

19<sup>TH</sup> JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER 674190

SECTION 21D

MICHAEL P. LOTIEF

VERSUS

BOARD OF SUPERVISORS OF THE UNIVERSITY OF LOUISIANA  
SYSTEM DBA UNIVERSITY OF LOUISIANA AT LAFAYETTE,  
E. JOSEPH SAVOIE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY,  
JESSICA CLARKE LEGER, INDIVIDUALLY and IN HER OFFICIAL CAPACITY  
BRYAN MAGGARD, INDIVIDUALLY and IN HIS OFFICIAL CAPACITY  
\*\*\*\*\*

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Petitioner, **MICHAEL P. LOTIEF**, who, for the purpose of filing this Petition for Damages, with respect, represents:

1.

Michael Lotief (hereinafter referred to as “Lotief”) is a natural person of the full age of majority and resident and domiciliary of Lafayette Parish, La.

2.

Made Defendants herein are:

1. **UNIVERSITY OF LOUISIANA SYSTEM BOARD OF SUPERVISORS, d/b/a UNIVERSITY OF LOUISIANA AT LAFAYETTE** (hereinafter “ULL”), a State Agency domiciled in East Baton Rouge Parish, Louisiana, which is responsible for, operates, controls, and administers the ULL of Louisiana at Lafayette and which receives Federal funds;
2. **Dr. E. JOSEPH SAVOIE** (hereinafter referred to as Savoie), individually and in his official capacity as President of ULL, a resident of the full age of majority of Lafayette Parish, Louisiana;
3. **Dr. JESSICA CLARK LEGER** (hereinafter “Leger”), individually and in her official capacity as ULL Deputy Athletic Director, a resident of the full age of majority of Lafayette Parish, Louisiana;
4. **Dr. BRYAN MAGGARD** (hereinafter “Maggard”), individually and in his official capacity as ULL Athletic Director, a resident of the full age of majority of Lafayette Parish, Louisiana;

3.

Jurisdiction and venue in this Court is proper under applicable law, including pursuant to La R.S. 13:5104.

4.

As is more fully hereafter set forth, Defendant, ULL, is responsible under the principles of respondent superior for the acts, omissions, negligence, and fault of Defendants, Savoie, Leger and Maggard, which caused damage to Lotief, including, without limitation;

- i. failure to follow state and/or federal law which protects Lotief's right to bring violations of Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.) to the attention of ULL;
- ii. failure to conduct a proper investigation;
- iii. failure to afford due process to Lotief;
- iv. slandering and defaming the personal and professional reputation of Lotief;
- v. conversion of Lotief's property;
- vi. failure to comply with the provisions of the Americans with Disabilities Act as the same apply to Lotief; and,
- vii. failure to abide by Lotief's contract.

#### **INTRODUCTION OF THE PLAINTIFF**

5.

Lotief has been involved in public service to the Lafayette community since 1980 and through all times relevant to this litigation.

6.

Lotief started coaching and volunteering as a football and baseball coach and board member in the recreational neighborhood area known as L.E.Y.S.A. in 1980 and through the early 1990s. L.E.Y.S.A. included the most underprivileged children in the Lafayette community; the neighborhood included the Simcoe projects, McComb Addition, the Municipal Golf Course and Holy Family projects. He also coached biddy basketball and umpired in the Pius neighborhood during the mid-1980; he was a catechism teacher at St. Genevieve for Fr. Joseph Brennan and at St. Pius for Monsignor Richard Mouton and was involved in the SEARCH program with Fr. Steve LeBlanc. Lotief and his wife, Stefni, started a select fast-pitch organization in Lafayette in the early 1990s.

7.

Lotief has accomplished many things, has held many titles, and has played many roles during a life well-lived. From husband, to father, to brother, to son, to lawyer, to coach, to President of Student Council to President of the recreational neighborhood, to founder of sports organizations, to Hall of Famer, to cancer survivor.

8.

Lotief has consistently engaged in extraordinary service and exhibited unparalleled passion to make a difference in the Lafayette community.

9.

Lotief has been ably assisted by his wife, Stefni Whitton Lotief (hereinafter “Stefni”). Together they have worked side by side for the last 27 years and have continued on the journey of service. They also fought for gender equity and providing more opportunities for female athletes through softball beginning with an organization known as Images and Reflections in the early 1990's.

10.

As softball supporters the Lotiefs developed relationships with Dr. Jessica Clark Leger, Gail Savoie, and Dr. Joseph Savoie, all of whom the Lotiefs have known for thirty years.

11.

The Lotief's first met Leger as a 12 year old who joined their organization, and first met the Savoies as parents of a 14-year-old daughter, who also joined the organization.

12.

During the early 1990s the opportunities for young female athletes competing in fast-pitch softball in the Lafayette community were limited to “recreational” offerings. Suffice it say, those opportunities were very substandard.

13.

In light of their leadership, sacrifices, commitment, fight, hours of sweat and service, the Lotiefs as strictly “volunteers” donating their time, promoted the Image/Reflections organization to become nationally renowned and a provider of meaningful opportunities and life lessons to young women in the Lafayette and surrounding communities. Not only did the Lotiefs devote

their time and efforts to their organization, but they also spent countless hours holding coaching clinics in other communities, hosting and traveling to facilitate camps and clinics to open up opportunities in other communities, and providing the technical and moral support so other parents/coaches could expand opportunities for female athletes. Both Michael Lotief and Stefni Lotief were recognized for such contributions recently in 2016 by being inducted into the ASA/USA Louisiana Hall of Fame.

14.

Lotief has endured a life long battle with cancer, the aftermath of which ravaged his body. Since 1983, Lotief has battled throat cancer and the relentless side effects of the radiation treatments he endured during that time period. Lotief suffered – his throat burned so badly that he was unable to swallow his own saliva; the treatment was humiliating in that the black markings to show and guide the radiation rays were dyed into his face and neck; he endured and survived and triumphed – but the lessons never left him.

15.

During the 2015 ULL softball season, Lotief again suffered the onslaught of side effects from his cancer radiation, his left vocal cord was paralyzed and he was once again unable to swallow. When he did swallow he aspirated into his lungs causing pneumonia and other upper respiratory problems. Lotief was ordered not to swallow for over a 7 month period, requiring the insertion of a feeding tube, wearing a backpack around the clock to supply him with nutrition. This continued throughout the rest of the season, yet he returned to the softball field to coach the ULL softball team. In August 2015, a trach was inserted because his left vocal cord remained paralyzed and his left larynx was dying.

16.

During his coaching career, Lotief, who never was a great athlete, barely getting any playing time himself in high school, knew very well how to compete and how to overcome pain and fear and he knew how to win. Nonetheless, he taught and showed empathy and love as he tried to teach others how to be strong and confident and competitive. The strongest lesson he taught was that nothing can break you. When you fall, get back up; when you hurt, press on; when you are brought low, rise above. Teaching his athletes to find meaning and purpose and

growth in the struggle and the pain and the adversity was showing them love. Teaching them how to overcome and fight and to be tough was giving them the best of who he is.

17.

There are numerous examples of how Lotief's philosophy of being strong and looking adversity in the eyes made a difference in some of his players' lives:

- a) Kelsey Vincent lost her dad to A.L.S. her junior year of high school and was committed to Kansas; she decided to stay closer to her mother and home (Houston) and Lotief made room for her on the Cajuns' softball roster. Once here, Lotief kept her from a developing "victim" mindset and encouraged her to find meaning in her pain and to soldier on. Vincent played in the 2014 Women's College World Series and became a team leader and ultimately joined Lotief's coaching staff. On November 01, 2017, Savoie/Maggard/Leger fired Kelsey Vincent who was still on Lotief's staff at the time as Director of Operations.
- b) Miranda Grotenhuis was an Alabama commitment and her father died suddenly and unexpectedly of a massive heart attack during her senior year in high school. Again Lotief made room for Miranda on the Cajuns' softball roster so that she too remained close to home (Houston) and her mother. Lotief also made sure Miranda had the financial scholarship to continue to stay in college and get her degree. During her 3<sup>rd</sup> year (2017), Miranda tore her ACL and ULL denied her out of network surgical expenses. Lotief helped her appeal the decision, which was overturned. After Gerry Glasco was hired, he kicked her off of the team in December of 2017 having been at ULL for only 2 weeks. Leger approved Miranda's dismissal despite still being under doctor's care for her ACL which upon information and belief is an NCAA violation.
- c) Melissa Verde played the second half of the 2008 season with a torn ACL and her courage and strength lead that 2008 team to the Women's College World Series; her toughness was incredible and her dad, Robert Verde, was a volunteer assistant softball coach for the Cajuns for the past 10 years. He too was not retained in the defendants' purge.

- d) In the 2003 Cal State Fullerton Regionals, Brooke Mitchell popped her bicep in her pitching arm. Despite the injury Mitchell, returned to pitch the championship game and in an incredible performance of toughness and heart she lead the team to the upset victory over Oregon and the 2003 team was on to the Women's College World Series;
- e) Jill Robertson (Leger's former Image teammate) tore both of her ACLs and had surgeries on both of her shoulders. Despite the multiple injuries (and probably against the advice of many), Robertson returned after recovering from each injury and her game got better and better. She went on to graduate *cum laude* in engineering and she too played in the 2003 Women's College World Series;
- f) In 2013, Leger recommended that Christina Hamilton be removed from the softball team because of her poor grades, apathy, bad attitude, and immaturity. Lotief resisted, and Hamilton made great use of her second chance by graduating on time in four years and pitching the 2014 team to the College World Series and being named All-American and wearing her lens-less glasses all the while to show off her confidence and strength.

18.

Lotief was not perfect. He, on occasion, showed a temper or said a salty word but he always showed a compassionate heart and a glowing grin and a wonderful sense of humor. Many families and many former players are so grateful for the time and opportunity to be coached by Lotief and Lotief is so grateful to them for fulfilling his life's work. Lotief and Stefni can remember countless times when they brought chicken noodle soup to a sick player or sang "Yes You Can" by Dragon Tails to a player who was struggling or cooked and served a team meal and had great conversation about "what's your why" and how to be a good "sister". The Lotiefs also remember the times families sent a thank-you card or said prayers for the Lotief family or gave them a thumbs up during hard times.

19.

Despite his many contributions, Savoie and Leger and Maggard chose to belittle Lotief's contributions to this community and to ULL by slandering and defaming him in order to seek cover for a growing public outcry against ULL following Lotief's initial administrative leave.

20.

When the media inquired of the reassignment of long time Police Chief Joey Sturm in August of 2018, Savoie instructed that the official ULL response be: "the University does NOT COMMENT ON PERSONNEL MATTERS". Lotief did not, as will hereafter be shown, get the same courtesy.

21.

Rather, with regard to Lotief's employment, Savoie interfered with the Human Resources "investigation" by personally calling Lotief before he was put on "leave" and telling him to have "no worries", by interviewing specific softball team members during the course of the investigation then not allowing them to speak to HR and not including their accounts in support of Lotief in the final HR report.

22.

