

CAUSE NO. 19980

ART BRILES	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
VS.	§	
	§	
J. CARY GRAY,	§	LLANO COUNTY, TEXAS
RONALD DEAN MURFF	§	
DAVID HARPER and	§	
REAGAN RAMSOWER	§	
	§	
	§	
Defendants.	§	<u>424th</u> JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, ART BRILES, Plaintiff, complaining of J. Cary Gray, Ronald Dean Murff, David Harper, ("Baylor Regents Defendants") and Reagan Ramsower, collectively Defendants, and for cause of action would show the Court as follows:

**"Thou shalt not bear false witness against thy neighbor" (Exodus 20:16).**

**I.**

**DISCOVERY CONTROL PLAN**

1. Plaintiff hereby requests a Level 3 Discovery Control Plan pursuant to TEXAS RULE OF CIVIL PROCEDURE 190.4.

**II.**

**PARTIES**

2. Plaintiff, Art Briles, (hereinafter referred to as "Coach Briles") is a private citizen and Texas resident, residing in Llano County, Texas at all material times to the causes of action stated in this petition.

3. Defendant, J. Cary Gray, is a lawyer, a member of the Board of Regents of Baylor University and a resident of Harris County, Texas, who can be served with citation at his office, 1300 Post Oak Blvd, Suite 2000, Houston, Texas 77056. Plaintiff requests that service of process and citation issue at this time.

4. Defendant, Ronald Dean Murff, is a member of the Board of Regents of Baylor University and a resident of Dallas County, Texas, who can be served with citation at his office, 15950 N. Dallas Parkway, Suite 300, Dallas, Texas 75248. Plaintiff requests that service of process and citation issue at this time.

5. Defendant, David Harper, is a lawyer, a member of the Board of Regents of Baylor University and a resident of Dallas County, Texas, who can be served with citation at his office, 72323 Victory Avenue, Suite 700, Dallas, Texas 75219. Plaintiff requests that service of process and citation issue at this time.

6. Defendant Reagan Ramsower is Senior Vice President and Chief Operating Officer at Baylor University and a resident of McLennan County who can be served with citation at his office, One Bear Place #97006, Waco, Texas 76798-7006. Plaintiff requests that service of process and citation issue at this time.

### **III.**

#### **JURISDICTION AND VENUE**

7. This State District Court has jurisdiction to hear this action for libel, slander, tortious interference with prospective business relationships and intentional infliction of emotional distress because the amount in controversy is in excess of the minimum jurisdictional limits of the Court. TEXAS. CONST. ART. 5, § 8; TEXAS GOVERNMENT CODE § 24.007. No claim is made in this action under any other law of the State of Texas or law or statute of the United States. All causes of actions, claims and issues of law pertaining to damages stated herein arise under and are brought pursuant to the laws of the State of Texas.

8. Venue is proper in Llano County because this is a suit for damages for libel, slander and defamation which can be maintained in the county in which the Plaintiff resided at the time of the accrual of the cause of action at the election of the Plaintiff pursuant to TEX. CIV. PRAC. & REM. CODE ANN. § 15.017. Plaintiff Art Briles resided in Llano County, Texas, at the time of the accrual of his defamation causes of action and Plaintiff Art Briles elects to bring this suit in Llano County, Texas a county of mandatory venue. Venue is also proper pursuant to TEX. CIV. PRAC. & REM. CODE ANN. § 15.004 in that Plaintiff has properly joined two or more claims or causes of action arising from the same transaction, occurrence, or series of transactions or occurrences, and the defamation cause of action is governed by the mandatory venue provisions of Sub-Chapter B.

#### IV.

#### NATURE OF THE CASE

9. Some people think themselves above the law, but the laws of Texas establish accountability for everyone, even renegade, self-dealing regents of a Christian University. Your Plaintiff Art Briles was a hard-working, productive football coach at the amazing Baylor

University who became a pawn in the power games played by certain members of the Board of Regents – the Defendants in this case. The Baylor Regents Defendants had responsibility for the wrongful termination of Coach Briles, plainly violating his contract and never giving him a chance to defend himself before firing him. Coach Briles brought a wrongful termination case which Baylor University promptly settled, insisting Coach Briles stay mum about the settlement terms. Coach Briles has done so. Coach Briles has also never said a bad thing about the Baylor Regents Defendants who orchestrated the nefarious process of his termination. The story should have ended there, but it has not.

10. The Baylor Regents Defendants have continued to bear some level of examination in the public eye for the damaging way that they have used their regent positions for self-gain, self-aggrandizement, and self-importance, all to the detriment of Baylor University and its alumnae, students, and faculty. As this public scrutiny has increased, these Defendants, members of the Baylor Board of Regents, have sought to distract the unwanted attention. They hired a “junkyard dog” PR firm (see attached website of G.F. Bunting + Co., Exhibit 1) and encouraged that firm to slander and libel Coach Briles with orchestrated Friday press releases that draw the maximum media attention on Saturday, the game days for college football. This must be stopped. These select few regents should not be able to shield themselves in their self-appointed, secret, and unaccountable positions, letting Baylor take responsibility for their mean and disingenuous power plays that deflect their own responsibility by dumping slanderous falsehoods on Coach Briles. This suit aims to halt that, bring light to the truth, and justice to the wronged.

11. Coach Briles is forced to bring this action to a neutral forum to stop the defamatory, slanderous and libelous conduct of the Baylor Regents Defendants. These Defendants have been relentless in their false attacks upon Coach Briles in the media despite his repeated requests that they cease and retract their onslaught of untruths. Coach Briles must bring this action to the Courts of the State of Texas, where rules of fairness, evidence and decency will apply to testimony submitted under oath. In their actions to defame Coach Briles, the Baylor Regents Defendants have expended and continue to expend millions of dollars contributed to the University in good faith by large and small donors and alumnae. These donated funds are being spent by the Baylor Regents Defendants to hire professional media spin doctors and lawyers for the sole purpose of covering the mistakes and mismanagement of the Baylor Board of Regents.

12. This action is brought to recover a legal debt owing to Coach Briles because of serious and irreparable harm suffered by him as a result of the libelous, slanderous, tortious, and malicious actions of the Board of Regents Defendants named herein. These Defendants, through their newly-hired California Public Relations Firm, G. F. Bunting + Co., (hereinafter also referred to as "Bunting") have embarked upon a campaign of malice which includes re-creation and invention of facts to manipulate public opinion and to cover the past and ongoing wrongdoing, mistakes and failures of the Baylor University Board of Regents at the expense of the reputation of Coach Briles. Bunting is a firm that advertises itself on the internet as an expert in creating "original content" and influencing public opinion. They bill themselves as "aggressive" and as experts in "strategic communication" and they publicly tout their "many friends and former colleagues who work at the nation's leading newspapers, TV networks and online news organizations." (See Exhibit 1, Attached). Bunting is well known for its ruthless

media manipulation activities. The Baylor Regents Defendants have hired Bunting because of its advertised aggressiveness in manipulating the news media by providing information at inconvenient times, such as late on Friday afternoons, when there is inadequate time for any response and when it is not possible for the media to verify the information before publishing it. By means of this strategic communication, the Baylor Regents Defendants have been able to use a Friday afternoon news-drop to allow for un-vetted and un-verified publication of false information on the Friday evening news and to provide talking points and ticker information for Saturday which is the biggest day of the week for college football. In this devious manner, the Baylor Regents Defendants, through their hired public relations gun, has used the media as a pawn to libel, slander and defame Coach Briles.

V.

**SUMMARY OF FACTS**

13. Coach Briles has repeatedly requested, through his counsel, that the Baylor Regents Defendants retract and cease their slanderous, defamatory statements and has been told by the Baylor Regents Defendants that they are free to defame and slander him as they wish.

14. The Baylor Regents Defendants, through their malicious, slanderous and defamatory conduct, appear to be renegade and rogue individuals of the Baylor Board of Regents. Coach Briles reserves his right to have it determined and resolved, in the Courts of the State of Texas and through appropriate avenues of discovery, whether or not other members of the Baylor Board of Regents, Baylor University and/or G.F. Bunting+ Co., have ratified, aided, abetted and/or encouraged, whether by action or inaction, the tortious actions, the false statements and malicious conduct of the Baylor Regents Defendants. Should this be the case,

Coach Briles reserves the right to add additional members of the Baylor Board of Regents, as well as Baylor University and G.F. Bunting + Co., to this civil action.

