

Individuals Who May Be Mentioned at the Hearing

Case No. M352 – The Ohio State University

July 21, 2011

██████████ - football student-athlete.

Archie, Doug - associate athletics director for compliance.

██████████ - football student-athlete.

Cicero, Chris - former football student-athlete and Columbus area criminal attorney.

Culley, Chris - senior vice president and general counsel.

████████████████████ - football student-athlete.

Jefferson, Stan - director of player development.

Kaplan, Jeff - senior vice president for administration and planning.

██████████ - former football student-athlete.

██████████ - football student-athlete.

██████████ - former football student-athlete.

Rife, Edward - owner of Fine Line Ink tattoo parlor.

Rogers, Chris - assistant athletics director for compliance.

Sarniak, Ted - ██████████ to ██████████.

██████████ - former football student-athlete.

Smith, Gene - associate vice president and director of athletics.

████████████████████ - football student-athlete.

Tressel, Jim - former head football coach.

Vannatta, Julie - senior assistant general counsel for athletics.

██████████ - football student-athlete.

ENFORCEMENT STAFF CASE SUMMARY

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INTRODUCTION

This case involves the receipt of preferential treatment by eight football student-athletes from the owner of a Columbus area tattoo parlor, as well as unethical conduct by the then head football coach for his failure to report information concerning potential NCAA violations. The preferential treatment was provided by Edward Rife, owner of Fine Line Ink tattoo parlor, in the form of free and/or discounted tattoos and/or cash in exchange for football awards, apparel and equipment.

It was reported that around the fall of 2008, Rife recognized and approached then football student-athletes [REDACTED] and [REDACTED] at a Columbus area club and developed a friendship with the young men. At some point thereafter, Rife indicated his willingness to provide free and/or discounted tattoos to the young men and interest in purchasing their football awards, apparel and equipment, including conference championship rings, rivalry game awards, game helmets and jerseys. Other football student-athletes learned about Rife and received similar offers. The transactions between Rife and the football student-athletes took place between November 2008 and June 2010, with the majority occurring in the spring and summer of 2009. The value of benefits provided to the eight football student-athletes ranges from \$150 to \$5,650 and totals \$14,260. The details of these violations are set forth in Allegation No. 1.

The unethical conduct resulted from then head football coach Jim Tressel's failure to report information concerning Rife's dealings with football student-athletes. In April 2010, Tressel received emails from Chris Cicero, former football student-athlete and Columbus area criminal attorney, indicating that football student-athletes, including [REDACTED] and [REDACTED], received free tattoos from and sold football memorabilia to Rife. Cicero explained that he previously represented Rife and learned that the federal government seized the memorabilia during a raid on Rife's home. Cicero also informed Tressel that he met with Rife, who confirmed his dealings with football student-athletes. Tressel failed to report the information to athletics administrators and withheld the information until the institution discovered the emails in January 2011. He also falsely attested that he reported to the institution any knowledge of NCAA violations when he signed the institution's certification of compliance form and allowed football student-athletes to participate while ineligible during the 2010 football season. The details of this violation are set forth under Allegation No. 2.

The enforcement staff, institution and Tressel are in substantial agreement as to the facts of both allegations and that those facts constitute violations of NCAA legislation. There are no remaining issues regarding either allegation. Nonetheless, the enforcement staff believed that a hearing was appropriate, rather than a summary disposition report, due to the nature of unethical conduct involving the head football coach.

