

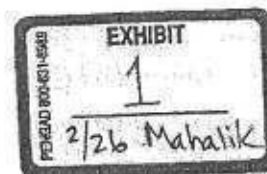
TRANSCRIPTION OF RECORDING

RE: AGU v. UC REGENTS

Transcribed by:

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CSR No. 13525



1	(Transcription of recording)	1	mornings we had toughness workouts that weren't geared
2		2	towards making us faster, stronger, or any of that.
3		3	They were geared towards making us tough. So things
4		4	that, um, just really wore everybody out, made people
5	SPEAKER 1: Okay. Today's March 19th at	5	throw up.
6	9:15 a.m. Detective Harry Benningson,	6	There was a day where he -- um, where a kid
7	Lieutenant Deckler, UCPD, and with us is? Just state	7	missed and he brought us out in the dark on the field
8	your name.	8	and was trying to make people throw up, spinning around,
9	SPEAKER 2: Joey Mahalic.	9	doing all kinds of stuff that, um, was basically kind of
10	SPEAKER 1: What's your date of birth?	10	a punishment, more -- you know, torture-type deal.
11	SPEAKER 2: 11-28-1988.	11	And then, um, after that workout, um, he
12	SPEAKER 1: And how do you spell your last	12	brought everyone together and said that he wasn't going
13	name?	13	to punish anybody for -- for not coming. That we need
14	SPEAKER 2: M-A-H-A-L-I-C.	14	to punish him, and it on us to take care of it, and he
15	SPEAKER 1: Okay. And you currently are on	15	said "By any means necessary," and by putting his fist
16	the football team here?	16	into his hand.
17	SPEAKER 2: Yes.	17	I know that, um, the strength staff was made
18	SPEAKER 1: What year are you?	18	aware, um, of what happened after that morning when, um,
19	SPEAKER 2: This is my second year.	19	JD Hinnant hit Fabiano and knocked him out. I knew they
20	SPEAKER 1: All right. And what position are	20	were aware of that before the next day, which was game
21	you?	21	day. Hinnant was still dressed. Um, I personally
22	SPEAKER 2: Quarterback.	22	didn't see congratulations given to him by the strength
23	SPEAKER 1: Another quarterback.	23	staff, but that's what the chatter was in the locker
24	SPEAKER 2: Yes.	24	room.
25	SPEAKER 1: What -- what number are you?	25	Um, so basically that's kind of the culture
	2		4
1	SPEAKER 2: 13.	1	that the strength coach is trying to set up. Um, you
2	SPEAKER 1: 13? And what number are you in	2	know, if you're working out and you're throwing up, you
3	the string?	3	have to keep going through the the drill and still be
4	SPEAKER 2: Uh, three.	4	throwing up. You can't be bending down to throw up or
5	SPEAKER 1: Three? All right. How many	5	anything like that. Um, so that's kind of the mentality
6	quarterbacks are there total?	6	that we have. So take that coming into Friday.
7	SPEAKER 2: I think we're going to have six,	7	SPEAKER 1: And which strength coach are you
8	maybe seven come fall camp.	8	talking about?
9	SPEAKER 1: That's a lot.	9	SPEAKER 2: Damon Harrington.
10	SPEAKER 2: Yeah. Quite a bit. Quite a bit	10	SPEAKER 1: Okay.
11	of guys.	11	SPEAKER 2: Uh-huh. And um, he's, uh, used
12	SPEAKER 1: Okay. Um, why don't you go ahead	12	uh, language with us that's inappropriate on -- on any
13	just -- you're in here today. You voluntarily came in	13	level. Any level of sport. Um, talking about
14	to talk, and why don't you just tell me what's on your	14	sexuality, saying that Stanford has their cock in our
15	mind.	15	ass, et cetera, et cetera, et cetera. Just stuff that
16	SPEAKER 2: Okay. So um, a little preface to	16	is inappropriate. It's not just to say to 18-year-old
17	that Friday morning. I forget the date, sorry, that Ted	17	kids but to say to anybody, really.
18	passed away. But um, we have a -- a strength coach that	18	So that's kind of the mentality that we have.
19	is very, um, adamant about toughness, and that's kind of	19	So that's -- come Friday, what happened was we had a
20	his main thing. He says "It doesn't matter about speed,	20	group of teams. I think it's eight teams, I want to
21	doesn't matter about strength. Only matters about	21	say. That might not be right, but it's around ten guys,
22	toughness."	22	give or take.
23	So a lot of stuff he does is to make us, in	23	SPEAKER 1: Right.
24	his words, "Tough as shit." We had a fall group that	24	SPEAKER 2: Um, so what he did was -- this was
25	didn't travel that I was apart of that on Friday	25	something we've -- the team had never -- the whole team
	3		5

1	had never done. Um, but he -- we all -- there's eight	1	don't know how many times. He wasn't on my team. Um,
2	ropes lined up on the field and he said everyone's going	2	but I know that Ted had collapsed several times as well,
3	to hold onto the rope and we're going to run over to	3	and there was no attention to anybody. We were just
4	Bowles Hall street -- whatever that is where the hills	4	told to keep on going, you know?
5	is. So sprint over there, sprint up ten times, and then	5	SPEAKER 3: So -- so just -- not it interrupt
6	the first person to get back to the stadium wins, and	6	you.
7	second place, third place, fourth place, fifth place,	7	SPEAKER 2: No, you're good. Go ahead.
8	et cetera.	8	SPEAKER 3: Jordan was on your team --
9	Um, so we had done something similar to that	9	SPEAKER 2: Yes.
10	in the fall -- the fall group, but it was, um,	10	SPEAKER 3: -- and he collapsed?
11	individually where we -- we all went over and we ran up	11	SPEAKER 2: Yes.