Moreover, Savoie personally called and met with the Lotiefs during the investigation on four (4) separate occasions, each time assuring them that Lotief had nothing to worry about. Savoie met with softball boosters to try and influence the investigation. The HR investigation was a pretext; Savoie interfered from the start and orchestrated and manipulated the entire event including the final HR report and the University's slanderous handling and release of information following the firing of Lotief, despite it being ULL's policy to NOT COMMENT ON PERSONNEL MATTERS.

### **HISTORICAL BACKGROUND**

23.

Coach Michael Lotief began his 17-year tenure with the ULL Women's Softball program as a non-paid volunteer coach during the 2001 and 2002 seasons with his wife, Stefni, who served as Head Coach. Stefni was a 2 time All-American softball pitcher during her time at ULL from 1988-1991. She is in the ULL Sports Hall of Fame; she is honored as a Distinguished

Alumni, and their daughter, Chelsea, was a ULL softball team member from 2015-2017 and she graduated with honors from ULL this past summer. Lotief and Stefni's overarching goal during their tenure at ULL was to make every day "better" and more equitable for female athletes in the sport of softball.

24.

On January 1, 2003, Lotief was hired as a Co-Head Coach for the Women's Softball team alongside Stefni, and the two jointly coached the team through the 2012 season. Stefni and Michael were each paid a starting salary of \$33,000; Stefni left her position as vice-president of an oil field safety company and Lotief left his practice of law to devote their efforts toward keeping the ULL Women's Softball team competitive on a National level and expanding opportunities for more female athletes to compete at the college level. They expanded and doubled the softball roster from approximately 17/18 players to as many as 34/35 players.

25.

At the beginning of the 2013 season, Lotief began coaching the team as the sole head coach and Stefni moved to another position at the University that involved being the Head Softball Coach Emeritus (the heart and soul of the program) and her official title was in Development and as a Special Assistant to the Athletic Director, taking on fundraising projects, for instance, one to benefit the Men's Golf Team/facility at Oakbourne Country Club and another fundraiser for the new Baseball Stadium. Nonetheless, Stefni still worked out of the softball office and spent many hours continually involved in the administration of the softball program.

26.

When Lotief and his wife began coaching at ULL, there was no softball stadium, only one uncovered batting cage, the dugouts were vinyl siding and chain link fencing, the locker room was barely 1,000 square feet, the coaches had to drive 15 seat passenger vans to the away games, and there was no automatic sprinkler system for the field. There was no support staff – the assistant coach was on restricted earnings and paid only part-time.

27.



There were numerous times during the Lotiefs' early years as coaches where the Softball budget and all the Spring sports were reduced to "zero" or "frozen" as of January 01 – the coaches had to raise the remaining travel budget. Lotief recruited during the summers and traveled throughout the country at his own expense and without reimbursement, many times eating ham sandwiches and sleeping on the floor or bunking up with other softball coaches.

28.

Throughout their tenure, Stefni Lotief and Michael Lotief purchased numerous pieces of equipment for the softball team, including, non-exclusively: softballs, pitching machines, sock nets, protective pitching screens, hitting gadgets, and any and all accessories, tools, hardware, cameras, video recorders, tapes, TVs and furniture.

29.

The Lotiefs loved cooking for the team and serving them, Lotief's mother, Barbara, ran the concession stand, and they printed the t-shirts for the practice uniforms for the players, all often at their own expense.

30.

In the early years, Lotief manicured and maintained the playing field daily by watering the outfield grass by hand, by dragging and raking and watering the infield, getting the tarp on and off the field during rainy periods, and when the tarp had multiple holes in it because the grounds crew ran over it with the machinery, Lotief spent days draining water off of the field with paper cups. The Lotiefs also marked and painted the field for intra-squad scrimmages and clayed and fixed the batter's box and pitcher's mound weekly both on the field and in the bull pens.

31.

During all of the Lotief's seventeen (17) year tenure, they personally supplemented the pay of their assistant coaches and support staff out of their own pockets because ULL failed to do so.

32.

Michael and Stefni Lotief raised millions of dollars thanks to the generosity of a grateful community, most recently raising nearly \$1 million dollars for the construction of the new

softball indoor hitting facility. They also sold season tickets (top 10 in regular season ticket holders despite the softball tickets at ULL being the most expensive softball ticket in the country). They held Golf tournament fundraisers most every year, sold game day sponsorships, started a strike out and homerun pledge agreement called the “K club” and the “HR club” hosted and facilitated summer and fall camps and had a personal services contract with Louisville Slugger for all 17 years which provided free bats and gloves to the players. The Lotiefs served on Louisville Slugger’s advisory committee and received the Louisville Slugger stipend and bonus that was supposed to be paid directly to the Coach. Lotief donated his stipend back to the team in exchange for more bats and gloves and gear on behalf of his players. For 17 years, their time, talents and efforts were totally devoted to “pursuing excellence” for the softball team and program.

33.

Many dreams have come true during the Lotiefs’ time at ULL. Over 40 All Americans were developed and many championships were won at ULL in softball; great memories were forged and lasting friendships made. Life lessons were also learned through competition and struggling and overcoming failure and facing fears and taking risks. Many strong, confident, and competitive women benefited from playing softball at ULL from 2001-2017. Many players graduated and are now making positive contributions to their communities.

34.

For the past 17 years, there were many female athletes who were told that they were not good enough or they did not play for the “right” travel ball team or that they did not pitch hard enough or hit far enough. However, the Lotief’s always tried to find roles for numerous female athletes who were once passed over whether they were pinch runners, bull pen catchers, first team All-Americans, or redshirts who eventually became starters. It didn’t matter: creating opportunity for female athletes to chase their dreams and be a part of ‘US’/something bigger than ‘ME’ was worth the journey.

35.

For the past 17 years, the Lotiefs succeeded at ULL because of their hard work and devotion, and because of the love and the support of the Cajun community. It did not matter how

many hours they spent watching film/video or maintaining the field or doing fundraisers or throwing batting practice. They strove to succeed even in the face of the roadblocks set in place by the Defendants herein in failing to uphold their obligations to female athletes as dictated by law.

36.

Despite battling throat cancer for over thirty (30) years, which has required him to wear both a tracheostomy tube and a feeding tube into his stomach since August, 2015, as Head Coach of the Women's Softball team, Lotief and the program enjoyed tremendous success, including, but not limited to:

- a. Consistently maintaining above a 3.0 GPA within the ULL Athletic Department;
- b. Having no losing seasons;
- c. Winning Sun-Belt Conference Championships in 2002, 2003, 2004, 2005, 2006, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, and 2017;
- d. Competing in the NCAA Regional Tournament in each year of Lotief's tenure;
- e. Winning the Regional Championship in the years 2008, 2010, 2012, 2013, 2014, 2015, and 2016;
- f. Competing in the NCAA SUPER Regional Tournament in the years 2003, 2008, 2010, 2012, 2013, 2014, 2015, and 2016.
- g. Competing in the Division I Collegiate Softball World Series in the years 2003, 2008, and 2014;
- h. Being inducted into the ASA/USA Louisiana Softball Hall of Fame and awarded by his peers in the National Fastpitch Coaches Association the 2016 Donna Newberry "Perseverance" Award;
- i. Being named Sun-Belt Head Coach of the Year ten (10) times; and
- j. Graduating over 90% of his student-athletes.

37.

Everybody understood the "evolution" of athletics at ULL. Everybody understood what the financial budgets/limitations were in the early years and the philosophy of athletics under Dr.

Authement. The idea is all the coaches had to make financial sacrifices but under the promise that when the athletic budget grew that all sports would benefit proportionally.

38.

As the athletic budgets at ULL grew under Savoie's administration, and as the softball program generated more and more revenue, Savoie promised to increase the total amount of monies spent by ULL on the program accordingly. For instance, with respect to the new indoor hitting facility, Savoie represented that if the Lotiefs raised 40% of the construction costs through donations, then ULL would contribute the remaining 60%. The Lotiefs successfully raised their 40%, but Savoie backed away from his commitment and refused to start the project until 60% of the funds were raised from committed private sources; once the 60% required by Savoie was raised, he once again refused to honor his commitment to fund the remaining 40%. Suffice it to say, as the monies generated privately continued to increase proportionally every year; Savoie, and indeed ULL, never fulfilled their numerous, hollow promises of "matching" its contributions; instead, ULL maliciously started neglecting basic services and obligations to its softball student-athletes like not cutting the grass weekly while marking and painting the football practice field every day or not paying the softball assistant coaches despite them working and performing their duties over months and months because of the hiring delays yet other male sports getting new coaches hired and paid immediately on an emergency basis. ULL refused to hire or keep an athletic trainer for softball despite football and basketball and baseball having continuous athletic trainers. ULL neglected to provide the softball student athletes with a nutrition /supplement drink after work-outs despite their male counterparts getting two and three per day. ULL neglected to give the softball coaches and staff the same pay bonuses and raises for their performance successes as were given to the football staff.

39.

In further demonstration of the above, as the indoor hitting facility was being built and funded by private funds sourced by the Lotiefs (including netting and equipment inside the facility, which was also being privately donated) ULL fired the softball team's physical therapist, refused to give the softball team's athletic trainer a \$5,000.00 raise, and refused to hire a new athletic trainer over a 6 month period. The grass at the softball field was only cut sporadically,

the softball staff (Kelsey Vincent (Director of OPS), Sara Corbello, assistant coach, and Kate Malveaux (Director of OPS/video coordinator) were working full days and full weeks, but ULL refused to pay them.

40.

As further evidence of ULL's disparate treatment, upon the date of his wrongful termination on November 01, 2017, and despite his starting salary of \$33,000 in 2003 and 120,000 in 2017, Savoie agreed to pay the new incoming softball coach, Gerry Glasco, \$170,000 as his starting annual salary plus another \$50,000 in bonuses and incentives every year, while lowering the bonus criteria and standards expected of Lotief.

41.

Another apparent and glaring example of the disparate treatment of the softball team is the construction of the softball stadium compared to the construction of the baseball stadium, particularly with respect to the timelines of construction and approvals to proceed and modifications/ cost overruns of the overall project. The overall cost of the softball stadium was approximately \$3 million and it took about a year and half to complete. The baseball stadium cost \$17 million and was completed in half the time it took to construct the softball stadium despite being triple in size and scope.

42.

The softball stadium cost overrun was about \$500,000 and ULL sued and bankrupted the contractor. The baseball stadium cost overrun was over \$2 million and ULL paid it. At the softball stadium, there were numerous items that were deleted from the project to minimize costs: the elevator, the backstop netting, the dugout bathrooms, the signage – all of which took multiple years to finally get finished. Though the administration laid blame on the contractors, the truth is that the red tape and inability to get the ULL administration "motivated" to sign approvals and payments for softball as distinguished from their readiness and willingness to approve the cost overruns at baseball. The two projects show the Administration's bias against and discrimination towards the female softball players.

43.

