaching staff merely swept the complaints of African-American athletes under the rug. While the meeting was intended to address a need for change in a racially discriminatory system, Coach K. Ferentz downplayed that the Program suffered from systematic anti-Black racism during the meeting and obviously did not take seriously Kevonte's concerns.

Reggie Spearman

An Illinois native, Reggie was a first team all-state football player named to Team USA. Reggie received numerous offers and attention from over a dozen schools, including several in NCAA Division I, Power 5 conferences. In 2013, Reggie committed to Iowa. Reggie, like many of his African-American teammates, selected Iowa over other choices based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete.

While at Iowa, Reggie was one of a few true freshmen who received playing time. He started at the linebacker position as a true sophomore until sustaining a season ending knee injury. Akrum Wadley recalled as follows:

I was sitting in a group meeting and it turned to the topic of my teammate Reggie Spearman who was coming off a bad knee injury but was still trying to practice through it. Brian Ferentz was telling our O-line that he can't stand him and he wishes someone would hurt him, he hates him and he wishes he wasn't here. You could tell how practice went with the intensity when Reggie was in. After that season Reggie was gone before that next spring.

Even while injured, Reggie remained committed to his teammates, appearing for team practices and meetings, and participating in Leadership Group.

In October of 2014, Mr. Spearman was charged by criminal complaint with operating while intoxicated, first, offense, in violation of Iowa Code Section 321J.2. Law enforcement initiated this charge before receiving the chemical testing results from a urine specimen Reggie voluntarily provided. Reggie declared he was innocent and maintained his innocence through the pendency of the criminal case. Once Reggie's urine test was returned after several weeks, the State of Iowa moved to dismiss the OWI charge. On March 2, 2015, the court dismissed the charge and assessed all costs to the State of Iowa. Despite being exonerated in a court of law, however, Reggie was subjected to different punishment over the incident than similarly situated White student-athletes.

Eventually, Reggie transferred away from Iowa to continue his education and football endeavors.

Andre Harris

The University of Iowa recruited Andre, a speedy wide receiver, out of his hometown of Kirkwood, Missouri. Andre arrived on campus with a full athletics scholarship, which included

aid for tuition, fees, room and board, and books as permitted by NCAA legislation. He, like many of his African-American teammates, selected Iowa over other NCAA Division I offers based on the promise of receiving a high-quality education from a public research institution, the opportunity to compete in the Conference, and to join a family atmosphere that permitted him to grow as a person and an athlete.

Notably, the coaches involved in Andre's recruitment left shortly before Andre arrived on campus for his summer workouts in 2013. Andre also noticed several other program differences from the recruiting promises. For example, Andre arrived with aspirations to pursue a degree in engineering. The coaching staff, however, did not approve of Andre's intent and encouraged him to seek a degree in something "easier." The coaching staff did not take the same approach with White players who pursued engineering degrees.

The coaching staff also subjected Andre to racially disparate treatment by imposing harsher punishments on him than White players who violated the same or similar team rules. Coaches also told Andre he did "not smile enough" and portrayed him as a stereotypical "angry black man." White players, on the other hand, were not subjected to this type of stereotyping.

During his tenure at Iowa, Andre presented his complaints to Coach K. Ferentz, who failed to address these problems. In 2016, Andre chose to transfer from Iowa to another college to complete his academic and athletic careers.

EXPLANATION OF LIABILITY

What follows is a brief discussion of liability as to Iowa and several of its officials with respect to its discriminatory conduct violative of Title VI and 42 U.S.C. § 1981. The claims and allegations discussed are by no means exhaustive. In fact, should Athletes be forced to file suit in this matter, they intend to assert additional claims under federal law for First Amendment free speech and Fourteenth Amendment due process violations, and under state law for breach of contract, tortious interference with contract, defamation, and invasion of privacy.

Iowa and its officials engaged and continue to engage in a bevy of forms of intentional race discrimination against Athletes. First, Program coaching staff conspired to, and did indeed, commit numerous examples of blatant racially disparate treatment against African-American athletes in the Program.

Second, the sheer frequency of these examples, in conjunction with gross statistical disparities in transfer and graduation rates based on race, denotes a systemic pattern and practice of unlawful, intentional race discrimination against Athletes, both past and present, so as to have constituted the Program's regular and pervasive policy of utilizing race discrimination to demean and dehumanize Athletes into compliance.

Thirdly, Iowa is liable for its creation and actual knowledge of -- and deliberate indifference to -- the Program's anti-Black racially-hostile environment, wherein Athletes experienced severe and pervasive harassment from coaches that interfered with their ability to participate in or benefit from the Program and greater university experience.