12	the hill by ourselves. Just not -- you know, just us.	12	SPEAKER 3: Who was the other name you
13	And then we'd walk down. And we did that ten times and	13	mentioned?
14	it was incredibly difficult. I remember thinking that	14	SPEAKER 2: Christian Okafor.
15	was the hardest thing that we've done -- that we did in	15	SPEAKER 3: Do you know how he spells that?
16	the fall.	16	O-K-A --
17	Um, and then so we -- on that Friday we all	17	SPEAKER 2: F-U-R, I think.
18	took the ropes, so everyone on the team had their own	18	SPEAKER 3: So he fell down or collapsed as
19	rope, we all held the rope. We all sprinted over to the	19	well?
20	bottom of the hill, ran up the hill, and instead of	20	SPEAKER 2: Uh-huh.
21	walking down the hill, we were running down the hill.	21	SPEAKER 3: And then, um, you mentioned Ted?
22	And I remember thinking, "I did this by	22	SPEAKER 2: Yes. Several times.
23	myself, running up the hill and walking down the hill,	23	SPEAKER 3: Okay.
24	and it was one of the hardest things I've ever done.	24	SPEAKER 2: I think three times.
25	This workout is going to be bad."	25	SPEAKER 1: Was Ted on your team?
6		8	
1	Um, so uh, around -- I want to say -- I think	1	SPEAKER 2: No. Ted was not. So we kind
2	our team was in second place for pretty much the	2	of -- as soon as Jordan collapsed, um, that really took
3	majority of the entire, um, race. Whatever you want --	3	us back. So we started being in the -- I think we were
4	competition. Whatever you want to call it. Um, and we	4	second to last or third to last. So we -- I was pretty
5	had several linemen who were in our group, you know,	5	close to Ted, and I think Christian too because when --
6	start yelling. Like, "I can't feel my legs. I -- you	6	you know, that -- that made everyone else kind of go
7	know, I can't keep going."	7	forward.
8	And I remember I told one of them to hold onto	8	So we were all kind of in the back at that
9	me while we went down the hill, and he was holding on	9	point. Um, I didn't see Ted fall for the last time,
10	and his legs just stopped moving and he dragged for a	10	when -- um, which was, you know, his last fall. But I
11	little bit, and then fell and rolled down -- rolled down	11	know that he'd fallen and I'd seen him fall before.
12	three times or so.	12	Um, so basically, you know, we were still
13	And he looked up into the air and we all tried	13	going and we had Jordan, one guy on right arm, one guy
14	to get him and -- and it was like a boxer that had just	14	on left arm just kind of hanging like this, getting up
15	been knocked out. You know, he was completely not	15	the hill because we still had -- I can't remember if it
16	there. Looking at up, and almost crossed his eyes in	16	was one more time up or two more times up and down.
17	the back of his head. Couldn't really tell where he	17	Um, and so we finished that and then we all
18	was. Um, and so we all got him up -- the team. There	18	started -- our team went into the stadium similar way,
19	was no effort made by anybody other than us to get him	19	and there were kids in our group saying, "Jordan, can
20	up. And we had to keep going.	20	you finish running?"
21	SPEAKER 3: Do you recall which lineman that	21	And I was like "No. No. No. No. No. We've
22	was?	22	already lost. He didn't need to run. Just have him
23	SPEAKER 2: Yeah. Jordan Rigshy. Yeah. So	23	walk in. It doesn't matter." And so he walked in, and
24	um, that was -- that was pretty serious. Several other	24	that's all I saw from that.
25	guys -- I know Christian Okafor collapsed as well. I	25	And then I remember saying -- um, we were
7		9	

1 supposed to have a -- a competition after that. There	1 SPEAKER 1: And what exactly did he say on
2 was supposed to be like a tug-of-war -- I don't know	2 Friday morning?
3 exactly what it was. That was the rumor, we were going	3 SPEAKER 2: He said -- um, he came in, brought
4 to have a team tug-of-war, group tug-of-war. And I was	4 us all together and said, "That's a great job. I've
5 like -- I asked Jordan, I was like, "Are you okay to go	5 never seen teamwork out of this team like that. You
6 in the tug-of-war?"	6 know, pushing through stuff." And then he said -- he
7 And he said, "What happened? I thought we	7 goes, "Now teams aside, we're a family. We're all a
8 were in first place."	8 family now, and Ted's in trouble. Ted's in real
9 And I go, "What do you mean?"	9 trouble. You need -- you know, you need to pray for
10 He said, "What happened? I thought we were in	10 Ted. He's in some serious trouble."
11 first place. I don't remember what happened." So	11 SPEAKER 1: Okay.
12 basically he blacked out when he fell --	12 SPEAKER 2: So that's -- and that's basically
13 SPEAKER 1: Right.	13 all that -- all that I saw, other than, um, walking out
14 SPEAKER 2: -- and went down. So he didn't	14 of the tunnel to see what was going on and I just saw
15 remember why we were -- we were down. And I was just --	15 Ted on the ground.
16 I remember thinking there's no chance we can do -- do	16 SPEAKER 1: And who all was on your team that
17 more competition right now.	17 day? On your rope?
18 And that was a little while later. It was	18 SPEAKER 2: Um --
19 when Damon came and -- what I thought was interesting	19 SPEAKER 1: That you remember.