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Case Chronology

- Fall 2008 - Edward Rife, owner of a local tattoo parlor, introduced himself to then football student-athletes [REDACTED] and [REDACTED]. Shortly thereafter, [REDACTED] received a discounted tattoo from Rife's tattoo parlor, the first of several known benefits Rife provided to football student-athletes.
- February 2009 - Football student-athlete [REDACTED] received a discounted tattoo from Rife's tattoo parlor.
- Spring and Summer 2009 - Then football student-athletes [REDACTED], [REDACTED] and [REDACTED] received free or discounted tattoos and/or sold institutionally issued athletics awards, apparel and/or equipment to Rife.
- Fall 2009 - [REDACTED] and [REDACTED] continued receipt of preferential treatment from Rife in the form of free or discounted tattoos and/or cash in exchange for institutionally issued athletics awards, apparel and/or equipment. [REDACTED] also received from Rife a discount on the purchase of a vehicle and a loan for automobile repairs.
- Fall 2009 - At least six football student-athletes who received benefits from Rife, participated in intercollegiate athletics competition on behalf of the institution ([REDACTED]).
- January 1, 2010 - The Ohio State University defeated the University of Oregon 26-17 in the 2010 BCS Rose Bowl. [REDACTED] was [REDACTED].
- Winter and Spring 2010 - [REDACTED] and [REDACTED] continued receipt of preferential treatment from Rife in the form of free or discounted tattoos and/or cash in exchange for institutionally issued athletics awards, apparel and/or equipment.
- April 2, 2010 - Jim Tressel, then head football coach, received an email from Chris Cicero, former football student-athlete and Columbus area criminal attorney, indicating that football student-athletes, including [REDACTED] received free tattoos from Rife, his former client, whose house was raided by federal authorities.
- April 3, 2010 - Tressel forwarded the email to Ted Sarniak, [REDACTED] [REDACTED] who owns a glass business in Jeannette, Pennsylvania, [REDACTED].

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- April 16, 2010 - Tressel received an email from Cicero indicating that football student-athletes, including [REDACTED] and [REDACTED], sold athletics awards, apparel and/or equipment to Rife.
- April 19, 2010 - Tressel sent Cicero an email indicating that Tressel told [REDACTED] and [REDACTED] to "steer clear" of Rife as Cicero suggested in a previous email.
- June 1, 2010 - Tressel sent Cicero an email asking if he obtained the names of other football student-athletes who may have dealt with Rife. Cicero responds that he did not obtain any other names.
- June 6, 2010 - Tressel sent Cicero an email saying "Thanks Chris."
- September 13, 2010 - Tressel falsely attested that he reported to the institution "any knowledge of NCAA violations" when he signed the institution's certification of compliance form.
- Fall 2010 - At least seven football student-athletes who received benefits from Rife, participated in intercollegiate athletics competition on behalf of the institution ([REDACTED]).
- December 7, 2010 - The institution received a letter from the U.S. Department of Justice regarding football memorabilia seized during a federal investigation.
- December 16, 2010 - The institution conducted interviews with six then football student-athletes. Tressel met with athletics personnel including, Doug Archie, associate athletics director for compliance, Chris Rogers, assistant athletics director for compliance, Gene Smith, athletics director, and Julie Vannatta, senior assistant general counsel for athletics, regarding the institution's review of potential violations.
- December 19, 2010 - The institution submitted a self-report of violations to the NCAA student-athlete reinstatement staff regarding the six football student-athletes and requested an urgent reinstatement decision prior to the January 4, 2011, Sugar Bowl contest.
- December 21, 2010 - The enforcement staff, student-athlete reinstatement staff and institution conducted phone interviews with the six football student-athletes named in the institution's self report.
- December 23, 2010 - The student-athlete reinstatement staff reinstated the six football student-athletes subject to repayment and withholding conditions.

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- December 24, 2010 - Tressel exchanged text messages with Cicero to confirm that the recently discovered violations related to the same information Cicero provided in April.
- December 28, 2010 - The institution appealed the withholding conditions for five of the football student-athletes.
- January 8, 2011 - Ohio State defeated the University of Arkansas at Fayetteville 31-26 in the 2011 BCS Allstate Sugar Bowl. [REDACTED] was [REDACTED].
- January 13, 2011 - The institution discovered emails indicating that in April 2010, Tressel received information regarding violations related to the subject matter of the December self-report.
- February 3, 2011 - The institution informed the enforcement staff of the emails it discovered regarding Tressel's potential knowledge of violations.
- February 8, 2011 - The enforcement staff and institution conducted on-campus interviews.
- February - March, 2011 - The enforcement staff and institution conducted additional interviews.
- March 9, 2011 - The institution submitted a self-report regarding Tressel's failure to report knowledge of potential violations.
- March 15, 2011 - The student-athlete reinstatement committee upheld the withholding conditions on the five football student-athletes.
- April 1, 2011 - A notice of inquiry was sent to the institution.
- April 21, 2011 - The enforcement staff issued a notice of allegations to the institution and head football coach Jim Tressel, and requested written responses by July 5, 2011.
- June 29, 2011 - The institution and Tressel were granted an extension for responding to the notice of allegations until July 8, 2011.
- July 8, 2011 - The Committee on Infractions and enforcement staff received responses to the notice of allegations from the institution and Tressel.
- July 13, 2011 - The enforcement staff conducted a prehearing conference with Tressel.
- July 15, 2011 - The enforcement staff conducted prehearing conference with the institution.