15. On October 28, 2016, the Baylor Regents Defendants caused an article to appear in The Wall Street Journal, one of Bunting's advertised "friendly media" outlets. This article contained a storyline fabricated by these Defendants with their PR firm, Bunting, in order to make Coach Briles a scapegoat for the failures and wrongdoing of the Baylor Board of Regents. The false information in this article had never before been disclosed to Art Briles. The untruths appearing in the Wall Street Journal were never before cited by any member of the Baylor Board of Regents until the PR firm of Bunting was hired to recreate the story. The obvious motive behind the Baylor Regents Defendants is malicious and borne out of their need to deflect the public's attention from the Baylor University Board of Regents and their wrongful actions and mismanagement. By their actions, the Baylor Regents Defendants are allowing the alleged rapists and assaulters to walk free thereby confirming that they are more interested in ruining Coach Briles' name, reputation and career than they are in bringing criminals to justice. This is malice. This is an abuse of their powers and fiduciary duties as members of the Board of Regents of Baylor University. This conduct has caused the unnecessary expenditure of millions of dollars in legal fees and consulting fees for the purpose of generating a campaign of libel and slander using funds donated to the University by loyal alumnae and generous donors.

16. In May of 2016, at the time that Coach Briles was summarily and wrongfully terminated by Baylor University and its Board of Regents, he was provided with no facts or information about the reason for his firing. His requests for further information were repeatedly ignored by the Baylor Board of Regents. The false allegations of criminal activity now provided

by the Baylor Regents Defendants to the Wall Street Journal were never disclosed to him or the media at the time of his termination. These allegations now being provided to the media by the Baylor Regents Defendants through Bunting, are false and have been re-created to hide the failures and wrongful acts of the Baylor University Board of Regents. The Baylor Regents Defendants are named herein because there is conclusive proof that they have personally made false statements with malicious motives. However, if it becomes known through discovery that other members of the Baylor Board of Regents or Baylor University or G.F. Bunting + Co., provided or manufactured false information or failed to speak up and stop the defamation against Coach Briles, they will be named as Defendants herein.

17. Coach Briles was hired by Baylor University on November 28, 2007, as Head Football Coach. He was not considered by Baylor University or its Regents to be a part of Baylor University's senior administration. He was not in charge of Baylor student safety, unlike Defendant Reagan Ramsower who was Senior Administrator in charge of the Baylor University Department of Public Safety. Coach Briles was not a member of the Board of Regents who had a self-proclaimed "fiduciary duty...to uphold the mission of the University." Prior to November of 2014, and the hiring of Patty Crawford to oversee and address student complaints, such matters were handled by Baylor University's Judicial Affairs and complaints of criminal acts by students were to be reported to the Baylor Department of Public Safety under the direct supervision of Defendant Reagan Ramsower.

18. At some time prior to May of 2016, Baylor University hired Pepper Hamilton, a Philadelphia law firm, to conduct a review. Baylor University and its Board of Regents have never disclosed any of the details of Pepper Hamilton's factual investigation but instead



published a document entitled "Findings of Fact." In spite of the Pepper Hamilton findings of institutional failure on the part of Baylor University, Coach Briles was removed as Head Football Coach without explanation to him or the public. At all times following his termination, Coach Briles repeatedly requested but was never provided with the so-called "facts" which formed the basis of the Pepper Hamilton Findings of Fact. The findings of Pepper Hamilton have always been suspect for many reasons, one of the most egregious being Pepper Hamilton's failure to interview Patty Crawford, who has since stated on the record that a minimal percentage of cases handled by her office had anything to do with Baylor football.

19. In June of 2016, Baylor and Coach Briles participated in a mediation which resulted in the conclusion of Coach Briles' service to Baylor University by mutual written agreement.

20. In October of 2016, Patty Crawford, resigned. Ms. Crawford has stated that she tried for many months to get Baylor University to look into more than 400 complaints of sexual harassment and violence, 90% of which involved students outside the Athletic Departments. In a nationally televised interview with CBS This Morning, Ms. Crawford stated that the University had sidelined her efforts to carry out reforms and had retaliated against her. She has further stated that university officials impeded her efforts, both before and after the Pepper Hamilton probe, to tackle what was a campus wide issue not isolated to football.

21. Since May of 2016, the Baylor Board of Regents has consistently taken the position that it would not provide any details about the specific cases where Pepper Hamilton found alleged Athletic Department failures. Months later, in a complete about-face and acting on the advice of its PR Firm, Bunting, the Baylor Regents Defendants made themselves available

for interviews with Bunting's media friends, The Wall Street Journal, The New York Times, USA Today, CBS Showtime's "60 Minutes Sports," the Dallas Morning news, and others. The purpose was to provide a newly created story line replete with details of false information and defamatory statements about Coach Briles. The Baylor Regents Defendants were well aware of the falsity of the newly-created facts that they provided to the media and intentionally proceeded to defame Coach Briles. These defamatory statements have been republished by other media outlets, including the Houston Chronicle and others.

22. These false statements, first made by the Baylor Regents Defendants in The Wall Street Journal, were intended for the reader to conclude that Coach Briles had actual knowledge of and failed to report "19 players" implicated in "sexual assaults" and "4 alleged gang rapes." Prior to their publication in the Wall Street Journal, Coach Briles had never heard these facts or these numbers. These statements and alleged facts had never before been disclosed by any member of the Baylor Board of Regents and were never discussed at the time of Baylor's investigation of and settlement with Coach Briles. These new allegations made in the Wall Street Journal are false and were manufactured by Bunting to re-create the story line to expose Coach Briles to public hatred, contempt, ridicule and cause him financial injury. A copy of the Wall Street Journal article is attached as Exhibit 2.

23. The following day, October 29, 2016, the Houston Chronicle ran an article republishing the same defamatory statements, attached hereto as Exhibit 3. The Baylor Regents Defendants again caused the publication of false statements by the Dallas Morning News Editorial Board on November 3, 2016. A copy of the Dallas Morning News article is attached as Exhibit 4.

24. The Board of Regents Defendants, despite knowledge of the falsity of the statements referenced herein and found in the attached Exhibits 2, 3 and 4, nevertheless published defamatory statements falsely accusing Coach Briles of actual knowledge of and failing to report crimes.

25. The defamatory statements constitute statutory libel because they falsely accuse Coach Briles in writing of knowledge of and failing to report crimes and tend to injure him in his profession and occupation as a University Head Football Coach. These false statements were made to expose Art Briles to public hatred, contempt, ridicule, and financial injury and impeach his honesty and integrity. Defendants also communicated the foregoing defamatory statements orally to third persons which spoken statements constitute slander per se.

## **VI.**

### **LIBEL**

26. All previous allegations are incorporated herein by reference.

27. Plaintiff is a private individual. Plaintiff is neither a public official nor public figure for any purpose.

28. The Board of Regents Defendants were and are non-media defendants.

29. The foregoing statements by The Board of Regents Defendants were false, both in their particular details and in their main point, essence or gist in the entire context in which they were made.

30. The defamatory statements constitute defamation per se in that they falsely state that Coach Briles had knowledge of and failed to report crimes and injure him in his occupation and profession as University Head Football Coach, and are therefore libelous per se.

31. The foregoing defamatory statements by Defendants published in written form, were further defamatory with regard to Coach Briles, in that they injured his reputation and exposed him to public hatred, contempt or ridicule, or financial injury. These false statements were made with the intent to impeach Coach Briles' honesty, integrity, virtue or reputation and thereby to expose him to financial injury. The defamatory statements are therefore libelous and libelous per se.

32. The foregoing defamatory statements by Defendants have injured Coach Briles in his vocation, occupation, and profession and are therefore libelous per se.

33. The foregoing defamatory statements by Defendants falsely charge Coach Briles with knowledge of and failing to report crimes, and are therefore libelous per se.

34. Each of the foregoing statements referred to Coach Briles either directly or indirectly by referring to groups to which The Board of Regents Defendants claim that Coach Briles belongs, so that a reasonable reader would understand that the statements refer to him.

35. In the alternative, the foregoing statements by The Board of Regents Defendants were defamatory by implication and/or by innuendo.

36. The Board of Regents Defendants have encouraged, assisted, aided and abetted the republication of written, published defamatory statements by others. They have also failed to retract though requested to do so and failed to exercise ordinary care to prevent the foreseeable republication of the foregoing written and published defamatory statements.

37. In addition to the direct publication of the foregoing defamatory statements, each Defendant has sponsored, financed, authorized and/or ratified the defamatory statements published by the other Defendants.

38. Defendants are strictly liable for the damages caused by the libel. Alternatively, Defendants were negligent with respect to the truth or falsity of the defamatory statements of fact. Alternatively, Defendants knew and know that the defamatory statements of fact were false, or were reckless with regard to whether the statements of fact were false.

39. Coach Briles is entitled to recover nominal, general, actual, and special damages as a result of the libelous conduct of Defendants.

## **VII.**

### **SLANDER**

40. All previous allegations are incorporated herein by reference.

41. The foregoing statements by Defendants were false, both in their particular details and in their main point, essence or gist in the entire context in which they were made.

42. The defamatory statements constitute defamation per se in that they falsely state that Coach Briles had knowledge of and failed to report crimes, and are therefore slander per se.