20 was that when we had our team meeting, um, Damon said	20 SPEAKER 2: It's me, Jordan, Stephan McClure
21 that Ted was fine. Like, he was talking to him and	21 who wasn't participating because of his knee. I think
22 everything was -- everything was okay. Like, but when	22 he tried once and then couldn't do it because he had
23 Damon came in to talk to the team, he said, "Ted's in	23 knee surgery. Nate Broussard who didn't participate
24 trouble now. You better say your prayers for Ted."	24 because he had knee surgery. Patrick Worstell, um,
25 So I thought that was an inconsistency by	25 Kyle Krage, um, Chris Harper, um, Bryce McGovern, um,
10	12
1 Damon saying, you know, "He was all right. I was	1 uh, a new kid whose name is Drew whose last name I don't
2 talking to him. Everything was fine." But on that	2 know. Um, that might be right around it. The teams are
3 morning, he came in and told the team, "Ted's in	3 up. They're still posted in our weight room.
4 trouble. And you need to pray for him."	4 SPEAKER 1: Yeah. Actually I might have a
5 SPEAKER 1: When did he say he was okay?	5 list.
6 SPEAKER 2: Um, we had a team meeting maybe a	6 SPEAKER 2: Okay.
7 week later where we were just all in the -- our team	7 SPEAKER 1: I just wanted to see if you
8 meeting room and -- and people were just trying to find	8 remember who was on your team.
9 out what was going on. Some people were telling some,	9 And did you -- that Friday morning, did you --
10 you know, stories.	10 who do you remember seeing collapsing? You mentioned a
11 SPEAKER 1: This was a week after the run?	11 couple people already. Do you remember any other
12 SPEAKER 2: After Ted died, yeah.	12 players that were having trouble?
13 SPEAKER 1: Okay.	13 SPEAKER 2: I personally didn't see it. So I
14 SPEAKER 2: Just to kind of have people ask	14 don't -- I couldn't tell you. Those three were just the
15 questions and --	15 ones that I -- I know for -- you know, firsthand.
16 SPEAKER 1: Right.	16 SPEAKER 1: Right.
17 SPEAKER 2: -- and try to figure some stuff	17 SPEAKER 2: Yeah.
18 out. I think, um, like Robby, our trainer was there,	18 SPEAKER 1: And what's the -- uh, what are you
19 and Dr. Madden was there kind of explaining what they	19 hearing now? I mean, obviously a long month after.
20 could from a medical standpoint. And um, Damon	20 SPEAKER 2: Um, not a lot, really. I think
21 interjected and said -- specifically said, "Ted was fine	21 that a lot of people are -- feel pretty uncomfortable to
22 when I was talking to him. He was drinking water. He	22 talk about it. And there's been a few conversations
23 was fine. We were talking."	23 here and there.
24 But that's not what he said on Friday morning.	24 I know that some people were upset with the
25 So that was, um, interesting.	25 medical staff and during our medical staff interview --
11	13

1	or whatever, our little discussion that we had a week	1	SPEAKER 1: You said you saw Ted fall down a
2	later, um, one of the strength coaches kept asking a lot	2	couple times?
3	of questions and putting a lot of pressure on -- on the	3	SPEAKER 2: Uh-huh.
4	medical staff when he was there as well, so I thought	4	SPEAKER 1: Was he -- his group was ahead of
5	that was weird.	5	you?
6	Um, chat between was -- like, how did this	6	SPEAKER 2: Um, no. We -- we were ahead. We
7	happen? How -- how -- you know, one -- I remember	7	were ahead for -- we were right with the first place
8	there's a text conversation I had, um, with somebody	8	team for a long time. So --
9	with -- that said, you know, um, "I want to believe in	9	SPEAKER 1: But you guys could see each other?
10	what they're doing, but at what point is this toughness	10	You're that close?
11	thing --"	11	SPEAKER 2: Yeah. Because it -- it's --
12	SPEAKER 1: Right.	12	everyone's coming up, everyone's coming down and you're
13	SPEAKER 2: "-- going to be too much?" As it,	13	passing them like this.
14	in my opinion, was. Far too much, that Friday. So --	14	SPEAKER 1: Okay.
15	SPEAKER 1: How are the workouts now?	15	SPEAKER 2: So yeah, you see everybody. And I
16	SPEAKER 2: Um, we went back to our -- our	16	think we -- we almost lapped a team or two. So it's a
17	normal summer stuff, which um, is -- is doable. It's	17	huge cluster, so you see everything that's going on.
18	hard. It's hard conditioning, but it's not something	18	SPEAKER 1: Okay.
19	where I would ever, you know, be worried about for --	19	SPEAKER 2: You don't really miss a ton.
20	from -- from a health perspective.	20	SPEAKER 1: So did you -- did you know Ted
21	I think what made Friday so difficult -- not	21	very well?
22	just the workout itself, was the guys that are heavier	22	SPEAKER 2: Um, so he is the roommate of
23	and slower -- they're connected to the fast guys.	23	Austin and Drake who -- those two guys I'm the closest
24	Because like I said, that group -- that team that I have	24	with on the team.
25	was a total mix. You know, you have linemen, you have	25	SPEAKER 1: One of them's a quarterback too;
	14		16
1	fast guys, you have mids, as we call them.	1	right?
2	So the best analogy that I can think of that	2	SPEAKER 2: Yeah. Austin -- that's the guy
3	describes what's going on is taping your hands to a car	3	I'm probably closest with on the team. So I was over
4	and having the car go and say, "Well you got to keep up.	4	there quite a bit. Um, so yeah. So I -- I -- I
5	You know, you're part of the -- you know, you're part of	5	wouldn't say we were best friends, but I would say that
6	this. You can't let go. You got to keep going."	6	among the guys on the team, we were, you know, in --
7	Because that was the thing. You couldn't let	7	from my perspective, just being older and not heading to
8	go of the rope. So I think that that's what really,	8	a lot of frat parties with the guys and stuff, he was a
9	really crushed the heavier guys.	9	guy that I would see in my free time more than most.
10	SPEAKER 1: When you say not let go of the	10	SPEAKER 3: Had you seen him say the three,
11	rope, if you let go of the rope you lose points or	11	four, five days prior to Friday?