Savoie and his wife, Gail, have personally been present and have attended over 100 softball gatherings wherein they personally heard and participated in presentations made to the student-athletes by Lotief. These gatherings include but are not limited to: Christmas parties, team exchanges of inspirational, self-improvement books (to create a privately funded team library to help the players understand how to compete), the initial start of the year team dinners where the players introduced themselves and stated their academic pursuits and were introduced to “the process” or “the climb” they were starting on, discussions about the Good Samaritan, mid- year team dinners (where Carol Dweck’s Growth Mindset was addressed and how struggle and adversity and failure are learning and growing opportunities and experiences), and Senior Day banquets where each player and coach addressed the administration and fans, expressing their gratefulness and gratitude for the opportunities presented to them by the softball program.

44.

Savoie at team functions was always eager to praise the softball team and he often told Lotief that he wished more of the athletic teams at ULL were “just like the softball program,” Savoie often stated that the softball program was the “crown jewel” of the athletic department, noted that the Lotiefs' were the “soul” of the softball program.

45.

Savoie and Maggard were both present at the welcome back softball team dinner on August 21, 2017, where they both ate food purchased, cooked, and served by the Lotiefs. They also listened to and participated in the opening night presentation to the team by Lotief, which included the scripture verse about the Good Samaritan and what it meant to be a good neighbor, or in softball’s case, to be part of the sisterhood. Savoie and Maggard were also present for, and participated in, the discussion that each person in that room needed to push each other and hold each other accountable to get better every day and try to be the very best version of themselves and that each member of the team gave the coaching staff and each other permission to push everyone to find their most competitive parts of their personality through the participation in college athletics.

46.

Maggard and Savoie both expressed their approval of the methods being presented in the opening day team dinner on August 21, 2017. They both publicly encouraged and stated that their hope was that this team would and could win a national championship and that they fully supported Lotief and his coaching staff. All of this took place just 45 days before Lotief would be placed on administrative leave for the exact same message that was discussed at the above described team meal and events (describe in detail below) which purportedly occurred months prior, during the course of the previous softball season.

47.

As a testament to Lotief's character, skill, and success as the softball coach, he received positive year end performance reviews from Maggard and Leger, which listed Lotief's strengths as having integrity, developing role models who are community leaders, and prioritizing what is in the student-athlete's best interest.

48.

The exit interviews of his players of him were equally positive and impressive. As recently as 2016 and 2017, each Student Athlete Evaluation and Performance Appraisal for Lotief gave him an overall rating of "excellent." Excerpts from the Exit Interviews conducted by ULL's Athletic Department include: "If you were recruited today, would you choose UL Lafayette?", Answer: 100% Agree. "Your coaches are concerned about your well-being." Answer: 100%. "Overall, during your time at UL Lafayette how would you rate your coaching staff as far as coaching and instruction", Answer 100% Excellent.

49.

Excerpts from Christmas greetings sent from the four former players who Leger used to put Lotief on leave, Haley Hayden, Alex Stewart, Corin Voinche, and Kassidy Zerangue, (the same former players during the 2016-17 season and who gave Lotief "excellent" remarks on their exit interview ratings (June 2017) indicate anything but a hostile or vulgar environment; rather they said: "this program has changed my life, "this program has taught me how to compete"; I love you Coach Mike"; "you are one of the most influential persons I have ever

met”; “this program has changed me into a better person”; “you inspire me every day”; “I appreciate your selflessness and dedication”; “I am forever grateful”.....

50.

Lotief stuck up for Haley Hayden after she got a DWI in June 2015, which was covered on the front page of the Sunday Daily Advertiser comparing the fact that Lotief allowed Hayden to stay connected to the team but the baseball head coach kicked his baseball player off of the team after a DWI. According to the article, Lotief preferred to keep someone in trouble as close to the program as possible. “Haley Hayden is a great kid, a great kid who made a mistake. We’re dealing with it. I don’t condone what she did, but I am going to support my kids. I still believe in that kid 150%.....I believe it’s the right thing to do.” Lotief’s approach to discipline of his players is largely shaped by his own personal battle with throat cancer which started when he was in college at UL; “Without a support structure around me, there’s no way I would have made it. It’s impossible. No way”.

51.

Hayden forwarded a letter to Coach Mike at Christmas of her senior year stating, “Coach Mike: You are the strongest, most influential person I have ever met. I’m thankful for a coach that pushes us to reach our highest potential on and off the field. You and this program have changed me into a better person. I will forever be grateful for the things I have learned while being here. There’s no other place I would rather be. The way you fight and your passion for this game is contagious. You inspire me every day. Thank you for everything. These have been the best years of my life and I’m looking forward to the ones to come. Signed Haley Hayden.”

52.

Throughout the entirety of his tenure as Head Coach, Lotief never received a written reprimand from Savoie nor any athletic administrator. Lotief was never issued a warning, nor was he ever disciplined in any fashion or ever called in by Savoie to be told to change how he was coaching or administering the team. All comments by Savoie and the athletic administration during Lotief’s tenure were positive. At almost every “welcome back” athletic convocation attended by Savoie and Leger, Lotief was singled out to receive special recognition for either his courage, coaching successes, his team’s academic achievements, or the team’s post-season



accomplishments. Savoie and athletic administrators were in attendance at multiple national and state events where Lotief was honored for his courage and his coaching performance successes and at events where his teams and players were singled out for being outstanding – for example, the James Corbett Award, the ESPYs, the Sunbelt Female athlete of the year, etc.

53.

Lotief was a strong advocate for his players and his Lady Cajuns softball program. He was steadfast in protesting, reporting, and opposing ULL's rampant and unlawful discrimination against female athletics, and associated violations of Louisiana and Federal law.

54.

Such protests, reporting, and opposition are protected activities under Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.).

55.

Throughout his tenure at ULL, Lotief became aware of the inequities and discrimination between female and male athletics at ULL. Consequently, Lotief alerted the Administration to these numerous gender-based inequities faced by ULL's Women's Athletic Programs (specifically Softball), as compared to Men's Athletics.

56.

Specifically, these complaints were made to Leger (ULL's Deputy Athletic Director, Senior Women's Administrator), Savoie (ULL's President) and Maggard (Current Athletic Director). Despite these complaints, the inequities and gender based discrimination continued.

57.

In addition to the aforementioned and repeated verbal complaints made by Lotief regarding the unequal treatment of the Softball program, he documented ULL's discrimination through various writings submitted to Leger, Maggard, and Savoie.

58.

Lotief consistently opposed and reported ULL's unlawful discrimination against female athletes including, without limitation, the following, non-exclusive circumstances:

- a. ULL's refusal to provide equal and adequate medical treatment and competent care and options to female softball players as compared to that provided to male

athletes in other sports, particularly by never considering doctors who specialized in or understood windmill mechanics or the female anatomy. ULL also expected female student athletes to treat with the football specialists and never provided a team doctor or therapist at any regular season or post season game;

- b. ULL's refusal to adequately care for and maintain appropriate and equitable playing facilities;
- c. ULL's restricting the softball players to utilize indoor practice facilities and/or dedicated indoor hitting cages in the Moncla facility during football practice and, in several instances, ordering the female athletes out of the indoor facilities during their scheduled practice time in preference to football players;
- d. ULL's refusal to provide equitable administrative office space for Women's Softball comparable to that of men's athletics;
- e. ULL's refusal to hire and/or retain a trainer for women's softball since May, 2017, in spite of NCAA requirements and despite ULL men's athletics being provided at least one, often several trainers in some men's sports; ULL maintaining the same athletic trainer for football, baseball, and basketball for at least the past eight (8) years and in softball there being turnover every two (2) years;
- f. ULL's refusal to hire and/or retain a physical therapist qualified for women's softball and the unique physical mechanics of the sport comparable to that of men's athletics;
- g. ULL's refusal to provide physical assessments for the female athletes in women's softball despite men's athletics receiving assessments annually;
- h. ULL's refusal to afford equal access to the weight room and nutritional supplements to the female student-athletes;
- i. ULL's refusal to pay women's softball staff and assistants for work performed;
- j. ULL's expecting Lotief to personally perform grounds maintenance, despite men's athletics' fields being tended by the grounds staff;

- k. ULL's refusing to pay Lotief in an equitable fashion relative to the men's athletics coaches while Lotief was one of the lowest paid Head Softball Coaches among his NCAA peers in regards to performance and winning percentage; in the top 10 active winning percentage of all coaches in the country, Lotief was the lowest paid of all;
- l. ULL's refusal to equitably provide monetary support for women's athletics, as compared to the monetary support provided for men's athletics, on a per student-athlete basis; and
- m. Such other instances of gender discrimination within ULL athletics as will be more fully shown at trial of this matter.

59.

Lotief was basically judged by Savoie and Leger and Maggard arising out of three (3) alleged incidents: (a) his post-game "language" after the Texas A&M game on April 19, 2017; (b) his post-game "language" after the LSU Regional game in Baton Rouge in June 2017; and (c) his alleged poking of Candace Walls (UL Strength Coach) on October 03, 2017.

60.

The purported Texas A&M post-game comments were made on a charter bus and were addressed to the entire softball team and staff. The LSU encounter involved Lotief and a LSU grounds crew member and happened outside of the actual game; and the Candace Walls incident happened in the UL Weight Room and was a private conversation between athletic staff members.

61.

There were three separate but similar events that happened within the athletic department during a similar time period and Savoie and Leger and Maggard were arbitrary in how they handled them to the bias of Lotief. Lotief got fired for the Texas A&M post-game conversation for using vulgar and offensive language: consider the vulgar anti-Trump rap song of the football team that was captured on video and put on you tube that was embarrassing to the University and got covered nationally – the excuse used at the time was that it was football locker room talk and should not have been publicized; what happens in the locker room stays in the locker room.

62.

Secondly, consider Bob Marlin's confrontation of LSU Basketball Coach, Will Wade, during the 2018 NIT game on National Television where Marlin charged him and wanted physical confrontation. Consider also Gerry Glasco, the new head softball coach, who verbally attacked and assaulted a NCAA umpire during the 2018 NCAA Regional game at LSU on National Television. Again Lotief was placed on leave and ultimately fired and neither Marlin nor Glasco were even reprimanded. In fact, both of their actions were applauded and defended by the University and athletic department.

63.

Lastly, Lotief was placed on leave and fired for allegedly poking Candace Walls in the weight room, but Savoie turned a blind eye twice to the hiring of football assistant James Willis who committed domestic violence and plead guilty to abusing his wife. An Associated Press article dated June 30, 2011 titled "James Willis pleads guilty to assault reported that Wolfforth, Texas police responded to a December 22, 2010 call at Willis' home saying they found his wife battered and bleeding." ULL hired him immediately after Texas Tech fired him.

64.

There was no action taken by Savoie against Mark Hudspeth, UL football coach, for the vulgarity of the football Trump locker room video nor his hiring of James Willis twice despite domestic violence admissions. Savoie placed neither Bob Marlin nor Gerry Glasco on administrative leave, nor were either investigated for their actions during an NCAA nationally televised contest. Yet Savoie fired Lotief for alleged similar action and took private – untelevised – unpublished actions of Lotief and intentionally made them public in order to embarrass and humiliate and slander him based on hearsay and self-serving statements, all while having personal knowledge of exculpatory evidence in Lotief's favor.

65.

