

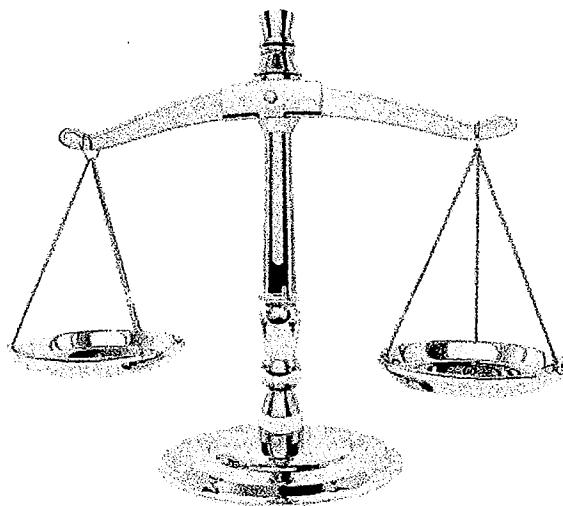
CONFIDENTIAL INVESTIGATIVE REPORT

FOR

GOLDEN WEST COLLEGE

RE:

**ADMINISTRATIVE INVESTIGATION
MARK SCHUBERT / WILLIAM JEWELL**



**PREPARED BY
NORMAN A. TRAUB ASSOCIATES**

**GEORGE A. VANECEK, INVESTIGATOR
November 19, 2012**

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INVESTIGATIVE REPORT

INTRODUCTION AND BACKGROUND:

On September 18, 2012, the Golden West College (GWC) was made aware of allegations of inappropriate conduct between an assistant swim coach (Mr. William Jewell) and member(s) of the Golden West Swim Club (GWSC) swim team. Additionally, allegations surfaced regarding the failure to report that inappropriate conduct(s) by Mr. Mark Schubert, the head coach. These allegations were brought to light as a result of a lawsuit filed by a terminated employee, Ms. Dia Rianda, on September 17, 2012 (Exhibit #1).

On September 18, 2012, the Golden West College (GWC) commissioned the services of Norman A. Traub Associates to conduct an independent administrative investigation of these matters. Investigator George Vanecek (Investigator) was assigned the investigation.

ALLEGATIONS:

- 1. It is alleged that between June 2011 and September 2012, GWC assistant coach William Jewell may have been involved in inappropriate conduct with a**

member(s) of the GWSC swim team, and/or a member(s) of the GWC swim team; in violation of state law and GWC policies.

- 2. It is also alleged that GWC head Coach Mark Schubert may have failed to report Jewell's inappropriate conduct, pursuant to state law and GWC policy as a "mandated reporter".**

Findings and Conclusions can be found on Page 14

INVESTIGATION AND METHODOLOGY:

On September 19, 2012, GWC Director of Personnel Services Crystal Crane briefed the Investigator on this matter and provided copies of emails and news articles pertinent to this investigation (Exhibit #1). A meeting was held at the GWC President's office on September 20, 2012, and an investigative strategy and scope was determined and agreed upon.

The Golden West Swim Club (GWSC) has an affiliation with Golden West College (GWC) only through their leasing of the GWC pool facilities, and the sharing of the services of Coaches Schubert (Schubert) and Jewell (Jewell).

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The scope of the investigation was to determine if any of the alleged actions of Schubert and Jewell rose to the level of violating California law or statute and / or violation of GWC policies. To this end, the Board of the GWSC was contacted and agreed to supply electronic contact information for all participants in their swim program during the time that Schubert and Jewell have been associated with them. An electronic complaint email site and telephonic hotline was set up by GWC administrators, and a mass emailing (Exhibit #2) requesting reporting, either personal or anonymous, of ANY misconduct (witnessed or rumored) was sent to all parties.

On the GWC side of the investigation, all participants in the college's swim and water polo programs were verbally advised by their coaches of the nature and expected participation in the investigation (Exhibit #3), and provided a card detailing the request for witnessed or rumored information with both a phone number and email address for leaving their personal or anonymous information (Exhibit #4).

Investigator's Note: Attorney K. Lucinda McRoberts of the law firm of Bryan Cave HRO was contacted and advised of the nature and scope of this investigation. This firm represents Swim USA, who is conducting a parallel investigation based on allegations of violation of their Athletic Code of Conduct.

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On September 28, 2012, Swimming USA Liz Hoendervoogt, Athletic Protection Coordinator and Susan Woessner, Athletic Protection Director were contacted and advised of the scope of this investigation. Although Swimming USA authorized Jewell to continue to work in the capacity of assistant coach (Exhibit #7), GWC suspended his participation pending the outcome of this investigation.

The investigation included a total of seven personal interviews, all of which took place in a private conference room at the GWC Human Resources offices. All interviews were digitally recorded and all individuals interviewed were asked to treat the conversations as confidential. A summary of each interview follows herein and full transcripts are attached hereto.

At 9:05 a.m. on September 21, 2012, a personal witness interview was conducted with Mrs. Bernice O'Connor. Mrs. O'Connor is an adjunct instructor in the aquatics program at GWC. She has had no prior association with the Golden West Swim Club.

O'Connor related that she is familiar with GWC policy on sexual harassment and conduct towards others, being provided that information at the time of her employment and subsequently updated

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through department meetings and seminars. She added that those policies are applicable to athletic programs at GWC as well.

O'Connor stated that she is not affiliated with Swimming USA, but is a member of USA Water Polo. When asked, O'Connor stated that there are no minors involved in any of the GWC aquatic programs that she is aware of.

O'Connor related that she has known William Jewell (Jewell) for approximately one year, since his arrival at GWC, and is aware that he is affiliated as a coach with the Golden West Swim Club. She added that she was on maternity leave for most of that time, and did not have the opportunity to work with him extensively. She stated that she has never personally witnessed any inappropriate behavior on Jewell's part. O'Connor added that she had heard that Jewell liked to joke around, but this information was a statement and not an allegation of anything improper.

O'Connor stated that she has known Mark Schubert (Schubert) for approximately 15 years, most recently working with him at GWC over the last year. She stated that she has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When asked if she had witnessed or heard any reasons why Schubert might not

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report inappropriate behavior if it occurred, O'Connor replied that she had not.

O'Connor was asked if, during the normal course of instruction, any legitimate and appropriate teaching techniques used by a coach could be misinterpreted by a lay person as inappropriate. O'Connor replied that they could not.

At this time the interview was concluded, and Mrs. O'Connor was asked not to discuss the details of the interview with others.

At 9:25 a.m. on September 21, 2012, a personal witness interview was conducted with Mr. Kyle Kopp.

Mr. Kopp (Kopp) is the head women's water polo/swim coach and a physical education instructor, and has been employed by GWC for approximately 5 years. He has had no prior association with the Golden West Swim Club.

Kopp related that he is familiar with GWC policy on sexual harassment and conduct towards others, being provided that information at the time of his employment and subsequently updated through department meetings and seminars. He added that those policies are applicable to athletic programs at GWC as well.

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Kopp stated that he is not affiliated with Swimming USA, but is a member of USA Water Polo. When asked, Kopp stated that there are no minors involved in any of the GWC aquatic programs.

Kopp related that he has known William Jewell (Jewell) for approximately one year, since his arrival at GWC. He stated that he has never personally witnessed or heard of any inappropriate behavior on Jewell's part.

Kopp stated that he has known Mark Schubert (Schubert) for approximately 16 years, most recently working with him at GWC over the last year. He stated that he has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When asked if he had witnessed or heard any reasons why Schubert might not report inappropriate behavior if it occurred, Kopp replied that he had not.

Kopp was asked if, during the normal course of instruction, any legitimate and appropriate teaching techniques used by a coach could be misinterpreted by a lay person as inappropriate. Kopp replied that they could not.

At this time the interview was concluded, and Mr. Kopp was asked not to discuss the details of the discussion with others.

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At 09:50 a.m. on September 21, 2012, a personal witness interview was conducted with Ms. Jade Morton. Ms. Morton is a student/work study athlete at Golden West College, and has been so involved for approximately 2 years. She has had an association with the Golden West Swim Club since January of 2012, and is an assistant instructor there.

Morton related that she is familiar with GWC policy on sexual harassment and conduct towards others, being provided that information during her orientation at GWC.

Morton related that she has known William Jewell (Jewell) for approximately 10 months, as an assistant coach at GWC and GWSC. She stated that she has never personally witnessed or heard of any inappropriate behavior on Jewell's part at either venue.

Morton related that she has known Mark Schubert (Schubert) for approximately 10 months, as the head coach at GWC and GWSC. She stated that she has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When asked if she had witnessed or heard any reasons why Schubert might not report inappropriate behavior if it occurred, Morton replied that she had not.

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Morton was asked if, during the normal course of instruction, any legitimate and appropriate teaching techniques used by a coach could be misinterpreted by a lay person as being inappropriate. Morton replied that they could not.

At this time the interview was concluded, and Ms. Morton was asked not to discuss the details of the interview with others.

At 10:30 a.m. on September 21, 2012, a personal witness interview was conducted with Mr. Scott Taylor. Mr. Taylor is a Physical Education instructor, the Head Men's Water Polo coach and an assistant swim coach. He has been employed by GWC for over 10 years on a full time basis, serving the 3 prior years as an adjunct.

Taylor related that he is familiar with GWC policy on sexual harassment and conduct towards others, being provided that information at the time of his employment and subsequently updated through department meetings and seminars. He added that those policies are applicable to athletic programs at GWC as well, and that he is well aware of his responsibilities as a mandated reporter.

Taylor indicated that he had no affiliation with GWSC, or with Swimming USA.

Taylor related that he has known William Jewell (Jewell) for approximately 30 years, since Taylor's time as a student athlete in the late 1980's. He added that his association with Jewell at that time was through Jewell's son, with whom he played sports. They reconnected when Jewell began his association with the GWSC and the GWC aquatic programs. Taylor stated that he has never personally witnessed or heard of any inappropriate behavior on Jewell's part.

Taylor stated that he has known Mark Schubert (Schubert) since his affiliation with the GWSC, which he believed occurred two or three years ago. He stated that he has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When asked if he had witnessed or heard any reasons why Schubert might not report inappropriate behavior if it occurred, Taylor replied that he had not.

At this time the interview was concluded, and Mr. Taylor was asked not to discuss the details of the interview with others.

At 10:00 a.m. on November 9, 2012, a personal witness interview was conducted with Mr. Danny Johnson. Mr.

Johnson is currently an assistant swim coach, assistant men's water polo coach, as well as an athletic facilitator assigned at the college. He has been so employed for approximately 8 years.

Johnson related that he is familiar with GWC policy on sexual harassment and conduct towards others, being provided that information at the time of his employment and subsequently updated through department meetings and seminars. He added that those policies are applicable to athletic programs at GWC as well, and he is fully aware of mandatory reporting requirements. Johnson added that he is not aware of any minors currently affiliated with the GWC aquatic programs.

Johnson stated that he is not affiliated with the GWSC, but coordinates their rental of GWC facilities. He is no longer a member of Swimming USA.

Johnson related that he has known William Jewell (Jewell) for approximately 15 years, having swum for him at GWC in the late 1990's. Since Johnson moved into the realm of coaching, he has competed with and against Jewell. He stated that he has never personally witnessed or heard of any inappropriate behavior on Jewell's part in all those years.

Johnson stated that he has known Mark Schubert (Schubert) for approximately 4 years, most recently working with him at GWC over the last year or so. He stated that he has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When

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asked if he had witnessed or heard any reasons why Schubert might not report inappropriate behavior if it occurred, Johnson replied that he had not and was sure that Schubert would have reported it immediately. Not reporting inappropriate conduct would have been out of character for Schubert.

At this time the interview was concluded, and Mr. Johnson was asked not to discuss the details of the interview with others.

At 10:20 a.m. on November 9, 2012, a subject interview was conducted with Mr. William Jewell. Mr. Jewell is a volunteer assistant swim coach for both GWC (since January 2012) and the GWSC (since June of 2011). Jewell understood his status as a subject of this investigation, and had no representative present.

Jewell stated that he is familiar with California state law as it relates to sexual harassment, treatment of others, and the mandatory reporting requirements for inappropriate conduct or abuse. He added that he is a member of Swimming USA, and is familiar with their Athletic Code of Conduct which, he added, is more restrictive than state law.

Jewell stated that he has known Mark Schubert for approximately 42 years. Jewell was asked if, from June of 2011 until the present, he

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had personally witnessed any inappropriate behavior on the part of coaching staff either at the Golden West Swim Club or at Golden West College. Jewell replied that he had not. Jewell was then asked if *he* had engaged in any behavior that could be considered inappropriate while affiliated with either venue. Jewell replied adamantly that he never had.

When asked, Jewell stated that he has never personally witnessed or heard of any inappropriate behavior on Schubert's part. When asked if he had witnessed or heard any reasons why Schubert might not report inappropriate behavior if it occurred, Jewell replied that he had not and was sure that Schubert would have reported it immediately.

At this time the interview was concluded, and Mr. Jewell was asked not to discuss the details of the interview with others.

At 11:30 a.m. on November 9, 2012, a subject interview was conducted with Mr. Mark Schubert. Mr. Schubert is currently the head swim coach at GWC, having been so employed for the past 2 seasons. Additionally, he has been the head swim coach at the GWSC since June of 2011.

Schubert related that he is familiar with GWC policy and state law on sexual harassment and conduct towards others, being provided that

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information at the time of his employment and subsequently updated through department meetings and seminars. He added that those policies are applicable to athletic programs at GWC as well, and that he is aware of his responsibilities as a mandated reporter.

Schubert stated that he has known William Jewell for approximately 42 years. Schubert was asked if, from June of 2011 until the present, he had personally witnessed any inappropriate behavior on the part of Jewell either at the Golden West Swim Club or at Golden West College, or heard any rumors or gossip regarding same. Schubert replied that he had not. Schubert was then asked if he had been aware of any inappropriate behavior that he had either witnessed or had come to his attention; would he have reported that behavior? Schubert replied "Absolutely".

At this time the interview was concluded, and Mr. Schubert was asked not to discuss the details of the interview with others.

FINDINGS AND CONCLUSIONS:

Allegation #1 – Subject William Jewell

The allegation of inappropriate conduct by Jewell was raised as a collateral issue in a civil lawsuit filed by a former employee. This

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allegation primarily referenced the Golden West Swim Club (GWSC) as the venue in which the alleged improprieties occurred. At the request of the Investigator a mass emailing (Exhibit #2) was initiated by GWC administrators to all participant /parents of the GWSC for the time period of June 2011 to the present. Of the 88 emails sent, 87 were received as evidenced by computer generated "read" and "displayed" receipts (Exhibit#5). 10 members of the GWSC responded with exclusively positive commentaries on Jewell's character and teaching methodology (Exhibit #6). There were no reports of any rumored or actual inappropriate action or behavior received by the Investigator.

Additionally, no reports regarding Jewell, positive or negative, were received on behalf of the Golden West College aquatics program.

All witnesses, having been associated with Jewell anywhere from 10 months to 42 years, unequivocally stated that they had never seen or heard of any inappropriate activity ascribed to Jewell.

Based on a preponderance of the evidence, it is apparent that there is no substance to the allegations referencing Jewell's conduct as a swim coach at GWC or the GWSC. It is this Investigator's recommendation that this allegation be **Unfounded**.

Allegation #2 – Subject Mark Schubert

The allegation of inappropriate conduct by Schubert was raised as a collateral issue in a civil lawsuit filed by a former employee. This allegation primarily referenced the failure of Schubert to report inappropriate conduct on the part of his assistant coach, William Jewell.

Based on the findings and conclusions (unfounded) regarding the allegation against Jewel, the allegation against Schubert becomes moot. Additionally, there were no reports of any rumored or actual inappropriate actions or behavior by Schubert, exclusive of the allegation, received by the Investigator from either the GWC aquatics program members or the GWSC.

All witnesses, having been associated with Schubert anywhere from 10 months to 42 years, unequivocally stated that they had never seen or heard of any inappropriate activity ascribed to Schubert during the referenced time period and that, had Schubert been aware of any impropriety, would have certainly acted accordingly and in conformance with all applicable law and statute.

Based on a preponderance of the evidence, it is apparent that there is no substance to the allegations referencing Schubert's conduct as a

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swim coach or mandatory reporter at GWC or the GWSC. It is this
Investigator's recommendation that this allegation be **Unfounded.**

A handwritten signature in black ink, appearing to read "George A. Vanecek", with a long horizontal flourish extending to the right.

George A. Vanecek (CA P.I. License #26161)
Investigator - Norman A. Traub Associates

BY FAX

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ATTORNEYS FOR PLAINTIFF
DIA C. RIANDA

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

SEP 17 2012

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE
30-2012
00598426

DIA C. RIANDA,

Plaintiff,

vs.

GOLDEN WEST SWIM CLUB; GOLDEN
WEST SWIM CLUB SUPPORT GROUP;
MARK SCHUBERT; and DOE 1 through
DOE 50, inclusive,

Defendants.

Case No.

COMPLAINT FOR DAMAGES

1) Wrongful Termination in Violation
of Public Policy
2) Breach of Contract
3) Retaliation

[Amount in excess of \$25,000]

Plaintiff, DIA C. RIANDA, alleges:

GENERAL ALLEGATIONS

1. Plaintiff DIA C. RIANDA (plaintiff) is, and at all times relevant was, an adult female residing mainly in Orange County, California.
2. Plaintiff is informed and believes and on that basis alleges that defendant Golden West Swim Club (GWSC) is, and at all relevant times was, a non-profit public benefit

COMPLAINT FOR DAMAGES

1 corporation organized and existing under the laws of the State of California, with its principal
2 place of business in Orange County, California. At those times relevant herein, GWSC was
3 plaintiff's employer.

4 3. Plaintiff is informed and believes and on that basis alleges that defendant Golden
5 West Swim Club Support Group is, and at all relevant times was, a non-profit corporation
6 organized and existing under the laws of the State of California, with its principal place of
7 business in Orange County, California. At all times relevant, defendant Golden West Swim
8 Club Support Group owned and/or controlled defendant GWSC.

9 4. Plaintiff is informed and believes and on that basis alleges that defendant Mark
10 Schubert (Schubert) is, and at all relevant times was, an individual residing in Orange County,
11 California. At those times relevant herein Schubert was the Head Coach and Chief Executive
12 Officer (CEO) of defendant GWSC. He was also plaintiff's immediate supervisor.

13 5. The true names and capacities of defendants named as Doe 1 through Doe 50,
14 inclusive, are presently unknown to plaintiff. Plaintiff will amend this complaint, setting forth
15 the true names and capacities of these fictitious defendants when they are ascertained. Plaintiff
16 is informed and believes and on that basis alleges that each of the fictitious defendants has
17 participated in the acts alleged in this complaint to have been done by the named defendants.

18 6. Plaintiff is informed and believes and on that basis alleges that, at all relevant
19 times, each of defendants, whether named or fictitious, was the agent or employee of each of the
20 other defendants, and in doing the things alleged to have been done in the complaint, acted
21 within the scope of such agency or employment, or ratified the acts of the other.

22 7. The incidents that are the subject of this complaint, including plaintiff's hiring
23 and firing, took place in the County of Orange, State of California.

24 **ALLEGATIONS COMMON TO ALL CLAIMS**

25 8. This complaint tells a story that has become all-too-familiar in the USA
26 Swimming world: a legend in the coaching fraternity decides to go to great lengths to protect a
27 fellow coach in the face of clear, unequivocal concerns that the coach is behaving in a sexually
28 improper manner with young athletes placed under his control. Rather than deal with the

1 uncomfortable problem of having to discipline a long-standing assistant, the legendary coach
2 decides to deal with the problem by simply getting rid of the pesky complainant. The moral is
3 that if such events remain unchallenged, the truth-teller will inevitably become a thing of the
4 past, with the end result being a group of innocent children left to suffer the consequences.

5 **THE GOLDEN WEST SWIM CLUB (GWSC):**

6 9. The GWSC is/was a nonprofit, public benefit corporation organized under the
7 laws of the state of California on or about January 1, 1983. GWSC was formed through the
8 merger of two existing swim clubs: Fountain Valley Swim Team and Huntington Beach Swim
9 Club.

10 10. The GWSC first operated under the Golden West College Community Services
11 Division as a member of the Sports Academy. However, since 1988, GWSC has functioned as
12 an independent nonprofit organization serving the greater Huntington Beach community.

13 11. The Golden West Swim Club Support Group was incorporated under the laws of
14 the State of California on or about August 6, 1984. Plaintiff is informed and believes that
15 Golden West Swim Club Support Group owns, operates and/or controls the GWSC, and is
16 responsible for appointing and supervising GWSC's Head Coach and its officers and directors.
17 Plaintiff is informed and believes and on that basis alleges that the Board of Directors of GWSC
18 consists of members of the Golden West Swim Club Support Group.

19 12. The GWSC purports to offer a competitive swimming program for all ages and
20 abilities. All coaches and managers employed by (or volunteering to) GWSC are members of
21 USA Swimming; the National Governing Body for the sport of swimming in the United States.
22 All coaches, managers and volunteers working at GWSC are subject to the rules, regulations
23 and policies of USA Swimming, including, but not limited to, the USA Swimming Code of
24 Conduct and its Athlete Protection Policies. At all times relevant herein, these rules include,
25 *inter alia*, a mandatory sexual harassment, abuse and/or molestation reporting requirement.

26 13. The GWSC Team Code of Conduct provides that GWSC, "Team members and
27 staff will refrain from any illegal or inappropriate behavior that would detract from a positive
28 image of the team or would be detrimental to its performance objectives."

1 14. Consistent with the procedures, policies and rules promulgated by USA
2 Swimming, as well as the procedures, policies and rules adopted by GWSC, all coaches,
3 managers and volunteers employed by, or working on behalf of, GWSC had an affirmative
4 obligation to report any known or suspected improper conduct occurring between any GWSC
5 coach, manager or volunteer and any participating athlete to their immediate supervisor and/or
6 the Head Coach of GWSC (i.e. Schubert). Moreover, consistent with USA Swimming's Athlete
7 Protection Policies, those responsible for the operations of GWSC, including its Head Coach
8 (Schubert), had an affirmative obligation to report to USA Swimming's Athlete Protection
9 Officer and/or Director of Safe Sport any and all reports of any known or suspected improper
10 contact(s) between any GWSC coach, manager or volunteer and any participating minor athlete.

11 **GWSC HEAD COACH AND CEO MARK SCHUBERT**

12 15. In early to middle 2011, GWSC's Board of Directors retained defendant Mark
13 Schubert as GWSC's Head Coach and CEO.

14 16. It would not be hyperbole to suggest that Mark Schubert is a legend in the
15 swimming community. Prior to his retention by GWSC, Schubert was a staff coach for at least
16 eight Olympic teams from 1980 to 2008, and was the Head Coach of the United States Olympic
17 Team in 2008 (in Beijing). Coach Schubert has personally coached no fewer than twenty-six
18 (26) Olympians including Janet Evans, Lenny Krazelburg, Brian Goode, and Brad Bridgewater.
19 He coached for the Mission Viejo Nadadores, winning forty-nine (49) National Championship
20 Titles and also coached for the Mission Bay Makos winning nine (9) National Team Titles. He
21 was the Head Men's and Women's Swimming Coach for University of Southern California, and
22 was the Women's Coach at the University of Texas. His NCAA teams have won three (3)
23 NCAA Team Championships and 49 Individual NCAA Titles. Coach Schubert was inducted
24 into the International Swimming Hall of Fame in 1997 as an Honor Coach. He has received
25 "Coach of the Year" awards from over five different swimming organizations.

26 17. Plaintiff is informed and believes and on that basis alleges that while Schubert
27 was serving as the Head Coach of USA Swimming and USA Swimming's National Team
28 Director, he was also directing, at least from a distance, the Fullerton Aquatics Swim Club

1 ("FAST") Elite Training Center funded by USA Swimming, from his position at USA
2 Swimming. Later the name was changed to the USOC Post Graduate Olympic Training Center
3 and funded through with USOC monies through USA Swimming. While working with FAST, at
4 least two events occurred that foreshadowed Schubert's subsequent refusal to properly address
5 plaintiff's legitimate complaints of improper coach/athlete interactions:

- 6 a) The first problem developed when Schubert recruited Coach Sean Hutchison, a
7 rising "star" in the swimming community. Hutchison was Schubert's assistant at the
8 Beijing Olympics in 2008 and was the head U.S. women's coach at the 2009
9 swimming world championships in Rome. Shortly after Hutchison's arrival at
10 FAST, Schubert discovered that Hutchison was engaged in an inappropriate sexual
11 relationship with at least one of the athletes he was coaching. Accordingly, after a
12 power struggle had occurred between the coaches at FAST, Schubert hired a private
13 investigator to conduct surveillance on Coach Hutchison. Ultimately, Schubert was
14 able to secure incriminating photographs and/or video which depicted Coach
15 Hutchison acting intimately with at least one of his swimmers. As opposed to
16 turning this information over to the authorities or otherwise taking some sort of
17 action to ensure that this inappropriate behavior ended, Schubert, at least for the
18 time being, retained this incriminating evidence for what he referred to as
19 "insurance" to be used for his personal gain in the future.
- 20 b) The second problematic development at FAST involved Coach William Jewell. Due
21 to Schubert's then existing relationship with USA Swimming, he was unable to
22 retain a formal position at FAST. As a consequence, Schubert worked behind the
23 scenes to secure FAST Board approval to have his long-time friend William Jewell
24 appointed as FAST'S CEO. Soon thereafter, parents and coaches began
25 complaining that Coach Jewell was having improper physical contacts with some of
26 FAST's young female swimmers. In particular, Coach Jewell was observed
27 improperly touching the girls and providing them with "massages" in clear violation
28 of USA Swimming's Code of Conduct. Additionally, Coach Jewell was overheard

1 making a series of inappropriate sexual comments on the pool deck and at travel
2 meets. Schubert was told of Jewell's improper behavior, including from the family
3 of a 2012 Olympic gold medal winner, but once again he did nothing. Ultimately
4 the complaints overwhelmed the FAST Board. It was clear that they could no longer
5 be "swept under the rug." Jewell ultimately was forced out of FAST. Undeterred,
6 Schubert later brought Jewell back to the pool deck as a GWSC coach (despite the
7 known existence of a pending USA Swimming investigation into Coach Jewell's
8 wrongful interaction with young female swimmers).