12	something?	12	SPEAKER 2: Um, nothing that was too much from
13	SPEAKER 2: Yeah.	13	out of football. I don't -- I don't think. No.
14	SPEAKER 1: But they're not -- nobody's taped	14	SPEAKER 3: Do you know if he had a -- any
15	to the rope or anything?	15	allergies or a cold or anything?
16	SPEAKER 2: No. No. No. Not taped to the	16	SPEAKER 2: No, I don't. I don't know.
17	rope. But you couldn't let go of the rope.	17	SPEAKER 3: Have you heard anybody talking
18	SPEAKER 1: Okay.	18	about he was sick?
19	SPEAKER 2: And I think that's kind of	19	SPEAKER 2: I haven't heard anything about him
20	something that happened to be pretty unfortunate because	20	being sick, or being ill. Huh-uh. But I -- I do know
21	Ted is the kind of guy that -- um, one of the hardest	21	that, um, Austin Clark said that the morning -- that
22	workers on our team. He would never want to be the guy	22	morning, um, Ted asked him how you -- Ted asked
23	to not keep going and let go of the rope and lose his	23	Austin Clark how he was doing, and Austin Clark said I'm
24	team points and -- and be, you know, labeled as a guy	24	doing -- you know, I don't remember his response. But
25	that's not tough. You know what I mean? So --	25	then he asked Ted. He said, "How are you doing?"
	15		17

1	And Ted said, "I've never had a bad day in my	1	Um, and we didn't -- we haven't had anything like that.
2	life." So that's -- that's the only thing that I've	2	Um, not a lot of -- we do drug testing, but that's kind
3	heard. So I -- I -- from what I understand, he was	3	of about it. I think.
4	pretty positive going into the run.	4	SPEAKER 1: They're looking for steroids and
5	SPEAKER 1: What about, um, a lot of athletes	5	illegal drugs?
6	take supplements. Um, were you aware of the guy taking	6	SPEAKER 2: I don't -- I don't know if they
7	like -- I'm talking about creatine or any other	7	test for steroids. I think they mostly just stick to
8	pre-workout, after-workout?	8	street drugs.
9	SPEAKER 2: Yeah. Story of my career from	9	SPEAKER 1: Okay.
10	baseball and football. Um, I don't know who takes what.	10	SPEAKER 2: From -- from what I can gather. I
11	I -- you know, if -- if I was taking stuff, I wouldn't	11	don't think -- from what I gather, I don't think they're
12	be sitting here right now. I'd probably be in the big	12	testing for steroids.
13	leagues. So I've never really been a guy to take it.	13	SPEAKER 1: Okay.
14	Um, so I know that pre-workout's probably pretty	14	SPEAKER 2: But I've never heard that they
15	popular. I don't know if Ted took it or not but I know	15	were.
16	a lot of guys take it.	16	SPEAKER 1: Right.
17	SPEAKER 1: Do you know a name?	17	SPEAKER 2: So -- but they could be.
18	SPEAKER 2: What?	18	SPEAKER 1: Right. You ever heard of this
19	SPEAKER 1: Do you know what stuff they're	19	stuff, the deer?
20	taking.	20	SPEAKER 2: The deer antler spray?
21	SPEAKER 2: Everyone takes a different	21	SPEAKER 1: Yeah.
22	pre-workout. There's a ton of different kinds. I don't	22	SPEAKER 2: Yeah, I've heard of it.
23	know who takes what, where they order it from. I	23	Ray Lewis' stuff that he was the first guy? Yeah. Um,
24	couldn't tell you, because I'm not too up to speed on	24	I think I've heard it mentioned in the locker room
25	what the best stuff was because I remember when I was in	25	before.
18		20	
1	high school, the only thing that was around was	1	SPEAKER 1: Do you know anything about it
2	NO Xplode, which was the popular one. But I don't think	2	or --
3	anyone takes that anymore. Everyone takes -- I don't	3	SPEAKER 2: I don't. I know -- I know that
4	know what it's called. Just different stuff with a lot	4	it's kind of like a new steroid-type deal. Um, but
5	of caffeine, but I don't know who takes -- who takes it.	5	that's about it. I don't know --
6	SPEAKER 1: Right. Now does the the staff	6	SPEAKER 1: Are you aware of anybody that
7	provide any of that stuff?	7	takes the powder or tablets or -- I think it's tablets.
8	SPEAKER 2: Uh, no. Not that I'm -- not that	8	SPEAKER 2: Is it tablets now? I don't know.
9	I'm aware of.	9	SPEAKER 1: Okay.
10	SPEAKER 1: Does the training staff condone	10	SPEAKER 2: Um, you know actually I thought
11	it?	11	it -- it's not spray?
12	SPEAKER 2: I -- I've never heard, uh, any	12	SPEAKER 1: It could be a spray.
13	strength coach training staff say not to take any	13	SPEAKER 2: Okay.
14	pre-workout stuff. I think they -- they just say --	14	SPEAKER 1: I'm only aware of the tablets.
15	I've never heard the strength staff say anything about	15	SPEAKER 2: Oh. I don't want to say the wrong
16	any kind of supplements.	16	thing, but --
17	But I've -- we -- I'm sure we've had a doctor	17	SPEAKER 1: I've seen it online. Do you know
18	come in at least once when we're having our physicals	18	what it's used for?
19	and say "Don't take anything from a banned substance	19	SPEAKER 2: It's just muscle recovery, right?
20	list."	20	I don't think it's used for pre-workout stuff. I think
21	But in baseball we had a list. Like they	21	it's like a steroid --
22	would -- they were way, way more on top of it. They	22	SPEAKER 1: From what I've read, recovery.
23	would give us, like, a -- a staple of papers. Like	23	SPEAKER 2: Yeah.