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Allegation No. 1

1. [NCAA Bylaws 12.1.2.1.6, 14.11.1, 16.1.4 and 16.11.1.6]

It was reported that between November 2008 and ~~May~~ June 2010, football student-athletes [REDACTED] and [REDACTED], and then football student-athlete [REDACTED] received preferential treatment from and, other than [REDACTED] and [REDACTED], sold institutionally issued athletics awards, apparel and/or equipment to Edward Rife, owner of a local tattoo parlor, as set forth below:

- a. In April 2009, [REDACTED] sold his 2008 Big Ten Conference championship ring to Rife for \$1,000. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]
- b. In the summer of 2009, [REDACTED] sold a 2008 national championship game jersey, a pair of game pants and a pair of game shoes to Rife for a total of \$1,000, and received two free tattoos from Rife's tattoo parlor, valued at \$150 total. [NCAA Bylaws 12.1.2.1.6, 16.1.4 and 16.11.1.6]
- c. In June 2009, [REDACTED] sold his 2008 Big Ten Conference championship ring to Rife for \$1,200 and received an estimated \$50 discount on a tattoo from Rife's tattoo parlor. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]
- d. In May or June 2009, [REDACTED] sold his 2008 Big Ten Conference championship ring, his 2008 "gold pants" team award and his 2009 Tostitos Fiesta Bowl sportsmanship award to Rife for a total of \$2,500. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]
- e. Between February and November 2009, [REDACTED] sold his 2008 Big Ten Conference championship ring (\$1,000) and his 2008 "gold pants" team award (\$350) to Rife for a total of \$1,350, and received an estimated \$155 discount on five tattoos from Rife's tattoo parlor. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]
- f. In the summer of 2009, [REDACTED] received an estimated \$150 discount on three tattoos from Rife's tattoo parlor. [NCAA Bylaw 12.1.2.1.6]
- g. Between November 2008 and May 2010, [REDACTED] sold his 2008 Big Ten Conference championship ring (\$1,500), his 2008 and 2009 "gold pants" team award (\$250 each), a game helmet (\$150) and a pair of game pants (\$30) from the 2009 contest against the University of Michigan, and his 2010 Rose Bowl watch (\$250) to Rife for a total of \$2,430, and received an estimated \$55 discount on two tattoos from Rife's tattoo parlor. Additionally, [REDACTED] received \$100 for

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obtaining team autographs on two replica football helmets belonging to Rife, an estimated \$2,420 discount on the purchase of a used vehicle and an \$800 loan for vehicle repairs from Rife. [NCAA Bylaws 12.1.2.1.6, 16.1.4 and 16.11.1.6]

h. Between August 2009 and June 2010, [REDACTED] received 12 free tattoos from Rife's tattoo parlor, valued at \$900 total. [NCAA Bylaw 12.1.2.1.6]

Additionally, Jim Tressel, head football coach, knew or should have known that at least two football student-athletes received preferential treatment from and sold institutionally issued athletics awards, apparel and/or equipment to Rife, but he failed to report the information to athletics administrators and, as a result, permitted football student-athletes to participate in intercollegiate athletics competition while ineligible, as set forth in Allegation No. 2. [NCAA Bylaw 14.11.1]

Overview: The enforcement staff and institution are in substantial agreement as to the facts of this allegation and that those facts constitute violations of NCAA legislation. Tressel agrees to the facts of the allegation as it relates to him and that those facts constitute a violation of NCAA legislation.

Remaining Issue(s): None.

Additional Matters that Relate to the Allegation:

- The enforcement staff notes that the underlying facts of this violation were discovered by the U.S. Department of Justice as part of a criminal investigation of Rife. The Justice Department executed a search warrant at Rife's residence and subsequently informed the institution that it seized "a significant amount of OSU sports memorabilia." On December 7, 2010, the Justice Department sent a letter to the institution detailing the items seized and the method by which Rife acquired them. The letter states that "many of the items seized were acquired from EBay and autographed at various signing events. However, several of the items seized appear to have belonged to OSU football players and/or The Ohio State University at some point in time. Those items include Big Ten Championship rings, trophies and OSU uniforms. Mr. Rife claims these items were provided to him as gifts and/or purchased from certain players, whom he has met through his tattoo shop." The purpose of the letter was "to make certain that neither The Ohio State University nor the players involved claim any ownership interest in the items being seized."