In each instance, Savoie acted in an arbitrary and unjust manner to Lotief's detriment. He gave Hudspeth chance after chance after chance. He never reprimanded Marlin nor Glasco for their hostile confrontations and game ejections and violent displays of temper in front of national audiences.

66.

A close examination of the circumstances surrounding the initial complaint against Lotief from Alex Stewart (Stewart) to Leger on August 02, 2017, reveals that Leger manipulated Stewart to write the statement. First of all, Alex Stewart finished her softball playing eligibility in June 2017. Next, she filled out her year-end player exit interview and gave Lotief “excellent” marks. She wrote to Lotief saying “this program has changed my life for the better”; “this program has given me the greatest gift of all – learning to be a competitor”; “we are so blessed; I love you Coach Mike”.

67.

The only reason Alex Stewart was even interacting with Leger in August of 2017 was because Leger is in charge of administering the fifth year assignments for athletes who are finished their eligibility.

68.

Stewart’s text to Lotief on June 09, 2017 asking, “Is my redshirt still an option? I don’t know, I just miss softball and ULL softball so much the program has given me so much. And I have a lot more to give. If not; can my duty as a grad assistant be working with pitchers and their pitches building them into all Americans?”

69.

Lotief’s response: “Yep. You can help with the pitchers. And you can get your master’s too if – Sat June 10, 2017.

70.

Leger is in charge of and oversees the placement of student-athletes into their fifth year assignments. Somehow, Leger convinced Stewart to not pursue working with the softball team as her fifth year assignment and instead assigned Stewart to the pass gate for home football games, which only required five (5) dates.

Upon information and belief, in late July 2017 or early August 2017, Leger falsely told Stewart that Lotief did not want to work with her.

71.

After Leger misrepresented Lotief's position on Stewart's fifth year assignment, suggesting that Lotief did not want to approve Stewart getting her fifth year tuition and fees paid. Stewart became angry enough to write out an initial complaint on August 02, 2017, against Lotief.

72.

The very next day, August 2, 2017, Stewart lashed out against Lotief in a statement to Leger.

73.

After obtaining the allegations from Stewart on August 02, 2017, Leger instructed and directed Stewart to get corroborating accounts from other softball players.

74.

Leger knew Stewart's statements were false based on the exit interviews filled out by Stewart in her possession. She also knew Stewart's statement was contrary to Leger's own year-end evaluation that had already been filled out for Lotief wherein Leger acknowledged Lotief's integrity and concern for the welfare of his student athletes and wherein she recommended a \$20,000 year-end bonus for Lotief.

75.

On August 02, 2017, Lotief forwarded Leger a text about the softball staff and assignments for the upcoming semester. School started August 22, 2017 and the staff assignments drug along all summer without Leger getting anything done. The text stated "FYI, the video coordinator and office manager positions needs to be created ASAP. Kate (Malveaux) has worked the last month without pay and cannot go two more months. Kelsey did not schedule for graduate school; single family mom; has worked with us all summer UNPAID and needs money and hopefully can be in the OPS position by the start of school. Thanks for your understanding and help. What can I do to get this expedited."

76.

On August 31, 2017, Lotief notified Leger via text that Stewart was contacting present softball players: "...it has come to my attention this week that Alex has contacted at least 2 present players on this year's team to attempt to get them to corroborate (the alleged Shunick comments) – not only did they both refuse, they immediately told her she was flat out wrong."

77.

On September 19, 2017, Lotief texted Leger again stating, "Alyssa Denham just left my office; Alex Stewart contacted her again talking about getting Alyssa to quit the team. Why is Alex continuing to contact players on the team and spew her negative slander? Is that permissible – I advised Alyssa that I would notify you then go thru the process of getting a restraining order".

78.

As of September 19, 2017, Leger had refused to assign Stewart to softball – even though nearly every school in the country assigned their former pitchers in their fifth 5<sup>th</sup> year some time with the softball team in order to throw batting practice, and especially at ULL where the softball staff is understaffed and under paid. Stewart was working with and for Leger, contacting current softball players, and per Leger's instruction (and under her supervision) to undermine Lotief and the student-athletes Leger was supposed to be serving.

79.

Leger knew Stewart's August 02, 2017 statement was false. On August 22, 2017, Leger, knowing the complaints made by Stewart against Lotief were unfounded and produced by Leger, told Stewart and her mom, Gretchen, to "move on," as evidenced in a text message transmitted by Leger on August 28, 2017.

80.

If there was substance to the complaints detailed above, Leger was obligated to launch a formal investigation. Not only did Leger fail to initiate an investigation, she recommended and obtained approval of a \$21,000.00 bonus on August 22, 2017, which was paid to Lotief on September 29, 2017.

81.

Of course, Maggard and Savoie approved and signed off on the bonus to Lotief and Savoie and Maggard attended the welcome back softball dinner on August 21, 2017 and expressed vocally their support for Lotief. Maggard's actions reveal his true motives.

82.

Maggard contacted Stewart's mother, Gretchen, who on September 6, 2017 expressed surprise at Maggard's correspondence, stating "[Leger] had convinced [Stewart] that it would be best to just drop this matter . . . that you all were wanting to meet came as a surprise."

83.

There was no formal investigation into any alleged instances until after ULL football lost to ULM in double overtime and ULL then hired James Willis on Monday, October 02, 2017. Then, Lotief voiced concerns via text to both Leger and Hazelwood because his salaried coaches had not been paid for three months and Willis was paid as a consultant after a humiliating loss. Lotief was placed on administrative leave on Friday, October 06, 2017.

84.

Maggard then reached out to Alyssa Denham's mother, Kathy Denham, during the time period that Lotief was on administrative leave in an attempt to discredit Lotief and to justify the termination of his employment, and ruin his reputation. Maggard in concert with Leger was looking for opportunity to terminate Lotief not for his lack of successes or any wrongdoing, but for Lotief's resolute protests especially his most recent objection to the hiring of James Willis, a man who pled guilty to acts of domestic violence to be a football consultant on October 02, 2017.

85.

Stewart was able to get three (3) other former players to go in and talk to Leger: Haley Hayden, Corin Voinche and Kassidy Zerangue. They all told a story about what happened on the bus after the Texas A&M softball game. The Texas A&M game was on Wednesday, April 19, 2017 at 6:30 p.m. in College Station, Texas. The team spent the night in College Station and traveled back to Lafayette the following day, Thursday, April 20, 2017. The next practice was Friday, April 21, 2017. During these three (3) days, Lotief allegedly used vulgar and offensive



language, and purportedly acted in a manner which Savoie says could not be tolerated. Savoie commended these four (4) young women for their courage in standing up to Lotief's bad deeds.

86.

But, on Saturday, April 22, 2017 the Cajuns hosted a double header against Georgia State and Stewart was healthy enough to start and win both game 1 and pitch 7 innings in game 2.

87.

According to the HR notes taken by Leger, Kassidy Zerangue (one of the former players who purportedly testified to HR that Lotief scorned, mocked, and humiliated Alex at the practice following the Texas A&M game) sent a text message to Lotief on Friday, April 21, 2017, at 9:42 p.m., stating, "I know I don't say this nearly enough but I just wanted to tell you thank you from the bottom of my heart for everything you've done for me and this program. I can't put into words how much you've impacted my life and made me a completely different person for the better over the last 4 years. I hope I've made you proud of the person and player that I've become. I could never say thank you enough but just know that I am so grateful for everything you've done and continue to do for us!"

88.

On Friday, April 21, Corin Voinche (one of the 4 former players who purportedly gave a scathing accounting of Lotief to Leger regarding the A&M game that was on Wednesday April 19 and the subsequent team practice on April 21) sent Lotief a text message at 9:12 p.m. stating, "Thank YOU for giving us the opportunity and for instilling important values throughout the team. I truly believe in this team and believe in US. I love you and I appreciate you for continuing to hold US to the highest standard and never cheapening that standard. Thank You!"

89.

Again, this text message by Voinche was forwarded on Friday night two days after Savoie claimed that Lotief talked to those players about "rape" and "Mickey Schunik" and other vulgarities; but their texts tell a totally different story than the one Leger wrote in her notes after meeting with them in August/September.

90.

On Thursday, April 20, 2017, the night after the Texas A&M game, Stewart forwarded a text message to Lotief stating “U do give a lot to us. More than any would. Thank you. I’m not the type of person to make excuses. Thank u for showing me the perspective last night. What I said was wrong wrong wrong wrong and yes a scary comment...but that doesn’t define me who I am as a player. It was a mistake to let my mind think that. I won’t allow myself to do it again.”

91.

Stewart again sent a text message to Lotief on Friday, April 21, 2017 at 9:10 p.m., stating, “Agreed!! Thank you for giving perspective and transforming mine and others mind and mindset.”

92.

Lotief responded by stating, “Let’s DO this Alex. We need you to set the tone sister, no pressure, not strike everybody out / just embrace the challenge w confidence and trust and not worry or be fearful – just do what you know you can do pitch by pitch. With a free mind. Be Jim Craig in goal.”

93.

The series of text messages exchanged between Lotief and Stewart ends with Stewart replying, “Yes. It’s enlightening and inspiring to watch the movie (Miracle) and see his story and transformation. I see myself in him for good and for bad.”

94.

On April 29, 2017 at 8:55 p.m., following the senior day banquet, Stewart forwarded another text message to Lotief stating, “Sorry I didn’t get a chance to thank u or anyone else for that matter during my speech...I was too nervous like the trial lol. Thank you for everything u do for us and all the lessons u have taught us and bring out our competitive personalities every day.” Lotief replied, “We got time left together / today was fun but yet there are LOTS OF GREAT MEMORIES TOGETHER – FOREVER.”

95.

In spite of the foregoing, Savoie and Maggard decided to come to judgment on Lotief totally out of context, based solely upon coerced, self-serving, and concocted evidence. Savoie

and Maggard decided to ignore thirty (30) years of personal observation of Lotief as well as the other 40 players and staff testimony and recollections of events. Savoie and Maggard did not even take the time to ask the four (4) players to see their text messages sent contemporaneously with the Texas A&M game. Savoie and Maggard disregarded the exit interviews that former players filled out and submitted to the athletic department, rating Lotief as “excellent”. Savoie and Maggard disregarded the year end evaluation of Lotief confirming Lotief acted with integrity and in the best interest of the welfare of the student-athletes. Savoie decided to knock down, slander, and belittle Lotief and his contributions based on hearsay that was contrary to every other indication; Savoie and Maggard never confirmed the truth and veracity of any allegations against Lotief.

96.

On October 8, 2017, softball players D.J. Sanders and Aleah Craighton met with Savoie to voice concerns about the ULL’s actions, and disputing the allegations and explanation for ULL’s decision to place Lotief on leave. Savoie superficially discussed the matter with these players and agreed to meet with the entire team the following evening, October 9, 2017, at the softball locker room to be attended by the team as well as himself, Maggard, and counsel for ULL.

97.

The players also voiced their understanding that Lotief’s administrative leave was the result of his complaints regarding Title IX violations committed by ULL, at which point, Savoie exclaimed “this is not adversarial,” and advised the players to meet with ULL counsel and express their Title IX concerns. The players complied, meeting and documenting their Title IX complaints to ULL counsel, which generated no response nor internal investigation.