24	three or four papers and it would have, like, all these	24	SPEAKER 1: But I don't know if you guys talk
25	things that could have been linked to testing positive.	25	about it or --
19		21	

1	SPEAKER 2: No. I think -- no. Especially	1	all soft."
2	from what I saw in baseball too is if you're using	2	And, you know, that's -- from -- as soon as he
3	stuff, you don't tell anybody.	3	got -- Harrington got to Cal, it was all about "This --
4	SPEAKER 1: Yeah.	4	this area is so soft. All these people around here are
5	SPEAKER 2: You're not -- you're not really --	5	soft." Um, he would, you know, say that we're at a
6	you're not really open about it anymore whereas, you	6	disadvantage being in Berkeley because of the kind of
7	know, ten years ago it was part of the culture and you	7	people that are around us that have an influence on us
8	could talk openly about it. But now if you're taking	8	and make us soft.
9	stuff, you're not telling anybody -- anybody. So --	9	So "We need to be tough as shit. Um, that's
10	SPEAKER 1: What's your -- do you have a cell	10	the only thing that matters is being tough. That's
11	phone?	11	going to be our edge is being tough. Nothing else is
12	SPEAKER 2: Yeah.	12	going to -- you know, nothing else is going to win games
13	SPEAKER 1: What's your cell phone number?	13	other than toughness."
14	SPEAKER 2: It's	14	So that whole fall, because he couldn't do it
15	SPEAKER 1: Just in case we have some	15	to the -- to the traveling group was done to the guys
16	follow-up questions later.	16	that weren't traveling. To set a new precedent.
17	SPEAKER 2: Yeah. No problem.	17	SPEAKER 1: This started this last fall?
18	SPEAKER 1: So I got your name through	18	SPEAKER 2: Uh-huh.
19	another, uh, professor.	19	SPEAKER 1: 2013?
20	SPEAKER 1: Uh-huh.	20	SPEAKER 3: And that was the red-shirt group
21	SPEAKER 2: But who did you first go forward	21	that you --
22	and talk to about what you --	22	SPEAKER 2: Yes.
23	SPEAKER 2: Um, well, um, when stuff in the	23	SPEAKER 3: -- and JD and Fabiano were apart
24	fall started happening, um, I talked to my dad a lot	24	of?
25	about it. He -- he played in the NFL and went to	25	SPEAKER 2: Yes. Uh-huh. Uh-huh.
22		24	
1	Harvard Law so he's kind of like my -- my big mentor.	1	SPEAKER 3: So going back a little bit, you
2	SPEAKER 1: So in the fall, what kind of stuff	2	talked to your dad a little bit?
3	was happening?	3	SPEAKER 2: Yeah. And uh, basically it was
4	SPEAKER 2: Just those -- those Friday	4	kind of a predicament because it's like who do we -- who
5	toughness workouts.	5	do we -- who do I talk to? Who do we go talk to? We --
6	SPEAKER 1: Okay.	6	he contacted somebody in the athletic department or, um,
7	SPEAKER 2: And then the one I told you about	7	some administrator that he knew.
8	where, um, Fabiano Hale got knocked out. That was by	8	SPEAKER 3: Now is this after Ted died?
9	far the worst one. I mean, he was just trying to make	9	SPEAKER 2: I'm sorry, this is after the
10	us -- you know, he -- we started it off, we all got on	10	Fabiano thing where I said, like, "This is going on.
11	our backs and he said "Start rolling. I want to see who	11	Like some -- I need to probably say something right
12	was drinking last night."	12	now."
13	So you know, we were rolling 100 yards and I	13	Because what happened wasn't right, and you
14	mean, you do that -- anybody does that, you know, in the	14	know -- I -- I didn't see it as the fault of either kid.
15	best of shape, best -- you know, clearest blood level,	15	I saw it as, you know, being bullied by a -- a strength
16	whatever, you're going to get unbelievably dizzy and	16	guy. Um, and he -- he contacted the guy and said, "I'd
17	sick. So um, I mean, stuff like that. We would roll	17	like to talk to you about somethings about what
18	100 yards, do, like, 50 up-downs, roll 100 back.	18	happened."
19	You know, just do stuff that wasn't to make us	19	And he said "If you have anything to say, go
20	better. It was just to punish us. And we did a lot of	20	to the police. I don't want -- I don't want anything to
21	that stuff on Friday. And he would -- he called it the	21	do with it," basically.
22	Crusade. And um, you know, he would specifically say,	22	SPEAKER 1: But you don't know who that was?
23	"This isn't to make you stronger, faster, better	23	SPEAKER 2: I can't remember -- I can't tell
24	football player. It's to make you tougher, because	24	yes -- I can't tell you the guys name because I don't --
25	that's what we need because you guys are soft. You're	25	I don't know.
23		25	

1	SPEAKER 1: Okay.	1	SPEAKER 2: Just me and Sully, yep. And then
2	SPEAKER 2: I can find out, but as far as -- I	2	Sully said he was going to get back to me, I'd probably
3	don't know who it is.	3	have to meet with somebody else. And then, um, I, uh,
4	SPEAKER 1: If you could, that would be great.	4	met with the AD Sandy Barbour, the vice chancellor, and
5	SPEAKER 2: Okay. Yeah. And then, um --	5	Bob Jacobson, the professor that connected us. Um --
6	SPEAKER 1: But he told your dad to go to the	6	SPEAKER 3: Do you remember when that was?
7	police?	7	SPEAKER 2: Inside -- that was maybe three
8	SPEAKER 2: Yeah. And --	8	days after I met with Sully. Two days --
9	SPEAKER 1: Did you do that?	9	SPEAKER 3: Okay.
10	SPEAKER 2: No, we didn't because, um, I	10	SPEAKER 2: -- or so. Um, and told the same
11	didn't want to get crushed. I didn't want to be a guy	11	story that I was with you guys. Um, and they said they
12	that was going to go to the police and have my name out	12	were going to, like, get back to me and then they said
13	to everybody as this guy that's -- that's doing this	13	that, um, everything was going to be totally
14	stuff. So um, I -- I just wanted to see what -- where	14	confidential. My name wouldn't get out. That -- you
15	the police investigation went with everything.	15	know, my name wasn't going to leave that room.