9 18. Plaintiff is informed and believes and on that basis alleges that in 2010, a dispute
10 developed between Schubert and USA Swimming and/or one or more of its current or former
11 Board members. It is believed that Schubert wanted USA Swimming to provide additional
12 funds for coaches and elite programs he was operating and/or organizing in Southern
13 California (including the FAST program). Others at USA Swimming were not happy about this
14 and pressured USA Swimming to defund Coach Schubert's "Centers of Excellence."

15 19. Eventually, USA Swimming decided, after placing him on suspension, to relieve
16 Schubert and his staff from their duties in November of 2010. By all accounts, USA
17 Swimming had every reason to terminate Schubert due to recent instances of irrational and
18 abusive behavior that he exhibited to his swimmers, particularly during the Pan Pacific
19 Championships in August of 2010.

20 20. Plaintiff is informed and believes and on that basis alleges that following his
21 dismissal, Coach Schubert decided to pursue litigation against USA Swimming arising from
22 his national team dismissal. Negotiations between Schubert and USA Swimming began in
23 approximately early December of 2010. Initially, USA Swimming employed a hard line stance
24 with Schubert and his attorney as it maintained that it was perfectly justified to terminate
25 Schubert and that the employment claim was otherwise meritless. USA Swimming was
26 prepared to dig its heels into the ground and fight Schubert every step of the way in order to
27 defend its conduct.

28 //

1 21. In order to leverage the amount of any compensation that he would receive from
2 USA Swimming, Schubert decided to cash in on his "insurance policy" in the form of the
3 incriminating information that he had in his possession concerning Coach Hutchison. Schubert
4 knew that USA Swimming, then embroiled in the midst of a sex abuse scandal, would be
5 highly motivated to conceal from public scrutiny certain information about a high profile
6 coach, i.e. Coach Hutchison, who had been involved in sexual misconduct. Thus, Schubert
7 surreptitiously leaked some of the information he had concerning Coach Hutchison to a
8 nationally known sports writer named Amy Shipley of the Washington Post in or about
9 December of 2010. Ms. Shipley subsequently published an article about Coach Hutchison's
10 sexual misconduct on or about December 30, 2010. The story stunned the USA Swimming
11 community. Yet another black eye was levied against the leaders of USA Swimming and a
12 revolt was brewing. The full story involving Coach Hutchison, if revealed, would cause many
13 "heads to roll" of some of the most powerful leaders of USA Swimming. Schubert succeeded
14 in getting USA Swimming's attention. The following implied message was sent: "This is just
15 the beginning. Pay me what I want and no further information gets leaked."

16 22. During this time, Schubert (and his wife) became close to plaintiff, who they
17 sought out for emotional, physical and financial support during this trying time. In fact, at one
18 point during this time period Schubert and plaintiff had a heart-to-heart discussion concerning
19 the widespread problem within USA Swimming of coaches sexually abusing minor athlete
20 swimmers. Plaintiff confided in Schubert that this was a problem she took extremely seriously.
21 Schubert then confided that in the 1980's he learned that a swim coach named Rick Curl was
22 sexually abusing an athlete and that the swimmer developed an eating disorder and other
23 emotional problems. Plaintiff asked him what he did for her and he responded that he did
24 nothing since her problems were "too big" and it would take away from the team so he decided
25 not to help her in the interest of the other swimmers. Schubert confessed, "I feel so guilty that I
26 did not help her, when she asked me for help." Stunned, plaintiff asked him why didn't you go
27 to law enforcement or child protective services, to which Schubert replied, "It was too late, the
28 statute of limitations had run out, I didn't know what to do, but I told Chuck Wielgus

1 [Executive Director in late 2010 of USA Swimming]. I asked him what he was going to do
2 about Rick Curl." Plaintiff then pleaded with Schubert to do the right thing and report it to law
3 enforcement immediately. With resignation, Schubert responded, "I tried, but they [USA
4 Swimming and Chuck Wielgus] wouldn't listen."¹

5 23. Soon after the Washington Post article rocked the swimming world, USA
6 Swimming quickly retreated from its previously intractable legal position and quickly- and
7 more importantly quietly- started negotiating with Schubert on his employment claim.
8 Eventually Schubert received a whopping \$625,000 in settlement with USA Swimming, of
9 which \$500,000 served as compensation for a tort claim and therefore Schubert was not
10 obligated to pay taxes on these monies. In exchange, Schubert agreed to give up any further
11 service with the national team staff (as well as any potential service with the USA Swimming
12 Board of Directors). Most importantly, in exchange for these monies, Schubert entered into a
13 "confidentiality agreement" whereby he promised that he would not make public any further
14 information that he possessed concerning the affairs at FAST, including instances of sexual
15 misconduct by Coach Hutchison. Further, USA Swimming made Schubert promise, in
16 exchange for these monies, that he would not publicly speak about any sexual abuse issues in
17 general, including what he knew about Kelley Currin, Rick Curl and USA Swimming's
18 knowledge of same. For the price of \$625,000, therefore, Coach Schubert was effectively
19 silenced and further information, including the incriminating photographs which he had in his
20

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22
23 ¹ Kelley Currin began swimming for Rick Curl in 1981 when she was 13 years old. She continued swimming for him until
24 1988. Plaintiff is informed and believes and on that basis alleges that beginning in 1982, and continuing up through 1987, Ms.
25 Currin was sexually abused by Coach Curl. In August of 1988, Ms. Currin was released from the hospital, where she was
26 treated for depression and an eating disorder related to the sexual abuse perpetrated by Curl. Defendant Mark Schubert began
27 coaching Ms. Currin at the University of Texas in the fall of 1988. Ms. Currin expressly informed Schubert that she had
28 recently been in the hospital due to the sexual abuse committed by Coach Curl. Schubert, on information and belief, did
nothing in response to this information: he made no effort to advise Currin's parents or the authorities of Currin's abuse;
nothing was done to prevent Curl from having further access to other vulnerable swimmers. The only action believed to have
been taken by Schubert in response to this information was to apprise Chuck Wielgus (the Executive Director of USA
Swimming). It is believed that Schubert provided information to USA Swimming concerning coach Curl's abuse on at least
three (3) separate occasions. USA Swimming is believed to have done absolutely nothing in response to this information
despite having a clear duty to act consistent with then existing USA Swimming rules and regulations.

1 possession depicting Coach Hutchison, were kept under lock and key in Coach Schubert's safe.
2 On information and belief, this collaborative effort on behalf of the leaders of USA Swimming
3 constituted a conspiracy to commit a crime as it is against the law to condition the payment of
4 monetary compensation in exchange for not reporting illegal activity to the authorities.

5 24. Not surprisingly, at or about this time, the allegations concerning Coach
6 Hutchison were "swept under the rug." USA Swimming proudly announced on February 14,
7 2011 that it had "fully investigated" the charges into Coach Hutchison and publicly cleared
8 him of any wrongdoing. Thus, Coach Hutchison maintained his USA Swimming membership
9 in good standing and was allowed to continue coaching and having unfettered access to minor
10 swimmers. However, Coach Hutchison mysteriously left FAST and is now coaching at various
11 parts of the country, including the State of Washington where he currently is the Director of
12 King Aquatics. This method of covering up and relocating swim coaches was not unique in the
13 USA Swimming world as similar action had previously been taken with other notable coaches
14 such as former National Team Director Everett Uchiyama and Aaron Bartleson.

15 **PLAINTIFF IS HIRED BY SCHUBERT AS A GWSC SWIM COACH AND**
16 **MANAGER:**

17 25. While Coach Schubert was dealing with personal issues, including his ongoing
18 legal dispute with USA Swimming, plaintiff was asked by Schubert (and his wife) to assist
19 Schubert with various personal matters. Although still residing in northern California, plaintiff
20 agreed to help Schubert.

21 26. Plaintiff is informed and believes and on that basis alleges that in or about early
22 2011, the Schubert asked the Golden West Board to serve as a GWSC "volunteer" coach
23 pending resolution of this legal dispute with USA Swimming (with the understanding that he
24 would be compensated retroactively upon final settlement with USA Swimming).

25 27. Soon thereafter, in or about July 2011, Schubert was formally retained by
26 GWSC. He was given the position of team Head Coach and named GWSC's Chief Executive
27 Officer (CEO).

28 //

1 28. In the spring of 2011, Schubert asked plaintiff to come to Southern California
2 and assist him in the management of the GWSC. Plaintiff agreed. Upon arrival in Southern
3 California, plaintiff's duties "assisting" Schubert ultimately included, *inter alia*: 1) handling all
4 GWSC affairs when Schubert was absent; 2) dealing with complex organizational matters; 3)
5 updating the club's human resource protocols and generally handling staff hiring matters; 4)
6 mentoring newly retained coaches; 5) construction of an age group and feeder swim program;
7 and 6) develop and enlarge the club's master swimming program. Schubert enticed plaintiff to
8 help him in Southern California with the plea, "I can't do it without you. "

9 29. One of plaintiff's first duty in the summer of 2011 was to salvage a swim camp
10 that Schubert had agreed to run. In so doing plaintiff had to, prepare promotional literature,
11 recruit swimmers, donate financial resources, and generally dedicate time necessary to make
12 the camp a success without pay or compensation.

13 30. After a great deal of encouragement by Schubert, plaintiff ultimately agreed to
14 move to Southern California so that she could work full-time for Shubert and GWSC. She did
15 this leaving her family behind in Northern California.

16 31. When plaintiff first started "assisting" Schubert, she had an oral understanding
17 with him that she would be a lawful partner in whatever endeavor or opportunity came his way
18 when he recovered from his emotional and physical problems related to his ongoing dispute
19 with USA Swimming. It was initially envisioned that plaintiff would split time between
20 Northern and Southern California. However, it soon became clear that plaintiff's duties were
21 such that she could no longer continue commuting from Northern California (and could no
22 longer continue her coaching duties with teams in Northern California). It was ultimately
23 agreed that she should move to Southern California and dedicate herself full-time to Schubert
24 and GWSC. She then became a Head Age Group Coach managing day to day coaching
25 operations of the Age Group Program, Master's Program, Pathways "Lesson" Program, and
26 Swim4Me program. She was left with the complete task of setting up a web based team
27 management infrastructure and swins database for the team which had more than doubled in
28 size since she came to Golden West Swim Club. She also invested much time in developing a

1 business plan and business concept for an Aquatic Center in Huntington Beach.
2 32. In or about July 2011, plaintiff entered into an oral employment agreement with
3 Schubert (in his position as GWSC Head Coach (and CEO)).² Pursuant to the terms of
4 plaintiff's oral agreement, plaintiff agreed to leave her job and home in northern California and
5 move to Southern California so that she could dedicate her full-time effort to the management
6 of GWSC (as well as various coaching duties for GWSC). In exchange, it was agreed that
7 plaintiff would receive a starting compensation of \$30,000 per year along with a quarterly
8 performance bonus. As per the oral agreement it was agreed that year 1's salary would just
9 cover expenses related to housing expenses, but that upon successful growth of GWSC she
10 would be fairly compensated for her time. Finally, in light of plaintiff's decision to move to
11 Southern California, she needed an assurance of continued employment. Accordingly, Schubert
12 agreed that plaintiff would not be terminated by GWSC without good cause.
13 33. Plaintiff was given the formal job titles of: 1) General Team Manager; 2) Head
14 Age Group Coach; 3) Age Group Gold Level Coach; and 4) Associate Senior Coach.
15 34. In or about July 2011, plaintiff purchased a new home in Orange County,
16 California.
17 35. Plaintiff's job performance at GWSC was excellent. Her "Gold Group"
18 consistently improved their times and she was responsible for developing Nationally and LSC
19 "top ten" ranked age group athletes and doubled the number of Junior Olympic qualifiers.
20 Moreover, due to Schubert's continued absence, she was effectively required to run the day-to-
21 day operations of GWSC.
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27 ² Pursuant to the GWSC by-laws, Schubert, as the GWSC Head Coach and CEO, had exclusive authority to hire GWSC's
28 assistant coaches and staff and determine their powers, duties and compensation. (See Article 9, subparagraph 9.9, Bylaws, Golden West Swim Club.)

1 36. By all accounts plaintiff performed her job duties admirably and in a
2 professional manner. At no time during her employment with GWSC was plaintiff ever subject
3 to a negative job performance evaluation, nor was she ever subject to any discipline.

4 **PLAINTIFF REPEATEDLY ADVISES SCHUBERT THAT COACH JEWELL IS**
5 **BEHAVING IMPROPERLY WITH UNDERAGE FEMALE SWIMMERS**
6 **PLACED UNDER HIS CONTROL:**

7 37. As previously noted, when Schubert assumed control of GWSC, he asked his
8 longtime friend, William Jewell, to work as an assistant coach at GWSC. Jewell agreed and, in
9 or about July 2011, he was appointed GWSC's volunteer "Assistant Senior Elite Coach."

10 38. Pursuant to GWSC's bylaws (as well as its organizational structure), Jewell
11 worked under the direct supervision of Schubert.

12 39. When Jewell was asked by Schubert to come coach at GWSC, Schubert was
13 fully aware that Jewell remained subject to a formal USA Swimming investigation concerning
14 his improper interactions with young female swimmers while coaching at FAST. Schubert
15 decided to go ahead and place Jewell in charge of various female swimmers at GWSC despite
16 this pre-existing knowledge.

17 40. When Jewell began coaching at GWSC, it soon became obvious that his
18 retention was a serious mistake. From the inception of his employment, Jewell was seen
19 behaving in an improper manner vis-à-vis the minor female athletes at the GWSC pool. Jewell's
20 inappropriate conduct included:

- 21 a) The physical touching of the young female swimmers in an inappropriate (if not
22 unlawful) manner;
- 23 b) Providing physical "massages" on young female swimmers while they sat pool-
24 side between his legs;
- 25 c) Allowing young female swimmers to sit on his lap;
- 26 d) Improper sexual innuendo directed at his young swimmers;
- 27 e) Constant use of profanity;
- 28 f) Meeting alone with his female swimmers.

1 41. After observing much of the above described conduct, and after fielding a series
2 of complaints from club coaches, plaintiff met with Schubert and told him that something
3 needed to be done about Jewell's behavior.

4 42. Schubert ignored plaintiff's concerns. There was no investigation, follow-up or
5 sanction. Instead, Schubert simply kept matters to himself; he failed to report this information
6 to his Board, USA Swimming or any of the affected parents.

7 43. Jewell's inappropriate behavior continued. At one point he was discovered sitting
8 in his vehicle with a young swimmer in the front seat. He was further seen walking through the
9 parking lot with his arm around the back of at least two female swimmers. In addition, it was
10 learned that both Schubert and Jewell were providing unauthorized car rides to swimmers in
11 violation of USA Swimming and GWSC rules.

12 44. Plaintiff reiterated her complaints to Schubert, noting that Jewell's behavior was
13 in clear violation of the USA Swimming's Code of Conduct. Concerned with the safety and
14 well-being of GWSC's swimmers, plaintiff told Schubert that he should, *at a minimum*, restrict
15 Jewell from having any further contact with any female swimmers pending a thorough
16 investigation of her complaints. Schubert reassured the entire coaching staff that he had
17 control over the situation, demanded that he be verbally consulted and no more written emails
18 or documentation be created concerning Jewell's behavior or any employee for that matter.
19 Schubert also emphasized that he was responsible for Jewell and would remedy the situation.
20 Jewell then disappeared from the GWSC club coaching and was now coaching the college
21 swimming exclusively in Jan-April of 2012. During this time, Jewell was exclusively under
22 Schubert's control and supervision and had nothing to do with USA Swimming or Golden
23 West Swim Club. GWSC coaches assumed he had been reassigned. Plaintiff was told he was
24 removed from GWSC coaching until the investigations and lawsuit Jewell had with PAST had
25 cleared.

26 45. Despite plaintiff's repeated protestations, Schubert insisted that Jewell was
27 innocent of any wrongdoing. Plaintiff responded that she personally observed much of his
28 improper behavior herself, and that even if Schubert was skeptical, prudence dictated that he

1 instruct Jewell to avoid further contact with the club's female swimmers pending resolution of
2 USA Swimming's investigation. Angered, Schubert told plaintiff to leave matters alone.
3 Plaintiff responded:

4 This has nothing to do with me. I like Bill [Jewell], I just don't want him touching
5 the girls for any reason, meeting with them alone or cursing. I want him and all of us to
6 follow the USA Swimming rules. The rules are there for the right reasons to protect kids
7 and to protect coaches from unfair allegations. Follow the rules and no one gets hurt.

8 46. Eventually Schubert advised plaintiff that he would ask Jewell to suspend his
9 coaching duties pending clearance from USA Swimming.

10 47. Shortly thereafter plaintiff discovered Jewell on the pool deck, once again
11 coaching the club's female athletes. Plaintiff reported this to Schubert, who advised that Jewell
12 had been "cleared" and was "fully exonerated" by USA Swimming.

13 48. Unconvinced, plaintiff contacted USA Swimming for the purpose of ascertaining
14 the status of the investigation as well as to lodge her own complaint concerning Jewell's
15 conduct at GWSC. Specifically, she spoke with Executive Director Chuck Wielgus, who did
16 nothing other than to refer her to an "Athlete Protection Officer" named Susan Woessner, who
17 advised that, contrary to what Schubert represented, Jewell, after well over a year, was still
18 under investigation and in any instance had not been "exonerated". Schubert had lied.

19 49. During this time-frame, Jewell's wrongful behavior once again continued. He
20 was seen pulling certain girls out of practice with his hands on their waists shifting them, and
21 with his body next to, and behind, them, presumably demonstrating "stroke technique."

22 50. Plaintiff and others were not happy with this, so she once again complained to
23 Schubert. Schubert remained unmoved and sought to justify Jewell's behavior by noting,
24 remarkably, that Jewell was touching athletes in a manner consistent with USA Swimming's
25 rules. According to Schubert, Jewell was fully within his rights in touching and massaging his
26 athletes, that this was accepted practice of swim coaches and endorsed and demonstrated by
27 those at the top of USA Swimming. He also told plaintiff that the new rules were stupid and
28 ridiculous.

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51. Convinced that her oral protestations had not gotten through to Schubert, on or about June 18, 2012, plaintiff sent Schubert an e-mail stating:

One thing to think about as investigation is going on of Bill Jewell....if he comes up uncleared [sic] and is banned...you will look very bad for bringing him back. They did not give any indication he is cleared, in fact he is still being investigated. Of course he can work, the onus, negligence, and responsibility is on "you" and the club and the officers of the club if something happens or an athlete becomes offended at his touching of them or texting or personal contact. The officers of the club to my knowledge have not been told the truth about his absence. If he goes down the whole club goes down. Please do not forget that you were confronted by the coaching staff a while ago about perceived or what could be perceived as inappropriate behavior by Mr. Jewell before any of this stuff ever came up with FAST. If they are brought in to testify for any reason, the truth will vet itself out. This will not make you look good.

As you can tell, I am very uncomfortable with this. VERY.....and as usual you are not going to heed my advice or listen.

I am asking you in writing "to cover my own ass" to do the RIGHT THING here. He can come back when in fact he has been cleared. I am strongly advising you not to have him in a position where he is texting, providing personal information, or touching in "any manner" minor athletes.

I have been advised by my attorney to write this letter to you. Look I care about you but I will not be an accessory to a poor decision.

52. Plaintiff is informed and believes and on that basis alleges that Schubert was angered with plaintiff's decision to put her complaint in writing. In fact, after sending the above-referenced e-mail, and her email and phone calls to USA Swimming, plaintiff was called into Schubert's office and threatened that her future at GWSC as a coach would be destroyed if she continued to question Jewell's behavior." How could you go to USA Swimming?" Schubert yelled. Schubert advised plaintiff that he needed Jewell to help cover practices. After calming down, Schubert told plaintiff that he would deal with Jewell after the "USA Swimming Olympic Trials" in Omaha Nebraska." When plaintiff questioned the propriety of continuing to leave Jewell alone with young kids, Schubert responded, "I'm giving Bill [Jewell] a chance," "my decision is final."

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1 53. While at swim trials, plaintiff discovered, and reported to Schubert, that at least
2 one underage swimmer had been seen drinking alcohol. Schubert sought to defend this
3 behavior by questioning the drinking age of the state where swim trials were taking place. It is
4 believed that nothing was done by Schubert with respect to this incident.

5 54. A few days later plaintiff received an e-mail from a parent wherein she was
6 advised that a 12-year-old member of the GWSC team was asked by Jewell to cheat in a relay
7 (by improperly impersonating another swimmer who failed to show up). Fortunately, the
8 swimmer's parent refused to allow her daughter to cheat, fearing that she would be disqualified
9 thereby jeopardizing her future swimming prospects. Plaintiff reported this incident to
10 Schubert.

11 55. Thereafter, plaintiff received complaints that most of the senior girls were now
12 wearing bikinis at swim practice while she and Schubert were gone at the "USA Swimming
13 Olympic Trials". This was wholly unacceptable (and a clear violation Schubert's own policies
14 and Club rules). Plaintiff discovered that Jewell unilaterally authorized this behavior and
15 instructed athletes not to tell Schubert or Rianda.

16 56. Plaintiff once again complained to Schubert. However, as with her earlier
17 complaints, nothing was done in response to Jewell's ongoing wrongful conduct. Instead - It
18 soon became clear - Schubert decided to address this ongoing problem by simply getting rid of
19 the messenger.

20 57. On or about July 11, 2012, Schubert formally terminated plaintiff's employment
21 with GWSC. Schubert's only explanation for terminating plaintiff was the suggestion that, "I
22 am not happy and you are not happy, it is time for you to leave."

23 58. It was made clear to plaintiff that the only reason her employment was
24 terminated was due to her complaints to Schubert and then USA Swimming concerning Coach
25 Jewell's unlawful, wrongful and inappropriate conduct.

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FIRST CAUSE OF ACTION
(Wrongful Termination In Violation Of Public Policy)

59. Plaintiff re-alleges and incorporates by reference and every allegation contained in paragraphs 1 through 58 as if fully set forth herein.

60. The above-described conduct of defendants, and each of them, constitutes wrongful employment retaliation and wrongful termination of plaintiff in violation of public policy.

61. The above-described conduct of defendants, and each of them, constitutes a violation of California Labor Code section 6310, which prohibits an employer from terminating an employee because she "has made a bona fide oral or written complaint ... of unsafe working conditions, or work practices, in his or her employment or place of employment."

62. As a result of defendants' wrongful termination of her, plaintiff has suffered and continues to suffer damages, in the form of lost wages and other employment benefits, and severe emotional and physical distress, the exact amount of which will be proven at trial.

WHEREFORE, plaintiff prays for relief as set forth herein.

SECOND CAUSE OF ACTION
(Breach of Employment Contract)

63. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraphs 1 through 62 as if fully set forth herein.

64. In July 2011, plaintiff entered into an oral employment agreement with defendants whereby defendants agreed, *inter alia*, that (a) plaintiff would not be demoted, discharged or otherwise disciplined except for good cause and with notice and an opportunity to be heard; and (b) plaintiff would be evaluated in a fair and objective manner and afforded progressive discipline.

65. This oral employment agreement was evidenced in various written documents, including but not limited to defendants personnel policies and procedures.

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74. Defendants and each of them acted for the purpose of causing plaintiff to suffer financial loss and severe emotional distress and physical distress and are guilty of oppression and malice, justifying an award of exemplary and punitive damages.

WHEREFORE, plaintiff prays for relief as set forth herein.

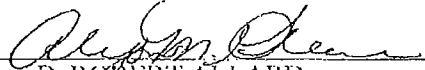
PRAYER

WHEREFORE, plaintiff prays for judgment as against all defendants as follows:

1. For compensatory damages according to proof and prejudgment interest thereon to the extent allowable by law;
2. For exemplary and punitive damages according to proof;
3. For attorney fees on the third cause of action;
4. For costs of suit; and
5. For such other and further relief as the court may deem proper.

Dated: September 17, 2012

CORSIGLIA McMAHON & ALLARD, LLP

By: 
B. ROBERT ALLARD
ALEYSON M. GLEASON
Attorneys for Plaintiff
DIA C. RIANDA

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:36:13 EDT
Subject: FW: GWC Hotline

From: complaints
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: GWC Hotline

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming **Safe Sport** Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9712. You may also make a report via email at complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at [714-895-8999](tel:714-895-8999) for immediate assistance.

Sincerely,

Golden West College

15744 Goldenwest Street

Huntington Beach, CA 92647

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: GWC Hotline

Page 2 of 2

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "Crystal Crane" <ccrane@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 05:53:08 EDT
Subject: FW: Investigation

FYI

From: Albert Gasparian
Sent: Tuesday, October 30, 2012 2:14 PM
To: Crystal Crane
Subject: Fwd: Investigation

Sent from my iPad

Begin forwarded message:

From: "Kyle Kopp" <kkopp@gwc.cccd.edu>
Date: October 30, 2012, 10:46:30 AM PDT
To: "Albert Gasparian" <agasparian@gwc.cccd.edu>
Subject: RE: Investigation

I handed them out to my water polo team at the beginning of training to my 29 athletes in the program. I took a few minutes to explain what it was all about and had the captain's pass them around.

Kyle Kopp

From: Albert Gasparian
Sent: Tuesday, October 30, 2012 10:26 AM
To: Scott Taylor; Kyle Kopp
Subject: FW: Investigation

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: Crystal Crane
Sent: Tuesday, October 30, 2012 10:25 AM
To: Albert Gasparian
Subject: Investigation

Good Morning Albert,

I'm working on getting some dates/times for interviews this morning.