The institution conducted an initial investigation, including interviews of the then current student-athletes named in the letter ([REDACTED] and [REDACTED]), and submitted a self-report of violations to the NCAA student-athlete reinstatement and enforcement staffs. The student-athlete reinstatement and enforcement staffs conducted

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follow-up interviews of the named student-athletes, each of whom acknowledged the violations reported by the institution.

██████████ name also appeared in the Justice Department letter. ██████████ from school after the 2010 spring quarter but had remaining eligibility. The enforcement staff and institution interviewed ██████████, who acknowledged the violations involving him in Allegation No. 1. The enforcement staff and institution also interviewed another former student-athlete with remaining eligibility whose name appeared in the Justice Department letter but did not find sufficient evidence to determine that the young man was involved in a violation. The letter did not indicate that any other current or former football student-athletes sold items to Rife.

After the notice of allegations was issued, an investigative media report identified other student-athletes who may have been involved with Rife. The staff interviewed each of the nine current student-athletes named in that report, one of whom, ██████████, acknowledged his receipt of preferential treatment in the form of free tattoos, as set forth in Allegation No. 1.

Following its initial self-report, the institution conducted a review to determine if the violations were more widespread. Football student-athletes were required to indicate whether they had been to Rife's tattoo parlor, received any discounts or sold any awards. Based on those responses, the institution conducted follow-up interviews, but no additional violations were discovered and no other student-athletes were reported to have been involved in violations.

- The enforcement staff notes that the receipt of free or discounted tattoos constitutes preferential treatment under NCAA Bylaw 12.1.2.1.6. The sale of institutionally issued athletics awards, apparel and/or equipment constitutes preferential treatment but depending on the item is also a violation of either Bylaw 16.1.4 (awards) or 16.11.1.6 (apparel or equipment). Bylaw 16.1.4 specifically prohibits the sale of institutionally issued athletic awards, whereas Bylaw 16.11.1.6 does not specifically address the sale of apparel or equipment but has been interpreted to prohibit the sale of such items.

Regarding subparagraph (1-g), the discount ██████████ received on the vehicle he purchased from Rife constitutes preferential treatment. The enforcement staff could not verify all the details of the purchase but obtained a vehicle identification number and performed a valuation of the vehicle based on a Carfax report, Kelley Blue Book (Blue Book) value and ██████████ statements.

The Carfax "history impact" indicated a \$790 reduction in the vehicle's value. The staff subtracted that figure from the Blue Book value (\$6,910) to arrive at the adjusted retail value (\$6,120). Then the staff subtracted ██████████ purchase price (\$2,500) from the adjusted retail value (\$6,120) to arrive at ██████████ base discount (\$3,620). The staff

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determined that the vehicle's value should be reduced by an additional \$800, which reflects the amount necessary to repair mechanical problems that rendered the vehicle inoperable shortly after [REDACTED] purchased it from Rife. Although Rife paid for the repairs, [REDACTED] repaid Rife with two \$400 payments over four weeks. The enforcement staff determined such arrangement to be a loan and, thus, a preferential treatment violation.

The staff notes that [REDACTED] provided several statements against his own interest regarding his involvement in violations that otherwise may not have been detected. Thus, the staff believed that [REDACTED] statements were credible enough to partially rely in determining the value of the benefits he received, particularly in the absence of any other information.