16	Um, and that kind of happened somewhat towards	16	Um, and the vice chancellor called me maybe
17	winter break where it wasn't over where we left and I	17	four days later, three days later and just gave me an
18	went home. I was home for the whole winter break. But	18	update and said, um, that they're going to have the
19	when I came back, that's when I really found out that	19	third-party investigation go on and see what happens.
20	the police investigation was totally over.	20	And since then, I think Sully has talked to me
21	Um, and then, you know, like a week later, or	21	once or twice just to check in and just say, you know,
22	you know, a week and a half later was when the morning	22	"How's everything going? What's -- you know, nothing's
23	of Ted's passing. So basically after that I was like	23	changed?" He texted me, um, I think two days ago. I'll
24	"Well I -- I don't really care anymore. I'm going to	24	tell you what he said. Hold on.
25	talk to who I need to talk to because this is -- this	25	SPEAKER 1: Has that third-party investigation
	26		28
1	has gone too far."	1	started?
2	So I went and consulted a Colonel in the	2	SPEAKER 3: I'm not sure.
3	Marines who worked here last year who I had taken	3	SPEAKER 1: Has anybody come and talked to
4	classes with and, you know, looked up to. He was a	4	you?
5	mentor to me, and he said he was going to find the	5	SPEAKER 2: No. Huh-uh.
6	person for me to talk to where I wasn't going to be, you	6	SPEAKER 1: Okay.
7	know, everywhere. My name wasn't going to be all over	7	SPEAKER 2: He said --
8	the place. And he said talk to Sully Pulp. So I had a	8	SPEAKER 1: And who was -- oh go ahead.
9	meeting with Sully Pulp the next day or two days after	9	SPEAKER 2: On Monday. "Quick update. We are
10	that. And --	10	in process of selecting our third-party review. Taking
11	SPEAKER 1: Do you remember about when that	11	some time but will execute." That was Monday.
12	was?	12	SPEAKER 1: Okay.
13	SPEAKER 2: Three weeks ago? So the -- the	13	SPEAKER 2: Yeah. And then -- and then I told
14	next couple days was when -- I don't know how connected	14	him I was meeting with you guys.
15	you guys are to the football program, but the next	15	SPEAKER 1: Who is the vice chancellor? Do
16	couple days was when they said they were going to have,	16	you remember?
17	you know, a third-party investigation and all that, and	17	SPEAKER 2: I know his car. His name's John.
18	I think it was -- I -- I think it had to do with, um, me	18	SPEAKER 1: Start with a W?
19	talking to him.	19	SPEAKER 2: Yeah.
20	SPEAKER 1: So you talked to Sully and you	20	SPEAKER 1: Last name?
21	basically told him what you told us?	21	SPEAKER 2: Yeah.
22	SPEAKER 2: Yeah. Pretty much same thing.	22	SPEAKER 1: What's his accent?
23	Um, maybe a little more -- more detailed from the	23	SPEAKER 2: Uh, New Zealand, maybe.
24	beginning about Damon just --	24	SPEAKER 1: Okay.
25	SPEAKER 1: It was just you and Sully?	25	SPEAKER 2: I probably should know that vice
	27		29

1	chancellor's name. Especially when he's been talking to	1	reasoning is.
2	me.	2	SPEAKER 1: You said earlier that workouts
3	SPEAKER 1: I think you got it.	3	have changed too? They're not as hard as they were
4	SPEAKER 2: John Wilton.	4	before?
5	SPEAKER 1: Okay.	5	SPEAKER 2: Um --
6	SPEAKER 2: Yeah.	6	SPEAKER 1: Like on Fridays?
7	SPEAKER 1: Thanks.	7	SPEAKER 2: Well that -- which Fridays are you
8	SPEAKER 2: Yeah.	8	talking about?
9	SPEAKER 1: Okay. So have you talked to --	9	SPEAKER 1: Your -- the once you were talking
10	you haven't talked to anybody else about it?	10	about before.
11	SPEAKER 2: Huh-uh.	11	SPEAKER 2: The fall or the Friday where we
12	SPEAKER 1: Um, is there anything else you can	12	ran the hill when Ted -- so we've never done -- we've
13	think of to tell us that --	13	never left the stadium since Ted died.
14	SPEAKER 2: Um, I don't think so. Not off the	14	SPEAKER 1: Okay.
15	top of my head at least. Uh, well I guess in	15	SPEAKER 2: So we've been in the stadium the
16	comparison -- you know I've been playing -- I played pro	16	whole time. And we just do -- I mean, pretty hard
17	ball for five years. You know, I was with the strength	17	workouts, but nothing where -- nothing where I've been
18	coach beforehand, and I've never, ever heard anybody	18	concerned about. It's heavy, heavy conditioning, but
19	talk like that, the way -- the kinds of stuff that he	19	nothing that -- that is, uh, I don't think going to kill
20	said to us. And I've never seen that before.	20	anybody. I think it did --
21	Mike Blasquez, who was there before, never,	21	SPEAKER 1: Going back to Fabiano Hale's
22	ever came close to anything like that. The other	22	incident, did you know JD at all very well?