98.

On October 6, 2017, Lotief was told at a meeting with Paul Thomas (head of Human Resources) he was being placed on administrative leave. Just hours before the above meeting, Savoie personally called Lotief and told him to “keep your cool” it’s “gonna be quick and quiet,” and “don’t worry about it, I’m going to take care of you and your family.”

99.

On Thursday, October 26, 2017, Savoie called a softball booster into his office to discuss the ongoing investigation. Savoie told the booster that he was waiting for Lotief and his attorney to provide him with statements from the players that refuted the four (4) former players' allegations of hostility, vulgarity, rape, etc.

100.

When the softball booster left the meeting with Savoie, he went to the softball field to meet with the team and informed them that Savoie was "waiting for their statements" exonerating Coach Mike and once that was done, Coach Mike would be back at practice.

101.

On October 29, 2017, the team signed a statement stating that the administration was conducting an unjust investigation, intimidating players, and lying about the ongoing investigation. The statement further noted the administration's references to the existence of a "hostile environment" were untrue, and indicated there was instead a competitive environment holding the team to championship standards. Importantly, the statement noted the team's belief that Lotief was being targeted and retaliated against for standing up for female athletes, and indicated the team's belief that they were being treated unequally because of their gender.

102.

After speaking with the softball booster after his meeting with Savoie on Thursday, Sara Corbello inquired with the entire team as to the veracity of the allegations against Lotief. The response was a resounding no to all allegations against Lotief.

103.

Corbello then presented her findings to Savoie who had already made up his mind he was going to fire Lotief and he did not really want the exculpatory statements in favor of Lotief. Savoie immediately ordered that Corbello be fired after she presented evidence exonerating Lotief.

104.

Attached are the player questionnaires (Exhibit "A") signed by "present" softball players who were on the bus after the Texas A&M game and at the LSU Regional game; the players

answered “NO” to the question \_ - during the 2016-2017 season, did you feel or think that softball environment was (a) Hostile? (b) sexual (c) sexually hostile?

105.

The players answered “no” when asked “after the Texas A&M game in College Station on the bus did you feel uncomfortable with language used? Did you recall vulgar comments being made by Coach Lotief?

106.

The players answered “no” when asked, “during the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue’s hair, shove her, or punch her in the back of her head?

107.

The players answered “no” when asked during the Baylor pre-game, did you witness or see Coach Mike pull Haley’s hair or shove her?

108.

The players answered “no” when asked “do you think the softball environment is a sexual hostile environment in any way?

109.

When asked, “do you believe the softball environment is a negative, bullying culture? The players all answered ‘no’.

110.

Finally when asked, do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performances, which the players all answered “no”.

111.

None of the exculpatory statements or documents were included in the final HR investigatory findings; said another way, all of the exculpatory statements and documents were excluded from the HR investigatory findings. Savoie, Maggard, and Leger had personal and direct knowledge that exculpatory statements, documents, and evidence existed, but Savoie

nonetheless ordered the false, incomplete HR report to be released to the public. Savoie intentionally deceived the public and slandered Lotief in justifying his decision to fire Lotief.

112.

Savoie's decision was to eviscerate Lotief's legacy and any reminder of his positive impact on the University. Corbello, the Malveauxs, and the Vincents were fired. As a direct result of Savoie's actions, numerous players, including D. J. Sanders, Aleah Craighton, and Alyssa Denham, sought transfers to compete at other universities.

113.

Another seven (7) student athletes left because of Leger and Gerry Glasco's mistreatment.

114.

Cori McCrary redshirted the 2018 season and after the season her scholarship aid was cut in half, leading her to transfer to McNeese.

115.

Sarah Kuepon was forced to catch bull pens even against doctor's orders leading her to quit mid-season and transfer to Navarra Junior College.

116.

Teryn Pritchett was suspended from the team for "horse play" in the dugout and then thrown off of the team for saluting Glasco. She transferred to Tyler Junior College.

117.

Shae Schrekengost finished the 2018 season with the Cajuns but she too was forced to catch bull pens all year long and required to stay at the field some days over 8 hours in violation of NCAA rules. Schrekengost has since transferred to Michigan State.

118.

Kimber Cortemelia redshirted the 2018 season and spent all of her time shagging balls in the outfield.

119.

Miranda Grotenhuis was thrown off of the team by Glasco in December 2017 even though she was still under doctor's care for her ACL surgery.

120.

Chelsea Lotief was thrown off of the Student Athletic Advisory Committee for her role in proposing and passing legislation to start and fund an independent Title IX investigation to determine if ULL's athletic department was in compliance of Federal law. She graduated in the summer of 2018.

121.

Beth Ashley was suspended from the team after one of the final home conference games for not shaking hands with Glasco following a disappointing loss. She was then permanently kicked off the team the following week with Maggard and Leger's blessing.

122.

Kristen Pruitt left the team towards the end of the 2018 season and transferred to Kansas.

123.

McKenzie Carpenter was kicked off of the team during the 2018 season because her mother called the Sun Belt office to inquire about transfer rules and she is now at University of Texas-San Antonio.

124.

Katlyn Garcia left the team at the end of the 2018 season and is now at Nichols State University.

125.

When ULL released Leger's written notes from her meetings with Stewart, Hayden, Voinche and Zerangue, included in those notes was "fans are expressing concern with Coach Mike's behavior (Vincent's)".

126.

Upon information and belief, Corin Voinche told Leger that the Vincent's were expressing concern with Lotief's behavior, though there was no basis in fact for such a comment.

127.

Savoie and Maggard knew or should have known that Leger's notes were inaccurate because Carl and Belinda Vincent signed a petition that was e-mailed to both Savoie and Maggard during Lotief's administrative leave in support of Coach Lotief.

128.

ULL chose to exclude any exculpatory evidence or documents in support of Lotief and in doing so, did not comply with the public records request from the media to release all documents which would have included the petition signed by Carl and Belinda Vincent in support of Lotief that would have contradicted Leger's notes saying that Vincents are expressing concern about Coach Mike's behavior.

129.

In doing so, ULL intentionally withheld release of the full record in an effort to cloud the truth with their bias, which resulted in the slandering of both Lotief as well as the Vincents. It was or should have been clear to the University that the Vincents were still supporting the softball program and the coaches.

130.

The purported battery committed by Lotief against Walls allegedly took place on October 3, 2017. ULL alleged Lotief poked Walls (a mixed-martial arts fighter) in the shoulder. Lotief has a speaking valve which requires him to use one hand to press the valve to speak and he has a feeding tube in his stomach and who is experiencing ill-health. Despite the allegation of battery, Walls returned to re-engage Lotief in a calm and collected manner.

131.

Lotief has not been involved in a physical fight or confrontation in his adult life.

132.

Candace Walls, who is an accomplished mixed martial arts competitive fighter, became increasingly aggressive and unleashed a profanity-laced diatribe directed at Lotief. Walls was the aggressor and the more physically imposing. Also present was Conner Stanton, who is the assistant strength coach, 6'3 and a body builder, weight lifter, and physically imposing as well. Before her Golden Glove competition earlier this year, Walls stated in an interview with the Daily Advertiser that growing up, she has always had a bad temper and that her dad encouraged her to funnel the bad temper into boxing, which she did and still does to this day.



133.

Shortly after, Walls returned to the weight room and engaged in a civil and calm discourse with Lotief about blatant gender equity issues present at the ULL. Walls agreed that the assessments for the softball players should have been done already and that the lack of an athletic trainer and the firing of the long time physical therapist was detrimental to the assessments being conducted in a timely fashion. She believed that without adequate assessments, the quality of the strength training was merely a guess and most probably, ineffective. Walls then admonished Connor Staton to get the f----- assessments done now before she whipped his f----- ass.

134.

As Lotief's conversation with Walls came to its end, he was approached by Nico Yantko, the Deputy Athletic Director, who then began conversing with Lotief about gender equality issues.

135.

As Lotief spoke to Yantko about the severely disparate treatment of female athletics as compared to men's athletics, Yantko became increasingly defensive, and attempted to intimidate Lotief into submission by hitting Lotief in his chest with the back of his hand, and moving in closer and closer towards Lotief as the conversation continued.

136.

Yantko took issue with Lotief because the grounds crew had just then replaced some dead sod and unmaintained sod around the apron of the infield with new sodding. He repeatedly asked, "what else do y'all want us to do? We have eleven other sport programs here...our grounds staff is limited." Yantko also admitted that ULL had limited grounds staff and because of the inadequate staff that football was priority number one (1) and that even at Missouri the baseball coaches had to maintain their own fields in order for football to get premium treatment.

137.

Lotief then asked that if the grounds crew is understaffed then why do they cut and sweep and paint the football practice field every day to the exclusion of every other sport – wouldn't it be more equitable to reserve a couple days per week to attend to the other program's needs.

Yantko persisted that football gets top priority until they found a way to get a larger grounds crew and that the softball staff should and can maintain its own field.

138.

With regard to other allegations of battery, the Report states only that Lotief has “on at least two occasions, engaged in unwelcome physical contact with Softball student-athletes,” only stating that Lotief pulled one’s pony tail during pre-game batting practice (assumed to be Haley Hayden before the Baylor game which the previously quoted player questionnaires deny and dispute) and pushed another one during the softball game (assumed to be Kassidy Zerangue during the South Alabama game which the previously quoted player questionnaires deny and dispute). If these allegations are true, if the same are to be believed, in front of the entire team and all the fans yet there was no witness testimony nor any contemporaneous or corresponding complaints made. Frankly, throughout the 2017 season, Lotief struggled with his health and physical endurance and every softball player was stronger and more fit and even physically “hit on” and “pushed” Lotief regularly.

139.

In the questionnaires distributed by Corbello, none of the responding softball players substantiate such a claim. Suffice it say, all of the allegations of alleged wrongdoing occurred in and in front of the public, yet there were no contemporaneous complaints and many counter witnesses.

140.

There are also four (4) EEOC complaints that have been filed by female college professors in the College of Business at ULL, which allege the existence of a violent and hostile work environment in violation of Titles VII and Title IX.

141.

In these complaints filed in August 2017, the Professors allege their male colleagues were “irate” during conversations, which were further described as “hostile and threatening.” The complaints further allege “vile accusations” voiced loudly at a faculty meeting, and “verbally abusive” group emails, “bullying and character assassinations,” “unexpected outbursts” “enraged

and physically threatening behavior,” yet no professor was placed on leave, nor were any investigations commenced.

142.

When Mark Hudspeth was fired on December 03, 2017, ULL not only published a press release extolling the virtues and positive aspects of Hudspeth, they also gave him a \$1.5 million dollar buy out even though under his tenure the program was sanctioned by the NCAA for arranging fraudulent college entrance exams to recruits.

143.

Lotief himself complained to ULL’s administration following a November 22, 2105 incident where Coach Hudspeth shoved Lotief to force the softball team to leave the indoor practice facility at their allotted time.

144.