Finally, Iowa and its officials retaliated against Athletes who spoke out against the Program's continuous discriminatory treatment of African-American athletes or publicly supported the transfer decisions of African-American athletes in the Program.

LIABILITY UNDER TITLE VI AND SECTION 1981 FOR RACE-BASED DISCRIMINATION

Title VI prohibits intentional discrimination and retaliation based on “race, color, or national origin . . . under any program or activity¹⁷ receiving Federal financial assistance.” 42 U.S.C. § 2000d. The statute bars a recipient from intentionally treating persons differently or otherwise knowingly caused them harm due to their race, color, or national origin. *See Guardians Ass'n v. Civil Serv. Comm'n*, 463 U.S. 582, 607-08 (1983); *Alexander v. Choate*, 469 U.S. 287, 292-93 (1985). Further, the Civil Rights Restoration Act of 1987 makes clear that the term “program or activity” includes all of an entities' operations. *See* 42 U.S.C. § 2000d-4a. In fact, any school receiving federal funds, such as Iowa, may not discriminate against any person in any of its programs on the basis of race, color, or national origin. *See DeVargas v. Mason & Hanger-Silas Mason Co., Inc.*, 911 F.2d 1377, 1383-84 (10th Cir. 1990); *Radcliff v. Landau*, 883 F.2d 1481, 1483 (9th Cir. 1989).

“To establish a prima facie case of discrimination under Title VI, the plaintiff must show (1) that the defendant is receiving federal funds, (2) that the plaintiff was discriminated against, and (3) the plaintiff's race, color, or national origin was the motive for the discriminatory conduct.” *Rodgers v. Univ. of Missouri Bd. of Curators*, 56 F. Supp. 3d 1037, 1047 (E.D. Mo. 2014) (aff'd as modified sub nom. *Rodgers v. Curators of Univ. of Missouri Sys.*, 634 F. App'x 598 (8th Cir. 2015)) (citing *Thompson v. Bd. of the Special School Dist. No. 1*, 144 F.3d 574, 581 (8th Cir.1998)) (internal quotations omitted).

As you likely know, the application of Title VI is similar to the application of Title IX and, thus, provides the Athletes with a strong statutory vehicle to hold Iowa accountable for its atrocious, ridiculous, and intentional acts of discrimination. In fact, Title IX is an anti-discrimination statute modeled after Title VI and the drafters assumed that the two statutes would be applied identically. Title IX, certainly, strikes fear in the hearts of university administrators as will Title VI when applied to the egregious acts of intentional discrimination at the hands of Iowa and its administration.

Here, Athletes can show that Iowa is receiving federal funds, that Athletes were discriminated against, and the Athletes' race was the motive for the discriminatory conduct. *See Thompson v. Bd. of the Special School Dist. No. 1*, 144 F.3d 574, 581 (8th Cir. 1998). First, Iowa receives federal funds and, thus, may not discriminate on the basis of race within any program or activity. Moreover, Athletes were subjected to severe and pervasive race discrimination and retaliation at the hands of coaching staff within the Program. African-American athletes were

¹⁷ The Civil Rights Restoration Act of 1987 makes clear that the term “program or activity” includes all of an entities' operations—thus, any university receiving federal funds, such as the University of Iowa, may not discriminate against any person in any of its programs on the basis of race, color, or national origin. *See DeVargas v. Mason & Hanger-Silas Mason Co., Inc.*, 911 F.2d 1377, 1383-84 (10th Cir. 1990); *Radcliff v. Landau*, 883 F.2d 1481, 1483 (9th Cir. 1989).

disproportionately, if not almost exclusively, ridiculed, threatened, and bullied as a result of having common African-American hairstyles, wearing hats, and wearing jewelry, whereas White athletes were permitted to have long hair, long beards, and other styles commonly associated with White culture and dress. Similarly, African-American athletes were more harshly, if not exclusively, punished or reprimanded for menial “disruptions” like singing and dancing, despite White athletes engaging in the same or similar conduct. The Program’s treatment of Athletes, in conjunction with racially-charged comments and outbursts from staff, indicate that race was the motive for the Program’s widespread discriminatory conduct.

Furthermore, Athletes can show that Iowa further violated Athletes’ protections under Title VI for its retaliation¹⁸ against Athletes who spoke out against the Program’s continuous discriminatory treatment of African-American athletes and/or publicly supported the transfer decisions of African-American athletes in the Program, as in Akrum Wadley’s case in which his meal card privileges were revoked and his counselor inexplicably “disappeared.”¹⁹

And while Title VI does not provide vicarious liability for discriminatory acts by its individual employees, courts have recognized that entities may be held personally liable under a “pattern or practice” claim or, alternatively, for its actual knowledge and deliberate indifference to a hostile educational environment.