- The enforcement staff notes that any benefits provided by Rife after Tressel received email notification from Chris Cicero, former football student-athlete and Columbus area criminal attorney, are considered extra benefits provided by a representative of the institution's athletics interests. Some of the benefits provided to [REDACTED] and [REDACTED] may have occurred after Tressel received email notification about Rife in April 2010; however, the staff was unable to confirm with certainty when those violations occurred. [REDACTED] reported that during 2010 winter workouts or spring practice, he received \$100 for obtaining team autographs on two replica football helmets belonging to Rife. It is unclear if that violation occurred after Tressel received the first email from Cicero notifying him of Rife. Additionally, [REDACTED] reported that he received 12 free tattoos from Rife's tattoo parlor over the course of his freshman year ([REDACTED]). He could not recall the exact dates he received the tattoos but stated that none of them occurred after he moved into a new residence in July 2010. [REDACTED] may have received some of the tattoos after Tressel received email notification about Rife in April 2010, but the staff was unable to make that determination with certainty. Thus, the staff believed it was inappropriate to allege violations related to extra benefits provided by a representative of the institution's athletics interests in the absence of information regarding the exact timing of the violations.
- The enforcement staff reviewed information related to the institution's education and monitoring efforts prior to and during the time frame of the violations but concluded that a failure to monitor charge was unwarranted. The institution demonstrated that each fall and spring during the time frame of the violations, it provided education to football student-athletes and staff regarding extra benefits and preferential treatment. Thus, the student-athletes were aware that it was impermissible to receive payment, benefits and free or discounted services on the basis of their athletics reputation or skill.

Regarding the sale of memorabilia, the institution provided the football staff with rules education specific to the sale of institutionally issued athletics awards each year starting in 2007. The institution conducted additional education sessions for football student-athletes prior to each bowl game in which extra benefits were addressed, and the young

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men were told that it is impermissible to sell gifts received for participation in the bowl games. In November 2009, the institution increased its education to football student-athletes regarding institutionally issued awards, apparel and equipment. Specifically, the institution informed football student-athletes that it was impermissible to sell those items. The institution indicated that this increase in education was at least partially prompted by the specialty "throwback" uniforms the team wore for its game against the University of Michigan.

Regarding monitoring efforts, the institution tracked each athletics award issued to student-athletes through a detailed chart completed by football staff members that included a description of each award, its dollar value and the student-athletes who received the awards. Each spring, the institution also required student-athletes to sign a "declaration" indicating the receipt of any athletics awards, institutionally issued or otherwise. Equipment and apparel were also tracked on written logs identifying the student-athlete who received the equipment or apparel. Larger value items, such as game helmets and jerseys, were occasionally sold by the institution to student-athletes consistent with NCAA legislation, and the specific transactions were recorded by the institution.

The institution took monitoring efforts designed to identify the sale or distribution of institutionally issued athletics awards, apparel and equipment as well as photos of student-athletes. Specifically, the compliance office worked with the institution's trademark and licensing office to shut down several websites that attempted to sell or distribute items in violation of NCAA rules or trademark and licensing laws. The institution also issued cease and desist letters to individuals who were involved in the sale or distribution of such items.

Additionally, the institution followed up on tips it received, through its online reporting portal or otherwise, and notified football student-athletes and staff regarding individuals and circumstances to avoid. On at least two occasions before the violations were discovered, the institution notified football student-athletes and staff regarding individuals who contacted student-athletes online to purchase memorabilia. The institution instructed student-athletes to avoid those individuals and informed student-athletes that the sale of institutionally issued athletics awards, equipment and apparel could result in "serious NCAA issues."

Considering the institution's rules education and monitoring efforts, the enforcement staff did not believe a failure to monitor charge was appropriate in this case. Although the institution did not specifically provide education to football student-athletes regarding the sale of institutionally issued athletics awards, apparel and equipment until November 2009 (after many of the violations occurred), the enforcement staff did not believe that such omission rose to the level of a failure to monitor.

Allegation No. 2

2. [NCAA Bylaw 10.1]

It was reported that Jim Tressel, head football coach, failed to deport himself in accordance with the honesty and integrity normally associated with the conduct and administration of intercollegiate athletics as required by NCAA legislation and violated ethical-conduct legislation when he failed to report information concerning violations of NCAA legislation and permitted football student-athletes to participate in intercollegiate athletics competition while ineligible. Specifically, in April 2010, Tressel received email notification that football student-athletes, including [REDACTED] and [REDACTED], received preferential treatment from and sold athletics awards, apparel and/or equipment to Edward Rife, owner of a local tattoo parlor; however, Tressel failed to report the information to athletics administrators. Additionally, Tressel withheld the information from April 2010 until the institution discovered the emails in January 2011, including throughout the 2010 football season when he permitted football student-athletes to compete while ineligible and during the institution's investigation of the violations in December 2010. Further, in September 2010, Tressel falsely attested that he reported to the institution any knowledge of NCAA violations when he signed the institution's certification of compliance form, which is required under Bylaw 18.4.2.1.1.4.

