

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

| | | |
|---|---|---------------------------|
| STEPHANIE BIEDIGER, KAYLA LAWLER, | : | Class Action |
| ERIN OVERDEVEST, KRISTEN | : | Case No. 3:09-CV-621(SRU) |
| CORINALDESI and LOGAN RIKER, | : | |
| individually and on behalf of all those similarly | : | |
| situated; and ROBIN LAMOTT SPARKS, | : | |
| individually, | : | |
| | : | |
| PLAINTIFFS | : | |
| | : | |
| | : | |
| v. | : | |
| | : | |
| QUINNIPIAC UNIVERSITY, | : | June 25, 2012 |
| DEFENDANT | : | |

SUPPLEMENTAL STIPULATIONS OF FACT

1. QU did not survey its students or otherwise assess their interests and abilities before deciding to offer rugby as a varsity sport.
2. Currently, only the men's and women's basketball and ice hockey teams practice and compete at the TD Bank Center on a regular basis. The acrobatics and tumbling team hosts all of its home competitions at the TD Bank Center.
3. Currently, only the men's and women's basketball and ice hockey teams regularly use the weight room and exercise facility at the TD Bank Center.
4. Currently, only the men's and women's basketball and ice hockey teams regularly use the training facility at the TD Bank Center.
5. Currently, only the men's and women's basketball and ice hockey teams have permanent locker rooms assigned at the TD Bank Center.
6. As compared to athletic facilities at other Division I institutions, the TD Bank Center is a top-of-the-line facility.
7. Plaintiff's Exhibit 204 is a chart prepared by Jack McDonald describing athletics facilities at Quinnipiac. The chart contains the following inaccuracies: the baseball competition venue is not a turf field; the women's cross country team shares a locker room; the women's indoor track team shares a locker room; the women's outdoor track team shares a locker room; the rugby team shares a locker room; the women's soccer team shares a locker room; the women's softball team shares a locker room; the men's and women's tennis assistant coaches do not have their own offices; the rugby field's width does not violate any rules and is suitable for competitions.

8. Kristopher Czaplinski, a former assistant volleyball coach at Quinnipiac, was called to Jack McDonald's attention as a potential interim volleyball coach by a member of the volleyball team after Coach Sparks was dismissed.
9. Jack McDonald told Coach Czaplinski that he did not have to give up his current job when he accepted the position as interim volleyball coach, provided that he could be present by the beginning of the team's practice each day. This allowance was made only for the period while Coach Czaplinski was serving as the interim coach, which was outside of the volleyball team's traditional season in the 2011-12 academic year. Quinnipiac is currently undertaking a search for a full time volleyball coach.
10. In 2006, Jack McDonald conducted an investigation of potential varsity sports Quinnipiac might add, as shown in Exhibit KD. These sports included women's rugby and what was known at the time as competitive cheer.

RESPECTFULLY SUBMITTED,
THE PLAINTIFFS

By: /s/ Jonathan B. Orleans

Jonathan B. Orleans (ct05440)

Alex V. Hernandez (ct08345)

Pullman & Comley

850 Main Street

Bridgeport, CT 06604

(203) 330-2129 (phone)

(203) 576-8888 (fax)

jorleans@pullcom.com

ahernandez@pullcom.com

Kristen Galles (*pro hac vice*)

Equity Legal

10 Rosecrest Avenue

Alexandria, VA 22301

(703) 683-4491 (phone)

(703) 683-4636 (fax)

kgalles@comcast.net

Sandra J. Staub (ct28408)

Legal Director

ACLU Foundation of Connecticut

330 Main Street

Hartford, CT 06106

(860) 471-8471 (phone)

(860) 586-8900 (fax)

staub@acluct.org

Attorneys for the Plaintiffs

THE DEFENDANT,
QUINNIPIAC UNIVERSITY

By: /s/ Edward S. Brill

Edward A. Brill

Federal Bar No. phv015747

Susan D. Friedfel

Federal Bar No. phv03585

1585 Broadway

New York, NY 10036

Tel: 212.969.3000

Fax: 212.969.2900

ebrill@proskauer.com

sfriedfel@proskauer.com

Attorneys for the Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of June, 2012, a copy of the foregoing *SUPPLEMENTAL STIPULATIONS OF FACT* was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF.

/s/ Jonathan B. Orleans
Jonathan B. Orleans (ct05440)