George would also like to get (email is fine) a declaration from each of the coaches who distributed the complaint cards, stating that they provided the cards to the current athletes, approximately how many they handed out, and the methodology they used.

Thanks!

Sincerely,

Crystal Crane

Director, Personnel Services

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647
Phone: (714) 895-8785
Fax: (714) 895-8998
Email: ccrane@ewc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College continues to affirm its commitment to supporting and protecting students, staff and community members.

To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9712. You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency, please call GWC Public Safety at 714-895-8999 for immediate assistance.

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:38 EDT
Subject: **FW: Regarding GWSC Swim Coach Bill Jewell**

-----Original Message-----

From: Michael O'Brien [<mailto:mikeobrienswim@mac.com>]
Sent: Tuesday, October 09, 2012 2:53 PM
To: complaints
Subject: Regarding GWSC Swim Coach Bill Jewell

To whom it may concern:

I am writing this note in support of Coach Bill Jewell. My name is Mike O'Brien and I have known Coach Jewell since 1974 when I was coached by him as a young swimmer on a swim team in Newport Beach. My experience then was a very positive one where I first learned the value of hard work and the benefit of swimming for a coach who was passionate about the sport. Coach Jewell was instrumental in instilling in me an appreciation for the sport and working toward the achievement of lofty goals. His coaching was direct and difficult, but even then I knew this coach was not just pushing me to improve, but really had my long term interest as a person in mind.

As I progressed through the levels of swimming, I eventually left Coach Jewell's team to train at Mission Viejo with Mark Schubert's Nadadores swim team where I became an Olympic Champion at the age of 18. I attribute much of my later success to lessons learned and being set on a path of diligence by Coach Jewell in my younger years. Swimming is a sport unlike any other that requires a singular dedication to training to the exclusion of things that many other teens enjoy. Coach Jewell uses his knowledge not only as a coach but his past experience as an Olympic athlete to help bring perspective and a sense of purpose to his athletes who are training as hard as they will in their lifetime.

Today I am a father of two and when my daughter was in high school and was looking to improve her swimming skills I had heard Coach Jewell had taken a position at FAST swim team in Fullerton. Although the drive from our home in Fountain Valley was considerable, I saw this as an opportunity for my daughter to experience the something and learn the same invaluable lessons I had so many years earlier. She ended up swimming for Bill for three years and I can attest that her experience was extremely positive. She was very sad when she left FAST swimming to pursue a much busier schedule with fine art, which is what she majors in today at USC. Like me, however, she counts her time being coached and mentored by Coach Jewell as extremely special and formative.

All this being said, I look at the recent news involving the GWSC team and Coach Jewell as preposterous. Having personal experience for so many years with him, I feel that I know him more than just in passing and have a long term view of his character as borne out through observation of his actions, words and behavior. As an athlete who has achieved the highest in the sport and as a father who has his daughter's best interest in mind, I can attest to the quality of his instruction, advice and consoling of his athletes, something that is increasingly rare among today's younger coaches. His presence on the GWSC team can only be positive for the athletes fortunate to be coached by him.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Thanks for your consideration,

Mike O'Brien

Mike O'Brien Swim, Inc.
www.mikeobrienswim.com
714-968-0142

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:24 EDT
Subject: **FW: GWC Hotline**

From: David Chang [<mailto:dchang@continentaldevelopment.com>]
Sent: Monday, October 08, 2012 10:39 AM
To: complaints
Subject: Not read: GWC Hotline

Your message

To: dchang@continentaldevelopment.com
Subject:

was deleted without being read on 10/8/2012 10:39 A.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:17 EDT
Subject: **FW: Return Receipt (displayed) - GWC Hotline**

-----Original Message-----

From: vickieroe@verizon.net [mailto:vickieroe@verizon.net]
Sent: Monday, October 01, 2012 9:04 PM
To: complaints
Subject: Return Receipt (displayed) - GWC Hotline

This is a Return Receipt for the e-mail that you sent to vickieroe@verizon.net

Note: This Return Receipt only acknowledges that the message was displayed on the recipient's computer. There is no guarantee that the recipient has read or understood the message contents.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:12 EDT
Subject: **FW: Read: GWC Hotline**
Attachments: ATT308231.txt (1KB)

-----Original Message-----

From: Rand Watkins [<mailto:randwa@roadrunner.com>]
Sent: Monday, October 01, 2012 7:10 PM
To: complaints; complaints
Subject: Read: GWC Hotline

This is a receipt for the email message you sent to "complaints" <complaints@gwc.cccd.edu> at 10/1/2012 1:37 PM

This receipt verifies that the message has been displayed on the recipient's computer at 10/1/2012 7:10 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:07 EDT
Subject: **FW: GWC Hotline**

From: Wes Bryan
Sent: Monday, October 01, 2012 7:03 PM
To: complaints
Subject: Read: FW: GWC Hotline

Your message

To: Wes Bryan; Albert Gasparian; Jonathan Arnold
Cc: Crystal Crane
Subject: FW: GWC Hotline
Sent: 10/1/2012 1:45 PM

was read on 10/1/2012 7:03 PM.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:35:02 EDT
Subject: **FW: Read: GWC Hotline**
Attachments: ATT305222.txt (1KB)

-----Original Message-----

From: Nivo [mailto:nivomedhat@hotmail.com]
Sent: Monday, October 01, 2012 6:38 PM
To: complaints; complaints
Subject: Read: GWC Hotline

This is a receipt for the email message you sent to "complaints" <complaints@gwc.cccd.edu> at 10/1/2012 1:37 PM

This receipt verifies that the message has been displayed on the recipient's computer at 10/1/2012 6:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:55 EDT
Subject: **FW: Read: GWC Hotline**
Attachments: [ATT303561.txt \(1KB\)](#)

From: Kent Choi [mailto:kchoi@naicapital.com]
Sent: Monday, October 01, 2012 5:53 PM
To: complaints
Subject: Read: GWC Hotline

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:37 PM

was read on 10/1/2012 5:53 PM.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpl@charter.net
Date: 10/30/2012 07:34:51 EDT
Subject: **FW: Read: GWC Hotline**
Attachments: [ATT279414.txt \(1KB\)](#)

From: Gilbert Alba [mailto:galba@socal.rr.com]
Sent: Monday, October 01, 2012 2:37 PM
To: complaints
Subject: Read: GWC Hotline

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:37 PM

was read on 10/1/2012 2:37 PM.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:44 EDT
Subject: **FW: GWC Hotline**

From: Albert Gasparian
Sent: Monday, October 01, 2012 2:37 PM
To: complaints
Subject: Read: FW: GWC Hotline

Your message

To: Albert Gasparian
Subject: FW: GWC Hotline
Sent: 10/1/2012 1:43 PM

was read on 10/1/2012 2:37 PM.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: Read: GWC Hotline

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:38 EDT
Subject: FW: Read: GWC Hotline
Attachments: ATT272447.txt (1KB)

From: Kuni Hashimawari [mailto:kuni3@victorybell.com]
Sent: Monday, October 01, 2012 1:54 PM
To: complaints
Subject: Read: GWC Hotline

Your message

To: complaints
Subject: GWC Hotline
Sent: 2012/10/01 13:37

was read on 2012/10/01 13:53.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 054

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpl@charter.net
Date: 10/30/2012 07:34:34 EDT
Subject: **FW: Delivered: GWC Hotline**
Attachments: [ATT271707.txt \(1KB\)](#)

-----Original Message-----

From: Carrie Ann Rettberg [<mailto:tlcnrettberg@roadrunner.com>]
Sent: Monday, October 01, 2012 1:51 PM
To: complaints
Subject: Delivered: GWC Hotline

Your message was delivered to the recipient.
Sent from Carrie Ann Rettberg

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:29 EDT
Subject: **FW: Return Receipt (displayed) - GWC Hotline**

-----Original Message-----

From: hbowens3@verizon.net [<mailto:hbowens3@verizon.net>]
Sent: Monday, October 01, 2012 1:51 PM
To: complaints
Subject: Return Receipt (displayed) - GWC Hotline

This is a Return Receipt for the e-mail that you sent to hbowens3@verizon.net

Note: This Return Receipt only acknowledges that the message was displayed on the recipient's computer. There is no guarantee that the recipient has read or understood the message contents.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:21 EDT
Subject: **FW: GWC Hotline**

From: Jonathan Arnold
Sent: Monday, October 01, 2012 1:47 PM
To: complaints
Subject: Read: GWC Hotline

Your message

To: Wes Bryan; Albert Gasparian; Jonathan Arnold
Cc: Crystal Crane
Subject: FW: GWC Hotline
Sent: 10/1/2012 1:45 PM

was read on 10/1/2012 1:47 PM.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: GWC Hotline

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:12 EDT
Subject: **FW: GWC Hotline**

From: System Administrator
Sent: Monday, October 01, 2012 1:45 PM
To: complaints
Subject: Delivered: FW: GWC Hotline

Your message

To: Wes Bryan; Albert Gasparian; Jonathan Arnold
Cc: Crystal Crane
Subject: FW: GWC Hotline
Sent: 10/1/2012 1:45 PM

was delivered to the following recipient(s):

Wes Bryan on 10/1/2012 1:45 PM
Albert Gasparian on 10/1/2012 1:45 PM
Crystal Crane on 10/1/2012 1:45 PM
Jonathan Arnold on 10/1/2012 1:45 PM

COAST 058

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:34:01 EDT
Subject: **FW: GWC Hotline**

From: System Administrator
Sent: Monday, October 01, 2012 1:43 PM
To: complaints
Subject: Delivered: FW: GWC Hotline

Your message

To: Albert Gasparian
Subject: FW: GWC Hotline
Sent: 10/1/2012 1:43 PM

was delivered to the following recipient(s):

Albert Gasparian on 10/1/2012 1:43 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:55 EDT
Subject: **FW: Delivered: GWC Hotline**
Attachments: ATT269128.txt (1KB)

-----Original Message-----
From: Jyll Rankin [<mailto:rankinja@cox.net>]
Sent: Monday, October 01, 2012 1:41 PM
To: complaints
Subject: Delivered: GWC Hotline

Your message was delivered to the recipient.
Sent from my Verizon Wireless BlackBerry

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:51 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268405.txt (3KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

- tracymaurer60+AEA-gmail.com
- richardbdang+AEA-gmail.com
- meeshmd+AEA-gmail.com
- shellyfoz+AEA-gmail.com
- tacyhartigan+AEA-gmail.com
- sandyking1+AEA-gmail.com
- stephenson8818+AEA-gmail.com
- markkt+AEA-gmail.com
- Anthony279+AEA-gmail.com
- tommythunderstorm+AEA-gmail.com
- e.cummings5+AEA-gmail.com
- cklipsch94+AEA-gmail.com
- cmint06+AEA-gmail.com
- janetevanswilson+AEA-gmail.com
- annngorejus+AEA-gmail.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

Golden West College

15744 Goldenwest Street

Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:46 EDT
Subject: **FW: GWC Hotline**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: GWC Hotline

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

dchang@continentaldevelopment.com on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:40 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: [Part 0 \(1KB\)](#), [ATT268413.txt \(3KB\)](#), [GWC Hotline.eml \(2KB\)](#)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

joeythankyou+AEA-yahoo.com
locquiao+AF8-gracia+AEA-yahoo.com
nursedebtrs+AEA-yahoo.com
dsdalija+AEA-yahoo.com
cindyfavreau+AEA-yahoo.com
MT+AF8-Limon1+AEA-yahoo.com
nelsonpartyofsix+AEA-yahoo.com
kperrotta26+AEA-yahoo.com
nicoleprivett+AEA-yahoo.com
gamtran3401+AEA-yahoo.com
trublustu+AEA-yahoo.com
Josh+AF8-Morgan20+AEA-yahoo.com
onesmalltexan+AEA-yahoo.com
malickedward1+AEA-yahoo.com
otyoshio13+AEA-yahoo.com
ocean+AF8-moon2006+AEA-yahoo.com
cjwshome+AEA-yahoo.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

Golden West College

15744 Goldenwest Street

Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:35 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268421.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

sold+AEA-thefarisgroup.net

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: Delivery Notification: Delivery has been successful

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:30 EDT
Subject: **FW: Delivery Notification: Delivery has been successful**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: Delivery Notification: Delivery has been successful

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

jackblake@mac.com on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 068

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:25 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268429.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

kuni3+AEA-victorybell.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
 To: vanecekpi@charter.net
 Date: 10/30/2012 07:33:20 EDT
 Subject: **FW: Delivery Status Notification (Relay)**
 Attachments: %Part 0 (1KB), %ATT268437.txt (2KB), %GWC Hotline.eml (2KB)

-----Original Message-----
 From: Exchange Postmaster
 Sent: Monday, October 01, 2012 1:38 PM
 To: complaints
 Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

- btnkboyce+AEA-socal.rr.com
- mcrooks+AEA-socal.rr.com
- pgillespie+AEA-socal.rr.com
- surfino+AEA-socal.rr.com
- webbermx+AEA-socal.rr.com
- galba+AEA-socal.rr.com
- lshiley+AEA-socal.rr.com

From: "complaints" <complaints@gwc.cccd.edu>
 To: "complaints" <complaints@gwc.cccd.edu>
 Date: Mon Oct 01 16:37:31 EDT 2012
 Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Sincerely,

Golden West College

15744 Goldenwest Street

Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@qwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:16 EDT
Subject: **FW: GWC Hotline**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Undeliverable: GWC Hotline

Your message did not reach some or all of the intended recipients.

Subject: GWC Hotline

Sent: 10/1/2012 1:38 PM

The following recipient(s) cannot be reached:

koleson@socal.rr.com on 10/1/2012 1:38 PM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

<drake2.gwc.cccd.edu #5.1.1 smtp;550 5.1.1 - Invalid mailbox:
koleson@socal.rr.com>

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:10 EDT
Subject: FW: Successful Mail Delivery Report
Attachments: %Delivery report.txt (2KB), %Message Headers.txt (2KB)

-----Original Message-----
From: Mail Delivery System [mailto:MAILER-DAEMON@AOL.com]
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Successful Mail Delivery Report

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

Please direct further questions regarding this message to your e-mail administrator.

--AOL Postmaster

<natarnelas@aol.com>: delivery via
core-mea002c.r1000.mail.aol.com[172.29.46.72]:7025: 250 2.1.5 OK
<adigroup@aol.com>: delivery via
core-dhc004b.r1000.mail.aol.com[172.29.209.92]:7025: 250 2.1.5 OK
<victory06@aol.com>: delivery via
core-mid004b.r1000.mail.aol.com[172.29.104.92]:7025: 250 2.1.5 OK
<jillannahill@aol.com>: delivery via
core-mds002c.r1000.mail.aol.com[172.29.45.8]:7025: 250 2.1.5 OK
<robcumming@aol.com>: delivery via
core-dnb001a.r1000.mail.aol.com[172.29.214.2]:7025: 250 2.1.5 OK

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:33:02 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268448.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

tlcnrettberg+AEA-roadrunner.com
randwa+AEA-roadrunner.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Sincerely,

Golden West College

15744 Goldenwest Street

Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: Delivery Notification: Delivery has been successful

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:57 EDT
Subject: **FW: Delivery Notification: Delivery has been successful**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: Delivery Notification: Delivery has been successful

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

sarahmoss@me.com on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 077

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:52 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268456.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----

From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

mamaverde+AEA-ca.rr.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:47 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268464.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

rankinja+AEA-cox.net

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

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In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:42 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268472.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

cpfreckles49+AEA-comcast.net

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

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In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: Delivery Notification: Delivery has been successful

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:37 EDT
Subject: **FW: Delivery Notification: Delivery has been successful**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: Delivery Notification: Delivery has been successful

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

vickieroe@verizon.net on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 084

FW: Delivery Notification: Delivery has been successful

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:31 EDT
Subject: **FW: Delivery Notification: Delivery has been successful**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: Delivery Notification: Delivery has been successful

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

hbowens3@verizon.net on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 085

FW: Delivery Notification: Delivery has been successful

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:25 EDT
Subject: **FW: Delivery Notification: Delivery has been successful**

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivered: Delivery Notification: Delivery has been successful

Your message

To: complaints
Subject: GWC Hotline
Sent: 10/1/2012 1:38 PM

was delivered to the following recipient(s):

hbsnaaaps@verizon.net on 10/1/2012 1:38 PM

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

COAST 086

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:19 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268480.txt (2KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

Stdanielle+AEA-hotmail.com
californiagirl1956+AEA-hotmail.com
molina01+AF8-25+AEA-hotmail.com
nivomedhat+AEA-hotmail.com
srouse01+AEA-hotmail.com
YISB88+AEA-hotmail.com
jamesbus88+AEA-hotmail.com
yanahchan+AEA-hotmail.com
threejs327+AEA-hotmail.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email [at:complaints@gwc.cccd.edu](mailto:complaints@gwc.cccd.edu).

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:14 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268488.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

daniel.beck+AEA-leggett.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

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In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:08 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268496.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----

From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

RNPatty+AEA-sbcglobal.net

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at:complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:32:03 EDT
Subject: **FW: Delivery Notification: Message successfully relayed**
Attachments: ATT268504.txt (1KB), ATT268505.txt (2KB)

-----Original Message-----

From: Verizon Online Postmaster [mailto:postmaster@verizon.net]
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Notification: Message successfully relayed

This report relates to a message you sent with the following header fields:

Message-id:
<4F5F9032E04110438335746ABAB6075607C21D39@GWC-MAIL.adm.gwccampus.edu>
Date: Mon, 01 Oct 2012 13:37:31 -0700
From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Subject: GWC Hotline

Your message has been successfully relayed to the recipients

Recipient address: @relay.verizon.yahoo.com:rsfrancis@verizon.net
Original address: rsfrancis@verizon.net
Reason: Message successfully relayed to a system that does not support receipts
Diagnostic code: dns;mx2-vzn.mail.yahoo.com
(TCP|206.46.172.61|34686|68.142.203.159|25)
(mta1008.vzn.mail.mud.yahoo.com ESMTP YSmtip service ready) smtp;250
recipient <rsfrancis@verizon.net> ok
Remote system: dns;mx2-vzn.mail.yahoo.com
(TCP|206.46.172.61|34686|68.142.203.159|25)
(mta1008.vzn.mail.mud.yahoo.com ESMTP YSmtip service ready)

on a remote system that does not support the generation of successful delivery receipts. This does NOT mean that your message has actually been placed in the recipients' mailboxes; merely that it has passed through a part of the message transport infrastructure. In the event of a nondelivery you should expect to receive a nondelivery notification; in the event of successful delivery, however, you are unlikely to receive a positive confirmation of delivery.

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpl@charter.net
Date: 10/30/2012 07:31:57 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: [Part 0 \(1KB\)](#), [ATT268509.txt \(1KB\)](#), [GWC Hotline.eml \(2KB\)](#)

-----Original Message-----

From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

rogerl+AEA-rnd-partners.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

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Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:31:52 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268534.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----

From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

info+AEA-southsidept.net

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

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Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:31:45 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: [Part 0 \(1KB\)](#), [ATT268540.txt \(1KB\)](#), [GWC Hotline.eml \(2KB\)](#)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

mrianda+AEA-coastaltractor.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

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In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:31:39 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATF268550.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

kchol+AEA-naicapital.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpl@charter.net
Date: 10/30/2012 07:31:34 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), A1T268558.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

knightslines+AEA-juno.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at:complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

FW: Delivery Status Notification (Relay)

Page 2 of 2

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:31:28 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: [Part 0 \(1KB\)](#), [ATT268145.txt \(1KB\)](#), [GWC Hotline.eml \(2KB\)](#)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

coachbonnie+AEA-coachsoats.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at: complaints@gwc.cccd.edu.

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Sincerely,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/30/2012 07:31:21 EDT
Subject: **FW: Delivery Status Notification (Relay)**
Attachments: Part 0 (1KB), ATT268157.txt (1KB), GWC Hotline.eml (2KB)

-----Original Message-----
From: Exchange Postmaster
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Delivery Status Notification (Relay)

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

stacytyra+AEA-msn.com

From: "complaints" <complaints@gwc.cccd.edu>
To: "complaints" <complaints@gwc.cccd.edu>
Date: Mon Oct 01 16:37:31 EDT 2012
Subject: **GWC Hotline**

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming Safe Sport Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) <tel:(714)%C2%A0881-9712> 881-9712 <tel:(714)%C2%A0881-9712> . You may also make a report via email at:complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

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Sincerely,

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Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712

Email: complaints@gwc.cccd.edu

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%2...> 10/30/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: "George Vanecek" <vanecekpi@charter.net>
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/09/2012 02:55:09 EDT
Subject: Fwd: Regarding the lawsuit involving Bill Jewells

Sent from my iPhone

Begin forwarded message:

From: Anthony Viera <anthony279@gmail.com>
Date: October 8, 2012 2:08:53 PM PDT
To: complaints@gwc.cccd.edu
Subject: Regarding the lawsuit involving Bill Jewells

To whom it may concern:

My son, Christopher Viera, has known Bill Jewells since he was eight years old. Neither he, nor anyone else in the family, has seen him conduct himself in an inappropriate manner. We have always known him to be full of integrity and very professional.

Grace Viera

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/9/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: "George Vanecek" <vanecekpi@charter.net>, "Welcome Center" <welcomecenter@occ.cccd.edu>
Date: 10/05/2012 12:46:32 EDT
Subject: **Fwd: Coach Bill Jewel**

FYI

Sent from my iPhone

Begin forwarded message:

From: Lynn Nolan Rogers <nolanrogersswim@gmail.com>
Date: October 4, 2012 8:31:36 PM PDT
To: complaints@gwc.cccd.edu
Subject: **Coach Bill Jewel**

To whomever it may concern,

Regarding the recent issues addressing Coach Bill, I felt it necessary to provide a perspective from someone who swims under him on a daily basis and has done so for the past 6 years. To begin, I do not, nor does any single swimmer I have spoken with, feel that Bill has harassed, in any way, anyone he has trained. He is loved and respected by those whom he coaches which is clearly exemplified by the fact that so many people have followed Bill to wherever he may go regardless of distance. I myself am part of a family that transferred swim teams, schools and even moved from our home of 18 years to swim under him. People do not hold their loyalties to simply teams but rather those who serve the team and what they stand for. Bill Jewel is as clear a testament to that as can be seen or stated. I hope that this helps you in your decision making and that there are many others whose feelings do not differ from mine.

Sincerely, Nolan Rogers

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/5/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/01/2012 09:24:00 EDT
Subject: Fwd: concerns about behavior at Golden West Swim Club

FYI

Sent from my iPad

Begin forwarded message:

From: "Coach Rogers" <coach@coachsoats.com>
Date: October 1, 2012 4:01:36 PM PDT
To: <complaints@gwc.cccd.edu>
Cc: "Bonnie Rogers" <coachbonnie@coachsoats.com>
Subject: concerns about behavior at Golden West Swim Club

To Whom It May Concern,

Recently, complaints have been made publically about Coach Jewell. I'm writing to say that he has our family's complete support. He has been my boys (2) coach for nearly 5 years. In fact, his influence has been so positive that we moved to Huntington Beach when he did so that they could maintain their connection with him.

I know plenty of parents with both sons and daughters that will tell you the same thing... Bill Jewell is a good man and trustworthy with our most valuable possessions, our children.

Lynn Rogers

Lynn Rogers

Coach's Oats

22735 E. La Palma

Yorba Linda, CA 92887

714-692-6885

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/2/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: "George Vanecek" <vanecekpl@charter.net>
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/10/2012 12:16:54 EDT
Subject: Fwd: Regarding GWSC Swim Coach Bill Jewell

Sent from my iPhone

Begin forwarded message:

From: Michael O'Brien <mikeobrienswim@mac.com>
Date: October 9, 2012 2:53:00 PM PDT
To: complaints@gwc.cccd.edu
Subject: Regarding GWSC Swim Coach Bill Jewell

To whom it may concern:

I am writing this note in support of Coach Bill Jewell. My name is Mike O'Brien and I have known Coach Jewell since 1974 when I was coached by him as a young swimmer on a swim team in Newport Beach. My experience then was a very positive one where I first learned the value of hard work and the benefit of swimming for a coach who was passionate about the sport. Coach Jewell was instrumental in instilling in me an appreciation for the sport and working toward the achievement of lofty goals. His coaching was direct and difficult, but even then I knew this coach was not just pushing me to improve, but really had my long term interest as a person in mind.

As I progressed through the levels of swimming, I eventually left Coach Jewell's team to train at Mission Viejo with Mark Schubert's Nadadores swim team where I became an Olympic Champion at the age of 18. I attribute much of my later success to lessons learned and being set on a path of diligence by Coach Jewell in my younger years. Swimming is a sport unlike any other that requires a singular dedication to training to the exclusion of things that many other teens enjoy. Coach Jewell uses his knowledge not only as a coach but his past experience as an Olympic athlete to help bring perspective and a sense of purpose to his athletes who are training as hard as they will in their lifetime.

Today I am a father of two and when my daughter was in high school and was looking to improve her swimming skills I had heard Coach Jewell had taken a position at FAST swim team in Fullerton. Although the drive from our home in Fountain Valley was considerable, I saw this as an opportunity for my daughter to experience the same thing and learn the same invaluable lessons I had so many years earlier. She ended up swimming for Bill for three years and I can attest that her experience was extremely positive. She was very sad when she left FAST swimming to pursue a much busier schedule with fine art, which is what she majors in today at USC. Like me, however, she counts her time being coached and mentored by Coach Jewell as extremely special and formative.