43. The foregoing defamatory statements by Defendants published in oral form, were further defamatory with regard to Coach Briles, in that they tended to injure him in his occupation and profession as University Head Football Coach and thereby expose him to public hatred, contempt or ridicule, or financial injury, or tended to impeach Coach Briles' honesty, integrity, virtue or reputation and thereby to expose him to public hatred, ridicule, or financial injury. The defamatory statements are therefore slander and slander per se.

44. The foregoing defamatory statements by Defendants have injured Coach Briles in his vocation, occupation, and profession and are therefore slander per se.

45. The foregoing defamatory statements by Defendants falsely charge Coach Briles with knowledge of and failing to report crimes and are therefore slander per se.

46. Each of the foregoing statements referred to Coach Briles either directly or indirectly by referring to groups, such as "the athletic department" to which Defendants claim that he belongs, so that a reasonable listener would understand that the statements refer to him.

47. In the alternative, the foregoing statements by Defendants were defamatory by implication and/or by innuendo.

48. Defendants have encouraged, assisted, aided and abetted the republication of the foregoing written, published defamatory statements by others. Defendants have also failed to exercise ordinary care to prevent the foreseeable republication of the foregoing written and published defamatory statements.

49. In addition to the direct publication of the foregoing defamatory statements, each Defendant has sponsored, financed, authorized and/or ratified the defamatory statements published by the other Defendants.

50. Defendants are strictly liable for the damages caused by the slander. Alternatively, Defendants were negligent with respect to the truth or falsity of the defamatory statements of fact. Alternatively, Defendants knew and know that the defamatory statements of fact were false, or were reckless with regard to whether the statements of fact were false.

51. Coach Art Briles is entitled to recover nominal, general, actual, and special damages as a result of the slander committed by Defendants.

## **VIII.**

### **TORTIOUS INTERFERENCE WITH A PROSPECTIVE BUSINESS RELATIONSHIP**

52. All previous allegations are incorporated herein by reference.

53. Defendants have tortiously interfered with Plaintiff's final negotiations regarding a Head Football Coaching position. Defendants' independent tortious acts include, but are not limited to, the defamatory statements described above. Defendants' independent tortious acts intended to and did prevent Plaintiff from entering into contractual relationships for a Head Football Coach position.

54. Plaintiff was damaged as a direct and proximate result of Defendants' tortious interference with Plaintiff's prospective business relationship as set forth below.

## **IX.**

### **AIDING AND ABETTING**

55. All previous allegations are incorporated herein by reference.

56. Each of the Defendants has committed the foregoing torts of libel and slander and tortious interference with a prospective business relationship. Each of the Defendants had knowledge that each of their Co-Defendant's conduct constituted libel and slander. Each of the Defendants intended to assist, and actually assisted and encouraged, each of the other Defendants in committing libel and slander. Each individual Defendant's assistance and encouragement was a substantial factor in causing the libel and slander that was committed by each Co-Defendant.

57. Each of the Defendants has accomplished the tortious result of libel and slander and tortious interference with prospective business relationships. Each Defendant provided substantial assistance to each of the other Defendants in accomplishing this tortious result. Each

Defendant's own conduct was a breach of duty to Plaintiff, and each Defendant's participation was a substantial factor in causing the libel and slander and tortious interference by each other Defendant.

58. Defendants are jointly and severely liable for all damages resulting from their libel and slander.

## **X.**

### **CONSPIRACY**

59. All previous allegations are incorporated herein by reference.

60. Defendants acted together to accomplish the libel and slander and tortious interference described and are jointly and severely liable for those torts. Defendants had a meeting of the minds on the object or course of action and committed one or more of the unlawful, overt acts described in detail above.

61. Defendants are jointly and severely liable for all damages resulting from their civil conspiracy.

## **XI.**

### **RATIFICATION**

62. All previous allegations are incorporated herein by reference.

63. Each named Defendant has ratified all libel and slander and tortious interference by all other Defendants by approving such libel and slander after acquiring full knowledge of same, with the intention of giving validity to one another's libel and slander.



## **XII.**

### **REQUEST FOR RETRACTION**

64. Coach Briles has repeatedly made a timely and sufficient request for retraction of the defamatory statements made by Defendants that satisfies any of the requirements of TEX. CIV. PRAC. & REM. CODE § 73.051 – 73.055. Plaintiff's requests for retraction have fallen on deaf and malicious ears to the point of Defendants continuing to go out of their way to injure Coach Briles with their public relations firm orchestrated media campaign. Defendant J. Cary Gray's statements to the Dallas Morning News published by that paper November 4, 2016 ("You would feel like you got run over by a truck if you heard what we heard, Gray said.) is especially malicious, spiteful, egregious, and purposefully hurtful to Coach Briles as Defendant J. Cary Gray is well aware that Coach Briles' mother and father were killed in a tragic collision with a truck on their way from Rule, Texas to Dallas to see their son play football for the University of Houston in the Cotton Bowl. Plaintiff Coach Briles continues to plea that Defendants retract the false, defamatory, and damaging publications described above.

## **XIII.**

### **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

65. The facts as outlined herein demonstrate that each one of the Baylor Regents Defendants, as an individual and in concert with one another, engaged in conduct on a continuing basis, and as a continuing tort as that term is known in Texas law, which intentionally inflicted emotional distress on Coach Briles. The conduct of the Baylor Regents Defendants was intentional, reckless, extreme and outrageous and such conduct proximately caused severe emotional distress to Coach Briles in a manner for which there is no other recognized theory of

redress for such emotional damages. The conduct of the Defendants named individually herein is the type of conduct that is so unique, so outrageous and egregious that it cannot be accepted in normal society and should be declared intolerable. The slander, defamation, and tortious interference, done with the intention of harming Coach Briles personally and professionally, constitutes intentional infliction of emotional distress and was the proximate cause of such severe emotional distress to Coach Briles and his family that no reasonable persons could be expected to endure it. Coach Briles and his family have suffered emotional distress and mental anguish in the past and, in all reasonable medical probability, such emotional distress and mental anguish will have effects that will cause him and his family to suffer emotional distress and mental anguish in the future.

#### **XIV.**

#### **DAMAGES**

66. All previous allegations are incorporated herein by reference.

67. Plaintiff is entitled to nominal, general damages, and actual damages resulting from Defendants' libel and slander, including compensation for injury to Coach Briles' reputation, and mental anguish. Coach Briles is entitled to recover damages in an amount of money to fairly and adequately compensate him for damages suffered as a proximate result of the intentional infliction of emotional distress, such amount to be determined by the jury.

68. Coach Briles is also entitled to special and consequential damages, including specifically, the pecuniary loss suffered by him because of Defendants' libel and slander which has already cost him one or more prospective Head Football Coaching jobs and likely ended his profession and career as a Head Football Coach at any level.

69. In addition to the damages set forth above, Coach Briles seeks to recover punitive or exemplary damages against Defendants for their conduct which constitutes malice as described herein pursuant to Chapter 41 of the Texas Civil Practice & Remedies Code. The latest attacks by certain members of the Board of Regents are evidence of a conspiracy against Art Briles cover up their own missteps and misdeeds. The new and higher number of supposed rapes was only manufactured after the Baylor Defendant Regents met with their new PR firm. The term "gang rapes" was purposefully chosen for media attention and to incite outrage. It is a new low. Coach Briles will ask the Court, after hearing the evidence at trial, to instruct the jury to consider the following factors in reaching their verdict: (1) the nature of the wrong; (2) the character of the conduct involved; (3) the degree of culpability of the Baylor Regents Defendants; (4) the situation and sensibilities of the parties concerned; (5) the extent to which the conduct of the Baylor Regents Defendants offends a public sense of justice and propriety; and (6) the net worth of the Baylor Regents Defendants. A jury of Llano County will be asked to assess a sum of money against the Baylor Regents Defendants as exemplary damages as a penalty or by way of punishment for their malicious conduct which has injured Coach Briles.

#### **XV.**

#### **JURY DEMAND AND JURY FEE**

70. Pursuant to TEX. R. CIV. P. 216(a), Plaintiff demands a jury trial on all issues so triable.

71. Pursuant to TEX. R. CIV. P. 216(b), Plaintiff has deposited with the Clerk of the Court the required jury fee.

#### **XVI.**

72. Pursuant to Rule 47(c)(5) of the Texas Rules of Civil Procedure, Plaintiff seeks monetary relief over \$1,000,000.

**XVII.**

**RULE 193.7 NOTICE**

73. Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives actual notice to each Defendant that any and all documents produced may be used against the Defendant producing the document at any pre-trial proceeding and/or at the trial of this matter without the necessity of authenticating the documents.

**XVIII.**

**PLAINTIFF'S REQUEST FOR DISCLOSURE, FIRST SET OF INTERROGATORIES,  
AND REQUEST FOR PRODUCTION**

74. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff requests Defendant respond to request for disclosures 194.2(a) to (l). Pursuant to the Texas Rules of Civil Procedure, Plaintiff propounds a First Set of Interrogatories and Request for Production to Defendants who are each required to answer, separately, fully, in writing and under oath, and provide or produce for inspection, copying and replications, the documents and other items requested, fifty (50) days after the date of service, at Plaintiff's attorney's office. Pursuant to the Texas Rules of Civil Procedure, Plaintiff hereby gives notice that he will take the oral and videotaped deposition of James Barnes on February 2, 2017 pursuant to the attached notice of deposition.