Overview: The enforcement staff, institution and Tressel are in substantial agreement as to the facts of this allegation and that those facts constitute violations of NCAA legislation.

Remaining Issue(s): None.

Additional Matters that Relate to the Allegation:

- Tressel received information concerning violations of NCAA legislation and despite several opportunities to report the information, failed to notify athletics administrators. On April 2, 2010, Tressel received an email from Chris Cicero,¹ former football student-

¹ Cicero is a former football student-athlete who graduated from the institution in 1984 before attending law school at the University of Toledo. Cicero is a criminal attorney in Columbus and previously represented Rife. Cicero has not donated money to the institution, is not a season ticket holder and is not considered a representative of the institution's athletics interests.

During his February 8, 2011, interview with the enforcement staff and institution, Cicero reported that when he was on the football team, Tressel served as an assistant football coach. Cicero stated that over the years, he saw Tressel on occasion at football-related functions but did not maintain a personal relationship with the coach. Cicero reported that "several years ago," he spoke to the football team about drinking and driving and stated that "it's been a couple years" since he last spoke with Tressel in person. Cicero stated that he did not recall speaking to Tressel on the phone but previously exchanged text messages with the coach.

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athlete and Columbus area criminal attorney, indicating that football student-athletes, including [REDACTED], received free tattoos from Rife, his former client, whose house was raided by federal authorities.² Tressel responded to the email to say thanks and indicated that he would address the matter. The next day, he forwarded the email to Ted Sarniak, [REDACTED] who owns a glass business in Jeannette, Pennsylvania, [REDACTED]. On April 16, 2010, Cicero sent Tressel a second email indicating that he met with Rife, who confirmed his dealings with football student-athletes. Specifically, Cicero wrote that football student-athletes, including [REDACTED] and [REDACTED], sold athletics awards, apparel and equipment to Rife. Cicero's email indicated that the information was confidential. Tressel responded in part: "Thanks for your help ... keep me posted as to what I need to do if anything. I will keep pounding these kids hoping they grow up." Cicero replied in part: "Only thing we can do is keep him, his house, his tattoo parlor off limits to players ... I would also make sure you tell [REDACTED] and [REDACTED] (and whoever else) NOT to call him ... Just make sure you keep our emails confidential." On April 19, Tressel wrote to Cicero: "I told [REDACTED] and [REDACTED] to steer clear ... is there any way I can get all the ring names ... I have a little plan once this year's rings arrive." The next day, Cicero wrote in an email that he would contact the district attorney to inquire about the names of other football student-athletes who may have sold their conference championship rings to Rife. Several weeks passed with no communication between Tressel and Cicero. On June 1, 2010, Tressel sent Cicero an email to see if he received the names of any other football student-athletes from the district attorney to which Cicero replied in part, "No more names." Tressel replied to thank Cicero, and no further email communication is known to have occurred between the two men.

During his February 8, 2011, interview with the enforcement staff and institution, Tressel reported that he took two steps in response to Cicero's emails, including forwarding the information to Sarniak with the hope that Sarniak would address the matter with [REDACTED], and "ramp[ing]-up" discussions with the team about hanging around the right people. After discovering the emails, the institution interviewed [REDACTED] and [REDACTED] to inquire about conversations with Tressel.

² Cicero stated that he emailed Tressel so he could tell the student-athletes "to stay away from this guy [Rife] ... quite frankly for their safety." Cicero stated that he never had a phone conversation with Tressel about the information and was unaware if Tressel addressed the matter with the student-athletes. Cicero reported that Tressel texted him December 24, 2010, to ask him if the recent news about football student-athletes selling memorabilia was the same information Cicero referred to in his emails from April 2010. Cicero stated that he responded in the affirmative to Tressel's text but did not recall any further exchange and no longer had the messages on his phone.

³ Sarniak developed a [REDACTED] [REDACTED] [REDACTED]. That relationship was evaluated by the NCAA and institution in 2008. Based on the available information, it was concluded that Sarniak was not a representative of the institution's athletics interests and that benefits he provided [REDACTED] did not violate preferential treatment legislation. During his February 8, 2010, interview with the enforcement staff, Tressel reported that Sarniak was [REDACTED] [REDACTED] and "his only solid [REDACTED]."