As to the former, plaintiffs in Title VI cases may establish that intentional discrimination is so widespread that it is, in essence, the entity’s “standard operating procedure.” *Int’l Bhd. of Teamsters v. United States*, 431 U.S. 324, 336 (1977). Intent may be inferred through statistical disparities in combination with anecdotes. *Id.* Based on the numerous instances of race discrimination and retaliation within the program, in conjunction with gross statistical disparities in transfer and graduation rates based on race (and other disparities Athletes intend to obtain through discovery), the Program, often under the guise of the “Iowa Way”, utilized a regular and pervasive policy of intentional discrimination and retaliation to demean and dehumanize Athletes and secure strict compliance and submission. Thus, Iowa, as a recipient of federal funding, may properly be held liable for the Program’s policy of intentionally discriminating against Athletes based on race.

With respect to the latter theory of liability and assuming the absence of an official policy of discrimination, plaintiffs in Title VI cases may nevertheless recover damages against a school where an “appropriate person” (*i.e.*, an official authorized to institute corrective measures) had “actual knowledge” of a racially hostile education environment and responded with “deliberate indifference” to said discrimination, resulting in the deprivation of students’ access to the educational benefits or opportunities provided by the school. *Gesber v. Lago Vista Indep. Sch. Dist.*, 524 U.S. 274, 290 (1998).

¹⁸ It is well-settled that Title VI supports retaliation claims. *See, e.g., Peters v. Jenney*, 327 F.3d 307, 318 (4th Cir. 2003); *Chandamuri v. Georgetown Univ.*, 274 F. Supp. 2d 71, 83 (D.D.C. 2003); *Gutierrez v. Wash. Dep’t of Soc. & Health Servs.*, CV-04-3004-RHW, 2005 WL 2346956, at *5 (E.D. Wash. Sept. 26, 2005).

¹⁹ Such retaliation is also violative of Athletes’ First Amendment rights of speech and assembly.

Coach K. Ferentz is such an “appropriate person” in this case. K. Ferentz witnessed, sanctioned, and possessed intimate knowledge of, widespread racial discrimination within the Program. K. Ferentz’s conduct, particularly with respect to Jonathan Parker’s case, indicates he was more than willing to accept severe and pervasive racial harassment against Athletes in order to ensure their compliance in his Program. Alternatively, upon information and belief, Barta and other Iowa officials with authority to correct the widespread racial harassment and discrimination within the Program, knew of Athletes’ concerns and, yet, did not address the racially hostile environment. As a result of the Program’s hostile environment, Athletes were deprived of significant educational benefits and opportunities, and many were forced to transfer or did not graduate from Iowa. Said environment and resulting deprivations continue to this day.

* * * *

Similarly, Section 1981 provides that “[a]ll persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts . . . as is enjoyed by White citizens” 42 U.S.C. § 1981. The scope of this statute is expansive, “prohibit[ing] racial discrimination in ‘all phases and incidents’ of a contractual relationship[.]” *Gregory v. Dillard’s, Inc.*, 565 F.3d 464, 468 (8th Cir. 2009) (quoting *Rivers v. Roadway Express, Inc.*, 511 U.S. 298, 302 (1994)).

Prior to arriving at Iowa, all Athletes signed a letter of intent with Iowa in exchange for full athletics scholarships, which courts have recognized as contracts²⁰ and, as such, § 1981 prohibits racial discrimination against Athletes by Iowa and its officials.

To establish a prima facie case of discrimination under § 1981 a “plaintiff must show (1) he is a member of a racial minority, (2) the defendant intended to discriminate against him on the basis of race, and (3) the discrimination” in “ ‘all phases and incidents’ of a contractual relationship.” *Williams v. Lindenwood Univ.*, 288 F.3d 349, 355 (8th Cir. 2002); *Gregory*, 565 F.3d at 468 (quoting *Rivers*, 511 U.S. at 302). Furthermore, § 1981 not only prohibits racial discrimination, but also retaliation against all those who oppose it. *See CBOCS West, Inc. v. Humphries*, 553 U. S. 442, 445 (2008).

And while § 1981 claims are often alleged against individual defendants, the statute may also be held against institutions, as similarly stated above , under claims alleging a “pattern or practice”²¹ or a “hostile education environment.”²² Athletes’ analysis under these claims outlined above are incorporated herein and, for those reasons, Iowa is additionally liable under § 1981.

Finally, most, if not all, Athletes will meet all three elements outlined above with respect to their individual § 1981 claims against Iowa employees Barta, K. Ferentz, B. Ferentz, and Doyle, all of whom conspired to, and did, in fact, treat Athletes differently than similarly situated White athletes.