23	strength guys aren't saying that kind of stuff, you	23	SPEAKER 2: Um, JD I didn't know very well
24	know, that's so abusive. Um, so I don't know.	24	because he was hurt. I believe he was in some kind of
25	That's -- take it from some -- I mean --	25	of car accident where he couldn't play. So he was
30		32	
1	SPEAKER 1: Is he still -- is he still	1	walking stairs all practice all the time. So he was
2	coaching you guys now?	2	never really with the football team, like, playing.
3	SPEAKER 2: Yeah.	3	because he was with the injured group and he would just
4	SPEAKER 1: How's his attitude now?	4	be up the stairs, down the stairs. Up the stairs, down
5	SPEAKER 2: We -- we haven't gotten the -- the	5	the stairs. All practice -- the entire practice. So
6	abusive attacks, I would say.	6	not a lot of time for getting to know somebody and
7	SPEAKER 3: Is there anybody else around, like	7	playing with somebody.
8	overseeing things?	8	SPEAKER 1: But he did those Friday workouts
9	SPEAKER 2: Um, I -- I think that after I met	9	at some point; right?
10	with, um, the vice chancellor and Sandy Barbour and	10	SPEAKER 2: Yeah. He did them all. Yeah.
11	those guys, that's when they said they were going to	11	Yeah. He was -- all those Friday workouts.
12	have someone watch. So Mike Blasquez came out, but	12	SPEAKER 1: Did he ever talk to you about why
13	that's only been for, like, two weeks, I want to say.	13	he punched Fabiano?
14	SPEAKER 1: Yeah.	14	SPEAKER 2: Um, I remember talking to him
15	SPEAKER 2: You know, not too long. But other	15	afterwards and I said, "Don't let yourself take the
16	than that it's just been him, his staff, and um, just	16	whole blame for this. Um, just tell -- just -- if they
17	the water people or the trainers since summer.	17	ask you anything, tell them what happened."
18	SPEAKER 1: So has -- he's toned it down, you	18	Because I was concerned that, you know,
19	think?	19	he's -- was going to ruin his life by doing something
20	SPEAKER 2: Um, for now. For right now. And	20	like that because, you know, that's a pretty stupid
21	nothing -- nothing has been explosive right -- as of	21	thing to do, you know what I mean? Because we had a guy
22	now. I don't know if that's just a timing situation or	22	do that last year on our team and he was gone. He got
23	what.	23	kicked out of our school immediately.
24	SPEAKER 1: Right.	24	SPEAKER 1: On the football team?
25	SPEAKER 2: I can't tell you what the	25	SPEAKER 2: Yeah. There was a dorm
31		33	

<p>1 incident --</p> <p>2 SPEAKER 1: Okay.</p> <p>3 SPEAKER 2: -- in the year before where one</p> <p>4 of -- one of the kids on the team hit Jeff Coprich and</p> <p>5 he was suspended from the team and expelled from school,</p> <p>6 like, two days later. So knowing that, knowing what</p> <p>7 happened -- almost the exact same thing, one was in the</p> <p>8 dorm, one was in the locker room.</p> <p>9 SPEAKER 1: Right.</p> <p>10 SPEAKER 2: So really not that much different,</p> <p>11 I just wanted to say, like, "Make sure you try to</p> <p>12 protect yourself because you could be going down. You</p> <p>13 could be out of here." Um, but other than that, he's a</p> <p>14 really, really quiet guy. Not vocal at all.</p> <p>15 SPEAKER 1: Well did he ever -- did he ever</p> <p>16 indicate you that, you know, any part of the reason why</p> <p>17 he did it was because of what the -- the impression that</p> <p>18 the strength coach left on him?</p> <p>19 SPEAKER 2: Um --</p> <p>20 SPEAKER 1: Or did he do it for another</p> <p>21 reason?</p> <p>22 SPEAKER 2: Not -- he didn't say anything to</p> <p>23 me about it. I couldn't tell you. Couldn't speculate.</p> <p>24 Um, I just know that Harrington was -- Damon Harrington</p> <p>25 was very adamant about saying "I am not going to do a</p>	<p>1 But I heard something about a group of guys</p> <p>2 were out trying to find Fabiano, you know? Like, I</p> <p>3 don't -- to do what? I don't know. But I just know</p> <p>4 that, like, they were out hunting for him, is what -- is</p> <p>5 what they said. So --</p> <p>6 SPEAKER 1: Do you know anybody that's talked</p> <p>7 much with Ted's family since this happened?</p> <p>8 SPEAKER 2: Yeah. Um, I know that</p> <p>9 Austin Hinder probably has, but I don't know how</p> <p>10 in-depth he's gone because he's been pretty shaken up</p> <p>11 over everything. So he doesn't -- he's not really a guy</p> <p>12 to talk about anything like that since -- since it</p> <p>13 happened.</p> <p>14 Um, Isaac Lopite, uh, is very close with Ted's</p> <p>15 family. Jalen Jefferson I know had some concerns about</p> <p>16 the warning that I heard voiced. I don't know how close</p> <p>17 he is to Ted's family though. Um, Avery Sebastian is</p> <p>18 also very close with, um, Ted's family I believe.</p> <p>19 SPEAKER 1: Do, um, any or all of these guys</p> <p>20 feel kind of the same way you do, that that workout was</p> <p>21 just over the top?</p> <p>22 SPEAKER 2: I don't know if they feel that the</p> <p>23 medical staff didn't do their -- didn't do their job,</p> <p>24 the strength staff didn't do their job, what we were</p> <p>25 doing was wrong. I don't know what their stance is.</p>
