

SUPPLEMENTAL NOTICE OF ALLEGATIONS

to the

President of The Ohio State University

3. [NCAA Bylaws 12.4.1, 12.5.1.1-(a), 16.02.3 and 16.11.2.1]

It is alleged that between the spring of 2009 and summer of 2011, Robert DiGeronimo, representative of the institution's athletics interests, arranged for the provision of extra benefits to nine football student-athletes worth a total of \$2,405 in the form of compensation for work not performed and cash payments. Specifically:

a. DiGeronimo arranged for football student-athletes [redacted], [redacted] and [redacted] to receive compensation totaling \$1,605 for work not performed while they were employed at Independence Excavating, a business owned and operated by the DiGeronimo family, as set forth below:

Year(s)	Student-athlete	Unearned compensation
2011	[redacted]	[redacted]
2011	[redacted]	[redacted]
2010 and 2011	[redacted]	[redacted]
2009 to 2011	[redacted]	[redacted]
2010	[redacted]	[redacted]

[NCAA Bylaws 12.4.1, 16.02.3 and 16.11.2.1]

b. On February 19, 2011, DiGeronimo arranged cash payments of \$200 each to football student-athletes [redacted], [redacted], [redacted] and then football student-athlete [redacted] at an annual charity event for Cornerstone of Hope, a nonprofit organization of which DiGeronimo is a board member. Additionally, the student-athletes attended the event without written approval from the athletics director or his designee in violation of promotional activities legislation. [NCAA Bylaws 12.5.1.1-(a), 16.02.3 and 16.11.2.1]

Further, the institution's failure to monitor DiGeronimo's employment of and interaction with football student-athletes contributed to a failure to monitor, as set forth in Allegation No. 4.

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response. Also, please provide the following:

a. An overview of the attendance and athletics participation at the institution for the identified student-athletes (except those named in previous allegations), including

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the (1) dates of enrollment at the institution and any other two- or four-year institution, (2) eligibility for practice and competition for each academic year enrolled, (3) amount of athletically related financial aid provided for each academic year, (4) average number of minutes and average number of contests participated in for each season of competition, (5) number of contests started for each season of competition, and (6) number of postseason events participated in for each season of competition.

- b. A statement indicating whether any of the student-athletes identified in the allegation have remaining eligibility issues. Please include copies of all correspondence between the institution and the NCAA student-athlete reinstatement staff concerning the restoration of eligibility for the student-athletes named in the allegation.
 - c. A statement describing DiGeronimo's relationship to the institution and its intercollegiate athletics program. In that regard, please indicate whether DiGeronimo has (1) participated in or is a member of an agency or organization promoting the institution's intercollegiate athletics program; (2) made financial contributions to the institution, its intercollegiate athletics program or an athletics booster organization; (3) a personal relationship in any manner with any current or former members of the institution's athletics programs; (4) been involved in any manner with the recruitment of prospective student-athletes; (5) provided benefits in any manner to any enrolled student-athletes, prospective student-athletes or their families; or (6) been involved in any manner in the promotion of the institution's intercollegiate athletics program. Also, please indicate if the institution believes DiGeronimo to be a representative of the institution's athletics interests and, if so, the date he became a representative.
 - d. A statement indicating the reason the violations occurred in light of NCAA legislation prohibiting the receipt of extra benefits by student-athletes.
4. [NCAA Bylaw 2.8.1]

It is alleged that the institution failed to adequately monitor Robert DiGeronimo, representative of the institution's athletics interests, including his interaction with and employment of football student-athletes, as set forth in Allegation No. 3. Specifically, the institution knew that DiGeronimo previously employed football student-athletes (2004 through 2006) and, on multiple occasions, hosted them at an annual charity event he is associated with (2006, 2007 and 2010) but failed to take appropriate actions to determine if DiGeronimo continued to employ student-athletes or host them at the charity event despite concerns about his interaction with the football program, his previous involvement in a secondary violation related to football student-athletes' attendance at the

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charity event (2006) and his attempt to form close personal relationships with football student-athletes. Additionally, the institution failed to educate football student-athletes about DiGeronimo, encourage them to cease interaction with him or inquire about their potential employment with DiGeronimo and attendance at the charity event. As a result, DiGeronimo continued to employ student-athletes without the institution's knowledge and host them at the annual charity event, which resulted in the violations set forth in Allegation No. 3.

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response. Also, please provide the following:

- a. A statement describing the history of DiGeronimo's interaction with the football program, including any instances in which DiGeronimo was in the football locker room without permission and the dates and circumstances under which he provided meals to the football staff.
- b. A copy of all correspondence since 2004 between the institution and Independence Excavating or DiGeronimo regarding employment of student-athletes and all employment forms submitted by student-athletes during that time period regarding employment at Independence Excavation.
- c. A copy of the May 25, 2005, letter from Jim Tressel, then head football coach, to DiGeronimo regarding his interaction with two then football student-athletes and DiGeronimo's delivery of lunch to the football staff.
- d. A copy of the May 26, 2005, and March 16 and 30, 2006, meeting minutes of the institution's Executive Compliance Subcommittee.
- e. A statement describing the Cornerstone of Hope foundation, its annual charity event and DiGeronimo's involvement in both. Please provide the names of each student-athlete who attended the charity event, including the year(s) attended, how their attendance was arranged, the purpose of their attendance, the circumstances regarding the institution's approval of their attendance and whether such approval was in accordance with the institution's procedures for promotional activities.
- f. A copy of the institution's self-report of secondary violations dated June 22, 2006, regarding football student-athletes' attendance at the Cornerstone of Hope annual charity event.

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- g. A copy of the March 8 and 15, 2006, emails from Heather Lyke, then associate athletics director of compliance, to Tressel regarding DiGeronimo.
- h. A copy of the April 20 and June 15, 2006, emails from Lyke to Gene Smith, athletics director, and Tressel regarding DiGeronimo.
- i. A copy of the June 17, 2011, letter from Smith to DiGeronimo disassociating him from the institution.
- j. An overview of the institution's compliance procedures during the previous five academic years for monitoring football student-athlete employment and involvement in promotional activities.
- k. An overview of the institution's compliance procedures during the previous five academic years for monitoring representatives of the institution's athletics interests and their interaction with student-athletes.
- l. A statement describing NCAA rules education provided to representatives of the institution's athletics interests during the previous five academic years related to extra-benefit legislation, student-athlete employment arrangements and promotional activities.
- m. A statement describing NCAA rules education provided to football student-athletes during the previous five academic years related to the receipt of extra benefits and involvement in promotional activities.