On November 22, 2015 at approximately 5:30 p.m. Hudspeth “charged” to the south end zone of the Moncla Indoor Facility where the women’s softball team was practicing, approached Lotief from behind, and verbally confronted him by yelling and screaming at him, and physically intimidating him by pointing his finger in his face, flailing his hands and making continual and sudden forward movements in Lotief’s direction. Hudspeth even made physical contact with Lotief.

145.

Lotief provided Savoie with a picture of the incident, yet Savoie took no action whatsoever. Hudspeth was not placed on leave nor was any investigation commenced.

146.

During this confrontation, another assistant football coach screamed: “this is our f-----g house.”

147.

Troy Weingarter, the administrative assistant for football, also stood directly in the middle of the softball’s team ongoing practice and drills, taunting the softball players for an extended period of time.

148.

This aggressive and abusive display towards female athletes was orchestrated to humiliate, intimidate, bully, and degrade the softball coach and players.

149.

This incident was immediately reported to present members of the ULL athletics administration, including Leger. Savoie was also made aware of the incident, yet Hudspeth was never placed on administrative leave.

150.

In fact, on information and belief, in the past 20 years, Lotief has been the only employee in athletics to have been placed on leave.

151.

The foregoing represent just a few circumstances wherein the University has allowed aggressive, abusive, and violent behavior by male athletics personnel against female athletics to go unchecked.

152.

At the same time, the foregoing represent ULL's overt disparate treatment of (legitimate and documented) complaints against the male athletic programs, as opposed to its treatment of unsubstantiated, false and defamatory accusations towards female athletics.

153.

The final HR report contained allegations against Lotief accusing him of using vulgar and profane language most of which was attributed to the above discussed post-game Texas A&M team discussion on the charter bus and the incident at the LSU 2017 Regional in Baton Rouge which involved Lotief and the grounds crew member at LSU and was reported to the NCAA site representative by Lotief contemporaneously with the occurrence.

154.

When Sarah Corbello questioned the players who were present on the field and specifically asked each of them what happened, most of them recalled the LSU grounds member trying to intimidate the ULL players before the LSU-ULL game by forcing them to retreat from their warm up area so the LSU players could walk right through their team and most recalled

none of the vulgarities attributed by the ULL investigation. ULL deliberately misrepresented Lotief's language to support the pretext for his termination.

155.

Furthermore, and on information and belief, the law firm of Oats and Marino took part in redacting the data for the press release. At a minimum, Oats and Marino's involvement makes members or employees of the law firm material witnesses to the instant litigation.

156.

As evidence of the ULL's overt attempts to ruin Lotief's reputation by spreading false and defamatory information, the press release issued by the ULL (which was also released while Lotief was still in a meeting with Savoie and Thomas) regarding Lotief's termination contained the following:

"Lotief violated ULL and UL System policies by subjecting student-athletes and coworkers to violent, vulgar language and verbal and physical assault, creating a hostile learning and working environment."

157.

This press release was false, defamatory, and slanderous and known to be so by the Defendants. Not one of the ULL softball players ever corroborated that the softball experience was hostile. The release of the investigation file to the press without the exculpatory statements in favor of Lotief is further evidence of ULL's malicious intent. The arbitrariness of Savoie in firing Lotief, yet taking no action in regard to Hudspeth, Marlin, Glasco, or Willis is further evidence of ULL's malicious intent.

## **TITLE IX RETALIATION**

158.

Lotief adopts by reference the allegations of Paragraphs 161 of this Petition.

159.

In spite of ULL's attempt to couch Lotief's termination as being related to uninvestigated, unsubstantiated, and patently false accusations of abuse, the reality is that the Lotief was terminated for engaging in activities protecting by Title IX of the Educational Amendments of 1972; Lotief is a whistle blower and should be afforded all protections under the law.

160.

These protected activities, which are incorporated by reference herein, generally included reporting numerous forms of gender discrimination as well as the unequal treatment of female athletes as compared to male athletes.

161.

As is further described in the preceding Paragraphs of this Petition, the inquisition launched by ULL against Lotief did not formally begin until Lotief questioned the hiring of James Willis for the second time on October 02, 2017.

162.

After Lotief's engagement in this protected activity increased, ULL began its attempt to silence and ultimately terminate him by accumulating false and misleading evidence to support their ultimate decision.

163.

In reality, Lotief's termination from ULL was an act of pure retaliation by ULL arising directly out of Lotief's engagement in protected activity.

164.

As further evidence of the pre-textual nature of the ULL's decision, Lotief avers as follows:

- a. Initially after being placed on leave, Savoie referred to the process going forward as only a "quick and quiet meeting" that would have Lotief back and coaching in short order.
- b. Following input and interference in the process from Maggard who solicited the assistance of Gretchen Stewart, Alex Stewart's mother, the "quick and quiet" meetings morphed into a hearing where Lotief was cross-examined by a lawyer for ULL without a formal complaint or notice to Lotief where Lotief and his attorney on a third and final meeting were only given 25 minutes to review primarily hand-written hearsay notes collected by Leger from four (4) former ULL softball players who had played and exhausted their playing eligibility.

- c. The alleged complainants, Alex Stewart, Haley Hayden, Kassidy Zerangue and Corin Voinche, were all former players whose season ended in June 2017.
- d. Leger held meetings with these departed players in August and September 2017 and despite each of them having already completing their exit interviews wherein each of them gave high marks to Lotief, Maggard went back to Alex Stewart's mother and resurrected an earlier complaint of Alex Stewart's which had been previously dismissed as not credible by Leger.
- e. Leger solicited friends of Alex Stewart to corroborate her prior statement, yet even with that information dating to September of 2017, no action was taken by ULL to commence an investigation. Rather, Lotief was paid a raise upon the recommendation of Leger and approval of Savoie.
- f. During the alleged investigation of Lotief, Paul Thomas, Stacy Robinette (ULL employee over Employee Relations) and Lindsey Samuels refused and/or ignored the opportunity to take statements from the other thirty (30) present players of the 2017 softball team, even though Savoie personally met with D.J. Sanders (senior shortstop and team captain) and Aleah Craighton (senior centerfielder and team captain) and they specifically disputed the former players allegations directly to him in a meeting at his office on October 07, 2017, the day after Lotief was placed on administrative leave.
- g. Savoie had apparently trusted D.J. Sanders enough to previously appoint her to serve on the AD Search Committee but did not trust her enough to give her side of the story to the HR investigators, even though he heard it face to face and he knew she was credible; and he also knew that the HR findings did not include any exculpatory statements from countless other eye witnesses to the allegations of wrongdoing.
- h. The investigatory report and ultimate release to the press failed to include, and ULL intentionally refused to consider, hundreds of emails by former players, hundreds of letters sent by softball fans and supporters, testimony of the current softball team members and staff.

- i. Moreover, it came to ULL's attention that one of the corroborating witnesses questioned by Leger, Corin Voinche, a UL graduate who played softball for Lotief from 2014-2017, said she spoke with Leger in September about a teammate's role (Alex Stewart) in the softball program. Further, Voinche, stated it became apparent there was an attempt of a type of coercion with the nature of the questions being asked that included negative speculations about Coach Mike and the program. Leger never asked any questions about verbal or physical abuse or any other topics that could be referred to as abusive or manipulative acts. Voinche stated that if she had been asked about any of those topics, she would disagree wholeheartedly that anything of that nature had ever taken place in the ULL softball program.
- j. Armed with Voinche's text, instead of HR expanding its investigation, they instead retaliated against and blamed Aleah Craighton, (a senior African American ULL softball player, captain, All American, Sunbelt Female Athlete of the Year, above a 3.0 GPA majoring in biology) for Voinche sending the text.

165.

Moreover, additional evidence is found in the myriad circumstances existing at ULL which suggest disparate treatment of male athletic personnel and coaches, male professors as well as administrative officials, all as compared to female athletic programs, professors and coaches of female athletics.

166.

As a result, Lotief is entitled to all damages available under law, including punitive damages, attorney's fees, court costs, and the like, as well as any and all additional relief to which Lotief is entitled by law or in equity for the retaliation against him.

#### **DEFAMATION**

167.

Lotief adopts by reference the allegations of Paragraphs 1 to.170 of this Petition.



168.

In addition to the retaliatory actions taken by ULL against Lotief, ULL actively propagated false, misleading, and damaging information through various local news sources following Lotief's termination in an attempt to publically discredit and humiliate him.

169.

The false information disseminated by ULL falsely accused Lotief of being verbally, physically, and emotionally abusive to softball players as well as employees of ULL. Defendants knew of the falsity of this information when ULL published the press release.

170.

ULL's smear campaign, which was used to justify the firing of Lotief, has caused Lotief to suffer multiple injuries including humiliation, embarrassment, and reputational damage. Further, ULL intended to damage Lotief's reputation in the community as well as his credibility as a coach and an advocate for the equal treatment of female athletes through their dispersal of false and slanderous information.

171.

One such example of this false and defamatory information is the dissemination by UL at the direction of Savoie of the incorrect information regarding Lotief speaking of the death of Mickey Shunick following a softball game; despite the alleged comments being allegedly made on a charter bus in private only amongst the team and its players, Savoie directed that ULL publicly disseminate the false allegations to use the tragedy of Mickey Schunick to slander and humiliate and embarrass Lotief.

172.

The same four (4) players/former players (Hayden, Stewart, Voinche and Zerangue) who supplied Leger with the false accounts of behavior by Lotief described above also claimed that Lotief made inappropriate comments to the team regarding the rape and murder of Mickey Shunick.

173.

However, during its twenty-five (25) day investigation, HR never interviewed any of the forty (40) people that were on the charter bus (ULL softball players and staff) to get a total

account of what happened or what was said, even though Savoie personally met with individual players and the entire team and heard their disputing testimony against the false allegations of the former players and providing support for Lotief.

174.

The reality is that on April 08, 2017, Bike to the Ballpark Day was held at Lamson Park in honor of Mickey Shunick. The Shunick family was invited to the park to stand with the softball team and celebrate their daughter's bravery and how strong of a woman Mickey was, how she is an example of what courage looks like, how she fought for her life in the face of adversity and fear.

175.

Eleven (11) players signed a statement indicating that the word "rape" was never used, nor had it ever been used. The statement further explained that any discussion regarding Mickey Shunick by Lotief was directed at empowering others to always fight, no matter how dire the circumstances may be.

176.

In a statement by Tom Schunick to the Daily Advertiser on November 02, 2017 (the day after ULL's submitted records to the media pursuant to a public records request) he explained, "It has come to my attention some accusations of Mike using Mickey's name in a derogatory way have surfaced. My family was proud to be included in pregame ceremonies honoring Mickey last year. I remember standing in front of the dugout with the whole team gathered and Mike telling them how courageous Mickey was for not giving in to her captor and fighting for her life ...I truly feel any comments Mike may have used concerning Mickey was meant in a positive motivational way."

177.

What was said on the bus about Mickey after the Texas A&M game was a comparison of how brave Shunick was in fighting for her life and how the team should fight that same type of fight.

178.

The accusations against Coach Mike alleging he made negative or derogatory statements about Mickey are totally false. Moreover, for Savoie to capitalize on that tragedy in his reasoning and statement for Lotief's firing is further proof of the lengths ULL took to create a pretext for Lotief's wrongful termination and to secure public support for their unjust and malicious decision.