All this being said, I look at the recent news involving the GWSC team and Coach Jewell as preposterous. Having personal experience for so many years with him, I feel that I know him more than just in passing and have a long term view of his character as borne out through observation of his actions, words and behavior. As an athlete who has achieved the highest in the sport and as a father who has his daughter's best interest in mind, I can attest to the quality of his instruction, advice and consoling of his athletes, something that is increasingly rare among today's younger coaches. His presence on the GWSC team can only be positive for the athletes fortunate to be coached by him.

Thanks for your consideration,

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/9/2012

Fwd: Regarding GWSC Swim Coach Bill Jewell

Page 2 of 2

...

Mike O'Brien

Mike O'Brien Swim, Inc.
www.mikeobrienswim.com
714-968-0142

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/9/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/08/2012 09:57:18 EDT
Subject: Fwd: Coach Bill Jewell

FYI

Sent from my iPad

Begin forwarded message:

From: Alice Katoh <yanahchan@hotmail.com>
Date: October 7, 2012 9:15:12 PM PDT
To: "complaints@gwc.cccd.edu" <complaints@gwc.cccd.edu>
Subject: Coach Bill Jewell

To whom this may concern,

My son has been swimming under Coach Bill Jewell for over 5 years. As a parent who observed the daily workouts, I have never witnessed Coach Jewell conduct himself inappropriately. Coach Jewell has always been professional and inspirational to all the swimmers.

Alice Katoh

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/8/2012

Fwd: NO Complaint!

Page 1 of 1

From: "complaints" <complaints@gwc.cccd.edu>
To: vanecekpi@charter.net
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/04/2012 12:52:38 EDT
Subject: Fwd: NO Complaint!

FYI

Sent from my iPad

Begin forwarded message:

From: alli gillespie <alligill.g2@gmail.com>
Date: October 3, 2012 8:38:55 PM PDT
To: complaints@gwc.cccd.edu
Subject: NO Complaint!

Mark Shubert and Bill Jewell have demonstrated the highest level of expertise and professionalism while coaching the GWSC team. I have benefitted greatly from their training and individual coaching. Without their help, especially Bill's, I probably wouldn't be swimming in a Division 1 program today. Please reinstate Bill as soon as possible, the team and swimmers need his insight.

Thanks,
Alli Gillespie

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/4/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: "George Vanecek" <vanecekpi@charter.net>
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/09/2012 02:55:42 EDT
Subject: Fwd: Support For Coach Bill Jewel

FYI
Sent from my iPhone

Begin forwarded message:

From: Amy Chang <amy.chang95@yahoo.com>
Date: October 8, 2012 2:26:28 PM PDT
To: complaints@gwc.cccd.edu
Subject: Support For Coach Bill Jewel
Reply-To: Amy Chang <amy.chang95@yahoo.com>

To Whom It May Concern,

Bill Jewel has been my daughter's direct swim coach for close to three years starting with the Fullerton Aquatics Sports Team (FAST). When Bill moved to the Golden West Swim Club (GWSC) she was one of 11 swimmers who followed him there from FAST so that she could continue with him as her coach. As a hands-on parent I have observed Bill Jewel during countless practice sessions and I have witnessed only above-board behavior befitting a head age-group swim coach. He has always treated my daughter with respect and encouragement.

Regards,
Amy Chang

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/9/2012

From: "complaints" <complaints@gwc.cccd.edu>
To: "George Vanecek" <vanecekpi@charter.net>
Cc: "Wes Bryan" <wbryan@gwc.cccd.edu>
Date: 10/07/2012 08:10:52 EDT
Subject: Fwd: Coaches at Golden West Swim Team

FYI

Sent from my iPhone

Begin forwarded message:

From: Ann Gore <anngorejus@gmail.com>
Date: October 7, 2012 3:31:54 PM PDT
To: complaints@gwc.cccd.edu
Subject: Coaches at Golden West Swim Team

I have no complaints re: Coaches Bill Jewell and Mark Schubert. Both coaches are well known to me and I have known them since Bill Jewell's time at FAST. I have never, ever seen Bill act in an inappropriate manner around any swimmer or parent. He has always conducted himself in a very professional manner which is more than I can say for other coaches I have observed. His focus has always been the best intention of the swimmer.

I have been on multiple pool decks and observed swim coaches on both the high school and college level. I have also housed national and Olympic swimmers in conjunction with their training with both Bill and Mark. As usual, Mark and Bill have conducted themselves as true swim coach professionals.
Golden West is very fortunate to have such icons on their pool deck.

--
Ann Gore

From: "Crystal Crane" <ccrane@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 10/01/2012 05:04:38 EDT
Subject: RE: GWC - Mark Shubert

Cards were distributed by GWC coaches to GWC athletes last week, and I sent an email blast to the GWSC roster today.

We have received no phone calls, texts, or emails to date.

From: vanecekpi@charter.net [mailto:vanecekpi@charter.net]
Sent: Monday, October 01, 2012 2:03 PM
To: Crystal Crane
Subject: Re: GWC - Mark Shubert

Good stuff. Hopefully the message is out there.

George

Sent from my Verizon Wireless BlackBerry

From: "Crystal Crane" <ccrane@gwc.cccd.edu>
Date: Mon, 1 Oct 2012 13:26:21 -0700
To: <vanecekpi@charter.net>
Subject: GWC - Mark Shubert

FYI - Crystal

From: Albert Gasparian
Sent: Friday, September 28, 2012 10:19 PM
To: Crystal Crane
Subject: Fwd: GWSC appreciation

Sent from my iPhone

Begin forwarded message:

From: Mark Schubert <SchubertSwim@aol.com>
Date: September 28, 2012, 9:45:23 PM MDT
To: Albert Gasparian <Agasparian@Gwc.cccd.edu>
Subject: Fwd: GWSC appreciation

FYI

Mark Schubert

562-243-6262

SchubertSwim@aol.com

Begin forwarded message:

From: Tonya Boyce <btnkboyce@socal.rr.com>
Date: September 28, 2012, 8:36:33 PM PDT
To: Patrick Gillespie <pgillespie@socal.rr.com>
Cc: schubertswim@aol.com
Subject: GWSC appreciation

GWSC Board,

Over the past few years our daughters, Nicole and Kylie have had such a great opportunity swimming for two of the best coaches in the world. We have seen and witnessed on the various pool decks our daughters interacting with Coach Mark & Coach Bill. It's obvious they are not only passionate about their coaching, striving to make our swimmers the best they can be, but also devoted to helping our swimmers succeed and enjoy the sport of swimming. Both Coaches have worked cohesively, with honesty, and have built an unconditional trust with our family. We have had the opportunity to meet privately with each coach and sense their compassion for the sport, their commitment to the team, and support to the individual swimmers to make this a great club.

Coach Bill has done a tremendous job working personally and privately with both our girls in developing their stroke techniques, speed, and developing them as mature swimmers and adults. He has not only helped them in the pool but also out of the pool as a support system. Our girls look up to Coach Bill as a father figure, someone we can all trust and talk to easily. We can't thank you enough, we are so truly blessed to have such a great coach on deck.

Coach Mark has given the team the support & dedication it needs to be a successful club. He has instilled a strong work ethic, self discipline, honesty & integrity into our girls. He has built their strength, speed, & endurance in the practice sets to make them successful swimmers. They enjoy coming to practices and meets, they enjoy volunteering to help the team in any way, all thanks to our wonderful and compassionate coach, Coach Mark. Our girls

could not be in any better hands.

Our girls have gained such great character, discipline, and values from these coaches. They have made such a positive impact in our lives, that we are so very grateful to the GWSC for providing our daughters with such an excellent coaching staff. We have the utmost respect for both Coach Mark and Coach Bill, and look forward to meeting and working with our newly added senior coach, Coach Tracy.

Sincerely,

Brent & Tonya Boyce

From: "Crystal Crane" <ccrane@gwc.cccd.edu>
To: vanecekpi@charter.net
Date: 09/19/2012 11:17:59 EDT
Subject: Fwd: USA Swimming / Bill Jewell

FYI

Sent from my iPad

Begin forwarded message:

From: Mark Schubert <mschu47573@aol.com>
Date: September 18, 2012 3:42:52 PM PDT
To: "ccrane@gwc.cccd.edu" <ccrane@gwc.cccd.edu>
Subject: Fwd: USA Swimming / Bill Jewell

Mark Schubert
562-243-6262
SchubertSwim@aol.com

Begin forwarded message:

From: Michael Bernstein <verdictwon@aol.com>
Date: September 18, 2012 3:36:59 PM PDT
To: mschu47573@aol.com
Subject: Fwd: USA Swimming / Bill Jewell

Letter #1...

Sent from my iPhone

Begin forwarded message:

From: "McRoberts, Lucinda"
<Lucinda.McRoberts@bryancave.com>
Date: June 13, 2012 1:51:17 PM EDT
To: "verdictwon@aol.com" <verdictwon@aol.com>
Cc: "Goss, Teri" <teri.goss@bryancave.com>, "Aud, Marcella"
<Marcella.Aud@bryancave.com>
Subject: USA Swimming / Bill Jewell

Dear Mr. Bernstein,

Per our telephone conversation, this email shall serve as confirmation that Bill Jewell is allowed to continue assisting Mark Schubert at Golden West College during USA Swimming's investigation into alleged Code of Conduct violations committed by Mr. Jewell.

Should you have any questions, please don't hesitate to let me know.

Best regards,

K. Lucinda McRoberts

Bryan Cave HRO
90 S. Cascade, Suite 1300
Colorado Springs, Colorado 80903
Direct Dial: (719) 381-8452
Fax: (719) 633-1518
lucinda.mcroberts@bryancave.com

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IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.
bcllp2012

<http://enhanced.charter.net/viewmessage?r=%3Crequest%3E%3Cmail%20action%3D%22...> 10/2/2012

INTERVIEW OF BERNICE O'CONNOR

Taken: Friday, September 21, 2012

GEORGE VANECEK: Today is Friday, September 21, 2012. The time is 0909 hours. I'm at Golden West College. Been retained by the college to investigate allegations of certain improprieties and incidents as they relate to the swimming athletic program. With me is Bernice – Is that how you say that?

BERNICE O'CONNOR: Bernice.

VANECEK: Bernice O'Connor. Bernice, could you state your name for the record please?

OCONNOR: Bernice O'Connor.

VANECEK: And also present in the room is James who is not going to be participating in this interview.

OCONNOR: Eight months old.

VANECEK: Eight months old. Bernice, what is your position with Golden West College?

OCONNOR: I'm an adjunct instructor.

VANECEK: As an adjunct instructor you interact with the team members in the swimming program on a regular basis?

OCONNOR: Yes.

VANECEK: Have you in the past or in the present have any association with the Golden West Swim Club?

OCONNOR: No association.

VANECEK: As an adjunct employee of the college, are you familiar with the college policies on sexual harassment and treatment of individuals, etc.

OCONNOR: Yes.

VANECEK: How did you come to be made aware of those policies?

OCONNOR: Through department memos and Albert [inaudible].

VANECEK: To the best of your knowledge, there's no specific policies related to athletic programs? They're generally umbrellaed under the College policy?

OCONNOR: Not that I'm aware of.

VANECEK: You're familiar with an organization called USA Swimming?

OCONNOR: Yes.

VANECEK: And it's my understanding that you are not a member of that organization?

OCONNOR: I am not a member.

VANECEK: Do you know a gentleman by the name of Mark Schubert?

OCONNOR: Yes.

VANECEK: Who is he?

OCONNOR: He's the swim coach for the Golden West Swim Club and at Golden West College.

VANECEK: About how long have you known him?

OCONNOR: I've actually known him since '97 but recently just until he was hired back in September of 2011.

VANECEK: Is he your supervisor in some respect?

OCONNOR: No, he is not my supervisor.

VANECEK: So you've worked, you've actively worked with him for approximately a year?

OCONNOR: Yes.

VANECEK: Are you familiar with a gentleman named William Jewell?

OCONNOR: Yes.

VANECEK: Could you tell me who he is?

OCONNOR: He is a, an assistant coach for the Golden West Swim Club and I believe he volunteered during swim season of last year. I was out on maternity leave while he was here.

VANECEK: So did you have much contact with him during that period of time, obviously being busy with other things?

OCONNOR: Yeah, no I didn't have much contact.

VANECEK: Regarding Mr. Jewell, did you ever during the, during your tenure here that coincided with his tenure here did you witness any inappropriate behavior on his part?

OCONNOR: No.

VANECEK: And that would be related to members of the swim team or to colleagues.

OCONNOR: No, I don't recall.

VANECEK: Do you recall ever hearing rumors or secondhand information from individuals regarding inappropriate behavior while here at the College?

OCONNOR: I've heard that, some stories of jokes that he would tell to the men's team, but I don't know what the jokes were and I, but I heard that he would sometimes tell jokes. But beyond that, no.

VANECEK: But that, was that conveyed to you in a negative fashion or just as a statement?

OCONNOR: Just as a statement.

VANECEK: Regarding now Ms. Mr. Schubert, the same line of questioning would be that, you know, during his and your tenure together here have you ever witnessed or heard of any inappropriate behavior on his part?

OCONNOR: No.

VANECEK: Have you witnessed or heard or have an opinion on any reason why Mr. Schubert might not report inappropriate behavior?

OCONNOR: No, not at all.

VANECEK: Just one final question. This is going to be more of an opinion on your part. I would say almost an expert opinion. It is my understanding, and if you're not familiar with it just tell me that, the USA Swimming has a series of athletic protection codes that involve conduct between team members, between staff and team members, between coaches and the team members. Are you somewhat familiar with those or do you have similar types of rules?

OCONNOR: We have similar rules within USA Water Polo, so I imagine that they're very similar. But I wouldn't be able to say yes or no for sure.

VANECEK: Right. Would it be safe to say, you know, in my, I never did any competitive swimming over and above the age of about 14 years, so that predates everybody on this list. It is my opinion, and tell me if you share it, that in any type of competitive sport there is going to be some physical interaction and contact between a coach and a, or a mentor and the student or the team member.

OCONNOR: Yes.

VANECEK: And that could be, you know, in swimming as an example, you know, showing the proper arm position for a stroke and by doing that the best way to show would be to manipulate the arm –

OCONNOR: Yes.

VANECEK: -- just saying okay, this is how it should look, this is how it should feel –

OCONNOR: Yes.

VANECEK: -- and then, and that would be appropriate. From an outsider looking at that type of behavior, although, and we'll use that as an example. That's an appropriate reason to have contact with a team member?

OCONNOR: Yes.

VANECEK: If a reasonable individual such as myself who knows nothing about the mechanics of swimming let's say or how to teach, would merely observing that type of contact lead a reasonable person to assume that it was inappropriate?

OCONNOR: I wouldn't think so, cause the times when I've seen swim coaches directing it's grabbing on the wrist, turning the shoulders. I've never seen it where it's down on the hips, legs or anything like that. I haven't witnessed that myself. So I wouldn't –

VANECEK: So a reasonable individual looking at that would say okay, I don't understand why they're doing it but there doesn't appear to be anything –

OCONNOR: Yes, I wouldn't. I don't think, maybe, since they're in swimsuits that someone might construe that like hey, they're in a swimsuit, why are they touching?

VANECEK: Right. And if they were playing football that certainly wouldn't be, something to be concerned about.

OCONNOR: Exactly.

VANECEK: In swimsuits.

OCONNOR: But I think it's completely normal to do that.

VANECEK: And it's within the policies and practices of the swim club here or the swim team?

OCONNOR: Yes. I believe so, yes.

VANECEK: Okay. That's all the questions that I have for you. If there's something that I haven't asked you that you think would be important to my investigation, now would be a good time to bring it up.

OCONNOR: Not that I know. I wasn't around much since I was, and so I just feel awful about the situation and hopefully it gets resolved.

VANECEK: And then again, that's the reason I'm here. I'm here to seek the truth, wherever that truth may come from or where it leads. But I appreciate you taking your time with me. As we said before we went on tape I would ask you not to discuss what we discussed here in this interview because this is an active investigation and there's a number of other people I'm going to be talking to.

OCONNOR: Okay.

VANECEK: With that, it is now 0918 hours and the interview is concluded.

[END]

INTERVIEW OF KYLE KOOP

Taken: Friday, September 21, 2012

GEORGE VANECEK: Today is Friday, September 21, 2012. It's approximately 0926 hours. My name is George Vanecek, contract investigator retained by Golden West College to investigate allegations of potential improprieties in the staff surrounding the swimming program at Golden West College. With me is Mr. Kyle Kopp. Mr. Kopp, could you state your name for the record please?

KYLE KOPP: Kyle Kopp.

VANECEK: What is your position here at the College?

KOPP: I'm the head women's water polo and swim coach and a physical education instructor.

VANECEK: How long have you worked here at the College?

KOPP: This is my fifth year.

VANECEK: Obviously as the head women's water polo coach you interact with the team on a regular basis?

KOPP: Correct, daily.

VANECEK: Have you in the past or in the present have any association with the Golden West Swim Club?

KOPP: No.

VANECEK: As part of your employment here are you familiar with College policy on sexual harassment, treatment of others, etc.?

KOPP: Yes.

VANECEK: How did you learn about that policy?

KOPP: Employment packet, flyers, department meetings.

VANECEK: Very good. To the best of your knowledge, are there any specific policies that relate to athletic programs or are they kind of umbrellaed under the general College policies?

KOPP: I'd say umbrellaed.

VANECEK: I asked before, and it's my understanding that you are not a member of the organization called USA Swimming?

KOPP: No.

VANECEK: But you are a member of the governing body that handles water polo?

KOPP: USA Water Polo, correct. And employed with USA Water Polo.

VANECEK: Do you currently have any minors that are swimming in your program?

KOPP: No. At the beginning of the year, middle of August, we had two but since then they're of age.

VANECEK: Okay, very good. Do you know a Mr. Mark Schubert?

KOPP: Yes.

VANECEK: About how long have you known him?

KOPP: Here working with him for the last year. But prior to that with background with the Olympics I've known him for, since probably 1996.

VANECEK: Do you know a gentleman by the name of Mr. William Jewell?

KOPP: Yes.

VANECEK: How long have you known him?

KOPP: A year.

VANECEK: These questions will pertain to Mr. Jewell. During the time that he has been working here at the College, have you personally witnessed or heard of any inappropriate behavior on his part?

KOPP: No.

VANECEK: Regarding Mr. Schubert, have you witnessed or heard any inappropriate behavior on his part?

KOPP: No.

VANECEK: Have you witnessed or heard any reasons why Mr. Schubert might not report inappropriate behavior if it occurred?

KOPP: No.

VANECEK: The last question I have, it's safe to say based on my past experience, and tell me if you disagree with this, that in any type of team sport there is going to be some type of physical contact between a coach or a mentor and that team member to some degree, whether it's learning how to pass a football appropriately without throwing your shoulder or throwing a fastball, or in the case of swimming proper stroke. There are occasions when it is appropriate and, in fact, necessary to demonstrate by physically touching a member of the team to show the proper way of doing whatever function or activity is part of that sport. Is that a fair statement?

KOPP: Yes, correct. I agree.

VANECEK: Let's say when, in swimming when you're showing the proper placement of arm for a particular stroke that would involve grabbing the arm, manipulating it and positioning, saying this is how it should look, this is how it should feel, and there's going to be that physical interaction.

KOPP: Correct.

VANECEK: If a reasonable and prudent individual that knew nothing about swimming was observing that, what we just talked about, you know, the stroke, would that person be inclined to think that that was an inappropriate contact?

KOPP: No.

VANECEK: Because even if they didn't understand what was trying to be taught, just by looking at it they would say okay, I don't understand why it's happening but there's nothing that shocks me about that.

KOPP: Yes, correct.

VANECEK: Okay Mr. Kopp, that's all the questions I have for you. If there's something that I haven't asked you about or something that you think needs more detail, now would be a good time to bring it up.

KOPP: I'm good.

VANECEK: Thank you for coming in. I would ask you not to discuss what we discussed in here with other people because I'm going to be talking to a number of people and this is still an active investigation.

KOPP: Absolutely.

VANECEK: At this point it's 0932 hours and we're off record.

[END]

INTERVIEW OF JADE MORTON

Taken: Friday, September 21, 2012

GEORGE VANECEK: Today is Friday, September 21, 2012. It's approximately 0955 hours. My name is George Vanecek, contract investigator for Golden West College conducting an investigation of allegations of possible improprieties on the part of staff assigned to the swim team. With me is Jade Morton. Jade, could you state your name for me please?

JADE MORTON: Jade Morton.

VANECEK: Jade, what do you do here at Golden West College?

MORTON: I swim and play water polo here at Golden West College.

VANECEK: Besides swimming and playing water polo, you're here on some kind of a work-study program?

MORTON: Yes, student athlete.

VANECEK: Okay, perfect, perfect. How long have you been with the College?

MORTON: Two years.

VANECEK: Have you had in the past or present any association with the Golden West Swim Club?

MORTON: Yes.

VANECEK: When did that association start?

MORTON: In January of 2012.

VANECEK: Perfect. As a swimmer, work-study program member here have you been briefed or given any familiarity with the college policy on sexual harassment and those kinds of issues?

MORTON: Yes I have.

VANECEK: How did that take place?

MORTON: Just through like orientation in the beginning of school.

VANECEK: We talked a little bit before going on the record and you've applied for but, you may already be a member of USA Swimming?

MORTON: Yes.

VANECEK: To your knowledge are there any minors, meaning anyone under the age of 18, that is associated with the College swim program?

MORTON: Not that I know of.

VANECEK: Do you know a gentleman by the name of Mark Schubert?

MORTON: Yes.

VANECEK: How long have you known him and who is he?

MORTON: Since January 2012 and he's a head swim coach, Golden West Swim Club and Golden West College.

VANECEK: Do you know a gentleman by the name of William Jewell?

MORTON: Yes.

VANECEK: How long have you known him and who is he?

MORTON: Since January 2012 and he's the assistant coach, Golden West College and Golden West Swim Club.

VANECEK: Very good. Now these first questions are going to be regarding Mr. Jewell.

MORTON: Okay.

VANECEK: During your association with Mr. Jewell, which appears to be about eight to nine months, maybe up to a year, both at Golden West Swim Club and here at the College, have you ever personally witnessed any inappropriate behavior on his part as it related to the swim team members?

MORTON: No, I haven't.

VANECEK: Have you become aware of or heard of any inappropriate behavior on his part?

MORTON: No.

VANECEK: Let's talk about Mr. Schubert now. The same question. Have you ever witnessed or heard any inappropriate behavior on his part?

MORTON: No.

VANECEK: Have you witnessed or heard of any reasons why Coach Schubert might not report inappropriate behavior on the part of one of his staff?

MORTON: No.

VANECEK: You've been swimming for how many years?

MORTON: Eleven.

VANECEK: Eleven?

MORTON: Eleven years.

VANECEK: So have you, obviously you've been coached for a number of those years. Have you ever coached or mentored maybe younger students?

MORTON: Yes, my club team I coached the little kid group. So from like ages 4 to 6 in Hawaii.

VANECEK: It's my experience, you know, on virtually any kind of team sport there's frequently contact between a coach or a mentor and that team member or the student.

MORTON: Yes.

VANECEK: And it could be anything from learning how to properly throw a baseball or a football or how to tackle somebody, or in swimming proper arm position for a stroke. Things like that. So would it be fair to say that there are appropriate times when a coach would have physical contact with a team member, for example showing them like a proper arm position for a stroke?

MORTON: Yes.

VANECEK: And let's say somebody like me who knows nothing about swimming other than what I watch on TV, if I were to observe – we'll use that how to do a stroke as an example. If I were to observe that, and I'm a reasonable individual, even though I didn't understand what was going on, would I look at that and think that it was inappropriate?

MORTON: No.

VANECEK: So even if I didn't understand why it was being done I could look and say, okay, I don't know what they're doing but there doesn't seem to be anything wrong with it. That would be a safe statement?

MORTON: Yes, definitely. Cause the most it is is just stroke technique stuff, so your head needs to be positioned better or your shoulders or your hips.

VANECEK: And there are times, and I would say particularly with kids, having five grandkids of my own, that sometimes the only way to really get them to understand either the proper form or method is to –

MORTON: Demonstrate.

VANECEK: – physically guide them through it.

MORTON: Yes.

VANECEK: Say okay, this is how it should look. This is how it should feel.

MORTON: Exactly.

VANECEK: And that from your perspective having been in swimming that long and done some coaching, it's not, that's actually a good teaching method. It is not anything inappropriate.

MORTON: Yes.

VANECEK: Jade, that's all the questions I have for you. If there's something that I haven't asked you or something that you would like to go into more detail on or something you'd like to confess to, now would be a good time to do it.

MORTON: No. I'm good.

VANECEK: It is 1003 hours and we're off the record.

[END]

INTERVIEW OF SCOTT TAYLOR

Taken: Friday, September 21, 2012

GEORGE VANECEK: Today is Friday, September 21, 2012. My name is George Vanecek, contract investigator retained by Golden West College to conduct an administrative investigation into allegations of impropriety regarding staff and the swimming program at Golden West College. With me is Mr. Scott Taylor. Mr. Taylor, would you state your name for the record please?

SCOTT TAYLOR: Scott Taylor.

VANECEK: May I call you Scott?

TAYLOR: Yes, sir.

VANECEK: Scott, what is your position here at the College?

TAYLOR: I'm an instructor, Physical Education and Head Men's Water Polo coach. Assistant swim coach.

VANECEK: How long have you been working here at Golden West?

TAYLOR: I started here as adjunct in 1999, so I was three years adjunct under Coach Ken Hamdorff and then in two thousand, spring of 2002 when the job opened full-time I applied for it and through the process I was hired full-time in spring of 2002. So the fall of 2002 was my first year with the district full-time. Ten years.

VANECEK: So about ten years.

TAYLOR: Yes, I think this is the 10th or 11th.

VANECEK: Okay, perfect. And as your function relates to the head of the Men's Water Polo team, you interact on a regular basis with members of the team?

TAYLOR: Correct.

VANECEK: Have you now or in the past had any association with the Golden West Swim Club?