<p>1 thing to Fabiano. This is your problem. You need to</p> <p>2 fix this. By any means necessary." While putting his</p> <p>3 fist into his hand.</p> <p>4 And then there with, like, a joke on the team</p> <p>5 where people would say for the next two weeks or so, "By</p> <p>6 any means necessary," putting their fist in their hands.</p> <p>7 It's something that went around in the team.</p> <p>8 Um, but I just know that it was, like, a</p> <p>9 torture workout, and then, you know, making people puke,</p> <p>10 making people scream. You know, try to -- one kid came,</p> <p>11 you know, two minutes late to that workout and, uh,</p> <p>12 Damon would be singling him out. Be like, "These are</p> <p>13 for Nate." Because Nate Broussard was, like, a few</p> <p>14 minutes late this morning. "These are for Nate. Thank</p> <p>15 Nate for these."</p> <p>16 And people are, you know, screaming at Nate.</p> <p>17 Um, just, you know, calling him out, saying all this</p> <p>18 stuff to him. And Nate texted me that morning and was</p> <p>19 like "Hey, I feel really bad about what happened. Like,</p> <p>20 I'm so, so sorry." Um, you know, I just remember him</p> <p>21 saying that.</p> <p>22 But -- um, it was pretty serious. Pretty</p> <p>23 serious stuff that was going on. And I remember I got</p> <p>24 home -- I live a little ways away. I live over in</p> <p>25 Emeryville.</p>	<p>1 But I know that they're -- that those people</p> <p>2 are very upset about what happened in some way or</p> <p>3 another where someone was to blame. That -- I know that</p> <p>4 that's their -- their view on it. Um, and those are</p> <p>5 just the people that are close to Ted that feel that</p> <p>6 way. I mean, I'm -- there's other guys. Cormac Craigie</p> <p>7 is someone that was adamant about something -- you know,</p> <p>8 someone's to blame for this.</p> <p>9 SPEAKER 1: What's his name? Cormac?</p> <p>10 SPEAKER 2: Cormac. Cormac, and then Craigie,</p> <p>11 C-R-A-I-G-E, maybe.</p> <p>12 SPEAKER 1: Who -- who is it that -- I</p> <p>13 heard -- we heard one of the football players wasn't</p> <p>14 going back to practice after?</p> <p>15 SPEAKER 2: That's Isaac Lopite.</p> <p>16 SPEAKER 1: Okay.</p> <p>17 SPEAKER 2: Yep.</p> <p>18 SPEAKER 1: Has he returned yet?</p> <p>19 SPEAKER 2: No. He was at the service on</p> <p>20 campus and funeral, but I haven't seen him at all since</p> <p>21 the. Football, school. I don't know.</p> <p>22 SPEAKER 1: And just -- just so we have it, I</p> <p>23 mean, you come at a little different perspective.</p> <p>24 You're how old now?</p> <p>25 SPEAKER 2: 25.</p>

<p>1 SPEAKER 1: And so you graduated high school.</p> <p>2 Did you play football in high school?</p> <p>3 SPEAKER 2: Yeah.</p> <p>4 SPEAKER 1: Where at?</p> <p>5 SPEAKER 2: Um, in Portland, Oregon for</p> <p>6 Wilson High School.</p> <p>7 SPEAKER 1: And I take it the -- probably the</p> <p>8 workouts that you -- that you had there were a little</p> <p>9 different, or --</p> <p>10 SPEAKER 2: You know, I went to a really bad</p> <p>11 high school where all my workouts were on my own.</p> <p>12 SPEAKER 1: Okay.</p> <p>13 SPEAKER 2: You know, I was training with, um,</p> <p>14 kind of one -- one of the best trainers in the</p> <p>15 State of Oregon almost all through high school because</p> <p>16 we didn't really -- you know, it was just a -- a joke of</p> <p>17 a football program there.</p> <p>18 SPEAKER 1: And out of high school you went to</p> <p>19 baseball?</p> <p>20 SPEAKER 2: Uh-huh.</p> <p>21 SPEAKER 1: Minor league baseball?</p> <p>22 SPEAKER 2: Uh-huh.</p> <p>23 SPEAKER 1: And so you had that experience?</p> <p>24 SPEAKER 2: Uh-huh.</p> <p>25 SPEAKER 1: Then you were here a year?</p> <p style="text-align: right;">38</p>	<p>1 Certificate</p> <p>2 Of</p> <p>3 Certified Shorthand Reporter</p> <p>4</p> <p>5 I, Amber N. Hogate, a Certified Shorthand</p> <p>6 Reporter of the State of California does hereby certify:</p> <p>7 That a verbatim record of the recorded</p> <p>8 proceedings was transcribed under my direction, and</p> <p>9 further, that the foregoing is an accurate transcription</p> <p>10 thereof.</p> <p>11 I further certify that I am neither</p> <p>12 financially interested in the action nor a relative or</p> <p>13 employee of any attorney of any of the parties.</p> <p>14 IN WITNESS WHEREOF, I have this day</p> <p>15 subscribed my name <u>Amber N. Hogate</u></p> <p>16</p> <p>17 Dated: <u>10-24-14</u></p> <p>18</p> <p>19 Certificate Number: 13525</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">40</p>
<p>1 SPEAKER 2: Uh-huh.</p> <p>2 SPEAKER 1: With -- there was a different --</p> <p>3 SPEAKER 2: Mike Blasquez.</p> <p>4 SPEAKER 1: Okay.</p> <p>5 SPEAKER 2: Uh-huh.</p> <p>6 SPEAKER 1: So you had a variety of</p> <p>7 different --</p> <p>8 SPEAKER 2: Yeah.</p> <p>9 SPEAKER 1: -- experiences over six years.</p> <p>10 SPEAKER 2: Yeah. Definitely. Uh-huh.</p> <p>11 SPEAKER 1: Anything else?</p> <p>12 SPEAKER 3: I think you covered a lot. We'll</p> <p>13 conclude the interview.</p> <p>14</p> <p>15 (End of recording)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">39</p>	