179.

As a result of the ULL's defamation, Lotief has suffered emotional distress and mental anguish causing him to seek treatment from a licensed professional as well as loss of past, present and future income.

180.

ULL is therefore liable to the Lotief for the numerous defamatory and slanderous acts it perpetrated, and Lotief is entitled to all damages necessary to compensate him for the emotional distress and mental anguish caused by the ULL's false and misleading statements, as well as the damage done to his reputation by the ULL.

#### **CLAIMS ARISING UNDER 42 U.S.C. § 1983**

181.

Lotief adopts by reference the allegations of Paragraphs 184 of this Petition.

182.

At all pertinent times, defendants Savoie, Maggard and Leger were "persons acting under color of authority" within the meaning and intent of 42 U.S.C. §1983.

183.

Lotief enjoyed the clearly established right to protest, oppose, and report unlawful discrimination against females in college athletics guaranteed to him pursuant to the 1st Amendment to the United States Constitution and Title IX.

184.

Defendants Savoie, Maggard and Leger's actions set forth herein, namely, harassing Lotief, soliciting false complaints against Lotief, suspending Lotief, and terminating Lotief violated his clearly established rights and said defendants are thus liable unto Lotief pursuant to

42 U.S.C. §1983 for which Lotief specifically sues defendants Savoie, Maggard and Leger herein.

185.

At all pertinent times, Lotief enjoyed his right to protest, report, and oppose unlawful discrimination against females in college athletics guaranteed to him pursuant to the First Amendment to the United States Constitution and Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.).

186.

Lotief further enjoyed the clearly established right to his good name and reputation pursuant to the 14th Amendment (liberty) to the United States Constitution and to his public employment by contract (property) pursuant to the 14th Amendment to the United States Constitution.

187.

Defendants Savoie, Maggard, and Leger's actions set forth herein, namely, harassing Lotief, soliciting false complaints against Lotief, suspending Lotief, and terminating Lotief violated his clearly established rights and said defendants are thus liable unto Lotief pursuant to 42 U.S.C. §1983 for which Lotief specifically sues defendants Savoie, Maggard and Leger herein.

188.

For these foregoing violations of Lotief's constitutionally protected rights, Leger and Savoie and Maggard are liable for damages including punitive damages, attorneys' fees, court costs, and any additional damages available under the law and/or in equity.

#### **DISCRIMINATION IN VIOLATION OF THE ADA**

189.

Michael Lotief is part of a constitutionally protected class because of his health disabilities. Lotief has 3 holes in his body; one is in his throat for a trach in order to breathe; one in his stomach, for his peg tube for nutrition and medicine; and one in his neck, a fistular to drain mucus and infection from his pharynx and sinus cavities. Lotief is a cancer survivor (3 times over) and his medical conditions and disabilities were well known to ULL administrators, which

did not stop them from making discriminatory comments towards him and treating him in a discriminatory way.

190.

As to Lotief's health, it is widely known that Lotief had a trach tube put in August 2015. What is not as widely known, is that Lotief is a 30 year cancer survivor. In 1983, while a sophomore at USL, a tumor in his naso- pharynx was discovered and he underwent a prolonged treatment of radiation to his neck, throat and pharynx, ears, sinuses, etc., all the while, taking 15 hours of course credit at USL and finishing with a 4.0 for the semester, and coaching his teams in the Lafayette recreational neighborhood, working with his mother in her catering business, and playing on his slow-pitch softball team.

191.

In 1983, radiation treatment was crude and its side effects were devastating. Lotief survived and functioned with severe swallowing and hearing and speech and breathing issues without medical intervention for 30 years.

192.

During the 2015 season, Lotief's left vocal chord totally paralyzed from the ongoing effects of the radiation and his left pharynx was rapidly decaying which made swallowing impossible and his breathing very labored and his speech even more mumbled, to the extent that a peg/feeding tube was inserted in his stomach for nutrition and medication.

193.

Despite his deteriorating health and against doctor's orders, Lotief returned to the softball field to finish the season; the 2015 team were Sunbelt Conference Champions and hosted the NCAA Regionals in Lafayette where the Cajuns defeated Texas to become Regional Champions and advance to the Super Regionals against Auburn who eventually ended up as National Runner-Ups.

194.

Despite having a trach in his throat to breathe through exclusively (which is similar to breathing through a straw), Lotief threw batting practice every day for hours upon hours. He continued to drag and do maintenance work on the softball field. He would stay in the weather

(either the winter months or the heat of the summer) for long hours each day and would hit fungos to the infielders every day. He continued to recruit and travel to recruit wherever necessary, spent 10-12 hour days at the softball facility every day, and upon returning home would still do the scouting and video analysis most every night. Lotief persisted despite his repeated requests for help with the field and reasonably paid assistants to support his efforts.

195.

Despite his medical condition, Lotief continued to work as hard or even harder. He did not whine or complain or make excuses. He returned to his regular work schedule.

196.

After the season, still unable to swallow even his own saliva, his breathing continued to be shallow and labored, Dr. Andrew McWhorter performed an emergency surgery to protect his airway and insert the trach.

197.

Lotief returned for the 2016 season, and again the Cajuns won the conference championship and the conference tournament and again hosted the NCAA Regionals in Lafayette and defeated Boston ULL and the ULL of Texas and Texas A&M to win back to back Regional Championship and advance again to the Super Regionals against Oklahoma who eventually ended up being national champions.

198.

During those two years, Lotief endured multiple “hostile” and “cruel” attacks about his trach and speaking voice and tone. For instance, Scott Farmer (athletic director at the time) asked Lotief to address the RCAF in November 2015, only months after the speaking valve was inserted; Lotief expressed his apprehensions about addressing such a large crowd with his new “voice”; after much back and forth, it was decided that Lotief would address the gathering but would wear a “scarf” over the trach and speaking valve; after finishing his remarks, Lotief was approached by Savoie and Savoie mockingly called Lotief “Omar Sharif,” and stated that “at least I understood about half of what you said.”

199.

Leger continually encouraged Lotief to consider retirement and consider transitioning the program to a new coach and Leger made it very clear and apparent that Allison Habetz, former Cajun player and presently assistant softball coach at Alabama was her choice for Lotief's replacement despite Lotief expressing no intent to retire and despite the continued success of the program – both on the field and academically.

200.

Leger loved to tell Lotief every time he brought up concerns about fairness or equity, to “go take your medicine”.

201.

Lotief is entitled to all damages allowable under the ADA for the violations outlined above.

#### **WRONGFUL CONVERSION OF PROPERTY**

202.

At the time Lotief was placed on Administrative Leave on October 06, 2017, he was promptly locked out of the softball offices and facilities and has not had access to his personal belongings; to date, UL is still in possession of, and has failed to return to Lotief his family pictures, memorabilia, his notary seal, his prescription sunglasses, his most valuable autographed photo of Mother Teresa and Father Brennan, multiple pictures of Lotief's deceased dad with family members, and family heirlooms.

203.

Over the course of his employment with the ULL, Lotief expended his own money to purchase equipment for the Softball Team's use and benefit, the value of which exceeded \$120,000.00.

204.

Additionally, over the years, Lotief acquired and kept on campus various personal items, including memorabilia, photographs of his family, keepsakes, and the like.

205.

Following his termination from the ULL, Lotief made numerous attempts to recover all property which was rightfully his, with incomplete success.

206.

Rather than returning all of Lotief's property, the ULL engages in multiple piecemeal deliveries to the Lotief's storage unit, and to this day hold numerous pieces of equipment, personal items, and documents which belong to Lotief.

207.

Additionally, in spite of promising Lotief a complete listed inventory of all items located on campus as well as the opportunity to enter campus to identify his personal property, to date, the ULL has refused to honor these promises.

208.

Many of the items which have been requested and remain unreturned are necessary for Lotief to engage in his job as a softball coach.

209.

Moreover, ULL is presently in possession of roughly \$20,000.00 that belongs to Lotief with respect to a summer camp program, and has failed to return this sum or even provide an accounting, which was requested shortly after Lotief's improper termination.

210.

The lack of access to this equipment has greatly diminished Lotief's ability to engage in his trade as a softball, and has come a great expense to him.

211.

Given the foregoing, the ULL's willful refusal to return the Lotief's property amounts to an illegal conversion thereof, entitling the Lotief to all damages available under law and equity.

### **BREACH OF CONTRACT**

212.

Lotief's tenure at ULL was governed by the terms of a contract which, upon information and belief may be evidenced in writing but is otherwise at least oral and which guaranteed a minimum term of employment.



213.

Many times during his tenure in oral and written communications with the athletic department, Lotief received benefits which were described as being granted pursuant to his contract including salary and bonuses.

214.

Lotief enjoyed a five year contract which term recommenced if he won a regional completion. As such, as of the date of his termination, he had five years remaining.

215.

Lotief's termination was in violation of his contract entitling him to damages.

216.

Lotief maintains that the damages he has incurred as a result of Defendants' actions include, but are not limited to:

1. Reputational damages and loss of standing in community from false statements made publicly by Defendants against Lotief;
2. Lost wages and benefits as a result of being wrongfully terminated;
3. Emotional distress and mental anguish suffered as a result of wrongful termination, defamation, libel, and slander;
4. Humiliation and embarrassment suffered from being falsely accused of physical and verbal abuse of female student-athletes and staff, and these accusations being made public;
5. Damages for the conversion of Lotief's personal property, effects, and equipment purchased by his own funds;
6. Punitive damages for Defendants' wanton and reckless disregard for Lotief's rights afforded him pursuant to 42 U.S.C. §1983;
7. Attorney's fees, costs, and legal interest due by Defendants unto Lotief pursuant to La. R.S. 23:967 and 42 U.S.C. §1988;
8. Damages for breach of contract;
9. Any and all damages, costs and/or expenses allowed under the ADA and both law and equity; and

10. All costs of these proceedings and legal interest thereon from the date of demand until paid; and

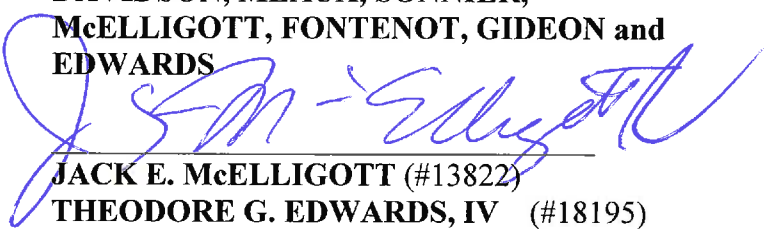
217.

Lotief is entitled to and desires trial by jury of this matter.

**WHEREFORE**, Petitioner, **MICHAEL P. LOTIEF**, prays for trial by jury and after due proceedings are had that there be judgment herein in his favor and against defendants, **BOARD OF SUPERVISORS OF ULL OF LOUISIANA SYSTEM DBA ULL OF LOUISIANA AT LAFAYETTE**, **E. JOSEPH SAVOIE**, individually and in his official capacity, and **JESSICA CLARKE LEGER**, individually and in her official capacity and **BRYAN MAGGARD**, individually and in his official capacity, for all sums as are reasonable under the premises, punitive damages as against the individual defendants **SAVOIE** and **LEGER** and **MAGGARD** as allowed by law, all costs of these proceedings, attorney's fees as allowed by law, legal interest thereon from the date of demand until paid, and all such other relief to which Lotief is entitled at law or in equity.

