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June 5, 2018

VIA E-MAIL

UCSB Track & Field and Cross-Country Alumni

Re: **Pete Dolan, (former) UCSB Head Coach, Men's and Women's Track & Field and Cross-Country**

Dear Concerned UCSB Alumni:

My firm represents Coach Pete Dolan concerning his employment at UCSB, and has represented him since UCSB placed him on administrative leave pending an investigation into unspecified allegations of "misconduct" towards unidentified student athletes. Attendant to that has been an NCAA investigation concerning possible violations of NCAA rules.

NCAA Investigation. It is our understanding that the NCAA investigation has concluded, and the results/findings are being reviewed by the NCAA, independently of UCSB. We anticipate that process will continue into the summer. When it is appropriate to provide more details regarding the allegations, we will do so. Until then, please know that Coach Dolan maintains the following:

- He strongly denies any wrongdoing, whether intentional or unintentional;
- He has, at all times, followed the direction of his supervisors, including the instructions from the University's NCAA Compliance Office; and
- His teams have always operated within the mainstream of conventions and practices in the Division One athletic community.

UCSB Allegations of Misconduct. Regarding UCSB's investigation into allegations they initially described as "misconduct," we have now reviewed the allegations, although UCSB still refuses to give full disclosure without any redactions. In our view, the allegations are frivolous, exaggerated, unfounded and/or outright false. Please note in particular that none of the allegations that UCSB finally disclosed to us (following months of our persistent requests) involve gender-based or ethnic/racial-based harassment or discrimination. Instead, they essentially assert that Coach Dolan, in prompting the best out of his athletes, made some of them feel uncomfortable.

In our view, the majority of the purported "misconduct" is actually conduct typical of the natural friction between a coach and a competitive athlete. When certain student-athletes fail to meet performance standards, or lose their commitment to their team or themselves, any effective coach

Trygstad, Schwab & Trygstad

a law corporation

June 5, 2018

Page 2

attempts to correct the behavior and/or attitude. I expect that most such college athletes have experienced similar attendant friction with their coaches on the road to success.

Unfortunately, UCSB has given these recent allegations from a small number of athletes credence and weight that we believe is unwarranted. UCSB seems also to have given little consideration to Coach Dolan's 32 years of service, including an incredible amount of success and accolades. Finally, rather than engage in a fair process to investigate wrongdoing, UCSB's investigation process appears to have been a sham from the beginning:

- It was conducted by persons who we believe have no competence or experience to conduct an investigation of this sort, and who have potential conflicts of interests due to their own positions and responsibilities relative to the alleged conduct;
- Coach Dolan was not provided with any specific information regarding the allegations until the day before he was interviewed, which was almost three full months after he was first put on leave yet just 24 hours before he was ultimately terminated;
- As to certain allegations, as with the NCAA matter, persons at UCSB other than Coach Dolan are primarily responsible for the alleged conduct/omission(s), but Coach Dolan is shouldering the entire blame; and
- Importantly, UCSB's decision to terminate Coach Dolan appears to be principally premised on statements from athletes that Coach Dolan cut from the Cross-Country / Distance team because they failed to meet the qualifying standard at the pre-season time trial, and/or who were otherwise failing to meet expectations or obligations on the track or off the track; and
- Coach Dolan provided specific information in his interview concerning the allegations, based on the information available to him; however, to our knowledge, UCSB did nothing to follow up on the information he provided, even where it directly undermined or rebutted allegations against him.
- Based on the fact that UCSB terminated him 24 hours after his interview, without any further investigation regarding his responses, the decision to terminate him was a foregone conclusion from the inception of the investigation.

Thus, in our opinion, UCSB has made Coach Dolan a scapegoat for other UCSB failings, not his own, and even the failings of the complaining student-athletes themselves. Given the manner in which the investigation and subsequent review of Coach Dolan's response/interview was conducted, and expedience with which the subsequent decision to terminate him was made, it is our view that

Trygstad, Schwab & Trygstad

a law corporation

June 5, 2018

Page 3

UCSB's investigation and conclusions, and decision to terminate Coach Dolan, lacked appropriate objectivity, diligence, or cause.

Regrettably, Coach Dolan's remaining legal options are likely to be expensive and drawn out. Nevertheless, as he evaluates his options, he appreciates your kind support these past several months, and thanks you in advance for sticking with him like a pack working together. I know that he feels that he will never be able to adequately express to you what this has meant and will mean to him, after the decades that he has devoted to enriching the lives, professional and personal performance, and character of his student-athletes. The respect he has earned from the alumni and benefit of the doubt you have afforded him has made leading the Gauchos onto the track and trails for over 30 years all the more meaningful.

Very truly yours,

TRYGSTAD, SCHWAB & TRYGSTAD

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