²⁰ See e.g., *Knapp v. Northwestern Univ.*, No. 95 C 6454, 1996 U.S. Dist. LEXIS 12463 (E.D. Ill. Aug. 23, 1996) (“The NLI is a contract which imposes obligations upon a prospective student-athlete and the university who executes it.”).

²¹ See *Davis v. Coca-Cola Bottling Co.*, 516 F.3d 955, 965 n. 18 (11th Cir. 2008).

²² See e.g., *Katchur v. Thomas Jefferson Univ.*, 354 F. Supp. 3d 655, 659 (E.D. Pa. 2019).

SETTLEMENT PROPOSAL

The Athletes, individually and on behalf of similarly situated Athletes, are interested in settling their claims promptly and amicably if the parties can reach a reasonable and good-faith compromise. However, they understand all the alternatives to settlement, including the possible need for litigation and the public scrutiny that it will invite. The Athletes are prepared to take such a course of action, if necessary, to ensure that they are rightfully compensated for their emotional, mental, and bodily damages and that Iowa is appropriately held accountable for its unlawful, discriminatory conduct.

At this critical juncture in our nation's history, our clients' demand meaningful change at Iowa, not simply window dressing. Iowa must take the necessary steps to eradicate the hostile environment that has destroyed the hopes and dreams of so many Black athletes during K. Ferentz's tenure. The changes necessary will require more than diversity councils, grandiose statements of support, helmet decals, "unity" walks, expensive reports, kumbaya implicit bias seminars, and tokenizing of a few Black faculty, Athletes, and staff. Instead, Iowa must act with the specific intention and expend the resources necessary to remedy the well-documented anti-Black, racist culture our clients experienced and that currently exists at Iowa. Accordingly, our clients demand the following:

- Payment of \$10,000,000.00 for the loss of earning capacity, loss of professional opportunities, defamation, pain and suffering, mental conditions, mental anguish, PTSD, humiliation, and overall emotional distress that our clients have incurred.
- A fund established for the Athletes, not including our clients, in the amount of \$10,000,000.00 to compensate the Athletes for the discrimination and ongoing severe and pervasive acts that constitute intentional discrimination where Defendants intended to treat African-American differently.
- Payment of Athletes' attorney's fees.
- Partner with Dr. Ibram X. Kendi, or a qualified person acceptable to the Athletes, to administer mandatory anti-racist training for all athletic department coaches, staff, and personnel on an annual basis.
- Create and support a permanent Senior Black Male Administrator position with similar duties, responsibility, and authority as the Senior Woman Administrator at Iowa for the specific benefit and support of African-American student-athletes at Iowa.
- Establish a board of advisors consisting of African-American football student-athletes and experienced anti-racist professionals to monitor the Program and the coaching staff.
- Removal of K. Ferentz and B. Ferentz as coaches for the Program.
- Removal of Barta as the Athletics Director for Iowa Athletics.
- Tuition waivers for any African-American athletes who attended Iowa during K. Ferentz tenure and did not graduate with a degree.

The Athletes instructed us to provide you **ten (10) business days** to respond to this demand and resolve this matter. If we do not receive a satisfactory response from you by October 19, 2020, we will promptly file suit in a court of proper jurisdiction asserting causes of action pertaining to the discrimination and ongoing severe and pervasive racial harassment of African-American athletes against Iowa, K. Ferentz, B. Ferentz, Barta, Doyle, and Harreld, in addition to filing a discrimination complaint to the United States Department of Education Office for Civil Rights.

PUBLIC RECORDS REQUEST

To the extent that our clients and Iowa fail to resolve this matter pre-suit, please accept this letter as a request made, pursuant to Iowa Code Chapter 22.2, for the names and contact information for each and every African-American football student-athlete who played for the Program for the ten (10) years prior and up to the date of this correspondence.

CONCLUSION

We hope we can count on Iowa to compensate Athletes' injuries and secure the rights of all African-American student-athletes within Iowa Athletics. If you have any questions or need any clarification, you may reach lead counsel, Damario Solomon-Simmons, by phone at (918) 551-8999 or by email at dss@solomonsimmons.com.²³

Sincerely,



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²³ Mr. Solomon-Simmons and Mr. McIlwain will be serving as counsel for the Athletes and will be assisted by Mr. Parrish and Mr. Brown as local counsel. Mr. Solomon-Simmons and Mr. McIlwain will seek admission through *pro hac vice*.



-and-

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Attorneys for Athletes

cc: Carroll J. Reasoner (*via email* at carroll-reasoner@uiowa.edu)