TAYLOR: No, I have not. I have not been a part of it. I have not coached it. I've supported it as far as, you know, wanting our school and our community to support water polo and swimming, but I have not ever coached for them. That's not my area of expertise. I was hired, I mean I've, I can coach swimming as well but I've never been a part of the Golden West Swim Club. We do support it. We have to work with them because our school, you know, we need to all be working together to keep the facility in line. So we do communicate with them,

but it hasn't been a, I'm not, I'm not on the Board, I haven't been to Board meetings and that kind of stuff. So no.

VANECEK: Very good. And as an employee of the College are you familiar with the College policy on sexual harassment and treatment of others?

TAYLOR: Yes. Yes, I am. I've, yes, I've read the, you know, when I was hired here I went through it diligently. I'm very aware of rights and wrongs of it and the policies of the district and how to handle things as far as reporting things if we see anything or anticipate or hear, see anything. I'm completely aware of it and I take a lot of pride in that. If I did see something I would, you know, report it.

VANECEK: Very good, thank you. To your knowledge are there any specific policies that relate to athletic programs?

TAYLOR: No.

VANECEK: Everything would be basically umbrellaed under the general policy?

TAYLOR: Correct.

VANECEK: I asked you prior to going on tape and it's my understanding you are not a member of the governing body USA Swimming.

TAYLOR: Correct, I am not.

VANECEK: To your knowledge, and we'll speak about the program over which you have control, are there any minors swimming in your program that you're aware of?

TAYLOR: There, right now currently there's a boy on my, a guy on my team from Edison High School. His name is Nate. He's 17 years old I believe. And the only reason I know that is when we do our eligibility paperwork anybody under the age of 18 has to have their parents sign their eligibility form as far as a volunteer form for us to travel. So anybody over 18 basically you're an adult so you can sign your own. Otherwise I wouldn't know he's 17. But that's the reason I know he's, I do have one guy who's under 17. He may even be 18 now but that was at the beginning of the year.

VANECEK: Okay, perfect, perfect. And are you, do you know a gentleman by the name of Mark Schubert?

TAYLOR: Yes.

VANECEK: How long have you known Mr. Schubert?

TAYLOR: Ever since he took over the club here. I don't even know what year he took over. Maybe two or three years now he's been involved with the club. I don't know what. It's his third year here maybe. Second or third year as the, as the club coach. I don't

remember the exact date that he, that the Board hired him. I don't remember but it's been a couple years since he was hired with the club. And as soon as he got the job with the club obviously we interacted on how the facility was going to work. At that point I was in charge of renting out the facility, so I was the pinpoint person of hey, how do we get pool time, what's the facility's process, you know, paperwork and so forth. So that's when I first started meeting with, with Mark and the interaction began.

VANECEK: During that period of time which to your recollection could have been two to three years, have you ever witnessed any inappropriate behavior on the part of Mr. Schubert –

TAYLOR: No.

VANECEK: – as it relates to dealing with members of the swim team?

TAYLOR: No.

VANECEK: Have you heard of any inappropriate behavior on his part during his time at Golden West College?

TAYLOR: No.

VANECEK: Have you witnessed or heard any reasons why Mr. Schubert might not report inappropriate behavior on part of any of his staff?

TAYLOR: No.

VANECEK: Are you familiar with a gentleman named William Jewell?

TAYLOR: Yes.

VANECEK: Who is he and how long have you known him?

TAYLOR: When I was, I played here in what, '89 and '90 and then after, shortly after I was playing here Bill I think was the swim coach back in maybe the mid to early 90's here. I believe he was working with Ken Hamdorff here. I knew him vaguely. I knew his son. I played with his son Dietrich. I didn't know him as a coach during that time. I was off doing my own coaching thing. So when I came back here in '99 he had already departed here so I didn't know him on a working basis. I knew him from playing with his son Dietrich. And then when Mark took over the club and, you know, got involved obviously we were excited to have Mark on board with his name and his stature. Who wouldn't want him around? So when he brought Bill on, you know, then it was just hey Bill, how are you? You know, it wasn't like I communicated with him in the last 12 years, 15 years. So it was more hey, good to see you again, how's Dietrich doing? You know, cause I know his son. He's my age and I played with him. So I'd say I've known him more since he's been around helping Mark, but prior to that it's more of I knew who he was. I knew that he won some State championships here, you know, was successful here and I, that stuff was all before my time.

VANECEK: Okay, fair enough. And so during that period of time where Mr. Schubert brought him into the College swim program –

TAYLOR: Correct.

VANECEK: During that period of time have you personally witnessed any inappropriate behavior on the part of Mr. Jewell?

TAYLOR: No. The majority, the majority of my time that I've seen him with anybody has been with the men's team. So that, you know, Kyle was the women's coach, so any time there was any sort of interaction over there which there wasn't a lot of it, Bill was, you know, with, with the majority. I never saw him interacting necessarily with the girls. I mean we're separate, so the pool's separate. You know, he'd be down here helping me with the guys, Mark would be here, you know. So not to my knowledge, no.

VANECEK: So that kind of answers the second part of that question, if you heard of any inappropriate behavior on his part during the time that he's been here at Golden West College.

TAYLOR: No, No.

VANECEK: The last question I have is kind of a simulation kind of question. My experience in sports, that any time you're involved in any kind of sport that involves physical activity, there is at some point some type of physical contact between a coach or a mentor and the team member or student.

TAYLOR: Sure.

VANECEK: And that can be anything from learning the proper way to throw a fast ball to throwing a football to how to catch a football or, in the case of swimming, you know, maybe proper arm positioning for a particular stroke.

TAYLOR: Right.

VANECEK: So from your experience in swimming and slash water polo, would it be fair to say that sometimes the best way of demonstrating the appropriate method of making an actual, let's say, a swim stroke –

TAYLOR: Sure.

VANECEK: -- is to physically guide that person through that stroke?

TAYLOR: Sure.

VANECEK: And that, in your opinion would that be an inappropriate contact with that individual?

TAYLOR: No.

VANECEK: And using that same example of learning how to do a stroke and the proper arm positioning and anything else, if I as a reasonable individual were to observe that, not knowing anything about swimming or coaching methodology or anything else, but just looking at that interaction would I be likely to think it was inappropriate?

TAYLOR: No. Not to my – I mean when I teach and coach, you know, occasionally I'll get to where I'm teaching a kid how to play a position properly and I'll put my, you know, in a position up in, you know, where, and obviously clearly, you know, when people or, you know, you don't put yourself in that position of doing that. So yes.

VANECEK: But sometimes the best way is to say –

TAYLOR: Correct, absolutely.

VANECEK: – is look, if you turn your arm, let me turn your arm this way. This is how it should look.

TAYLOR: Correct. Or your head position needs to go here.

VANECEK: This is how it should feel.

TAYLOR: Absolutely.

VANECEK: Do you understand that?

TAYLOR: It's part of teaching.

VANECEK: It's part of teaching.

TAYLOR: Yes.

VANECEK: And there's no agenda to it other than imparting the mechanics –

TAYLOR: Correct.

VANECEK: – or the knowledge of how to do that appropriately or correctly.

TAYLOR: Absolutely. Yes.

VANECEK: Scott, that's all the questions I have for you, unless there's something that is burning in your chest that you want to throw on the table or something I haven't asked you about?

TAYLOR: No. No, I mean I, you know, these guys, they've been very good with, you know, supporting us and supporting them and, you know, this whole thing kind of blindsided us and we didn't, you know, know anything about it really. So I mean I, Mark came in and all of a sudden I was like, oh. My wife's like oh, look in the newspaper. I'm like oh, man, all news to us. So, you know, we, we knew of the dismissal of Dia[ph] who, and, and, you know, then I was

like oh, it's over with. And then all of a sudden two months later, you know, she's making all these accusations. So that is what it is and I don't –

VANECEK: You know, I've been retained to find the truth of the matter. I don't have a vested interest in – and not to minimize anybody's reputation or achievements but, you know, if the truth, you know, is bad for somebody else and good for somebody else, that isn't my function. My function is merely to find the truth and to present conclusions based on that truth.

TAYLOR: Yes, that's it.

VANECEK: If you have nothing further Scott, it's 1048 hours and we're off record.

[END]

INTERVIEW OF DANNY JOHNSON

Taken: Friday, November 9, 2012

GEORGE VANECEK: Today is Friday, November 9, 2012. It is approximately 1003 hours. My name is George Vanecek, contract investigator retained by Golden West College to investigate allegations of potential misconduct on the part of swim coaches Bill Jewell and Mark Schubert. With me is Danny Johnson. Danny, what is your position here with the college?

DANNY JOHNSON: I'm currently assistant swim coach, assistant men's water polo coach, as well as athletic facilitator which is basically sports information along with other duties here assigned at the college.

VANECEK: And you get a full salary for each one of those positions?

JOHNSON: Not a full salary, no.

VANECEK: How long have you been here at Golden West?

JOHNSON: I've been here since 2004.

VANECEK: Obviously in the positions that you described you interact regularly with the teams themselves?

JOHNSON: Correct.

VANECEK: Do you have any association with the Golden West Swim Club?

JOHNSON: My association with the Swim Club would be that I'm also in charge of renting the facilities, so I deal with them on a monthly basis. We also have overlap on a daily basis with practice and seeing them on the pool deck every day. I also run the swim lessons in the summer. So I do the little kids' swim lessons from six months to adult. So they go before us in the morning and then they also have practice after us and during our time.

VANECEK: And in the summer you teach on their behalf?

JOHNSON: No. I teach, I run the swim lessons that are ran through the Golden West College. It's basically a shared, jointed use facility with them. We kind of overlap.

VANECEK: And you administer that with the Swim Club on behalf of the college?

JOHNSON: No. No.

VANECEK: No?

JOHNSON: So I administer, the Golden West swim lessons is different from the club. So swim lessons is all ran through the college, and then Swim Club rents out pool space as well as during that time. So they're on deck while we are also on deck.

VANECEK: Okay, now I got it. So you've been here about eight years. Are you familiar with the college's policy on sexual harassment and things of that nature?

JOHNSON: Yes. We –

VANECEK: Go ahead.

JOHNSON: We receive the pamphlet upon hiring date and then every year at our department meeting it is brought up, pamphlets are handed to us. Albert Gesperon[ph] gives a brief little lecture on the policies and procedures, if anything's changed, and avenues of reporting as well.

VANECEK: Is there are separate set of policies or codes that you're aware of that apply just to athletics or to the swim team in particular? Or they're umbrella-ed under the standard college policy?

JOHNSON: Umbrella-ed under the standard college policy.

VANECEK: Are you a member of USA Swim?

JOHNSON: I was at one time. I no longer have to be a part of the association because collegiately it's not a requirement.

VANECEK: So you're familiar with their athletic protection codes as they existed when you were a member there?

JOHNSON: Correct.

VANECEK: Would you say just by comparison to the college's harassment policies and things like that, that the swim codes at USA Swim are more restrictive?

JOHNSON: Correct.

VANECEK: Are there currently any minors, meaning anyone under the age 18, swimming in any of the programs that you oversee?

JOHNSON: Not to my knowledge.

VANECEK: It's my understanding that probably earlier in the year or at the start of the year there may have been one or two but they have since turned 18?

JOHNSON: Correct.

VANECEK: Do you know Mark Schubert?

JOHNSON: I do.

VANECEK: How long have you known Mr. Schubert?

JOHNSON: Four years now. Four years.

VANECEK: Do you know Mr. William Jewell?

JOHNSON: I do.

VANECEK: How long have you known him?

JOHNSON: Since 1997.

VANECEK: The first couple questions I'd like to ask you relate to Mr. Jewell. You've known him for a significant amount of time. During that time, from 1997 to the present date, have you ever personally witnessed any inappropriate behavior on his part as related to members of whatever teams or swimmers he was coaching?

JOHNSON: No, I have not.

VANECEK: Have you heard any rumors, exclusive of any recent lawsuits, but have you during that period of time heard any rumors of any inappropriate behavior on his part?

JOHNSON: No. Can I touch base on the knowledge I know of Bill?

VANECEK: Please. Yes.

JOHNSON: I actually swam for him in the late '90s, so I knew him as a coach and then I knew him as a colleague later on in life with, you know, as I progressed in my career that I became coaching against him, with him, and for [inaudible]. But my relationship started with him as him being my coach coming to Golden West College.

VANECEK: So you have a variety of perspectives on his activity?

JOHNSON: Correct.

VANECEK: Now regarding Mr. Schubert who you've known for three to four years. Same line of questioning. Have you ever witnessed or heard of any inappropriate behavior on his part during the last two to three year time period?

JOHNSON: No.

VANECEK: Are you aware of or have any speculation as to any reason why Mr. Schubert might not report inappropriate behavior on the part of his staff?

JOHNSON: I would imagine he would have reported it immediately. Knowing Schubert for the last three to four years it's complete unacceptable behavior for him.

VANECEK: So if he did not report inappropriate behavior that would out of character for him based on how –

JOHNSON: Extremely out of character for Mark.

VANECEK: And then I want to kind of ask you a question. I was involved in swimming way before you were born, but having dealt with coaches and the ways that instruction is given in swimming, is there any activity that from an outsider's perspective – somebody standing at the fence watching the deck – is there any perception that someone could have of inappropriate behavior based on watching a coach appropriately teach an activity?

JOHNSON: No.

VANECEK: Because, you know, in baseball, well, you tell somebody how to throw. But in swimming, and drawing back on my miniscule career years ago, in order to teach a proper stroke or arm movements or stuff the best way to do it is to grab on and guide them. That way the student gets the feel of how it should be. But none of that would be inappropriate looking at it from a distance?

JOHNSON: That's more of a correction in learning how to swim, and so that's where we have swim teachers that are, you know, you teach the four year olds to the 12 year olds learning how to swim doing that type of, just like stroke manipulation. As you get older in life, a lot of the correction is done from the deck into the water and then sometimes what happens is you pull the kid out of the water and you walk through the mechanics with them out of the water.

VANECEK: Fine tuning as opposed to teaching, per se?

JOHNSON: Correct.

VANECEK: Danny, that's all the questions I have. If there's something that I haven't asked you that you have this burning desire to get off your chest, now would be a good time to throw it out there, or if there's something I haven't asked you about?

JOHNSON: I think you filled everything.

VANECEK: Very good. At this point it is 1011 hours and we're off the record.

[END]

INTERVIEW OF WILLIAM JEWELL

Taken: Friday, November 9, 2012

GEORGE VANECEK: Today is Friday, November 9, 2012. It's approximately 1026 hours. My name is George Vanecek, contract investigator retained by Golden West College to investigate allegations of inappropriate conduct on the parts of Coach William Jewell and Coach Mark Schubert. With me is Mr. Bill Jewell. Bill, we discussed prior to going on tape your status as a subject of this investigation and you understand that position, right?

WILLIAM JEWELL: Yes, I do.

VANECEK: What is your current position here at Golden West College?

JEWELL: Volunteer swim coach.

VANECEK: Do you have an association with the Golden West Swim Club?

JEWELL: Yes, I'm a volunteer swim coach.

VANECEK: How long have you been involved with the Golden West Swim Club?

JEWELL: June of 2011.

VANECEK: How long have you been coaching here at Golden West College?

JEWELL: Last season beginning end of January 2012.

VANECEK: Perfect, thank you. Are you familiar with the college's policy as far as sexual harassment and that type of behavior?

JEWELL: I have not read it.

VANECEK: But are you familiar in general with the rules of conduct set out by the State of California in this case regarding inappropriate treatment of minors and things like that?

JEWELL: Yes.

VANECEK: And are you currently a member of USA Swim?

JEWELL: Yes.

VANECEK: And you're familiar with their athletic protection codes?

JEWELL: Yes.

VANECEK: Just as a side question, when you look at their protection codes versus California State law, would you agree that the protection codes are far more restrictive?

JEWELL: Yes.

VANECEK: How long have you known Mark Schubert?

JEWELL: Since 1971 or 2.

VANECEK: During your time, again going back to June of 2011 until the present, have you personally witnessed any inappropriate behavior on the part of coaching staff either at the Golden West Swim Club or at Golden West College?

JEWELL: No.

VANECEK: Have you engaged in any inappropriate behavior at either of those locations?

JEWELL: Never.

VANECEK: Have you heard any rumors of inappropriate behavior on the part of the staff?

JEWELL: No.

VANECEK: Bringing your attention now to Coach Schubert. Have you ever witnessed, again, going from June 2011 to date, witnessed or heard of any inappropriate behavior on his part?

JEWELL: Never.

VANECEK: Have you witnessed or heard or are aware of any reason why Coach Schubert might not report inappropriate behavior if it occurred?

JEWELL: State that again? I want to get the answer correct.

VANECEK: I understand. Are you aware of any reason why Coach Schubert might not report inappropriate behavior?

JEWELL: There's no reason.

VANECEK: Okay, Mr. Jewell that's all the questions I have for you. If there's something that I've not asked you that you'd like to put on the record or something I haven't gone into enough detail on, now would be an opportunity to bring it up.

JEWELL: No, I'm fine. Thank you.

VANECEK: Okay, my pleasure. It's 1030 hours and we're off the record.

[END]

INTERVIEW OF MARK SCHUBERT

Taken: Friday, November 9, 2012

GEORGE VANECEK: Today is Friday, November 9, 2012. It's approximately 1129 hours. My name is George Vanecek, contract investigator retained by Golden West College to investigate allegations of possible improprieties or inappropriate behavior on the parts of Coach Bill Jewell and Coach Mark Schubert in the relationships with the Golden West Swim Club and with Golden West College. With me is Coach Mark Schubert.

Coach, prior to going on the record we discussed the nature of the investigation and what the scope of this interview was going to be. It is my understanding that you are represented by counsel, Mr. Richard Foster, who I spoke with yesterday and you indicated that Mr. Foster had spoken to you recently, and it is my understanding that he has no problems with you conducting this interview without him being present. Is that correct?

MARK SCHUBERT: That's correct.

VANECEK: That having been said, we'll go ahead and jump right into this. Coach, what is your position with the Golden West College?

SCHUBERT: I'm the head swimming coach for Golden West College.

VANECEK: How long have you been so employed?

SCHUBERT: This is my second season.

VANECEK: Do you now or have you since January 2011 have an association with the Golden West Swim Club?

SCHUBERT: Yes. Beginning in June of 2011 I've been the head coach of the Golden West Swim Club.

VANECEK: As an employee of the college and someone who's been involved in teaching and coaching for a great number of years, are you familiar with the college policy and generally the rule, the laws of the State of California as they pertain to sexual harassment and treatment of people?

SCHUBERT: Yes.

VANECEK: And are you a member of the USA Swim?

SCHUBERT: I am.

VANECEK: And is it correct that they also have an athletic protection code and code of conduct?

SCHUBERT: They do.

VANECEK: Based on your understanding of California law and college policy and then also the athletic protection codes, would you agree that the athletic protection codes are more restrictive than California State law or college policy?

SCHUBERT: Yes.

VANECEK: How long have you known Coach William Jewell?

SCHUBERT: For over 30 years. Since the 1970's.

VANECEK: Again, drawing your attention to the time of his association with Golden West Swim Club, which I believe was also from about June of last year, 2011, and in his position here at the college, have you ever personally witnessed any inappropriate behavior on his part when it comes to dealing with the students or the members of the swim team?

SCHUBERT: No, never.

VANECEK: Have you ever heard any rumors or gossip regarding inappropriate conduct on his behalf?

SCHUBERT: No.

VANECEK: Had you been aware of any inappropriate behavior that you had either witnessed or had come to your attention, would you have reported that behavior?

SCHUBERT: Absolutely.

VANECEK: I don't have any further questions. If there's a statement that you'd like to make or if there's something that I haven't asked you about that you think might be material to my investigation, now would be an opportune time to bring it up.

SCHUBERT: I think you've covered everything.

VANECEK: Very good. It is 1133 hours and we're off the record.

[END]



GOLDEN WEST COLLEGE
HUNTINGTON BEACH, CA

Wes Bryan, President

November 30, 2012

Golden West Swim Club
Attention: Board of Directors

Dear Board Members,

Golden West College is committed to the proactive support and protection of our students, staff, and community members; and we would like to thank you for your open cooperation during our recent investigation into allegations of inappropriate conduct at the Golden West Swim Club (GWSC). While the allegations were not directed toward the College or those acting during the course of their employment with us specifically; we felt compelled, given the nature of the concerns, to promptly investigate any allegation that had a potential impact on our students.

As you know, on September 18, 2012 Golden West College became aware of allegations of inappropriate conduct between assistant swim coach, William Jewell, and member(s) of the GWSC swim team through a third party lawsuit filed by Dia Rianda on September 17, 2012 alleging wrongful termination. Additionally, allegations surfaced collaterally that GWSC head coach Mark Schubert failed to report the alleged misconduct of Mr. Jewell. Golden West College secured the services of a licensed independent investigator on September 18, 2012 to conduct an independent administrative investigation into these matters.

Specifically, the administrative investigation focused on allegations that between June 2011 and September 2012, Mr. Jewell may have been involved in inappropriate conduct with a member(s) of the GWSC swim team, and/or a member(s) of the GWC swim team; in violation of state law and GWC policies. It encompassed the allegation that Mr. Schubert may have failed to report Mr. Jewell's inappropriate conduct, pursuant to state law and GWC policy as it relates to mandatory reporting responsibility. Additionally, the investigation examined the treatment of members of the aquatic programs at both venues.

The investigation was extensive, as over 100 student athletes and their parents were contacted, both from GWSC and Golden West College. A misconduct reporting hotline and email address were publicized and not one allegation of misconduct against Mr. Jewell or Mr. Schubert was received. Proactively, the investigation also included a number of interviews, a review of pertinent documents, as well as a review of applicable policies and regulations.

The investigation into these matters is now complete, and I am pleased to announce that the investigation did not reveal any evidence to substantiate allegations of inappropriate conduct by Mr. Jewell while working with GWSC or Golden West College. Independently and as a consequence, this finding means that the allegations levied against Mr. Schubert for failure to report inappropriate conduct are also unfounded.

I would be remiss if I did not also report to you that there was an abundance of information regarding the positive contributions you have made as a swim coach and teacher, and so it is with pride we welcome you back to our pool deck. I want to again thank you for your openness with the College during this investigative process, and I look forward to our continued work with GWSC.

Sincerely,


Wes Bryan
President

cc/WB

15744 Goldenwest Street • P.O. Box 2748 • Huntington Beach CA 92647-0748
(714) 892-7711 • www.goldenwestcollege.edu

Andrew C. Jones, Ed.D., Chancellor

Board of Trustees
David A. Grant
Mary L. Hornbuckle
Jim Moreno
Jerry Patterson
Lorraine Prinsky, Ph.D.
Student Trustee



GOLDEN WEST COLLEGE
HUNTINGTON BEACH, CA

Wes Bryan, President

November 30, 2012

Mark E. Schubert
P.O. Box 479
Surfside, CA 90743-0479

Dear Mr. Schubert,

Golden West College is committed to the proactive support and protection of our students, staff, and community members; and we would like to thank you for your open cooperation during our recent investigation into allegations of inappropriate conduct at the Golden West Swim Club (GWSC). While the allegations were not directed toward the College or those acting during the course of their employment with us specifically; we felt compelled, given the nature of the concerns, to promptly investigate any allegation that had a potential impact on our students.

As you know, on September 18, 2012 Golden West College became aware of allegations of inappropriate conduct between assistant swim coach, William Jewell, and member(s) of the GWSC swim team through a third party lawsuit filed by Dia Rianda on September 17, 2012 alleging wrongful termination. Additionally, allegations surfaced collaterally that as the head coach of GWSC you failed to report the alleged misconduct of Mr. Jewell. Golden West College secured the services of Norman A. Traub Associates on September 18, 2012 to conduct an independent administrative investigation into these matters.

Specifically, the administrative investigation focused on allegations that between June 2011 and September 2012, Mr. Jewell may have been involved in inappropriate conduct with a member(s) of the GWSC swim team, and/or a member(s) of the GWC swim team; in violation of state law and GWC policies. It encompassed the allegation that you may have failed to report Mr. Jewell's inappropriate conduct, pursuant to state law and GWC policy as it relates to mandatory reporting responsibility. Additionally, the investigation examined the treatment of members of the aquatic programs at both venues.

The independent administrative investigation into these matters is now complete, and I am writing to notify you that the investigation did not reveal any evidence to substantiate allegations of inappropriate conduct by Mr. Jewell while working with GWSC or Golden West College. Independently and as a consequence, this finding means that the allegations levied against you for failure to report inappropriate conduct are also unfounded. Having reviewed the preponderance of evidence collected during the investigation, Golden West College now views this matter as closed. I would be remiss if I did not also report to you that there was an abundance of information regarding the positive contributions you have made as a swim coach and teacher, and so it is with pride we welcome you back to our pool deck.

At your request, a copy of this letter may be included in your personnel file. Should you have any remaining questions or concerns, you may schedule an appointment with me to discuss.

Sincerely,


Wes Bryan
President

cc/WB

15744 Goldenwest Street • P.O. Box 2748 • Huntington Beach CA 92647-0748
(714) 892-7711 • www.goldenwestcollege.edu

Andrew C. Jones, Ed.D., Chancellor

Board of Trustees
David A. Grant
Mary L. Hornbuckle
Jim Moreno
Jerry Patterson
Lorraine Prinsky, Ph.D.
Student Trustee

COAST COMMUNITY COLLEGE DISTRICT

INDEPENDENT CONTRACTOR AGREEMENT (SHORT FORM)

This INDEPENDENT CONTRACTOR AGREEMENT ("AGREEMENT") between COAST COMMUNITY COLLEGE DISTRICT, a public educational agency ("DISTRICT") and Norman A. Traub Associates ("INDEPENDENT CONTRACTOR") shall be effective upon the execution date of INDEPENDENT CONTRACTOR and DISTRICT, whichever shall later occur. DISTRICT and INDEPENDENT CONTRACTOR are referred to herein individually as "PARTY" and collectively as "PARTIES."

