



July 23, 2008

C. Dennis Cryder
Sr. Vice President of Branding and Communications
NCAA

VIA ELECTRONIC MAIL

Dennis:

The purpose of this letter is to express my disappointment with the manner in which the NCAA handled the public release of information regarding the Andrew Oliver lawsuit. A copy of the statement issued by Erik Christianson is provided:

- **NCAA STATEMENT ON OLIVER LAWSUIT**
"The NCAA received notice this afternoon of the amended complaint naming it as a defendant in the lawsuit. The complaint incorrectly states the NCAA was responsible for Oklahoma State University sitting out the plaintiff during recent competition. That decision was Oklahoma State's alone. There has been no determination by the NCAA in this matter. There is also a process in place for student-athlete reinstatement that should precede any review by a court. In that regard, this lawsuit is premature and inappropriate."

The statement that the NCAA has not made a determination in this matter is not accurate. On Friday morning, May 30, 2008, John Shukie, Assistant Director of Agent's, Gambling, and Amateurism, acting on behalf of the Association in this matter told two members of my staff and a third party that Mr. Oliver did in fact violate NCAA rules. This discussion occurred prior to the University's decision to declare Mr. Oliver ineligible. It also played a role in the institution's decision to withhold Mr. Oliver from competition. It should also be pointed out that a member of the NCAA Reinstatement staff participated in a conference call that morning with Mr. Shukie, a member of the University's Compliance staff and a third party acting on behalf of the institution. During this phone call the Student-Athlete Reinstatement staff member indicated that if the University pursued a reinstatement request that day the staff would render a decision of permanent ineligibility. These two facts do not seem to support a statement that the NCAA had not made a determination in this matter.

This situation is extremely unfortunate as both parties are now co-defendants in this lawsuit. The University remains committed to working with the NCAA to resolve this matter through the procedures established for reinstatement. However, this release shifted all blame to the University when the NCAA initiated the investigation into this matter. Unfortunately we are not able at this time to provide a response due to the status of the inquiry. Going forward the University simply asks that both parties coordinate any future public responses. Thank you for your attention to this matter. Please feel free to contact my office if you wish to visit about this matter.

Sincerely,

A handwritten signature in blue ink that reads "Mike Holder".

Mike Holder
Athletic Director

OKLAHOMA STATE

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