**XIX.**

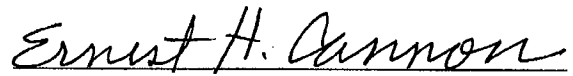
**PRAYER**

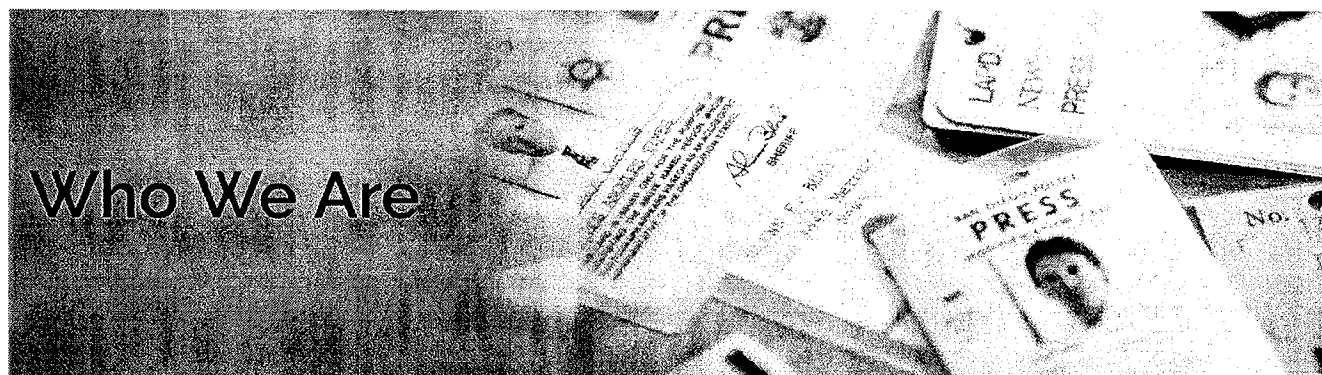
WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that citation be issued and Defendants be served in this case and that upon trial of this matter, Plaintiff recover:

- a. nominal, general, actual, special, consequential, and exemplary damages as described above in excess of the jurisdictional limits of this Court;
- b. pre-judgment and post-judgment interest as allowed by law; and
- c. such other and further relief, general and special, legal and equitable, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

LAW OFFICE OF ERNEST H. CANNON  
PO Box 1193  
Stephenville, TX 76401  
Telephone: 254-918-1006  
Facsimile: 254-918-2005  
[Ernestcannon1@yahoo.com](mailto:Ernestcannon1@yahoo.com)

  
Ernest H. Cannon  
State Bar No. 03746000  
ATTORNEY FOR PLAINTIFF



Our executive team consists of distinguished former journalists, digital media experts, SEO specialists, investigators, researchers, attorneys and executive presentation coaches. As skilled communicators, we care deeply about how facts are presented and how our clients are portrayed online and in the media. With decades of experience as Pulitzer Prize-winning reporters and editors, we have access and hard-earned credibility among our peers and former colleagues in the communications industry. We are particularly skilled at enhancing the reputation of our clients.

Our experience and expertise give G.F.BUNTING+CO the power to deliver what clients value most: **Results.**



GLENN F. BUNTING



DAVID SATTERFIELD



PHIL BUNTING



# What We Do

We collaborate with Fortune 500, mid-size and small companies, CEOs, colleges and universities, technology and healthcare firms, startups, nonprofits, law firms, athletes and celebrities to communicate to audiences broad and narrow. Our mission often involves one important objective: To protect the reputation of each and every client.

Everything we do on behalf of our clients involves creating strategic solutions to enhance our clients' reputations. We create original content. We influence public opinion. We think strategically. We provide litigation support. We are proactive and aggressive. We target specific audiences. We build and rebuild websites.

We work effectively with editors, reporters, opinion-makers, broadcasters and bloggers for a simple reason—every one of our senior executives served as respected members of the Fourth Estate. With more than 150 years of cumulative experience as award-winning journalists, we have many friends and former colleagues who work at the nation's leading newspapers, TV networks and online news organizations. They include the New York Times, Los Angeles Times, Wall Street Journal, Bloomberg, BusinessWeek, The Washington Post, Forbes, Fortune, San Jose Mercury News, The Miami Herald, CBS, NBC and ABC News, The Associated Press, Reuters and The Huffington Post.

This depth and range of expertise in strategic communications enables us to provide our clients tremendous value and flexibility. As strategic communications specialists, we pride ourselves in establishing and maintaining productive, long-term relationships with our clients – and with the media.

## AREAS OF EXPERTISE

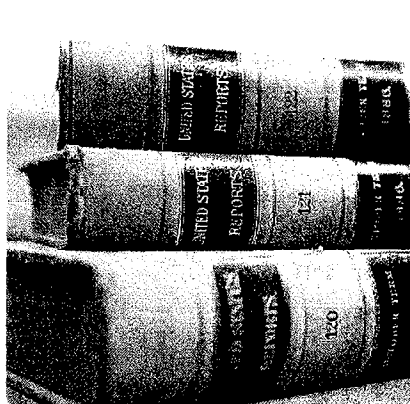
- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

# When To Use Us

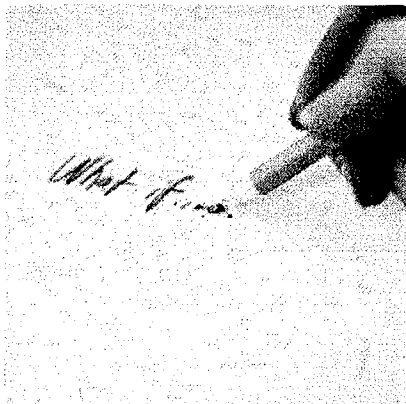
Learn More About The Areas In Which We Excel

Our corporate, academic and individual clients call on us to provide strategic advice and solutions on a variety of communications-related issues. These include responding to attacks, creating narratives and storylines, mitigating a controversy or communicating to specific audiences. Sometimes, this involves working behind the scenes to place story ideas in the media, to garner positive publicity for clients and to hold the media accountable for inaccurate or misleading reporting.

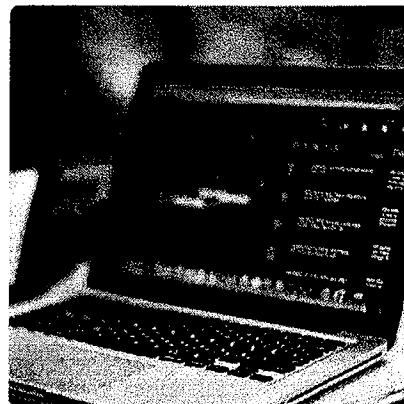
## OUR AREAS OF EXPERTISE:



LITIGATION SUPPORT



CRISIS PLANNING



DIGITAL MEDIA



# Litigation Support

G.F.BUNTING+CO helps attorneys and their clients on issues ranging from communications strategy to litigation.

We work closely with legal counsel to establish communications strategy for litigation, negotiations and reputation management. Sometimes, we believe that a strong offense is beneficial. Sometimes, a quiet defense is the best course.



We know what the media look for, how the media will respond, and how best to communicate with them.

As former journalists, we have decades of experience covering lawsuits and trials. We know what the media look for, how the media will respond, and how best to communicate with them.

We work with lawyers and their clients to craft the proper messages and tell their stories effectively.

We serve as trusted counsel—not just for our clients, but also for the reporters who not long ago were our colleagues. We speak their language and we guide them to the right

documents, exhibits and testimony to help tell our clients' stories.

Of note: In times of dwindling media resources, it is essential to have a smart communications strategy around legal issues, both for traditional media venues as well as social media outlets. We also work closely with general counsels and outside lawyers to best serve our clients.

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.








[READ MORE »](#)

# Crisis Planning

In a crisis, every second counts. Indeed, the initial 24 hours often determines whether your company pulls through a reputational threat or suffers irreparable harm. Knowing in advance what to do and say during spontaneous situations—whether it's an extortion threat, a defective product, a rogue employee or a government investigation—is vital. Having a crisis plan in place well beforehand enables you to respond quickly and decisively during fast-moving events.

G.F.BUNTING+CO develops custom crisis response plans for companies large and small. Every crisis is as different as the companies they strike. That's why we research and draft a custom plan specifically for your company, your leadership team and your stakeholders. We apply best practices developed over decades of experience both managing and covering crises. What you won't get is a boilerplate plan.