WHEREAS, DISTRICT desires to obtain special services for conducting investigations of personnel matters, as requested by the District, under the direction of the General Counsel and as further described in "Attachment 1" attached hereto. The services listed here and in Attachment 1 are referred to herein as "SERVICES."

WHEREAS, INDEPENDENT CONTRACTOR warrants and represents to DISTRICT that INDEPENDENT CONTRACTOR has the experience, expertise and resources to successfully complete the SERVICES required by DISTRICT and will provide these SERVICES timely and in conformance with the laws of the State of California.

NOW, WHEREFORE, the PARTIES agree as follows:

ARTICLE I--INDEPENDENT CONTRACTOR'S SERVICES AND RESPONSIBILITIES.

1. INDEPENDENT CONTRACTOR shall timely and competently provide those SERVICES set forth above and on Attachment No. 1 to this AGREEMENT.

2. INDEPENDENT CONTRACTOR covenants with DISTRICT to furnish the necessary professional skill and judgment in accordance with the level of care and skill exercised by members of the profession or occupation currently practicing under similar conditions and in similar locations. INDEPENDENT CONTRACTOR shall use its best professional efforts to complete the SERVICES in an expeditious and economical manner consistent with the interests and goals of DISTRICT. INDEPENDENT CONTRACTOR agrees it shall take all special precautions necessary to protect the INDEPENDENT CONTRACTOR'S employees, DISTRICT'S employees, and members of the public from risk of harm arising out the nature of the work.

3. INDEPENDENT CONTRACTOR shall hold and maintain during the performance of these AGREEMENT any and all applicable licenses, permits and/or certificates necessary for performance of SERVICES under the AGREEMENT and comply with all applicable federal, state and local laws, statutes, regulations, rules and ordinances, as well as DISTRICT policies and procedures in the performance of SERVICES under this AGREEMENT.

4. INDEPENDENT CONTRACTOR shall fully complete the Internal Revenue Service W-9 Form or other required reporting form. This form shall be attached to this AGREEMENT as "Attachment 2".

5. INDEPENDENT CONTRACTOR consents to use of INDEPENDENT CONTRACTOR'S name in conjunction with the sale, use, performance, and distribution of the matters, for any purpose and in any medium.

6. The SERVICES performed hereunder are work made for hire and DISTRICT shall own, in perpetuity and worldwide, all rights to and flowing from the work, including any work product, performed

7. under this AGREEMENT. INDEPENDENT CONTRACTOR assigns to DISTRICT any and all rights INDEPENDENT CONTRACTOR could have, may have, or does have, in the work and/or the work product performed under this AGREEMENT, and DISTRICT shall have all right, title, and interest in said matters, including the right to secure and maintain the copyright, trademark, and/or patent of said matters in the name of the DISTRICT. INDEPENDENT CONTRACTOR consents to the use of INDEPENDENT CONTRACTOR'S name in conjunction with the sale, use, performance, and distribution of said matters, for any purpose and in any medium. [Initial if applicable ()].

ARTICLE II COMPENSATION

1. DISTRICT agrees to pay the INDEPENDENT CONTRACTOR for SERVICES satisfactorily rendered pursuant to this AGREEMENT. DISTRICT shall pay INDEPENDENT CONTRACTOR pursuant to the following schedule or basis of compensation: **\$130 per hour (to be discounted by 5%) plus mileage and transportation expenses. A fee of \$250 per hour (4 hour minimum) for post-investigation hearings, trials, etc.**

2. DISTRICT shall not be liable to INDEPENDENT CONTRACTOR for any costs or expenses paid or incurred by INDEPENDENT CONTRACTOR in performing SERVICES for DISTRICT, except as follows:
Investigation of personnel matters, as requested by the District, under the direction of the General Counsel.

ARTICLE III TERM, TERMINATION

1. This AGREEMENT shall commence on the effective date with INDEPENDENT CONTRACTOR'S SERVICES to commence on or about **August 16, 2012**. All SERVICES shall be completed by no later than **June 30, 2013** at which time this AGREEMENT shall expire, unless extended or modified by mutual written consent and approval of the DISTRICT'S governing board.

2. DISTRICT may, at any time, with or without reason, terminate this AGREEMENT and compensate INDEPENDENT CONTRACTOR only for SERVICES satisfactorily rendered to the date of termination. Written notice by DISTRICT shall be sufficient to stop further performance of SERVICE by Consultant. Notice shall be deemed given when received by the INDEPENDENT CONTRACTOR or no later than three days after the day of mailing, whichever occurs first.

3. Upon termination of this AGREEMENT for any reason (other than full and satisfactory completion of INDEPENDENT CONTRACTOR'S SERVICES hereunder) INDEPENDENT CONTRACTOR shall not be entitled to any unearned fees or costs and shall be liable for damages suffered by DISTRICT due to INDEPENDENT CONTRACTOR'S failure to perform pursuant to this AGREEMENT. Upon such termination, DISTRICT shall have no continuing obligation to make any payments to INDEPENDENT CONTRACTOR under this AGREEMENT.

ARTICLE IV INDEMNITY AND INSURANCE

1. INDEPENDENT CONTRACTOR agrees to indemnify and hold harmless DISTRICT, its trustees, officers, agents and employees from and against all damages, liabilities and costs, in law or in equity, including attorneys' fees and costs, and other legal expenses, including litigation expenses, in any way related to any actions or inaction of INDEPENDENT CONTRACTOR or of any Officer, Director, Agent, or Employee of INDEPENDENT CONTRACTOR. INDEPENDENT CONTRACTOR shall indemnify, and hold harmless DISTRICT, its trustees, agents, and employees from and against all loss, cost,

expense, royalties, claims for damages or liability, in law or in equity, including, without limitation, attorneys' fees, and other legal expenses, including litigation expenses, that may at any time arise for any infringement (or alleged infringement) of any patent, copyright, trade secret, trade name, trademark, or any other proprietary right of any person or entity in any way related to this AGREEMENT.

2. DISTRICT may require INDEPENDENT CONTRACTOR to provide DISTRICT with evidence of Insurance in the form of an Insurance Certificate and an Endorsement, with both documents naming the Coast Community College District, its Board of Trustees, employees and agents as additional insured. The coverage amounts of such insurance, if necessary, are identified as "Attachment 3" and are incorporated as a requirement of this AGREEMENT.

3. INDEPENDENT CONTRACTOR shall not be responsible for acts, omissions, or negligence by the District.

ARTICLE V INDEPENDENT CONTRACTOR

1. INDEPENDENT CONTRACTOR, in the performance of this AGREEMENT, will determine the method, details, and means of performing the SERVICES, and will at INDEPENDENT CONTRACTOR'S own expense, supply all labor, tools, materials, equipment, supplies, and items necessary to perform such SERVICES. INDEPENDENT CONTRACTOR has no authority to bind DISTRICT. INDEPENDENT CONTRACTOR understands and agrees that INDEPENDENT CONTRACTOR and all of INDEPENDENT CONTRACTOR'S employees shall not be considered officers, employees, or agents of the DISTRICT, and are not entitled to benefits of any kind or nature normally provided employees of the DISTRICT and/or to which DISTRICT'S employees are normally entitled. INDEPENDENT CONTRACTOR assumes the full responsibility for the acts and/or omissions its employees or agents. INDEPENDENT CONTRACTOR shall assume full responsibility for payment of all federal, state, and local taxes or contributions, with respect to INDEPENDENT CONTRACTOR and its employees.

ARTICLE VI MISCELLANEOUS PROVISIONS

1. An inducement to DISTRICT for entering into this AGREEMENT is the professional reputation and competence of INDEPENDENT CONTRACTOR and its employees. Neither this AGREEMENT, nor any interest therein may be assigned by INDEPENDENT CONTRACTOR without the prior written consent of DISTRICT, which consent may be withheld in DISTRICT'S sole discretion.

2. This AGREEMENT represents the entire and integrated AGREEMENT between DISTRICT and INDEPENDENT CONTRACTOR and supersedes all prior negotiations, representations, or agreements, either written or oral. This AGREEMENT may be amended only by written instrument signed by both DISTRICT and INDEPENDENT CONTRACTOR.

3. Nothing contained in this AGREEMENT shall create a contractual relationship with or a cause of action in favor of a third party against DISTRICT.

4. Time is of the essence for this AGREEMENT.

5. DISTRICT shall not be liable for any special, indirect, exemplary, punitive, consequential, or incidental damages, including, without limitation, lost revenues, anticipated revenues, or profits relating to the same arising from any claim relating directly or indirectly to this AGREEMENT whether a claim for such damages is based on warranty, contract, or tort even if the PARTIES are advised of the likelihood or possibility of the same.

6. INDEPENDENT CONTRACTOR, if an employee of another public agency, agrees that INDEPENDENT CONTRACTOR will not receive salary or remuneration, other than vacation pay, as an employee of another public agency for the actual time in which services are actually being performed pursuant to this AGREEMENT.

7. The failure of DISTRICT or INDEPENDENT CONTRACTOR to seek redress for violation of, or to insist upon, the strict performance of any term or condition of this AGREEMENT shall not be deemed a waiver by that PARTY of such term or condition, or prevent a subsequent similar act from again constituting a violation of such term or condition.

8. In the event of any dispute, arbitration, or litigation between the PARTIES arising out of or relating in any manner to this AGREEMENT including the necessity of either PARTY to defend any action which has been covered hereby or to prosecute any action to enforce this AGREEMENT, the losing PARTY shall pay all reasonable costs and expenses including reasonable attorneys' fees of the prevailing PARTY and any judgment, decision, or award rendered against either of the PARTIES may specifically include such reasonable costs, expenses, and attorneys' fees of the prevailing PARTY.

9. Any notice or communication required or permitted to be given hereunder or by law shall be in writing and served personally, delivered by courier, or sent by United States certified mail, postage prepaid with return receipt requested, addressed to the other PARTY as follows:

TO DISTRICT:

Coast Community College District (College)
Attn: Vice President Administrative Services
1370 Adams Avenue
Costa Mesa, CA 92626

TO INDEPENDENT CONSULTANT

Norman A. Traub Associates
Attn: Norm Traub
5409 Via Fonte
Yorba Linda, CA 92886


Copy to:

Coast Community College DISTRICT
Attn: Vice Chancellor Administrative Services
1370 Adams Avenue
Costa Mesa, CA 92626

Any such notices personally served or delivered by courier shall be effective when received. All notices sent by certified mail shall be effective forty-eight hours after being deposited in the U.S. mail. Each PARTY shall make a reasonable, good faith effort to ensure that it will accept or receive notices that are given in accordance with this paragraph. A PARTY may change its address for purposes of this paragraph by giving the other PARTY written notice of a new address in the manner set forth above.

IN WITNESS WHEREOF, DISTRICT and INDEPENDENT CONTRACTOR have executed this AGREEMENT as of the date of execution by the District below.

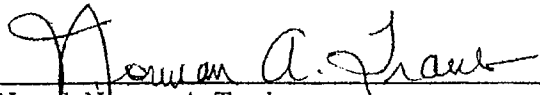
DISTRICT



President, Board of Trustees
Coast Community College District

Dated: AUG 16, 2012

INDEPENDENT CONTRACTOR



[Name] Norman A. Traub
[Title] President
Social Security No. or Federal ID No. 562-32-0431
Dated: _____

ATTACHMENT NO. 1 - SCOPE OF SERVICES

INDEPENDENT CONTRACTOR agrees to perform the following services for DISTRICT:

The conduct investigation of personnel matters, as requested by the District, under direction of the General Counsel. Upon completion of an investigation, written report will be provided to the District.

R/S Independent Contractor Agreement 2009 JL (Attachment 1)
(Attachment 2 is Completed W-9 Form)
(Attachment 3 is Alternate Insurance Requirements)

NORMAN A. TRAUB ASSOCIATES

California PI #26161

November 16, 2012

Ms. Crystal Crane
Director, Personnel Services
Golden West College
15744 Goldenwest Street
Huntington Beach, CA. 92647

Dear Ms. Crane,

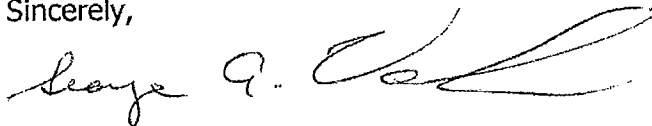
On September 18, 2012, Golden West College retained Norman A. Traub Associates for the purpose of investigating allegations of inappropriate conduct on the part of volunteer swim coach Mr. William Jewell, and head swim coach Mr. Mark Schubert. These allegations surfaced as collateral issues in a third party lawsuit alleging wrongful termination.

This investigation examined whether Mr. Jewell acted contrary to California state law or college policies in his interactions with any members of the Golden West Swim Club (GWSC) or the Golden West College aquatics program. It further examined whether Mr. Schubert complied with applicable California law and college policies as it relates to mandatory reporting responsibility, and the treatment of members of the aquatic programs at both venues.

I am pleased to report that there is no evidence of culpability on the part of Mr. Jewell and, independently and as a consequence, no evidence of culpability on the part of Mr. Schubert. My findings and conclusions are that the allegations against Mr. Jewell and Mr. Schubert are unfounded.

I appreciate the opportunity to have provided this investigative service to Golden West College, and my final hardcopy report will be submitted shortly. I would also like to thank you, and the other GWC administrative personnel, for the cooperation and diligence that played a major role in the culmination of the investigative process.

Sincerely,



George A. Vanecek
Investigator

6185 Magnolia Avenue, Suite 137, Riverside, CA 92506
Office: 951-236-0815 Fax: 951-789-9979

COAST 156

NORMAN A. TRAUB ASSOCIATES
 California License P121509
 5409 Via Fonte
 Yorba Linda, CA 92886
 (714) 693-3428

INVOICE # 12111

November 27, 2012

Crystal Crane
 Golden West College
 Coast Community College District
 15744 Golden West Street
 Huntington Beach, California 92847

*Scheubert / Jewell
 Case (GW Swim)
 Club*

*Approved for
 payment —
 Investigation
 Complete
 Crystal R. Crane*

Investigator: George Vanacek

DATE	HOURS	ACTIVITY
09/18/12	N/C	Initial conference with client
09/19/12	1.00	Review of documents, potential witnesses identified, investigative strategy considered
09/20/12	5.00	Travel, meeting with College President, Athletic Director, Public Safety and Human Resources re: scope of investigation, interview scheduling
09/21/12	6.00	Travel, interviewed witnesses at GWC
09/22/12	2.00	Audio review and summaries, sent for transcription
09/28/12	0.50	Contacted Swimming USA Liz Hoendervoogt, Athletic Protection Coordinator and Susan Woessner, Athletic Protection Director re: their investigation
10/01/12	0.25	Reviewed forwarded complaint e-mails for investigation
10/02/12	0.75	Contacted K. Lucinda McRoberts, Esq. of Bryan Cave HRO re: Swim USA investigation, discussed scope
10/08/12	0.25	Reviewed forwarded complaint e-mails for investigation
10/30/12	0.25	Received notification lists and acknowledgements
10/31/12	0.25	Contact attempts for attorney Richard Foster re: interview schedule
11/08/12	0.50	Telephonic meeting with Atty Richard Foster
11/09/12	4.50	Travel, interviewed complainants at GWC
11/12/12	1.25	Audio review and summaries, sent for transcription
11/19/12	2.5	Report completion

Total Hours: 25.00
 Hourly Rate: \$ 130.00
 Sub-Total: \$ 3,250.00
 Mileage: \$ 168.30
 Transcription: \$ 63.55
 Misc.: \$ -
 Total: \$ 3,481.85

Nancy Hill

PLEASE REMIT \$3,481.85

Thank you for using our services,

Norman A. Traub
 President

Crystal Crane

From: Mark Schubert <mschu47573@aol.com>
Sent: Tuesday, September 18, 2012 3:43 PM
To: Crystal Crane
Subject: Fwd: USA Swimming / Bill Jewell

Mark Schubert
562-243-6262
SchubertSwim@aol.com

Begin forwarded message:

From: Michael Bernstein <verdictwon@aol.com>
Date: September 18, 2012 3:36:59 PM PDT
To: mschu47573@aol.com
Subject: Fwd: USA Swimming / Bill Jewell

Letter #1...

Sent from my iPhone

Begin forwarded message:

From: "McRoberts, Lucinda" <Lucinda.McRoberts@bryancave.com>
Date: June 13, 2012 1:51:17 PM EDT
To: "verdictwon@aol.com" <verdictwon@aol.com>
Cc: "Goss, Teri" <teri.goss@bryancave.com>, "Aud, Marcella" <Marcella.Aud@bryancave.com>
Subject: USA Swimming / Bill Jewell

Dear Mr. Bernstein,

Per our telephone conversation, this email shall serve as confirmation that Bill Jewell is allowed to continue assisting Mark Schubert at Golden West College during USA Swimming's investigation into alleged Code of Conduct violations committed by Mr. Jewell.

Should you have any questions, please don't hesitate to let me know.

Best regards,

K. Lucinda McRoberts
Bryan Cave HRO
90 S. Cascade, Suite 1300
Colorado Springs, Colorado 80903
Direct Dial: (719) 381-8452
Fax: (719) 633-1518
lucinda.mcroberts@bryancave.com

This electronic message is from a law firm. It may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any attachments.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.
bc1lp2012

Crystal Crane

From: Albert Gasparian
Sent: Tuesday, September 18, 2012 11:03 PM
To: Ron Lowenberg; Wes Bryan; Fabienne McPhail Naples; Janet Houlihan; Crystal Crane
Cc: Christina Oja
Subject: Re: Follow - Crisis Alert Team - message points re:

Thank you to all for the taking the time today with this difficult issue.

The two links are articles posted in the last hour in response to the statement from USA Swimming underneath the links that discounts any cover up by Mr. Schubert. I believe after meeting with Mark Schubert and Crystal and reading the statement from the investigating body, that there is no evidence of any cover up or failure to report by Mr. Schubert. After learning of the investigation on the previous complaint against Bill Jewell, Mr. Jewell was put on leave for two months. Crystal has a copy of the letter from USA Swimming clearing Bill Jewell to coach pending the final results of the investigation. Mr. Schubert did say that the plaintiff complained that Mr. Jewell broke the USA swimming code but at no time were there any accusations of sexual misconduct. He disagreed with her interpretation of the rules and complaint tried to educate her on the actual rules. To appease her because she was a friend he also made accommodations to appease her complaints.

I feel that Bill Jewell should stay on administrative leave pending the results of our investigation but there is no credibility in any accusations made in the press release written by the lawyer that lead to the article regarding Mark Schubert.

Thanks,

Albert

http://www.washingtonpost.com/sports/usa-swimming-denies-cover-up-with-former-national-coach-mark-schubert-in-sexual-abuse-scandal/2012/09/18/55424dfc-0201-11e2-bbf0-e33b4ee2f0e8_story.html

<http://msn.foxsports.com/olympics/swimming/story/usa-swimming-denies-cover-up-with-former-coach-mark-schubert-allegations-of-sexual-misconduct-091812>

"The resolution of the relationship between Mark Schubert and USA Swimming absolutely did not involve any cover-up of alleged sexual misconduct by Sean Hutchison or any other person," USA Swimming said in a statement. "Rather, because of USA Swimming's commitment to safe sport, the agreement between USA Swimming and Mr. Schubert specifically required that if Schubert had, or in the future, received reliable information involving a sexual misconduct Code of Conduct violation by a coach or other member of USA Swimming, he would bring that information to USA Swimming in writing and would testify at a National Board of Review proceeding if requested to do so by USA Swimming."

On 9/18/12 9:54 PM, "Ron Lowenberg" <rlowenberg@gwc.cccd.edu> wrote:

Wes: This is excellent. Thank you for inviting me to participate and voice my opinion. Ron

From: Wes Bryan
Sent: Tue 9/18/2012 2:23 PM
To: Albert Gasparian; Fabienne McPhail Naples; Janet Houlihan; Crystal Crane; Ron Lowenberg

Cc: Christina Oja

Subject: Follow - Crisis Alert Team - message points re:

Our Public response is that :

We convened our Crisis Alert Team to collect factual information and based on these discussions took the following actions.

1. Decided on a plan of action that would ensure the safety of all athletes without prejudging those accused.
2. Contacted USA Swimming – scope and status of their investigation
3. Worked out arrangements with the two coaches to secure temporary replacement pending the outcome of the investigation by USA Swim and/or our own independent investigation.
4. Reaffirmed our commitment to protect our students, staff and community members.

Questions – directed to Albert – but no information beyond these four points

Wes Bryan
President



Coast Community College
2700 S. Golden West Street
Orange, CA 92667-2748

☎ Tel: 855-8101 - Voice
☎ Tel: 855-8128 - FAX

Crystal Crane

From: George Vanecek <vanecekpi@charter.net>
Sent: Wednesday, September 19, 2012 2:18 PM
To: Crystal Crane
Subject: Re: GWC Jewell/Shubert Case

Crystal....

I'll be there at 8:30, thanks!

George

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, permanently delete the original and any copy of this message, its attachments, and any printout thereof. Thank you.

On Wed, Sep 19, 2012 at 1:43 PM, Crystal Crane wrote:

Hi George,

We're confirmed to meet with the President tomorrow from 8:30-10 am tomorrow in the Presidents Office at GWC.

The college address is 15744 Goldenwest Street, Huntington Beach, CA 92747, and the presidents office is located on the ground floor of the Administration Building. You'll want to park in the Edinger Street lot, and the office will be on the south side of the building.

Feel free to call me on my cell if you need anything.

Look forward to meeting you tomorrow.
Crystal

Sent from my iPhone

On Sep 19, 2012, at 8:54 AM, "George Vanecek" <vanecekpi@charter.net> wrote:

Crystal-

The pleasure was mine. I had already obtained a copy of the lawsuit, and will attend the meeting at whatever time is set. Please include the address of the meeting location, once a time is determined.

Look forward to meeting you...thanks!

George

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, permanently delete the original and any copy of this message, its attachments, and any printout thereof. Thank you.

On Wed, Sep 19, 2012 at 8:16 AM, Crystal Crane wrote:

Good Morning George,

It was nice to speak with you yesterday afternoon, and we are glad to have someone of your experience conducting this investigation for us.

Here is the first of several emails I will forward now with some additional information for your review.

I'm working on confirming our meeting time for tomorrow, we're looking at 8:30 am or 1 pm time slots. I'll be in touch as soon as we have that nailed down.

Crystal

Sent from my iPad

Begin forwarded message:

From: Albert Gasparian <agasparian@gwc.cccd.edu>

Date: September 18, 2012 11:03:04 PM PDT

To: Ron Lowenberg <rlowenberg@gwc.cccd.edu>, Wes Bryan <wbryan@gwc.cccd.edu>, Fabienne McPhail Naples <fmcphailnaples@gwc.cccd.edu>, Janet Houlihan <jhoulihan@gwc.cccd.edu>, Crystal Crane <ccrane@gwc.cccd.edu>

Cc: Christina Oja <coja@gwc.cccd.edu>

Subject: Re: Follow - Crisis Alert Team - message points re:

Thank you to all for the taking the time today with this difficult issue.

The two links are articles posted in the last hour in response to the statement from USA Swimming underneath the links that discounts any cover up by Mr. Schubert. I believe after meeting with Mark Schubert and Crystal and reading the statement from the investigating body, that there is no evidence of any cover up or failure to report by Mr. Schubert. After learning of the investigation on the previous complaint against Bill Jewell, Mr. Jewell was put on leave for two months. Crystal has a copy of the letter from USA Swimming clearing Bill Jewell to coach pending the final results of the investigation. Mr. Schubert did say that the plaintiff complained that Mr. Jewell broke the USA swimming code but at no time were there any accusations of sexual misconduct. He disagreed with her interpretation of the rules and complaint tried to educate her on the actual rules. To appease her because she was a friend he also made accommodations to appease her complaints.

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Thanks,

Albert

http://www.washingtonpost.com/sports/usa-swimming-denies-cover-up-with-former-national-coach-mark-schubert-in-sexual-abuse-scandal/2012/09/18/55424dfc-0201-11e2-bbf0-e33b4ee2f0e8_story.html

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Sent: Tue 9/18/2012 2:23 PM

To: Albert Gasparian; Fabienne McPhail Naples; Janet Houlihan; Crystal Crane; Ron Lowenberg

Cc: Christina Oja

Subject: Follow - Crisis Alert Team - message points re:

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4. Reaffirmed our commitment to protect our students, staff and community members.

Questions – directed to Albert – but no information beyond these four points

Wes Bryan
President

Golden West College
3000 Golden West Street
Huntington Beach, CA 92647-2748

tel: 949-3101 - Voice
tel: 949-8029 - FAX

Crystal Crane

From: Wes Bryan
Sent: Thursday, September 20, 2012 2:43 PM
To: Crystal Crane; Albert Gasparian; Jonathan Arnold
Subject: RE: Final Draft

Looks good to me

From: Crystal Crane
Sent: Thursday, September 20, 2012 1:58 PM
To: Wes Bryan; Albert Gasparian; Jonathan Arnold
Subject: Final Draft

Here's a final draft of the language for the business cards and the email to the swim club for your final review/approval.

Golden West College continues to affirm its commitment to supporting and protecting students, staff and community members.

To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9712. You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Crystal Crane

From: Crystal Crane
Sent: Thursday, September 20, 2012 6:40 PM
To: Wes Bryan
Subject: Investigation Update
Attachments: Complaint Cards.pdf

An investigator has been secured through Norman Traub Investigative Services to conduct the independent investigation, on the College's behalf, into the concerns surrounding the Golden West Swim Club. George Vanecek is the investigator assigned, and comes to us with an extensive background in internal affairs investigations with LA County Corrections and the LA Fire Department.

