

# HEARING PANEL RESOLUTION INVESTIGATIVE REPORT

Hailey Taylor v. Carter Robinson

Investigator: Heidi Shearer Date of Report: May 8, 2023

[Not a real case]
Created for a Mock Hearing 8.10.2023

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#### **PARTIES**

- 1. Complainant: Hailey Taylor, MU Student, Staff at Campus Library
- 2. Respondent: Carter Robinson, MU Student, Staff at Campus Library

#### **WITNESSES**

- 1. Ryan Dorsey, MU Student, Friend of Taylor and Robinson, Fraternity Brother of Robinson
- 2. Vanessa Grant, MU Student, Friend and Roommate of Taylor

#### **HISTORY OF THE CASE**

On February 7, 2023, Complainant Hailey Taylor submitted a report to the Office of Institutional Equity (OIE), describing alleged behaviors toward her, on February 4 by Respondent Carter Robinson, that may constitute Sexual Assault (Fondling) in violation of University policy. I briefly met with Taylor on February 9 to discuss her rights and options. At that meeting, she expressed an interest in proceeding with a Formal Complaint and Investigation.

On February 13, Taylor submitted a Formal Complaint to OIE. I met with her again on February 15 to discuss the allegations in greater detail, as well as the steps of the Investigation process.

On February 20, I sent Notices of Allegations to Taylor and Robinson, initiating this Investigation.

On February 28, I met with Robinson to discuss the Title IX Resolution Process and to obtain his statement in response to the allegations.

In March, I interviewed witnesses and obtained relevant documentary evidence. Summaries of my interviews and all information gathered during the Investigation are contained in this Investigative Report.

#### **RELEVANT DATES**

## September 2022

Hailey Taylor and Carter Robinson met as student staff members at the campus library.

#### February 4, 2023

• Taylor and Robinson worked a shift at the library together, then went to Robinson's room in Barkley Residence Hall on campus. Taylor alleges that, while they were in his room, Robinson fondled her breasts and genitals without consent.

## February 7, 2023

Taylor submitted a report<sup>1</sup> to OIE.

## February 13, 2023

• Taylor filed a Formal Complaint<sup>2</sup> against Robinson, requesting an Investigation.

<sup>&</sup>lt;sup>1</sup> Exhibit 1: (Incident Report 2.7.2023).

<sup>&</sup>lt;sup>2</sup> Exhibit 2: (Formal Complaint 2.13.2023).

## February 20, 2023

• OIE sent Notices of Allegations<sup>3</sup> and No Contact Directives<sup>4</sup> to Taylor and Robinson.

#### February–March 2023

• OIE conducted an Investigation, including interviews with the parties and witnesses.

## April 18, 2023

• OIE sent a draft Investigative Report to Taylor and Robinson for a 10-day review period, as required by Title IX policy.

## May 8, 2023

• OIE sent Notices of Hearing<sup>5</sup> and copies of the finalized Investigative Report and Exhibits to the parties.

## June 6, 2023

• Hearing scheduled to occur via Zoom.

#### **INTERVIEWS WITH PARTIES AND WITNESSES**

- 1. February 15, 2023 Interview with Complainant Taylor (In Person)
- 2. February 28 Interview with Respondent Robinson (In Person)
- 3. March 7 Interview with Witness Dorsey (Zoom)
- 4. March 10 Interview with Witness Grant (Zoom)
- 5. March 22 Interview with Complainant Taylor (Zoom)

## **METHODS USED TO GATHER EVIDENCE**

In conducting my investigation, I met with the Parties and witnesses through in-person and Zoom meetings. All communications outside of these interviews were through email.

#### **SITE VISITS**

No site visits were conducted.

#### **POTENTIAL POLICY VIOLATIONS**

I delivered a Notice of Allegations (NOA) to Carter Robinson via University email on February 20, 2023. The NOA informed him that an investigation was being conducted pursuant to the University of Missouri Collected Rules and Regulations (CRR) Section 600.030, which is the Resolution Process for Resolving Complaints of Sexual Harassment under Title IX.

The NOA explained that Robinson was accused of violating <u>CRR 600.020</u>, which is the University's Sexual Harassment under Title IX Policy. The NOA contained this information:

<sup>&</sup>lt;sup>3</sup> Exhibit 3: (CR Notice of Allegations 2.20.2023).

<sup>&</sup>lt;sup>4</sup> Exhibit 4: (CR No Contact Directive 2.20.2023).

<sup>&</sup>lt;sup>5</sup> Exhibit 5: (CR Notice of Hearing 5.8.2023).