Here's what our clients do receive:

-  A fixed fee based on the size of your company, because there are enough surprises in life to be hit with an unplanned bill.
-  A thorough, onsite research process that involves your leadership to identify the threats that may keep you awake at night.
-  A thorough review of existing protocols that can help make crisis planning part of your normal business.
-  A detailed, step-by-step plan that covers scenarios specific to your company and your people.
-  Pre-drafted talking points, response cards for public-facing personnel and core resources to facilitate quick decision making.
-  A thorough training regimen that makes crisis response second nature and provides one of the best road maps possible for navigating treacherous terrain.
-  24/7 access to our experienced team of crisis managers.



Having a crisis plan in place well beforehand enables you to respond quickly and decisively during fast-moving events.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE >](#)

# Digital Media

A single, off-hand tweet can cause huge headaches – or worse – for your company. Digital media are reshaping the way people communicate and the way information is shared. What's not as obvious is how to harness and manage that change to your advantage.

G.F.BUNTING+CO has developed a unique digital media practice that focuses on exploiting online and social channels for strategic and crisis communications.

What does that mean? We provide our clients access to tools and skills developed over decades of digital experience to ensure their message gets heard above the cacophony of blogs, tweets, updates, tumblrs, feeds and, yes, news articles. We bring an unmatched combination of old and new media skills to leverage both for maximum impact.

This includes:



Search-engine optimization (SEO) so the content you want people to see online ranks high against strategic keywords;



Online forensics to pierce the veil of anonymity when your company and reputation come under attack;



Defensive online tactics to ensure your critics don't pre-empt or co-opt your best channels and use them against you.



Comprehensive social media strategies to keep your company relevant in ongoing conversations;



Full website design, development and implementation, including content creation, social integration and search optimization.



We integrate digital into every strategy. It's reshaping the way people communicate and the way information is shared. It's not an add-on or an after thought.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE »](#)

We integrate digital into every strategy. It's not an add-on or an after thought. Our best-in-class digital media unit is operated by professionals with deep experience in communications, security and technology. Examples where our integrated strategies have been deployed include:

# Reputation Management

When a crisis hits, there is no time to waste. Do you respond pro-actively by telling your story? Do you prepare to attack your adversary? Or do you mount an assertive defense? As distinguished journalists with decades of experience working under intense deadline pressure, G.F.BUNTING+CO executives have a unique ability to respond calmly, strategically and decisively. We deploy that same expertise and training on behalf of our clients when a crisis arises that may damage the reputation of a corporation, a CEO, a high-profile individual, a nonprofit or a start-up.



In the era of social media and instant communications, we know that conveying the right messages at the right time is key to protecting and preserving our clients' reputations.

We have learned from years of working through challenging situations that no two crises are the same. Each case presents a different set of facts and circumstances that need to be diligently explored and deftly managed to achieve both short- and long-term objectives. That is why clients have come to rely on G.F.BUNTING+CO to design and execute innovative strategies to address issues that can make or break a company or an individual. We deliver real value for clients who know they can count on us to respond 24/7 to their most pressing needs.

It is not unusual for our executives to work after hours and weekends to help clients communicate to key audiences such as investors, stakeholders, employees, regulators and opinion makers. In the era of social media and instant communications, we know that conveying the right messages at the right time is key to protecting and preserving our clients' reputations. That is why we have assembled a digital media team of experts that provides creative and effective online solutions.

Once we have guided clients through pressing challenges, many of them decide to retain our services well beyond the matter at hand. They discover that, once we become knowledgeable about their operations and vulnerabilities, we often can recommend and execute strategies to enhance their reputation as well as their bottom line. And we're good people to work with, too. It's why we strive to build a lasting and supportive relationship with every new client.



## CONTACT US

Tel: 800.434.3381  
[info@gfbunting.com](mailto:info@gfbunting.com)  
 • San Francisco  
 • Denver  
 • Los Angeles  
 • Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE](#)

# Media Training

No one likes to be put on the spot. Multiply that dread many times over when questions come from a pack of hostile journalists. G.F.BUNTING+CO prepares our clients for press interviews, confrontational or not, with rigorous practice sessions that simulate the real thing. As former distinguished, award-winning editors and investigative reporters with decades of experience, we know how to ask – and answer – the tough questions. Now, we channel that expertise into making our clients feel confident in responding to the issue at hand.



G.F.BUNTING+CO prepares our clients for press interviews, confrontational or not, with rigorous practice sessions that simulate the real thing.

We set up role-play scenarios with our clients by firing questions while providing real-time feedback. At any point, we have the ability to “freeze” the action to explain the journalistic purpose for a certain question and then help the client fashion an accurate and compelling response. Sometimes, we videotape the session for analysis and critique. In addition, we sometimes call on the services of an accomplished executive-presentation consultant who can help the prospective interviewee with comportment, body language and bringing out the best in his or her own personal speaking style.

With this hands-on, team approach, we help our clients achieve great results by teaching them how to avoid common interview pitfalls, hone their message, think on their feet and instill confidence to face a room of testy reporters.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE](#) »

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

## Public Policy/Issues



We assist clients in public policy matters by helping in the drafting and placement of op-ed pieces.

We generally do not get involved in politics. We do, however, assist clients in public policy matters by helping in the drafting and placement of op-ed pieces for news and media organizations.

We also encourage opinion columnists to write about issues of importance to our clients. We have coordinated the placement of opinion pieces in outlets ranging from The New York Times and The

Wall Street Journal to Huffington Post and USA Today.

The New York Times

WALL STREET JOURNAL

THE HUFFINGTON POST

USA TODAY



### CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

### OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

### ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.

[READ MORE >](#)

# Technology



We know how to craft a compelling story; we also know when a story idea will fall flat.

We understand technology. Four of our senior executives covered technology as editors and reporters at major newspapers. Yet our work for our technology clients involves much more.

We typically do not pitch products, the latest app or the newest "solution provider." But we do help clients with corporate strategy, media management, sensitive personnel issues, media training and communication of financial issues.

We know how to craft a compelling story; we also know when a story idea will fall flat. We have extensive experience in Silicon Valley and work with tech companies large and small.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE »](#)

# Sports

Our work with professional athletes, agents and team owners has involved a variety of matters, but share a common theme: We help protect and enhance reputations.



Saving our clients and the news outlet embarrassment and potential litigation.

We provide strategic advice that helps guide decision-making, legal strategy and media strategy.

Often, our sports clients and their representatives have relied on us in extraordinary circumstances. On a number of occasions, we have been able to foil extortion schemes by persuading publications they are being used by unscrupulous individuals who are peddling tainted information, thus saving our clients and the news outlet

embarrassment and potential litigation. As a result of the high-profile nature of our work for owners and athletes alike, we have contacts in virtually all of the major U.S. sports media.



## CONTACT US

☎ Tel: 800.434.3381  
 ✉ [info@gfbunting.com](mailto:info@gfbunting.com)  
 • San Francisco  
 • Denver  
 • Los Angeles  
 • Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.

[READ MORE](#) »

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care

- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology

- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management



# Title IX

Colleges and universities spend millions of dollars to burnish their image only to face severe reputational damage over accusations they are lax when it comes to investigating and punishing on-campus sexual assault cases. In these circumstances, they often turn to G.F.BUNTING+CO. for help.



We specialize in helping academic institutions deal with hostile media inquiries while showcasing their improvements and strengths in investigating sexual assaults under Title IX.

As veteran journalists with decades of experience, including covering higher education in California and around the nation, we specialize in helping academic institutions deal with hostile media inquiries while showcasing their improvements and strengths in investigating sexual assaults under Title IX. Whether it is for a small liberal arts college or a Division I university football powerhouse, we fashion creative responses that tell the college's story without violating the Family Educational Rights and Privacy Act. Our forte is working on background with journalists to educate them about such matters as the client's internal Title IX proceedings; victim-centered approaches to sexual assault and the complexities of high-profile cases. We also serve as

forceful advocates for getting unfair or erroneous Title IX stories corrected.

G.F.BUNTING+CO is now a preferred PR firm under the ProResponse plan of United Educators, the insurance company for most of the education sector (high schools, colleges, universities, etc.). ProResponse is a special benefit given to members who find themselves needing crisis management/reputational services.



## CONTACT US

- ☎ Tel 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.

[READ MORE](#) >

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

# Shareholder Activism



Because we know how to tell stories and how to assemble, package and present information, we provide tangible benefits for companies under attack.

When short sellers attack a company, information becomes currency. Companies under attack need to decide whether they prefer an aggressive counter-attack or whether they're willing to let longer-term results prove their case. We have advised both Fortune 500 and smaller-cap companies on how to deal with short-sellers and stockholder activists. Because we know how to tell stories and how to assemble, package and present information, we provide tangible benefits for companies under attack.

In one extraordinary instance, we helped a corporate client expose a notorious short-seller who now resides in federal prison. We presently provide communications counsel to one of the nation's largest private equity/venture capital firms. By extension, we provide guidance to a number of startups and mid-cap firms that don't currently have internal communications staff.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE](#) »

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

# Universities & Colleges



We have actively strategized with deans, admissions officers and in-house communications officials to defend their world-class programs against allegations of racism, sexism, waste and professional conflicts-of-interest.