This morning a portion of the College's Crisis Team met with Mr. Vanecek to discuss the following:

1. A Framework

The College's primary interest is to surface relevant and factual information related to the safety of GWC students participating in swim activities; while at the same time demonstrating appropriate sensitivity to individuals involved in this case.

The College has requested findings of fact from the investigator as they relate to potential criminal or civil liabilities or policy violations. The investigation will not attempt to overlap findings from USA Swim as they relate to policies under that particular association.

2. Investigation Scope

The investigation will focus primarily on GWC student athletes participating in the swim program within the last 2 years. This will encompass the period of time Mr. Jewell has had a relationship with GWC, and will not deviate too far into specific activities of the Swim Club as they are an independent organization.

The investigation will seek cooperation from the Golden West Swim Club however, to allow us access to investigate relevant facts with staff and students under their umbrella. Mr. Shubert has extended the College an agreement to this request on behalf of the GW Swim Club.

3. Contact with Students/Parents

In an effort to handle our inquiry as respectfully as possible, the College will distribute "Complaint Cards" to GWC athletes involved in the swim program beginning tomorrow. (Sample Enclosed)

The cards will read *"Golden West College continues to affirm its commitment to supporting and protecting students, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9712. You may also make a report via email at: complaints@gwc.cccd.edu. A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law. In case of an emergency, please call GWC Public Safety at 714-895-8999 for immediate assistance."*

The College has secured a pre-paid cell phone to receive potential complaints via text or voice message. We have also established a confidential email account where potential

complainants can forward comments. Complaints received through this media will be shared with Mr. Vanecek for immediate follow-up.

Additionally, Mr. Shubert has agreed to provide the College with email addresses for participants in the GW Swim Club, so that a similar message may also be emailed to that group. This communication is also expected to go out tomorrow.

4. Next Steps

Mr. Vanecek will begin interviews tomorrow with College staff, while we wait to see if any students or parents come forward with comments over the next few days. Mr. Vanecek will reserve interviews with Mr. Shubert and Mr. Jewell until he has gathered more information from witness interviews. Mr. Vanecek will keep the College apprised as his investigation progresses.

CONTACT
Mr. Vanecek
Director, Personnel Services

Golden West College
10000 Goldenwest Street
Laguna Beach, CA 92653
Phone: (714) 895-8785
Fax: (714) 895-8998
Email: ccrane@gwc.cccd.edu

Golden West College continues to affirm its commitment to supporting and protecting students, staff and community members.

To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9772. You may also make a report via email at complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Crystal Crane

From: Crystal Crane
Sent: Thursday, September 27, 2012 2:20 PM
To: Wes Bryan
Subject: FW: GWC Investigation Update

FY: -- And would you have a few moments later this afternoon to discuss?

From: George Vanecek [<mailto:vanecekpi@charter.net>]
Sent: Thursday, September 27, 2012 11:09 AM
To: Crystal Crane
Subject: GWC Investigation Update

Good morning, Crystal!

Hope this email finds you well....I wanted to give you a quick update on investigative progress.

I have already contacted Swim USA and asked to speak with the group conducting the Jewell investigation. I was assured, after convincing them I wasn't part of the media, that someone (likely from their retained law firm) would call me back.

After several discussions with civil and employment law attorneys (no charge, they owe me favors) I have opted NOT to involve Dia Rianda or her attorneys in this investigation for the following reasons:

1. Having her attorneys aware of this investigation bolsters their credibility, regardless of the results.
2. The lawsuit indicates that there appears to be no incident "that rises to the level of criminal action". Therefore, one can surmise that they are suing based solely on violations of the "Code of Conduct", and not the law. This is further supported by the fact that Rianda would have had a "mandatory reporter" mandate, which would require reporting to a child protective agency or law enforcement, not just to her supervisor. There is no indication that she complied with this requirement, therefore she is in violation of the law OR the incidents did not rise to the level required for mandatory reporting OR didn't occur at all.
3. We will be canvassing the same "victim pool" with our efforts and, if there is any misconduct, are as likely to discover it on our own as with the "help" of Rianda and her attorneys.
4. Every attorney I spoke with said that Rianda's attorneys "would be fools" to provide any information to us.....with or without a strong case.

If you have any questions or concerns about the direction I'm taking, please don't hesitate to contact me.

George
951-236-0815

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Crystal Crane

From: Albert Gasparian
Sent: Tuesday, October 02, 2012 8:16 AM
To: Crystal Crane
Subject: FW: GWC Hotline

From: Mark Schubert
Sent: Tuesday, October 02, 2012 8:15 AM
To: Albert Gasparian
Subject: Fwd: GWC Hotline

FYI

Mark

Sent from my iPad
Mark E. Schubert
SchubertSwim@aol.com
Mobile: 562-243-6262

Begin forwarded message:

From: "Susi Rouse" <srouse01@hotmail.com>
Date: October 1, 2012, 7:51:06 PM PDT
To: "Mark Schubert" <mschubert@gwc.cccd.edu>
Subject: Re: Fwd: GWC Hotline

Mark,
There may be a reason for this but I just thought I would mention it.... if an email when out today, to all of the members that were on the list that I gave you, then there may be a glitch... I didn't receive an email. I don't know if we are the only ones. Please let me know if I should do some discrete inquiries with a few select other "senior" families. If there's a problem, we should know.

Thank you.
Susi

From: [Mark Schubert](#)
Sent: Monday, October 01, 2012 6:33 PM
To: [Suzi Rouse](#)
Subject: Fwd: GWC Hotline

Suzi:

Is this a correct email address?

Sent from my iPad
Mark E. Schubert
SchubertSwim@aol.com
Mobile: 562-243-6262

Begin forwarded message:

From: "Albert Gasparian" <agasparian@gwc.cccd.edu>
Date: October 1, 2012, 2:37:08 PM PDT
To: "Mark Schubert" <mschubert@gwc.cccd.edu>
Subject: Fwd: GWC Hotline

Sent from my iPhone

Begin forwarded message:

From: "complaints" <complaints@gwc.cccd.edu>
Date: October 1, 2012, 1:43:18 PM PDT
To: "Albert Gasparian" <agasparian@gwc.cccd.edu>
Subject: FW: GWC Hotline

Hi Albert,

Would you be able to verify the email address below with GWSC?

Thanks.

Crystal

From: System Administrator
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: Undeliverable: GWC Hotline

Your message did not reach some or all of the intended recipients.

Subject: GWC Hotline

Sent: 10/1/2012 1:38 PM

The following recipient(s) cannot be reached:

koleson@socal.rr.com on 10/1/2012 1:38 PM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

<drake2.gwc.cccd.edu #5.1.1 smtp;550
5.1.1 - Invalid mailbox: koleson@socal.rr.com>

Crystal Crane

From: Crystal Crane
Sent: Tuesday, November 06, 2012 12:36 PM
To: 'George Vanecek'
Subject: RE: Schubert / Jewell Update

Hi George,

Thank you for the progress update.

Should I tentatively schedule them for you? if so what times would you prefer with each?

Crystal!

From: George Vanecek [mailto:vanecekpi@charter.net]
Sent: Tuesday, November 06, 2012 11:56 AM
To: Crystal Crane
Subject: RE: Schubert / Jewell Update

Crystal-

Hope all is well! I'm waiting for Schubert's attorney to return my call(s), hopefully that will occur today. After that, I have Thursday and / or Friday set aside to do the remaining interviews (depending on their availability).

I don't know if you read the last forwarded email from the Complaint site.....the natives appear to be getting restless!

Thank you!

George
951-236-0815

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On Tue, Oct 30, 2012 at 4:30 PM, Crystal Crane wrote:

Hi George,

Wonderful news! I'll begin forwarding the emails now, so my apologies now for filling your inbox!

Jewell, Schubert, and Danny Johnson are all available anytime this week if you are, so just let me know and I'll get those coordinated for you.

Thanks again!
Crystal

From: George Vanecek [<mailto:vanecekpi@charter.net>]
Sent: Tuesday, October 30, 2012 4:21 PM
To: Crystal Crane
Subject: RE: Schubert / Jewell Update

Crystal-

Glad you're back, I hope you had a good time (besides working) at your conference!

Somehow I knew you'd be ahead of the curve on this! The read and delivery receipts from the original mailing will be perfect. If you can forward them to me without too much work, I would appreciate it. No need to do it again.

The emails from the coaches will take care of the GWC side of the investigation.

I will know by tomorrow if I can get to Schubert and Jewell this week. If not, they will definitely be done by early next week.

Thanks so much for your help.....

George

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, permanently delete the original and any copy of this message, its attachments, and any printout thereof. Thank you.

On Tue, Oct 30, 2012 at 10:29 AM, Crystal Crane wrote:

Good Morning George,

My apologies for the delay in my response, I've been out of the office at a conference.

In terms of the GWSC email distribution, the agency provided me with their list and I distributed the emails personally. I have their full roster and I also have read receipts and delivery receipts from my email blast. Would you like for me to forward those to you? Since we have the system generated receipts, would you still recommend that we do a second email blast?

On the College side, you are correct, we have not received any calls, texts or emails to date. I have asked Albert Gasparian to collect something in writing from each coach who distributed the complaint cards with the information you are requesting. I should have those to you by the end of the week.

I understand that both Schubert and Jewell are available anytime this week if you'd like to meet with them. Just let me know what day might work for you.

Thanks,
Crystal

From: George Vanecek [<mailto:vanecekpi@charter.net>]

Sent: Sunday, October 28, 2012 5:58 PM

To: Crystal Crane

Subject: FW: Schubert / Jewell Update

Crystal-

Please let me know your thoughts re: the previously sent email.

Thanks!

George

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----- Begin forwarded message -----

Subject: Schubert / Jewell Update

Date: 10/12/12 9:49:14 AM

From: "George Vanecek"

To: "Crystal Crane"

Good morning, Crystal!

Hope this email finds you well, and looking forward to a dry weekend!

As you are aware, we've been receiving a number of emails from the GWSC. Out of curiosity, how many email addresses was the announcement originally sent to?

If the responses we have received are only a fraction of the amount sent out, I'm thinking we should send out a second message thanking everyone for their responses, possibly asking again for input and, most importantly, ask for a return receipt or acknowledgement so that we can show that everyone got the message regardless of whether they chose to respond to it or not.

On that same train of thought, I'm going to assume that we have received no phone calls or email responses on the College side of the investigation. What I would like to get (an email would be fine) is a declaration from the Athletic Department stating that they provided the cards to the current athletes, approximately how many they handed out, and the methodology they used.

I think that by next week we will have gotten all the responses we're going to get, although every other day another seems to trickle in.

We can talk at the start of the week, and make plans to schedule the one remaining athletic staff member, Coach Jewell and Coach Schubert for their interviews. Since Coach Schubert is now represented by counsel, I will contact his attorney (out of courtesy) to let him know about the scope of the upcoming interview.

I hope today goes by quickly, and your weekend doesn't! Please call if you have any questions or concerns....

Thanks!

George
951-236-0815

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Crystal Crane

From: Crystal Crane
Sent: Monday, September 24, 2012 12:10 PM
To: Wes Bryan
Subject: FW: Proceedure

FYI

From: Albert Gasparian
Sent: Monday, September 24, 2012 10:59 AM
To: Mark Schubert
Cc: Crystal Crane
Subject: Proceedure

Mark,

As we discussed, as a result of the article in the Orange County Register, Golden West College has hired an independent firm to investigate the allegations made against the you and the club in order to ensure no GWC students were put at risk. Along with interviews a card with the wording below was distributed to the aquatic student-athletes at the college. Our administration believes that it would be prudent to do the same with the members of the swim club.

The proposed process is:

1. GWSC sends a copy of the wording of their statement to the members to the college HR director Crystal Crane at crane@gwc.cccd.edu and email addresses of members.
2. GWSC sends their statement out to members
3. The college will send the statement asking to report to club members

Please let me know if you need any further information or have questions.

Thank you,

Albert Gasparian

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A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Crystal Crane

From: Crystal Crane
Sent: Friday, November 16, 2012 10:33 AM
To: Wes Bryan
Subject: FW: Jewell-Schubert Findings letter
Attachments: GWC Cover Letter 111612.pdf

FM

From: George Vanecek [<mailto:vanecekpi@charter.net>]
Sent: Friday, November 16, 2012 9:51 AM
To: Crystal Crane
Subject: Jewell-Schubert Findings letter

Crystal-

As always, it was a pleasure speaking with you this morning. Per our discussion, please find attached a letter of findings as it relates to the investigation. The hard copy of the investigation will be in your hands by the first part of the week. Please do not hesitate to call or write if you have any questions or concerns.

Thanks!

George

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NORMAN A. TRAUB ASSOCIATES

California PI #26161

November 16, 2012

Ms. Crystal Crane
Director, Personnel Services
Golden West College
15744 Goldenwest Street
Huntington Beach, CA. 92647

Dear Ms. Crane,

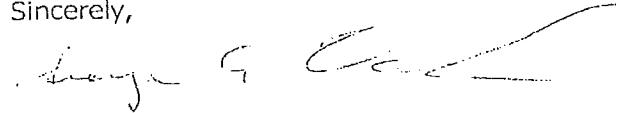
On September 18, 2012, Golden West College retained Norman A. Traub Associates for the purpose of investigating allegations of inappropriate conduct on the part of volunteer swim coach Mr. William Jewell, and head swim coach Mr. Mark Schubert. These allegations surfaced as collateral issues in a third party lawsuit alleging wrongful termination.

This investigation examined whether Mr. Jewell acted contrary to California state law or college policies in his interactions with any members of the Golden West Swim Club (GWSC) or the Golden West College aquatics program. It further examined whether Mr. Schubert complied with applicable California law and college policies as it relates to mandatory reporting responsibility, and the treatment of members of the aquatic programs at both venues.

I am pleased to report that there is no evidence of culpability on the part of Mr. Jewell and, independently and as a consequence, no evidence of culpability on the part of Mr. Schubert. My findings and conclusions are that the allegations against Mr. Jewell and Mr. Schubert are unfounded.

I appreciate the opportunity to have provided this investigative service to Golden West College, and my final hardcopy report will be submitted shortly. I would also like to thank you, and the other GWC administrative personnel, for the cooperation and diligence that played a major role in the culmination of the investigative process.

Sincerely,



George A. Vanecek
Investigator

6185 Magnolia Avenue, Suite 137, Riverside, CA 92506
Office: 951-236-0815 Fax: 951-789-9979

Crystal Crane

From: Crystal Crane
Sent: Friday, November 16, 2012 11:02 AM
To: Wes Bryan
Subject: RE: Jewell-Schubert Findings letter

Hi Wes,

Yes – we do not release the investigative reports on the basis of protecting privacy.

Crystal

From: Wes Bryan
Sent: Friday, November 16, 2012 10:55 AM
To: Albert Gasparian
Cc: Crystal Crane
Subject: FW: Jewell-Schubert Findings letter

Albert, I have spoken with the Chancellor and confirmed the following two actions.

1. Bill Jewel may return to our deck, both in his capacity with the swim club and with coaching assistance he may provide our swim team members.
2. You may provide Mark with a copy of the investigators letter.
3. At this time I am not sure if we will release the report, but I would anticipate that it is a protected document, and that the District would have reason to keep it that way, on the basis of individual privacy.

From: Crystal Crane
Sent: Friday, November 16, 2012 10:33 AM
To: Wes Bryan
Subject: FW: Jewell-Schubert Findings letter

FYI

From: George Vanecek [<mailto:vanecekpi@charter.net>]
Sent: Friday, November 16, 2012 9:51 AM
To: Crystal Crane
Subject: Jewell-Schubert Findings letter

Crystal-

As always, it was a pleasure speaking with you this morning. Per our discussion, please find attached a letter of findings as it relates to the investigation. The hard copy of the investigation will be in your hands by the first part of the week. Please do not hesitate to call or write if you have any questions or concerns.

Thanks!

George

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any

attachments thereto, is strictly prohibited. If you have received this e-mail in error, permanently delete the original and any copy of this message, its attachments, and any printout thereof. Thank you.

Crystal Crane

From: Albert Gasparian
Sent: Friday, September 28, 2012 10:19 PM
To: Crystal Crane
Subject: Fwd: GWSC appreciation

Sent from my iPhone

Begin forwarded message:

From: Mark Schubert <SchubertSwim@aol.com>
Date: September 28, 2012, 9:45:23 PM MDT
To: Albert Gasparian <Agasparian@Gwc.cccd.edu>
Subject: Fwd: GWSC appreciation

FYI

Mark Schubert
562-243-6262
SchubertSwim@aol.com

Begin forwarded message:

From: Tonya Boyce <btnkboyce@socal.rr.com>
Date: September 28, 2012, 8:36:33 PM PDT
To: Patrick Gillespie <pgillespie@socal.rr.com>
Cc: schubertswim@aol.com
Subject: GWSC appreciation

GWSC Board,

Over the past few years our daughters, Nicole and Kylie have had such a great opportunity swimming for two of the best coaches in the world. We have seen and witnessed on the various pool decks our daughters interacting with Coach Mark & Coach Bill. It's obvious they are not only passionate about their coaching, striving to make our swimmers the best they can be, but also devoted to helping our swimmers succeed and enjoy the sport of swimming. Both Coaches have worked cohesively, with honesty, and have built an unconditional trust with our family. We have had the opportunity to meet privately with each coach and sense their compassion for the sport, their commitment to the team, and support to the individual swimmers to make this a great club.

Coach Bill has done a tremendous job working personally and privately with both our girls in developing their stroke techniques, speed, and developing them as mature swimmers and adults. He has not only helped them in the pool but also out of the pool as a support system. Our girls look up to Coach Bill as a father figure, someone we can all trust and talk to easily. We can't thank you enough, we are so truly blessed to have such a great coach on deck.

Coach Mark has given the team the support & dedication it needs to be a successful club. He has instilled a strong work ethic, self discipline, honesty & integrity into our girls. He has built their strength, speed, & endurance in the practice sets to make them successful swimmers. They enjoy coming to practices and meets, they enjoy volunteering to help the team in any way, all thanks to our wonderful and compassionate coach, Coach Mark. Our girls could not be in any better hands.

Our girls have gained such great character, discipline, and values from these coaches. They have made such a positive impact in our lives, that we are so very grateful to the GWSC for providing our daughters with such an excellent coaching staff. We have the utmost respect for both Coach Mark and Coach Bill, and look forward to meeting and working with our newly added senior coach, Coach Tracy.

Sincerely,

Brent & Tonya Boyce

Crystal Crane

From: Albert Gasparian
Sent: Tuesday, October 09, 2012 1:52 PM
To: Wes Bryan; Crystal Crane
Subject: Fwd: Motion to demur (dismiss) Rianda case
Attachments: Demurrer copy.doc; ATT973251.htm

Sent from my iPad

Begin forwarded message:

From: Mark Schubert <schubertswim@aol.com>
Date: October 9, 2012, 1:50:39 PM PDT
To: Albert Gasparian <Agasparian@Gwc.cccd.edu>
Subject: **Motion to demur (dismiss) Rianda case**

Albert:

The attached is the motion to demur (dismiss) the suit filed against me. This motion addresses many issues in Dia Rianda's suit. The news media will be contacted by my attorney and may appear soon.

Feel free to forward this to a others at Golden West College if you deem appropriate.

Mark

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SCHUBERT ("Schubert") will and hereby does demur to the Complaint filed by Plaintiff DIA C. RIANDA ("Plaintiff") on the following grounds:

1. Plaintiff's First Cause of Action for Wrongful Termination in Violation of Public Policy fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e));

2. Plaintiff's Second Cause of Action for Breach of Employment Contract fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e)); and,

3. Plaintiff's Third Cause of Action for Retaliation fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e)).

This Demurrer will be based on this Notice of Demurrer and Demurrer, the attached Memorandum of Points and Authorities, the pleadings, records and files in this action, and any other evidence or argument that the Court permits at or before the hearing on this matter.

Dated: October 9, 2012

LAW OFFICE OF RICHARD J. FOSTER

By: _____
Richard J. Foster
Attorneys for Defendant
MARK SCHUBERT

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DEMURRER

1. Plaintiff's First Cause of Action for Wrongful Termination in Violation of Public Policy fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e));

2. Plaintiff's Second Cause of Action for Breach of Employment Contract fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e)); and,

3. Plaintiff's Third Cause of Action for Retaliation fails to state facts sufficient to constitute a cause of action against Defendant Schubert (Code Civ. Proc. § 430.10(e)).

Dated: October 9, 2012

LAW OFFICE OF RICHARD J. FOSTER

By: _____
Richard J. Foster
Attorneys for Defendant
MARK SCHUBERT

1 Defendant Mark Schubert ("Schubert") submits the following points and authorities in
2 support of his demurrer to Plaintiff Dia C. Randa's ("Plaintiff") Complaint for Damages.

3 I.

4 **INTRODUCTION**

5 When an attorney files a complaint with the Court, he or she certifies to the Court that
6 (i) the allegations in the complaint have evidentiary support, (ii) the claims are warranted by
7 existing law, and (iii) that the complaint was not presented for an improper purpose. Civil Code
8 § 128.7. In this case, plaintiff and her counsel have ignored all of these criteria. The complaint
9 is replete with distortions and out-and-out lies. Under clear California law, Plaintiff cannot
10 assert her claims against Schubert; she can only assert them against her employer, Golden West
11 Swim Club. Yet, although she has no conceivable claim against him personally, Plaintiff
12 named Schubert as a defendant and included lengthy and false allegations specifically designed
13 to unfairly damage his reputation and his professional standing, knowing that if her statements
14 were made in any other forum, she would be liable for defamation. The manner in which this
15 complaint was drafted evidences that Plaintiff and her attorney are on a mission to unfairly
16 destroy Schubert's reputation regardless of the truth and in disregard of clear legal principles
17 and ethics.

18 **1. The Allegations in Plaintiff's Complaint have no Evidentiary Support**

19 Plaintiff's complaint is replete with distortions and lies. To delineate all of the
20 distortions and lies would take too much space, but a few examples of Plaintiff's allegations are
21 illustrative. For example, Plaintiff alleges that Schubert discovered that a colleague of his, Sean
22 Hutchison, was engaged in an inappropriate sexual relationship with one of the swimmers
23 Hutchison was coaching, and that Schubert hired a private investigator, who secured
24 photographic evidence which depicted Hutchison acting intimately with that swimmer. Plaintiff
25 accuses Schubert of holding on to this evidence for his own personal gain instead of turning it
26 over to the authorities. None of this is true. Schubert never hired a private investigator and
27 never had any evidence that Hutchison had an inappropriate sexual relationship with one of his
28 swimmers. Plaintiff's allegations are simply false. USA Swimming conducted a thorough
investigation of Hutchison and found no evidence of inappropriate behavior.

1 Plaintiff next alleges that Schubert concealed information that a coach named Rick Curl
2 had sexually abused one of his swimmers in the 1980's. Curl was not associated with Schubert,
3 but the swimmer in question swam for Schubert years later. By that time, the swimmer had
4 notified her parents of the abuse and retained an attorney, who negotiated a confidential
5 settlement with Mr. Curl. As stated in the complaint, Schubert notified USA Swimming of the
6 abuse, as did the swimmer, and USA Swimming subsequently banned Mr. Curl from coaching
7 for life. Plaintiff's claim that Schubert concealed this information is patently false.

8 Plaintiff then alleges that Schubert entered into a confidential agreement with USA
9 Swimming whereby USA Swimming "bought him off" from disclosing any further information
10 about sex abuse by swim coaches. Incredibly, she alleges that in exchange for money, Schubert
11 agreed not to divulge any further information about sexual abuse by any swim coaches. This is
12 absolutely false. While Schubert did enter into a settlement agreement with USA Swimming, it
13 had no clause preventing Schubert from reporting sex abuse. To the contrary, as publicly stated
14 by USA Swimming, Schubert agreed to follow all of USA Swimming's regulations, including
15 the duty to promptly report evidence that any coach was sexually abusing a swimmer.

16 Plaintiff's allegations concerning Bill Jewell are equally distorted. All conduct of which
17 Schubert was aware was in open view. While Jewell may have touched some swimmers, all
18 such touchings were also in open view, in the act of coaching and in line with USA
19 Swimming's guidelines.

20 There are many other lies and distortions in Plaintiff's complaint, but these examples
21 illustrate that Plaintiff's complaint was drafted in the dark, with no consideration of the truth.

22 Finally, Plaintiff was terminated for legitimate reasons. She created problems with the
23 Golden West Swim Club's Board of Directors by being uncooperative, rude and by making
24 negative comments behind their backs. Her conduct as a coach was substandard. She bullied
25 swimmers, was rude to potential new club members and sent condescending and rude emails to
26 club members. She was extremely unpopular and unaccepted by the club's senior swimmers.
27 Notably, she was rude to Golden West College's staff and water polo coaches, threatening the
28 club's future use of the pool.

2. The Claims in Plaintiff's Complaint are not Warranted by Law

1 Plaintiff and her counsel have alleged claims against Schubert that have no basis in the
2 law. As set forth below, all of her claims can only be brought against her employer, Golden
3 West Swim Club. They are not claims that can be brought against Schubert, who was and is an
4 employee of the club. With minimal research, an entry level attorney could have figured that
5 the law does not allow Plaintiff to sue Schubert individually on the claims set forth in her
6 complaint. Plaintiff's attorney was so intent on disparaging Schubert, and in the process put
7 himself in the limelight that he either failed to do the minimum research required of him or he
8 intentionally named Schubert individually for the sole purpose of disparaging his reputation.

9 **3. Plaintiff's Complaint Was Clearly Filed for Improper Purposes**

10 Plaintiff's complaint is a disgusting attack on a highly decorated and extremely
11 successful swim coach. Under the law, Plaintiff and her counsel can say anything they want in
12 the complaint, without worrying about Schubert suing them for defamation; the law provides a
13 privilege for such statements. But this doesn't make it right. A reading of the complaint
14 compels the reader to conclude that the motives of Plaintiff and her counsel were unbridled by
15 the truth or the law. Plaintiff and her counsel each had one motive; to unfairly destroy
16 Schubert's reputation.