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During his February 1, 2011, interview with the institution, ██████ reported that one day after spring practice or lifting, Tressel called him and ██████ into his office for "less than 10 minutes" and referenced a legal matter involving Rife. ██████ stated: "He said there was a guy ... he was a tattoo shop owner ... they seized his house, they found some of your belongings in it ... right now they are going through legal matters so they can't really release any information ... whatever you guys did, I don't want to know but when it comes back up, just make sure you tell the truth." ██████ reported that Tressel said he could not provide further information due to the legal matter but instructed the young men to "cut ties" with Rife. ██████ stated that "leaving the meeting, our understanding was that Ed [Rife] got in trouble, didn't know what, it was pretty serious, they had our stuff downtown and they were wondering if it was our stuff and he said that 'if it comes back up to tell the truth.'" So that was our whole understanding leaving the meeting." ██████ stated that Tressel did not ask other questions such as how he knew Rife and that Tressel "didn't want to know no details."

During his February 1, 2011, interview with the institution, ██████ reported that Tressel called him and ██████ into his office after practice or a workout for a 10- or 15-minute meeting in which he referenced rumors about "guys giving away items." ██████ reported that Tressel "didn't get specific" but "he was just telling us to be smart and don't sell your items or anything like that." ██████ stated: "He really didn't go into any depth about us doing anything wrong. He was just saying be smart and he's hearing rumors." ██████ reported that he thought Tressel was referring to memorabilia but that: "He didn't bring up Mr. Rife ... he didn't bring up the tattoos. I guess he brought up a rumor from the street so I wasn't exactly sure what he was talking about." Both ██████ and ██████ reported that no one else was present and that they did not discuss the meeting with others.

During his February 8, 2011, interview with the enforcement staff and institution, Tressel reported his belief that he had separate conversations with ██████ and ██████ on April 16 or within days of receiving Cicero's second email. Specifically, regarding his conversations with ██████ and ██████, Tressel stated: "I talked with them ... it was two minutes max – it was pretty one-sided. And the message was, 'I'm hearing things. They're bad things. Better stay away from people. You know we've talked about this often.'" Tressel recalled that he told ██████ and ██████ that their "names were associated with a criminal situation" but doubted that he spoke to them about memorabilia. Tressel stated that the conversations were vague and that he did not mention Rife, the tattoo parlor, the sale of memorabilia, a federal raid or NCAA violations. Tressel stated that he never asked ██████ or ██████ if they sold their memorabilia or their "stuff." Specifically, he stated: "'Hey, this is serious. You better stay away.'" It wasn't interrogative from the standpoint of, you know, 'Are you using drugs? Are you getting drugs? Are you selling memorabilia? Are you –' I don't know whatever else they could be involved with, but, you know, I didn't go through a laundry list of 'are you? Are you? Are you?'" Tressel indicated that he might have said, "I don't know what you are doing" but did not say, "I don't want to know what you are doing." Tressel reported that he never told ██████ or ██████ that there is an NCAA

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issue, never mentioned that "this might come up again" and stated that he never told them to get their "stuff" or memorabilia back. Other than [REDACTED], [REDACTED] and Sarniak, there is no indication that Tressel provided or discussed the information he received from Cicero with anyone else, particularly athletics administrators.

Tressel had another opportunity to report the information on September 13, 2010, when he signed the institution's certification of compliance form as required under Bylaw 18.4.2.1.1.4 but failed to report his knowledge of potential violations at that time. As a result, Tressel knowingly allowed football student-athletes to participate while ineligible during the 2010 football season. Following the regular season, the institution received the aforementioned letter from the Justice Department and initiated a review of potential violations. Tressel was notified of the letter and informed of student-athlete interviews. Despite the institution's review, Tressel again failed to report his knowledge of the potential violations. On December 24, 2010, Tressel exchanged text messages with Cicero and confirmed that the recently discovered violations related to the same information Cicero provided in April. Tressel did not report his knowledge of the violations until the institution discovered the emails from Cicero in January 2011, at which point Tressel acknowledged receiving the information back in April 2010.