Bringing an outsider's perspective to a campus setting has proven extremely beneficial for our university clients. We often present different views and opinions about key issues, and work closely with university personnel to accomplish goals that may be unworkable within a university's normal boundaries.

We are especially adept at working with professional schools, which must compete nationally for top students and elite faculty. We have actively strategized with deans, admissions officers and in-house communications officials to defend their world-class programs against allegations of racism, sexism, waste and professional conflicts-of-interest.

We also work with university counsel to map out and execute media strategy around lawsuits. And we arm university administrators with the facts and confidence to face hostile questioning from students, faculty, interest groups and the media. Meanwhile, we work with the media on background to make sure they have all the material necessary to produce accurate and fair stories.

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care

- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology

- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE »](#)

# Media Accountability

In today's digital age, one factual error in a news story is one too many. When an uncorrected mistake is published, other media outlets often repeat the error and it quickly spreads like wildfire on the Web. Unless, that is, the originating news organization is persuaded to append a correction on the digital version of the story as well as in print.

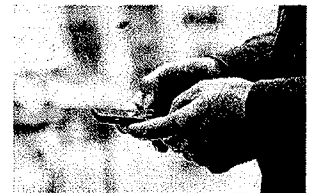


As former reporters and editors, we understand that journalism is a dialogue—especially when our clients have been misrepresented by factual inaccuracies.

Getting reporters and editors to admit to a mistake can be a daunting task—so daunting that most individuals and corporations, even those with seasoned communications executives, either don't try or give up at the first sign of resistance. **We don't.**

As former reporters and editors, we understand that journalism is a dialogue—especially when our clients have been misrepresented by factual inaccuracies. We know how to keep news organizations honest.

We regard corrections, big or small, as an important service for our clients.



## CONTACT US

 Tel: 800.434.3381  
 [info@gfbunting.com](mailto:info@gfbunting.com)  
 • San Francisco  
 • Denver  
 • Los Angeles  
 • Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web. [READ MORE »](#)

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

# Media Monitoring



We provide round-the-clock media monitoring so that our clients are fully informed about everything that is being written and said about them and their company.

We provide round-the-clock media monitoring so that our clients are fully informed about everything that is being written and said about them and their company.

Our staff compiles up-to-the minute updates of what's being communicated in print and broadcast, online, on Twitter or Facebook. Clients typically receive an early-morning report of media coverage from the previous new cycle. In crisis situations, we provide 24/7 media monitoring reports to stay on top of every breaking news development as it happens.



## CONTACT US

- ☎ Tel: 800.434.3381
- ✉ [info@gfbunting.com](mailto:info@gfbunting.com)
- San Francisco
- Denver
- Los Angeles
- Portland

## OTHER AREAS OF EXPERTISE

- Crisis Planning
- Media Training
- Public Policy/Issues
- Universities/Colleges
- Health Care
- Digital Media
- Media Monitoring
- Litigation Support
- Media Accountability
- Technology
- Bankruptcy
- Sports
- Shareholder Activism/Short Sellers
- Title IX
- Reputation Management

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.

[READ MORE »](#)

G.F.BUNTING+CO

HOME | WHO | WHAT

# Where we operate

We are based in San Francisco and operate in Silicon Valley, Southern California, Denver and Portland. Our media contacts stretch from coast to coast. Our executives and consultants have deep roots extending from Seattle to Miami and Los Angeles to New York. At G.F.BUNTING+CO, we can be where your client needs us.



## ADDRESS

One Sansome St. 32nd Floor  
San Francisco, CA 94104



## PHONE

1-800-434-3381



## E-MAIL

[info@gfbunting.com](mailto:info@gfbunting.com)

[EMAIL US](#)

Would you like more information? Email one of our executives or fill out the contact form and we will get back to you promptly.

## Contact Us

First Name \*

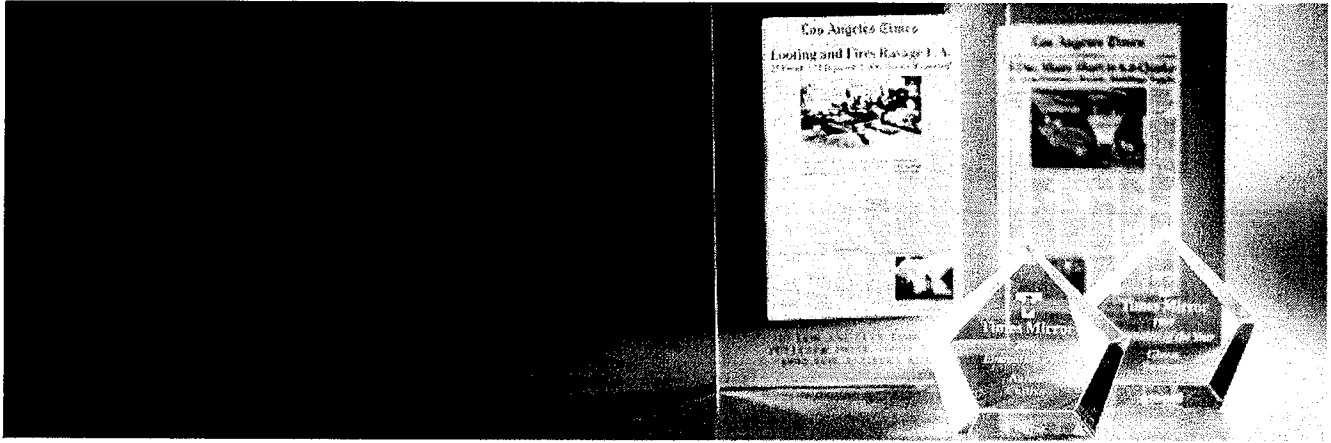
Last Name \*

Email \*

Website

G.F.BUNTING+CO

HOME | WHO | WHAT | WHEN | WHERE | WHY



We pride ourselves as the "anti-PR" firm.

Whatever you think of a typical PR agency, we are different.

We don't belong to PR industry organizations or attend PR conferences or enter PR award contests.



Unlike other communications firms, our senior executives are the primary contacts with clients on all of our accounts from start to finish. We don't hand you off to junior staffers.

Our experience as high-level editors, technology journalists and investigative reporters means we are particularly adept at handling sensitive matters and specialized issues.



We don't have a business development department or staff. All of our new clients come through referrals from existing clients or word of mouth.

Unlike a traditional PR company, we don't issue press releases or seek publicity for ourselves the minute we engage a new client.

We don't even list our clients on our website. To the contrary, we diligently work behind the scenes to ensure that our clients have the best strategies and resources available to deal with fast-moving business developments and communications challenges.

We offer affordable, longer-term PR counsel and support for clients who want to stay ahead of the communications curve.

## CONTACT US

☎ Tel. 800.434.3381  
✉ [info@gfbunting.com](mailto:info@gfbunting.com)  
• San Francisco  
• Denver  
• Los Angeles  
• Portland

## ABOUT US

Our firm features a distinguished lineup of journalists, investigators, researchers, technology experts, attorneys and media training specialists. As experts in strategic communications, we care deeply about how facts are presented and how our clients are portrayed in the media and on the web.

[READ MORE »](#)

# THE WALL STREET JOURNAL.

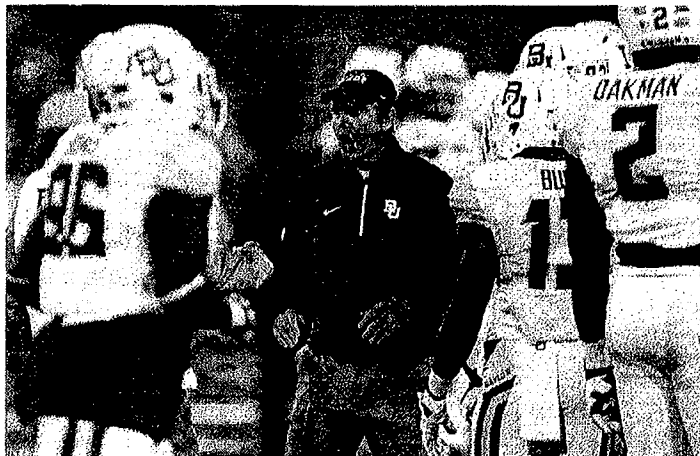
This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers visit <http://www.djreprints.com>.

<http://www.wsj.com/articles/baylor-details-horrifying-alleged-sexual-assaults-by-football-players-1477681988>

U.S.

## Baylor Regents Found Alleged Sexual Assaults by Football Players ‘Horrifying’

Officials shed light on outside investigation into sexual assaults by football players that led to departure of team coach and university president



Art Briles, who was fired as Baylor University's head football coach earlier this year, during a game in 2014.