17
18 **II.**

19 **PLAINTIFFS' FIRST CAUSE OF ACTION FAILS TO STATE A CLAIM AGAINST**
20 **SCHUBERT AS A MATTER OF LAW**

21
22 Plaintiff's First Cause of Action seeks damages for wrongful termination in violation of
23 public policy. Plaintiff bases this claim on her contention that Defendants violated Labor Code
24 section 6310, which precludes an employer from terminating an employee for reporting unsafe
25 working conditions or practices. As against Schubert, there are several reasons why this claim
26 cannot be maintained.

27 **A. Schubert, As Plaintiff's Supervisor, Cannot Be Liable for Wrongful**
28 **Termination.**

1 Plaintiff alleges that she was employed by Defendant Golden West Swim Club
2 (“GWSC”) and that Schubert was her supervisor. (*See, e.g.*, Complaint, ¶¶32, 35, 36.)¹ As
3 such, he cannot be liable for wrongful termination, and Plaintiff’s First Cause of Action is
4 barred as a matter of law.

5 The California courts have been clear and unequivocal in barring claims for wrongful
6 termination against supervisory personnel. *See, e.g., Khajavi v. Feather River Anesthesia Med.*
7 *Group* (2000) 84 Cal.App.4th 32, 53; *Miklosy v. Regents of University of California* (2008) 44
8 Cal.4th 876, 901. Such claims are barred even when a supervisor is responsible for the
9 employer’s discharging the plaintiff. *Id.*

10 This is true regardless of the underlying basis for the wrongful termination claim. As
11 the Court noted in *Lloyd v. County of Los Angeles* (2009) 172 Cal.App.4th 320, “[a]n individual
12 who is not an employer cannot commit the tort of wrongful discharge in violation of public
13 policy; rather, he or she can only be the agent by which an employer commits that tort.” *Id.* at
14 330. In other words, it is the *employer’s* adverse employment action that constitutes the tort
15 and, “the supervisor’s action merges with that of the employer.” *Miklosy, supra*, 44 Cal.4th at
16 901-902, fn. 8.²

17 Because Plaintiff cannot maintain a wrongful discharge claim against Schubert
18 individually, his demurrer to her First Cause of Action should be sustained without leave to
19 amend.

22 ¹ While Plaintiff alleges, at paragraph 32 of her Complaint, that she entered into an oral
23 employment with Schubert, she admits she did so in his capacity as GWSC Head Coach (and
24 CEO)” and that Schubert had exclusive authority to hire GWSC’s assistant coaches and staff.
25 She also alleges throughout the Complaint that her employment was with GWSC – not with
26 Schubert individually. *See, e.g.*, Paragraph 32 (Plaintiff devoted her full-time effort to the
management of CWSC and performing coaching duties for GWSC); Paragraph 35 (Plaintiff’s
“job performance at GWSC” was excellent); Paragraph 36 (Plaintiff was not subject to a negative
performance evaluation at any time, “during her employment with GWSC”).

27 ² In an unpublished decision, the Second District Court of Appeal specifically
28 considered whether claims for discharge in violation of public policy under Labor Code section
6310 fell within an exception to this rule and held that they did not. *Garcia v. Witt* (2010) 2010
WL 2220885. While this case obviously is not controlling authority, the *Garcia* Court’s reasoning
is instructive.

1 B. The Facts Alleged By Plaintiff Do Not Give Rise To A Claim Under Labor
2 Code Section 6310.

3 Even if Plaintiff could state a claim against Schubert individually, the facts alleged in
4 the Complaint do not support a cause of action for violation of Labor Code section 6310.

5 That section prohibits an employer from discharging an employee when the employee
6 has “made an oral or written complaint to the division [Division of Occupational Safety &
7 Health], other governmental agencies having statutory responsibility for or assisting the division
8 with reference to employee safety or health, his or her employer, or his or her representative.”
9 Lab. Code §6310(a)(1).

10 Labor Code Division 5, Part 1, of which Section 6310 is a part, was “enacted for the
11 purpose of assuring safe and healthful working conditions . . . by authorizing the enforcement of
12 effective standards, assisting and encouraging employers to maintain safe and healthful working
13 conditions, and by providing for research, education, training and enforcement in the field of
14 occupational safety and health.” Labor Code §6300.

15 Thus, Labor Code section 6310 does not protect an employee from termination in every
16 case where she complains to her employer. In order to state a claim for wrongful discharge in
17 violation of Labor Code section 6310, Plaintiff must allege that her complaints to GWSC
18 concerned *unsafe working conditions or practices*. See, e.g., Daly v. Exxon Corp. (1997) 55
19 Cal.App.4th 39, 43-44; Hentzel v. Singer Co. (1982) 138 Cal.App.3d 290, 299; Chin, et al., Cal.
20 Practice Guide: Employment Litigation (TRG 2012) §5:161 (Lab. Code 6310(b) prohibits
21 discrimination or discharge for complaining about unsafe work conditions or practices).

22 Plaintiff cannot make any such allegations here. In fact, she has failed to allege *any* risk
23 or threat to *any* employee of GWSC. To the contrary, her complaint is based on complaints she
24 made regarding a coach’s treatment of swimmers who joined the club – *not* his treatment of
25 employees. See Complaint, ¶17 (Schubert refused, “to properly address plaintiff’s legitimate
26 complaints of improper coach/athlete interactions”); ¶43, 44, 50 (Plaintiff claims the conduct
27 she reported to Schubert was in violation of USA Swimming’s Code of Conduct and GWSC
28 rules). Clearly, the conduct complained of by Plaintiff does not fall within the scope of Labor
Code section 6310.

1 Absent a violation of section 6310, Plaintiff cannot state a claim for wrongful
2 termination in violation of public policy, because such cases are only permitted where a specific
3 statutory or constitutional violation is alleged. Esberg v. Union Oil Co. (2002) 28 Cal.4th 262,
4 271 (claim for wrongful termination in violation of public policy must be tethered to specific
5 constitutional or statutory provisions); Turner v. Anheuser-Busch, Inc. (1994) 7 Cal.4th 1238,
6 1257 (claim for wrongful termination in violation of public policy must be accompanied by
7 citations to specific statutes or constitutional provisions allegedly violated); Green v. Ralee Eng.
8 Co. (1998) 19 Cal.4th 66, 84 (plaintiff has the burden of providing the specific statutes or
9 regulations on which her claim is based).

10 Here, the only statutory violation alleged by Plaintiff is under Labor Code section 6310,
11 which simply does not apply to the conduct in question.

12 In fact, Plaintiff's complaints to Schubert appear to consist of nothing more than
13 concerns over a coach's violation of internal GWSC policies, which are insufficient in any
14 event to sustain any claim for wrongful termination in violation of public policy.

15 The Court in Patten v. Grant Joint Union High School District (2005) 134 Cal.App.4th
16 1378, squarely addressed this issue. In Patten, a teacher claimed she was wrongfully terminated
17 for reporting inappropriate conduct by a male teacher with female students. The Court held that
18 the employer was not liable for terminating plaintiff as a result of her complaints, because they
19 were made, "in the context of an internal personnel matter based on a student complaint, rather
20 than in the course of a legal violation." Id. at 1385.

21 The same result was reached by the Court in Carter v. Escondido Union High School
22 District (2007) 148 Cal.App.4th 922, where the plaintiff alleged she was terminated after
23 complaining that a high school football coach had improperly recommended nutritional
24 supplements to a student. The Court noted that, while an employee may have a laudable goal of
25 preventing crime, "this is not enough to fit within the narrow confines of wrongful termination
26 in violation of public policy." Id. at 217.³

27 _____
28 ³ The fact that Plaintiff's complaints consisted of internal personnel matters, as opposed
to illegal conduct, is evident from the fact that, despite her claim that Defendants failed to take

1 Based on this authority, it is clear that Plaintiff has not, and cannot, state any claim
2 against Schubert for wrongful termination in violation of public policy. Schubert's demurrer to
3 the First Cause of Action should be sustained without leave to amend.

4 III.

5 PLAINTIFF'S SECOND CAUSE OF ACTION IS BARRED BECAUSE
6 PLAINTIFF'S EMPLOYMENT CONTRACT WAS WITH GWSC
7 AND NOT WITH SCHUBERT

8 Plaintiff's Second Cause of Action seeks damages for breach of an oral employment
9 agreement she entered into in July 2011 with Defendant GWSC. Plaintiff has again named
10 Schubert to this cause of action, despite the fact that she had no contractual relationship with
11 him and he was never her employer.

12 It is black letter law that a party cannot be sued for breach of a contract to which they are
13 not a party. *See, e.g., Reichert v. General Ins. Co. of America* (1968) 68 Cal.2d 822, 830
14 (essential element of claim for breach of contract is the existence of a contract between the
15 parties); 4 Witkin, *Cal. Procedure, Pleading* (4th ed. 2008) §515 (same).

16 Here, Plaintiff alleges that she was employed by GWSC – *not* Schubert (*see, e.g.,*
17 Paragraph 32 (Plaintiff devoted her full-time effort to the management of CWSC and
18 performing coaching duties *for GWSC*); Paragraph 35 (Plaintiff's "job performance *at GWSC*"
19 was excellent); Paragraph 36 (Plaintiff was not subject to a negative performance evaluation at
20 any time, "*during her employment with GWSC*").

21 Plaintiff alleges only that Schubert was the head coach and CEO of GWSC, as well as
22 Plaintiff's immediate supervisor. (Complaint, ¶4.)

23 Because Plaintiff had no contractual relationship with Schubert, she cannot possibly
24 allege a claim for breach of contract against him based on termination of her employment. Nor

25
26
27 action to protect "innocent children" (Complaint, ¶8), Plaintiff did not report any alleged
28 misconduct to any law enforcement agency. This is true, despite the fact that Plaintiff expressly
alleges that *all* coaches and managers employed by GWSC (including her) were required under
the USA Swimming Code of Conduct and its Athlete Protection Policies to report any sexual
harassment, abuse and/or molestation under USA Swimming's mandatory reporting procedures.
(*See* Complaint, ¶12.)

1 is this a defect that Plaintiff can cure. Accordingly, Schubert's demurrer to the Second Cause of
2 Action should be sustained without leave to amend.

3
4 **IV.**

5 **PLAINTIFF'S THIRD CAUSE OF ACTION CANNOT BE ALLEGED AGAINST**
6 **SCHUBERT INDIVIDUALLY**

7
8 Plaintiff's Third Cause of Action for "Retaliation" is virtually identical to her First
9 Cause of Action. Again, Plaintiff alleges that she was wrongfully terminated in violation of
10 Labor Code section 6310:

11 70. Plaintiff consistently opposed Jewell's above-described unlawful,
12 wrongful and offensive conduct, by repeatedly complaining to her immediate
13 supervisor, Schubert, concerning such conduct.

14
15 71. Defendants terminated plaintiff's employment in retaliation for
16 her complaints regarding such behavior.

17
18 Complaint, ¶¶70-71.)

19 For the same reasons discussed above, this claim cannot be sustained against Schubert.

20 First, as Plaintiff's supervisor, Schubert cannot possibly be liable for wrongful
21 termination. Such a claim can only be maintained against Plaintiff's employer -- GWSC.

22 Second, a claim under Section 6310 requires that the termination be the result of
23 complaints about "unsafe work conditions or work practices" -- not violations of internal
24 policies and procedures, which are not even alleged to have endangered any employees of
25 GWSC.

26 Because Plaintiff has not alleged a claim against Schubert for wrongful termination or
27 violation of Section 6310, and cannot amend her Complaint to do so, Schubert's demurrer to the
28 Third Cause of Action should be sustained without leave to amend.

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V.

CONCLUSION

Plaintiff has failed to allege any valid claim against Schubert, nor can she do so under well-established California law. The Court should therefore sustain Schubert's demurrer to the Complaint in its entirety without leave to amend.

Dated: October 9, 2012

LAW OFFICE OF RICHARD J. FOSTER

By: _____
Richard J. Foster
Attorneys for Defendant
MARK SCHUBERT

Crystal Crane

From: complaints
Sent: Monday, October 01, 2012 1:45 PM
To: Wes Bryan; Albert Gasparian; Jonathan Arnold
Cc: Crystal Crane
Subject: FW: GWC Hotline

FW:

From: complaints
Sent: Monday, October 01, 2012 1:38 PM
To: complaints
Subject: GWC Hotline

Golden West Swim Club Members,

To insure the health and safety of its swimmers, coaches and members; GWSC follows the USA Swimming **Safe Sport** Guidelines.

Golden West College also continues to affirm its commitment to supporting and protecting, student, staff and community members. To report any unprofessional conduct or inappropriate behavior by a staff member, that you have either personally witnessed or been made aware of, please call or send a text message to (714) 881-9712. You may also make a report via email at: complaints@gwc.cccd.edu.

A College representative will respond to your complaint within 24 hours. Confidentiality will be ensured to the extent possible under law.

In case of an emergency while you are at the College, please call GWC Public Safety at 714-895-8999 for immediate assistance.

Sincerely,
Golden West College
15744 Goldenwest Street
Huntington Beach, CA 92647

Complaint Hotline: (714) 881-9712
Email: complaints@gwc.cccd.edu

Crystal Crane

From: Albert Gasparian
Sent: Friday, September 28, 2012 9:50 AM
To: Crystal Crane
Subject: Fwd: Email list of GWSC Senior Swimmers
Attachments: Investigation - GWSC.xls; ATT18484.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

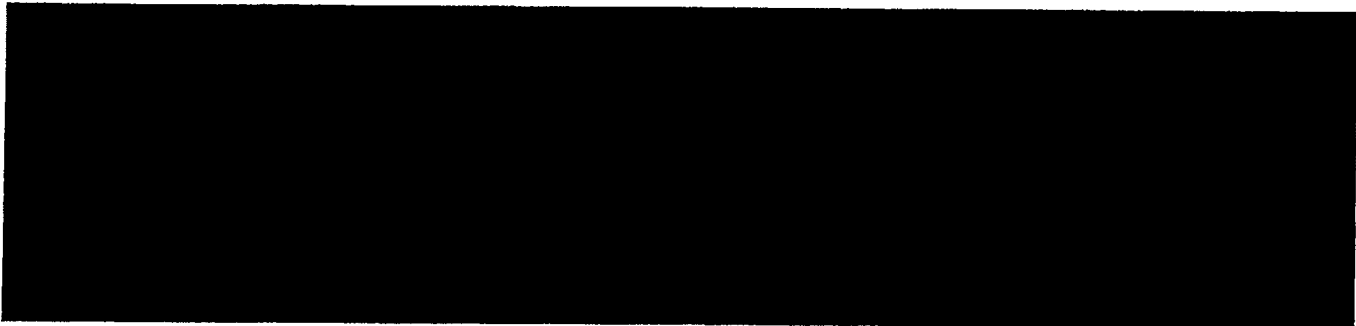
From: Mark Schubert <schubertswim@aol.com>
Date: September 28, 2012, 10:01:13 AM MDT
To: Albert Gasparian <Agasparian@Gwc.cccd.edu>
Subject: Email list of GWSC Senior Swimmers

GOLDEN WEST SWIM CLUB MEMBERS - "SENIOR" AND "COLLEGE SWIMMER" GROUPS & COACHES

- Suspended members between 9/11 & 9/12

Account Name	Member Name	Email 1	Member Status	Roster Group
Gracia, Joey L	Gracia, Francis L	joeythankyou@yahoo.com	*Active	Coaches
Gracia, Timothy	Gracia, Timothy	locquiao_gracia@yahoo.com	*Active	Coaches
Maurer, Tracy	Maurer, Tracy	tracymaurer60@gmail.com	*Active	Coaches
Peterson, Chelsea A	Peterson, Chelsea A	cpfreckles49@comcast.net	*Active	Coaches
St Onge, Danielle	St. Onge, Danlelle	Stdanielle@hotmail.com	Suspended	Coaches
Arzaga, Deb	Arzaga, Anastasia N	nursedebtrs@yahoo.com	*Active	Senior
Boyce, Brent L	Boyce, Kylie Madison	btncboyce@socal.rr.com	*Active	Senior
Bramm, Kathie	Bramm, Jonathan P	calliforniagirl1956@hotmail.com	*Active	Senior
Carlos, Victor	Carlos, Victoria K	info@southsidept.net	*Active	Senior
Crooks, Matthew	Crooks, Trey J	mcrooks@socal.rr.com	*Active	Senior
Dalija, Danny	Dalija, Matthew S	dsdalija@yahoo.com	*Active	Senior
Dang, Richard	Dang, Jaime B	richardbdang@gmail.com	*Active	Senior
Deleske, Ken	Deleske, Nora I	meeshmd@gmail.com	*Active	Senior
Faris, Jennifer	Faris, Brandon A	sold@thefarisgroup.net	*Active	Senior
Favreau, Cindy	Favreau, Joseph W	cindyfavreau@yahoo.com	*Active	Senior
Favreau, Clndy	Favreau, Monet N	clndyfavreau@yahoo.com	*Active	Senior
Fosmire, Dave	Fosmire, Holly J	shellyfoz@gmail.com	*Active	Senior
Francis, Rhena	Francis, Kevin E	rsfrancis@verizon.net	*Active	Senior
Gillespie, Patrick	Gillespie, Thomas J	pgillespie@socal.rr.com	*Active	Senior
Greene, Kara	Duckworth, Casey Celeste	mamaverde@ca.rr.com	*Active	Senior
Hartigan, Tacy	Hartigan, Sarah I	tacyhartigan@gmail.com	*Active	Senior
Hashimawari, Kuni	Ishizaki, Takuro	kuni3@victorybell.com	*Active	Senior
King, Sandy T	Toland, Bradley Mackenzie	sandyking1@gmail.com	*Active	Senior
Knight, Bobby	Knight, Titus A	knightlines@juno.com	*Active	Senior
Le, Roger	Le, Samantha M	rogerl@rnd-partners.com	*Active	Senior
Limon, Mark	Limon, Anthony X	MT_Limon1@yahoo.com	*Active	Senior
Limon, Mark	Limon, Gabrielle LuciaMarie	MT_Limon1@yahoo.com	*Active	Senior
Limon, Mark	Limon, Joseph Peter	MT_Limon1@yahoo.com	*Active	Senior
Maurer, Tracy	Maurer, Chadd J	tracymaurer60@gmail.com	*Active	Senior
Mollna, Juan	Molina, Juan D	mollna01_25@hotmail.com	*Active	Senior
Nelson, Tim & Irva	Nelson, Dylan Taylor	nelsonpartyofsix@yahoo.com	*Active	Senior
Nelson, Tim & Irva	Nelson, Wade Christian	nelsonpartyofsix@yahoo.com	*Active	Senior
Nelson, Tim & Irva	Nelson, Zachary Curtis	nelsonpartyofsix@yahoo.com	*Active	Senior
Nguyen, Hien	Luong, Alan D	victory06@aol.com	*Active	Senior
Perrotta, Kellie	Perrotta, Payton J	kperrotta26@yahoo.com	*Active	Senior
Privett, Nicole S	Privett, Andriana Sofija	nicoleprivett@yahoo.com	*Active	Senior
Rettberg, Timothy & Carrie	Rettberg, Nicqueline S	tlcnrettberg@roadrunner.com	*Active	Senior
Rofael, Nevine	Rofael, Andrew M	nivornedhat@hotmail.com	*Active	Senior
Rogers, Bonnie	Rogers, Calvin	coachbonnie@coachsoats.com	*Active	Senior
Rogers, Bonnie	Rogers, Lynn Nolan	coachbonnie@coachsoats.com	*Active	Senior
Rouse, Susi	Rouse, Miranda T	srouse01@hotmail.com	*Active	Senior
Salgado, Alfredo	Salgado, Natasha T	natamelas@aol.com	*Active	Senior

Account Name	Member Name	Email 1	Member Status	Roster Group
Samudro, Indra	Samudro, Stephanie	YISB88@hotmail.com	*Active	Senior
Son, Seok	Son, Minku J	stephenson8818@gmail.com	*Active	Senior
Torres, Nondo	Torres, Nathan J	surfino@socal.rr.com	*Active	Senior
Tran, Gam	Soriano, Samantha T	gamtran3401@yahoo.com	*Active	Senior
Tran, Kam	Tran, Alexander	markkt@gmail.com	*Active	Senior
Viera, Grace	Viera, Christopher J	Anthony279@gmail.com	*Active	Senior
Blake, Jack	Blake, Jack M	jackblake@mac.com	*Active	College Swimmer
Cornes, Thomas	Cornes, Thomas R	tommythunderstorm@gmail.com	*Active	College Swimmer
Cummings, Eleanor	Cummings, Eleanor E	e.cummings5@gmail.com	*Active	College Swimmer
Faris, Jennifer	Faris, Blake S	sold@thefarisgroup.net	*Active	College Swimmer
Gillespie, Patrick	Gillespie, Allison M	pgillespie@socal.rr.com	*Active	College Swimmer
Hanami-Cummings, Lynn	Cummings, Kelsey M	robcumming@aol.com	*Active	College Swimmer
Klipsch, Casey	Klipsch, Casey S	cklipsch94@gmail.com	*Active	College Swimmer
Mims, Casey	Mims, Casey M	trublustu@yahoo.com	*Active	College Swimmer
Minton, Chelsea	Minton, Chelsea A	cmint06@gmail.com	*Active	College Swimmer
Morgan, Joshua	Morgan, Joshua O	Josh_Morgan20@yahoo.com	*Active	College Swimmer
Moss, Sarah	Moss, Sarah J	sarahmoss@me.com	*Active	College Swimmer
Nelson, Tim & Irva	Nelson, Ryan Michael	nelsonpartyofsix@yahoo.com	*Active	College Swimmer
Watkins, Rand	Watkins, Darl Irena Hill	randwa@roadrunner.com	*Active	College Swimmer
Webber, Rhonda	Webber, Shelby J	webbermx@socal.rr.com	*Active	College Swimmer
Williamson, Wendy	Johnston, Ryan P	onesmalltexan@yahoo.com	*Active	College Swimmer
Alba, Gilbert	Alba, Dylan A	galba@socal.rr.com	Suspended	Senior
Beck, Daniel J	Beck, Sara M	daniel.beck@leggett.com	Suspended	Senior
Boyce, Brent L	Boyce, Nicole Marie	btnkboyce@socal.rr.com	Suspended	College Swimmer
Chang, David	Chang, Keara M	dchang@continentaldevelopment.com	Suspended	Senior
Choi, Moon	Choi, Dayae	kchoi@nalcapital.com	Suspended	Senior
Dydo, Marco	Dydo, Sarae R	adigroup@aol.com	Suspended	Senior
Evans-Wilson, Janet B	Evans, Janet B	janetevanswilson@gmail.com	Suspended	Senior
Gore, Kathleen	Gore, Kathleen E	anngorejus@gmail.com	Suspended	College Swimmer
Hill, Jill	Hill, Zachery S	jillannhill@aol.com	Suspended	Senior
Hornack, James	Johnson, Taylor M	jamesbus88@hotmail.com	Suspended	Senior
Katoh, Alice	Katoh, Chris Kyo	yanahchan@hotmail.com	Suspended	Senior
Lai, Thiep T	Lai, Jennifer T	threejs327@hotmail.com	Suspended	College Swimmer
Malick, Edward	Malick, Edward	malickedward1@yahoo.com	Suspended	College Swimmer
Oleson, Katherine	Oleson, Dane E	koleson@socal.rr.com	Suspended	College Swimmer



From: Crystal Crane
Sent: Tuesday, October 30, 2012 11:25 AM
To: Wes Bryan
Cc: Albert Gasparian
Subject: Schubert / Jewell Update

Investigation Update –

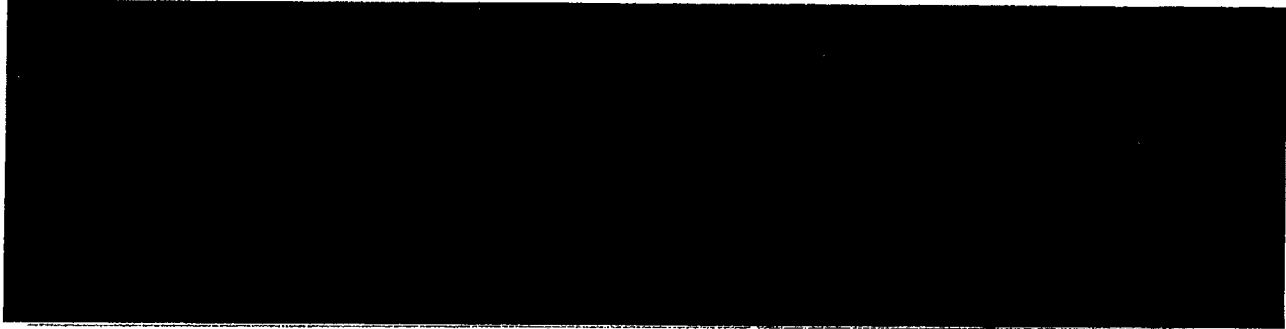
No complaints received via call, text or email from the club or from GWC athletes/parents to date.

George will resume his investigation at this time with interviews of Bill Jewell and Mark Schubert. We are working on getting those calendared for this week. George will also interview Danny Johnson as the last potential witness he was unable to speak with initially.

After that, I believe George will start on his report for us, so we're finally winding down on this one I believe.

1/22/2013

COAST 201



From: Crystal Crane
Sent: Friday, November 16, 2012 8:40 AM
To: Wes Bryan; Albert Gasparian
Subject: confidential: Shubert/Jewell

FYI - I have spoken with George Vanecek. While his report is still in progress, he will provide us with a letter today that states his investigation revealed no findings of misconduct by either Coach Jewell or Coach Shubert.

We should expect his full report sometime next week.

Sincerely,
Crystal Crane
Director, Personnel Services

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1/22/2013