Respectfully submitted,

**DAVIDSON, MEAUX, SONNIER,  
McELLIGOTT, FONTENOT, GIDEON and  
EDWARDS**



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**PLEASE SERVE:**

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At his place of employment  
ULL of Louisiana at Lafayette  
Administration  
Lafayette, Louisiana

**Dr. Jessica Clarke Leger**  
At her place of employment  
ULL of Louisiana at Lafayette  
Athletics Administration  
Lafayette, Louisiana

**Dr. Bryan Maggard**  
At his place of employment  
ULL of Louisiana at Lafayette  
Athletics Administration  
Lafayette, Louisiana

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" no
- b. "Sexual?" no
- c. "Sexually Hostile?" no

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

no.

Hell no.

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

no.

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

no.

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

no.



6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No.

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No.

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

yes, we learn to grow and better our skills as well as become respectable people. We are told everyday to bring our most competitive personalities because softball is a "safe-zone" within the sisterhood.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No.

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

no, they have cared about my future and well being the whole time I've been here. I had a tough sophomore year by losing a family member and they (coaches and teammates) constantly checked on me and helped me through it. And now being a senior they are still helping me pursue my dream career after my time in the softball program is over.

Kylee Trahan

Kylee Trahan

10-27-17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" NO
- b. "Sexual?" NO
- c. "Sexually Hostile?" NO

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

NO

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

NO

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

NO

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

NO

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

NO

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

NO

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below. Yes, we learn all aspects of growing and competing on the field. We build trust and relationships among each other (coaches and players.) We also learn to be a better person in life. It prepares us for adversity and struggles once we are even out of softball.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

NO



10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

NO, our coaches are the first for me to turn to in hard times (family, relationships) they go out of their way to make sure ~~that~~ we have everything we need or want. They are my family ~~and~~ and they love each and every one of us.

Alyssa Denham  
Alyssa Denham 10/27/2017

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" NO
- b. "Sexual?" NO
- c. "Sexually Hostile?" NO

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

*NO. There were no comments that were abusive, sexual, vulgar, offensive in any way.*

*Absolutely not, 100%.*

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

*NO*

4. During the South Alabama game, did you witness or see Coach Mike pull Cassidy Zeringue's hair, shove her, or punch her in the back of the head?

*NO*

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

*NO*

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No.

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

NO

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, Coach Mike is here for every single person mentally & spiritually. This environment is a place to grow and preparation for the future.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

NO.

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No. This coaching staff has been here for me at all times. They care for me as a person  $\frac{1}{2}$  ~~that~~ they always extend a helping hand. The love in this culture is real and undeniable.

Aleah Craighton, Reighton, 10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

Did not travel

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

Yes I was there.

The field guy told us to get off the grass.  
Coach Mike said no because we weren't bothering anyone or damaging the field

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

No

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

No

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes. When you get here, we give everyone permission to be their most competitive self. We do that in order to learn and grow without taking constructive criticism personally.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No

Aeriy/ Mass

Am WJ

10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

No

No

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

Yes

Guy, "Can you please get off the grass?"

Mike, "No, this is our warmup time." ~~\_\_\_\_\_~~

4. During the South Alabama game, did you witness or see Coach Mike pull Cassidy Zeringue's hair, shove her, or punch her in the back of the head?

No

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

No



6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, when I make mistakes, they get pointed out and I learn from.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No

Alaina Guarino

10/27/17

Alaina Guarino

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

*Did not travel to that game.*

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

*No I wasn't present*

4. During the South Alabama game, did you witness or see Coach Mike pull Cassidy Zeringue's hair, shove her, or punch her in the back of the head?

*No I did not.*

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

*No I did not.*

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, we talk about growth mindset throughout each year and I feel we use this in the real world and athletics. I know I personally have become a more competitive and less meek personality since coming to college and I owe it to the softball.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No they most definitely care about your well being wether you're struggling with grades or personal issues in general. for example if someone is having a personal problem someone is there to talk it out and help in anyway.

Makenzie Carpenter

Makyn Court

10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" NO
- b. "Sexual?" NO
- c. "Sexually Hostile?" NO

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

NO; NO

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

NO

4. During the South Alabama game, did you witness or see Coach Mike pull Cassidy Zeringue's hair, shove her, or punch her in the back of the head?

NO

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

NO

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

no

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

no

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

yes It allows for a place to go through adversity and learn from it using play.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

no

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

no I believe the exact  
opposite

DJ Sanders 10/27/17

DJ Sanders



1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" no
- b. "Sexual?" no
- c. "Sexually Hostile?" no

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

no ? no

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

yes. the field guy asked him to move off the field during our warm up time coach mike said no.

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

no

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

no

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

no

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

no

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

yes. reading books. team discussions.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

no

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

no. the whole reason our coaches push us is to make us better people's stronger women. we will carry these lessons for the rest of our lives.

Summer Ellyson

10/27/17

Sam Lee

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" no
- b. "Sexual?" no
- c. "Sexually Hostile?" no

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

Did not travel

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said? no

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head? no

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her? no

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature? **no**

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below. **no**

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below. **Yes, it's necessary that we learn, grow, and compete. if it weren't intense we wouldn't be successful**

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below. **no**

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

no, not at all,

our coaches have our best interest and want us to excel not only as players but as women.

Kourtney Gremillion

10/27/17

~~Kourtney~~ Gremillion

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

I was not present. I did not travel.

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

No

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

No

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

No

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes. The environment is one that is created that develops not only our <sup>softball</sup> skills, but also our life skills. Our team is brought together and taught to compete at the highest level, and also to love each other / fight for each other.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No



10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No.

Alison Deville  
Alison Deville

10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" no.
- b. "Sexual?" no.
- c. "Sexually Hostile?" no.

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

- No.
- I do not recall those phrases.

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

- Yes I was there
- I dont remember exactly what was said but it wasnt inappropriate.

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

no.

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

no.

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

NO, not in my 4 years of being in this program.

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

NO.

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

yes. When I came in my freshman year, I had no idea what to expect. Coach Mike has taught me how to handle adversity, before I got here I had 4 very close people pass away. This program has changed my life in a positive way. It has made me have a new perspective and realize every opportunity to grow. This Sisterhood has become my family. I look up to Coach Mike, he has a positive impact on my life and

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

NO.

has made me a better all around person.

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but <sup>and</sup> their softball performance?

NO. Coach Mike <sup>and</sup> Coach Stef are invensted in our lives. They genuinely care for us and we are treated like family. They teach us life lessons, softball is just a plus.

Kelli Martinez  
Kellei Martinez

10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" NO
- b. "Sexual?" NO
- c. "Sexually Hostile?" NO

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

NO

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

~~NO~~ Yes, field crew was trying to intimidate our team and told us to get off the grass and Coach Mike took up for us and said no we have the right to warm up and be on the grass.

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

NO

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

NO

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, we come together as sisters and allow each and everyone of us to be our "most competitive" personalities. We grow not only as a team but as strong women throughout this process.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No.

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No that's absolutely not true ~~at~~ in any shape or form. I have never had a staff/coaches that cared more about me personally than the ones here!

Chelsea Lotief

Chelsea Lotief 10/27/17

1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

*I was not on bus - in hotel getting dinner situated.*

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

*No I was doing video.*

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

*No - doing video*

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

*No - doing video*



6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

NO!

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

NO!

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, everyday you show up and are presented with new techniques of learning and are challenged throughout the practice to get better. The sisterhood understands what it means to be competitive and EVERYONE allows "bbs" to bring our most competitive personality when we step on the field.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

NO

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

Absolutely NOT!

He takes time out to cook for team and has mental team building meetings every Sunday before practice that not only builds your mindset but teaches you life lessons outside of the game itself.

Shellie Landry 10/27/17



1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" No
- b. "Sexual?" No
- c. "Sexually Hostile?" No

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

I wasn't traveling/was not there

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

Yes I was present; The field crew guy told Coach Mike to get off the grass and Coach Mike proceeded to tell him, "No. "

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

No

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

No

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes; everyday is a learning experience, from which you grow as an individual and a player/teammate. At the end of the day, we all love one another and provide support through anything.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No; I think EVERYONE on the Coaching Staff is supportive and caring. You can go to them for anything, and they will help you. They love us.

Shae Noel Frances Schreckengost  
October 27, 2017



1. During the 2016-2017 season, did you feel or think that softball environment was

- a. "Hostile?" NO
- b. "Sexual?" NO
- c. "Sexually Hostile?" NO

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

Did not travel.

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

NO

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

NO

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

NO

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

NO

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

NO

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, the mental meetings have changed me personally and now I am out on the field. I feel that Coach Mike's goal is to help us grow as one and to bring our most competitive selves out on the field so we can compete in big games or tough situations.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

NO

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

NO - <sup>They've</sup> Been there for anyone with any type of issues and they also push us to do our best in the classroom and make good grades. They've said that there is more to life than softball and they are wanting to prepare us for the real world after.

Samantha Bradley 10-27-17

Samantha Bradley



1. During the 2016-2017 season, did you feel or think that softball environment was

a. "Hostile?" no

b. "Sexual?" no

c. "Sexually Hostile?" no

competitive (growth mindset - being able to trust who you are around, be free (yourself))

2. After the Texas A&M game in College Station on the bus after the game during Coach Mike's comments, did you feel uncomfortable with language used? Did you recall "rape" or "dick in your ass" comments being made by Coach Lotief?

Due to family emergency, I was unable to attend the Texas A&M trip.

3. After the LSU Regional last game lost, were you present when Coach Mike confronted the field crew? What was said?

I was present but did not hear exactly what was said.

4. During the South Alabama game, did you witness or see Coach Mike pull Kassidy Zeringue's hair, shove her, or punch her in the back of the head?

I was not present for this trip.

5. During the Baylor pre-game, did you witness or see Coach Mike pull Haley's hair or shove her?

I was not present.

6. Did you ever experience pervasive, unwanted, sexual comments, advances, or requests, or experience verbal or physical conduct that is sexual in nature?

No.

7. Do you think the softball environment is a "sexual, hostile" environment in any way? If so, describe below.

No.

8. Is the softball environment a learning, growing, competitive sisterhood? If so, describe below.

Yes, because Coach Mike makes it. Him taking his experience and knowledge and instilling that into us.

9. Do you believe the softball environment is a negative, bullying culture? If so, describe below.

No.

This environment has helped me grow and learn, and ~~how~~ how to deal with life obstacles.

10. Do you believe the coaches are personally not concerned for the players as people and really do not care about anything but their softball performance?

No.

Coaches have helped me with the passing of my dad and grandpa.

Fought to get the school to pay for my surgery.

Emotional, academic support, and tries to stay up to date with events going on in my life.

-This is my second family.

Miranda Grotenhuis

10/27/17