PHOTO: VAUGHN RIDLEY/GETTY IMAGES

By **BRAD REAGAN**

Updated Oct. 28, 2016 3:29 p.m. ET

The sexual-violence scandal at Baylor University that cost its celebrated football coach his job involved 17 women who reported sexual or domestic assaults involving 19 players, including four alleged gang rapes, since 2011, according to Baylor regents.

Baylor fired coach Art Briles in May for failing to deal with sexual-violence allegations involving his squad, but provided only a vague description of the alleged improprieties at the time. Legions of fans and donors rallied to his cause.

Now, in interviews with The Wall Street Journal, regents who oversee the university are offering for the first time publicly more detailed findings from an





outside investigation conducted by Philadelphia law firm Pepper Hamilton LLP. The probe showed some Baylor players allegedly participated in what one regent calls a “horrifying and painful” series of assaults over several years.

In at least one case, Baylor regents said, Mr. Briles knew about an alleged incident and didn’t alert police, the school’s judicial-affairs staff or the Title IX office in charge of coordinating the school’s response to sexual violence.

The disclosures will likely reignite the sexual-assault scandal that for months has swirled around the private Baptist university, which currently boasts the eighth-ranked football team in the country.

Alumni and critics of Baylor’s handling of sexual violence on campus have clamored for more information about why Baylor fired not only Mr. Briles but the school’s high-profile president, former prosecutor Kenneth Starr.



Baylor students and alumni held a candlelight vigil in February to urge changes to how the school handles sexual assault. PHOTO: ROD AYDELOTTE/WACO TRIBUNE HERALD/ASSOCIATED PRESS

“There was a cultural issue there that was putting winning football games above everything else, including our values,” said J. Cary Gray, a lawyer and member of the Baylor board of regents. More broadly, he said, “we did not have a caring community when it came to these women who reported that they were assaulted. And that is not OK.”

Mr. Gray said he has heard many people defend Mr. Briles as a person and coach who “just wanted to be in the offensive boardroom drawing up plays. That is not the job for the head coach of a college football program. It is a big business. It is a complex organization that involves millions of dollars, and you have got to have an effective CEO in that role.”

Ernest Cannon of Stephenville, Texas, Mr. Briles’s lawyer, said Baylor appeared to be violating a nondisparagement clause that was part of the agreement the

coach signed with the school in June in which the sides agreed not to litigate the terms of his departure. Mr. Cannon said Mr. Briles never discouraged any victims from filing claims against players.

Mr. Cannon said he couldn't respond to Baylor's latest claims because neither he nor Mr. Briles was given details of the allegations, including what players were allegedly involved and the circumstances of the complaints. Mr. Briles couldn't be reached for comment.

Mr. Cannon said the regents are trying to hold Mr. Briles responsible for the university's broader failure to implement a rigorous Title IX program, which has resulted in a raft of litigation unrelated to the football program.

"They are pulling their own house down to justify the mistakes they made," Mr. Cannon said. "He's the football coach. That's not his job [to enforce Title IX]. That's their job."

Mr. Briles has acknowledged in television interviews that he made "mistakes" and said that he wants to return to coaching. He is often mentioned as a candidate for high-profile coaching jobs that could be open next year.

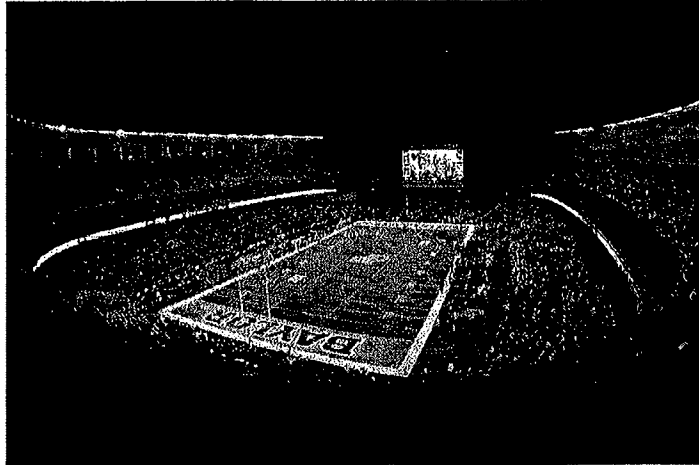
Two former Baylor football players have been convicted of sexual assault in the past four years, and a third, Shawn Oakman, is under indictment. He has pleaded not guilty. Baylor also is facing lawsuits from more than a dozen former students alleging the school turned a blind eye to reports of sexual assault over many years. Baylor has declined to comment about those cases.

Mr. Starr, who joined Baylor in 2010, left this summer in what was termed a "mutually agreed separation." He has criticized the board's lack of transparency regarding the sexual-assault scandal and has said he was never briefed on the findings the school is now releasing.

The scandal comes amid heightened concerns nationwide about sexual violence on campus. It is especially damaging for Baylor, which has long been a haven for Christian families seeking a sheltered collegiate environment for their sons and daughters. Drinking alcohol and premarital sex are banned by the Baylor student code of conduct.

Mr. Briles took over a downtrodden Baylor football program in 2008 and in less than a decade transformed it into a national power. By 2015, Mr. Briles was making more than \$5 million a year, making him the highest-paid Baylor employee. The team, which is undefeated this year under interim coach Jim Grobe, plays rival University of Texas on Saturday.

On May 24, two days before the board said it planned to fire Mr. Briles, he



Baylor University's football stadium in Waco, Texas. PHOTO: SHANE ROPER/CSM/ZUMA PRESS

addressed regents in a conference room in an office tower across the Brazos River from the \$266 million football stadium that opened in 2014.

Baylor regents said that when Mr. Briles was asked what he would have done differently, he broke down and wept. Many board members began to cry as well.

“He couldn’t speak he was so upset, and all of us were,” Mr. Gray said. “Art said, ‘I delegated down, and I know I shouldn’t have. And I had a system where I was the last to know, and I should have been the first to know.’ ”

Mr. Cannon said Mr. Briles quoted Scripture and expressed his regrets over the painful situation Baylor was in, but didn’t admit to wrongdoing.

The board members said their decision to fire Mr. Briles wasn’t merely because of the school’s requirements under Title IX, the federal law that has increased the requirements on universities to police sexual violence on campus.

“As he heard information, what did he do with it? From a moral standpoint, what is the right thing to do?” said Ron Murff, a Dallas businessman who is chairman of the board of regents.

In one of the alleged gang rapes, the victim, who also was an athlete, told her coach that she didn’t want to go the police. When notified of the allegation, Mr. Briles told the victim’s coach that he hoped she would go to the police, according to people familiar with the matter. One person close to the victim said she viewed Mr. Briles as supportive of her claim. However, Mr. Briles didn’t notify the school’s judicial-affairs office or the Title IX office, these people said.

Baylor regents said that the board reviewed evidence, including text messages and emails between the alleged victims and the players, that supported the sexual-assault accusations, but that the probe didn’t attempt to conclusively substantiate all of the allegations.

In recent months, many prominent Baylor alumni have argued that the school needed to deal with sexual violence better, but that the football program was being unfairly singled out.

"The board panicked," said Gale Galloway, an Austin businessman and former chairman of the Baylor board of regents.

Earlier this month, Baylor's former Title IX coordinator, Patty Crawford, resigned from the school and alleged that, before and after the Pepper Hamilton probe, university officials impeded her efforts to tackle what she said was a campuswide issue not isolated to football.

In response to those arguments, Mr. Gray said, "football is just a fraction, but it is a bad fraction."

Football players were involved in 10.4% of Title IX-reported incidents in the four-year period ending in 2014-15, Baylor said. The U.S. Department of Education said last week it is investigating Ms. Crawford's complaint.

It is unclear whether Baylor's additional disclosures will quell alumni dissatisfaction. Mr. Galloway is among a group of well-connected alumni who have met to explore options for changing the way the university is governed, according to people familiar with the matter.

Drayton McLane, a billionaire businessman whose name is on the Baylor football stadium, and other large donors asked the board for a private briefing on why the regents took such drastic action. Mr. Murff, chairman of the regents, declined to give them details of the investigation.

"They were very cold," Mr. McLane said in an interview, adding that the controversy won't affect his giving to Baylor and that he "just wants to understand the decisions that were made."

Mr. Murff said other wealthy alumni suggested they would withhold millions of dollars if Baylor didn't bring Mr. Briles back.

"It was all about football," Mr. Murff said. "My response was that we felt like our fiduciary duty was to uphold the mission of the university. That was the primary objective. It was not just to win football games."

**Write to** Brad Reagan at [Brad.Reagan@wsj.com](mailto:Brad.Reagan@wsj.com)

## COLLEGE SPORTS

# Report expands details of Title IX investigation of Baylor

## Regent interviews reveal more specifics of sexual violence

STAFF AND WIRE REPORTS | October 28, 2016 | Updated: October 28, 2016 7:39pm

0

The sexual assault scandal at Baylor involved 17 women who reported assaults involving 19 football players, the Wall Street Journal reported Friday.

The newspaper's report, based on interviews with Baylor regents, also said there were four alleged gang rapes since 2011.

Regents interviewed by the Wall Street Journal gave more details than the school released when it announced the dismissal of football coach Art Briles in May and gave a briefing on the Pepper Hamilton report.

Baylor previously had released few specifics about the findings from Pepper Hamilton. That led alumni and critics of Baylor's handling of sexual violence on campus to seek more information. Baylor fired Briles and accepted the resignation of athletic director Ian McCaw. School president Kenneth Starr was reassigned and eventually resigned.

"There was a cultural issue there that was putting winning football games above everything else, including our values," regent J. Cary Gray told the Wall Street Journal. "We did not have a caring community when it came to these women who reported that they were assaulted. And that is not OK."

Ernest Cannon, who represents Briles, said Baylor appeared to be violating a non-disparagement clause that was part of the agreement the coach signed with the school in June in which the sides agreed not to litigate the terms of his departure.

Cannon said the regents are trying to hold Briles responsible for the university's broader failure to implement a rigorous Title IX program. There are four Title IX civil lawsuits pending against Baylor. One of the suits represents six different alleged sexual assault victims.

**NEED EXTRA CASH?**  
The Beaumont Enterprise  
**NEEDS CARRIERS!**

- Can you work a few hours each day?
- Do you have reliable transportation?
- Do you have a valid driver's license?
- Are you reliable?
- Can you use an extra \$200 - \$400 per week?

**OPEN AREAS INCLUDE:**  
Beaumont, Fannett, Kountze,  
Orange, Port Arthur,  
Vidor, Wildwood & Winnie

**BEAUMONT  
ENTERPRISE**  
The Independent Source for Beaumont, Texas News  
BeaumontEnterprise.com

**Then Call Us Now!**  
**409-880-0763**



Briles, 60, has acknowledged in television interviews that he made "mistakes" and said he wants to return to coaching. He recently worked with the Cleveland Browns as a volunteer.

### ***Emotional meeting***

On May 24, two days before the board announced plans to fire Briles, he addressed the regents and, when asked what he would have done differently, he broke down and wept, the Wall Street Journal reported. Many board members began to cry as well.

"He couldn't speak he was so upset, and all of us were," Gray told the newspaper. "Art said, 'I delegated down, and I know I shouldn't have. And I had a system where I was the last to know, and I should have been the first to know.'"

The board members said their decision to fire Briles wasn't merely because of the school's requirements under Title IX, the federal law that has increased the requirements on universities to police sexual violence on campus.

"As he heard information, what did he do with it?" Ron Murff, a Dallas businessman who is chairman of the board of regents, told the Wall Street Journal. "From a moral standpoint, what is the right thing to do?"

Baylor regents said the board reviewed evidence, including text messages and emails between the alleged victims and the players, that supported the sexual-assault accusations, but that the probe didn't attempt to conclusively substantiate all of the allegations.

In recent months, many prominent Baylor alumni have argued that the school needed to deal with sexual violence better, but that the football program was being unfairly singled out.

This month, Patty Crawford, Baylor's former Title IX coordinator, resigned from the school and alleged that, before and after the Pepper Hamilton probe, university officials impeded her efforts to tackle what she said was a campus-wide issue not isolated to football.

### ***Alumni backlash***

In response to those arguments, Gray said, "Football is just a fraction, but it is a bad fraction."

Football players were involved in 10.4 percent of Title IX-reported incidents in the four-year period ending in 2014-15, Baylor said. The U.S. Department of Education said last week it is investigating Crawford's complaint.

No additional specifics were given in the Wall Street Journal's report regarding any of the accusations against the

## **SPORTS**

**San Jacinto College votes to eliminate four athletic programs,**



**Numerous injuries not a healthy situation for Rice**



**UT's Malik Jefferson uses his rage to turn the page**



**UH hopes turnover lapse is in the past**



**Legendary San Jacinto basketball program faces elimination**

19 players.

Murff told the newspaper that other wealthy alumni suggested they would withhold millions of dollars if Baylor didn't bring Briles back.

"It was all about football," Murff said. "My response was that we felt like our fiduciary duty was to uphold the mission of the university. That was the primary objective. It was not just to win football games."

---

HEARST Newspapers

© 2013 Hearst Newspapers, LLC.

HIGHER EDUCATION 11 HRS AGO

# Baylor examining sex assault claims from 2011 to 2015



Claire Ballor

Don't miss a story. Like us on Facebook.



While Baylor University regents provided some new insight Thursday into the school's handling of the sexual assault scandal that has rocked its Waco campus, they remained tight-lipped about many details.

The school's Office of General Counsel is examining all of the sexual assault cases reported on the campus from 2011 to 2015 to identify how they were handled, regents told members of *The Dallas Morning News* editorial board Thursday.

Students reported about 125 cases of sexual assault or harassment during that time, Baylor said in a written statement Thursday night.





The university is "going through the process of looking at all those files to see how we handled them, as best we can, and to see what, if anything, we need to do to reach out to victims to provide whatever support we can," said David Harper, a lawyer and member of the Baylor board of regents.

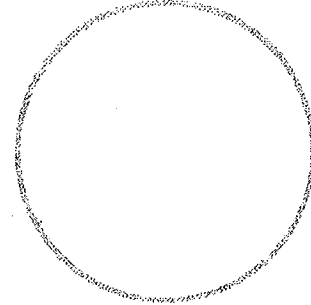
Student allegations of sexual violence include four reports of gang rapes. Regents said former football coach Art Briles knew of at least one of those allegations and did not report it to authorities. Rather than address the accusation himself, he told the student to contact police, Harper said.

An attorney for Briles disputed the regents' account. Ernest Cannon said that when the football coach learned of a woman's allegations that she had been assaulted by football players, Briles "did everything he was required to," including making sure the allegations had been reported to the athletic director and the school's Judicial Affairs Department.

Cannon said the university's approach to the sexual assault accusations is misguided.

## Homes less than 5 years old

📍 Dallas, TX



**220**

Listings Available

[SEE THE LIST](#) ➔

HIGHEST HOME VALUES BY CITY - PRESENTED BY



"They aren't worried about the victims; they're worried about their own hides," he said.

Earlier this year, Baylor hired Philadelphia law firm Pepper Hamilton to conduct an investigation focused solely on discovering "what Baylor had done or not done to comply with Title IX and why hadn't Baylor responded as Title IX required," Baylor regent J. Cary Gray said.

Title IX is the federal civil rights law that prohibits discrimination in education.

Pepper Hamilton shared its findings verbally with the board of regents, officials said. The board has been widely criticized for not sharing what it learned and for failing to request a written report of the findings.

Regents said Thursday that they did not make that request after they learned it would take the firm nearly nine months to process a written report. University officials said they didn't have time to wait because they needed to be able to act right away, Gray said.

Since details have emerged about the school's handling of sexual violence cases, several high-profile university officials are no longer in their positions. In addition to Briles, who was fired, former university President Ken Starr was demoted and later left the school.



Some have questioned why top administrator Reagan Ramsower remains Baylor's chief financial officer and a senior vice president who oversees campus safety, human resources and the Title IX office.

He has said he was not aware of any of the sexual assault cases that were reported from 2011 to 2015. And regents defended him Thursday.

"If we had believed Ramsower was at fault, it would have been very easy for us to fire him," regent Dennis Wiles said.

The board said that it is not afraid to fire anyone who it thinks should be terminated, but that none of the Pepper Hamilton findings led it to believe Ramsower had mishandled information.

The university hired Pepper Hamilton to investigate the school's handling of Title IX and sexual assault cases after football player Sam Ukwuachu was convicted of raping a Baylor soccer player in 2015. However, regents said there were concerns about off-campus safety as early as summer 2014.

They did not elaborate on those concerns but said they had a "third-party

report" conducted on the matter. Following that report, the university replaced the chief of police and hired full-time Title IX coordinator Patty Crawford.

Crawford, who recently told *60 Minutes Sports* that she was denied access to police reports detailing allegations of sexual assault and abuse, quit her position in September. She said the university set her up "to fail from the beginning" and did not give her the resources she needed to do her job.

Regents said Crawford never expressed such frustrations during her tenure at Baylor. They cited emails she sent while working at the university in which she praised the school's approach to Title IX.

The regents said they found the Pepper Hamilton report and its findings alarming.

"You would feel like you got run over by a truck if you heard what we heard," Gray said.

*Staff writer Sue Ambrose contributed to this report.*

## MORE FROM DALLAS NEWS

- [Prosecutors recommend probation for Waco woman who admits selling drugged-up teen as sex slave | Crime](#)
- [Vendor says she can't work for Texas Ag Department after Miller tweet that called Hillary Clinton the c-word | 2016 Presidential Election](#)
- [Police find half-naked Houston couple passed out in running car with kids in back seat | Crime](#)
- [Houston-area teacher punched second-grader in face, officials say | Crime](#)