Hailey Taylor reported that, during the evening hours of Saturday, February 4, 2023, Carter Robinson engaged in Sexual Assault in the form of nonconsensual fondling of her breasts and genitals, while she was sleeping, and thus incapacitated.

Specifically, Taylor reported the following:

- 1. Taylor reported that she and Robinson walked together from the campus library to Robinson's room in Barkley Hall around 10:00pm. In his room, Taylor alleges that they engaged in consensual kissing and "cuddling" while watching a movie, then she fell asleep around 11:00pm. She reported that she did not consume any alcohol that night, but Robinson drank about 6-8 shots of vodka, mixed with Sprite, while they hung out.
- 2. Taylor alleges that she slept for about 5-10 minutes before she was awakened by Robinson's fingers rubbing her genitals (clitoris). She reported feeling "confused" and "disoriented" at that time, as well as "frozen" and "unable to move" for several seconds as he continued.
- 3. Taylor reported that she rolled away from Robinson on the futon, in an attempt to stop the contact. She alleges that, in response, Robinson shifted closer to her without removing his hand or stopping contact.
- 4. Next, Taylor reported that she shook her head side to side and audibly "grunted," attempting to signal "no" and her lack of consent to Robinson fondling her genitals. She alleges that Robinson waited several more seconds before he removed his hand from her pants, slid his hand up her body, and "squeezed" her breast twice before he got up from the futon.

Taylor alleges that she was asleep, and thus incapacitated and unable to consent, when Robinson initiated sexual activity as described above. She further alleges that Robinson continued to fondle her genitals after she was awake and had physically communicated her lack of consent.

#### **APPLICABLE POLICY DEFINITIONS**

#### Sexual Harassment under Title IX (600.020)

## B. **Definitions**

- Sexual Harassment. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
  - c. **"Sexual assault"** Any sexual act that constitutes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape, as defined below:
    - (iv) "Fondling" is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- 2. Consent to Sexual Activity. Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and

can be withdrawn at any time. Consent, lack of consent, or withdrawal of consent may be communicated by words or non-verbal acts.

Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent.

3. Incapacitated or incapacitation. A state in which rational decision-making or the ability to consent is rendered impossible because of a person's temporary or permanent physical or mental impairment, including but not limited to physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness or illness. Consent does not exist when the Respondent knew or should have known of the other individual's incapacitation. Incapacitation is determined based on the totality of the circumstances. Incapacitation is more than intoxication but intoxication can cause incapacitation.

Factors to consider in determining incapacity include, but are not limited to, the following:

- a. Lack of awareness of circumstances or surroundings (e.g., an inability to understand, either temporarily or permanently, the who, what, where, how and/or why of the circumstances; blackout state)
- b. Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech)
- c. Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance)
- d. Physical symptoms (e.g., vomiting or incontinence)

## **APPLICABLE PROCEDURE**

At all times, this investigation was conducted in accordance with CRR 600.030, which describes the Resolution Process for Resolving Complaints of Sexual Harassment under Title IX.

#### **JURISDICTION**

At the time of the alleged incidents, both Hailey Taylor and Carter Robinson were enrolled students<sup>6</sup> at the University of Missouri.

### **STANDARD OF PROOF**

When this matter is reviewed by the decision maker(s) pursuant to the Title IX Resolution Process, the standard of proof will be "preponderance of the evidence," defined as determining whether evidence shows it is more likely than not that a policy violation occurred.<sup>7</sup>

<sup>&</sup>lt;sup>6</sup> Meeting the definition as set forth by CRR 600.030(C)(22), "A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the Universities of the University System."

<sup>&</sup>lt;sup>7</sup> Per CRR 600.030(Q)(12)(a).

#### **CREDIBILITY ASSESSMENT**

The information provided in each interview summary was obtained by an interview with the stated person that was free of prompting, coaching, or behavior that could, in any way, compromise the validity of the statements made. At all times, the parties and witnesses were interviewed in a manner free of any coercion or undue intimidation.

All parties and witnesses were interviewed in person or via Zoom. The statements offered by parties and witnesses during interviews were in their own words and of their own accord. Prior to finalization of this Investigative Report, each party and witness had an opportunity to review and approve their statements contained therein, which they did.

#### **PARTY INTERVIEWS**

# **COMPLAINANT: HAILEY Taylor, MU STUDENT, STAFF AT CAMPUS LIBRARY**

I first met with Hailey Taylor on Thursday, February 9, 2023, in my office. During our meeting, she briefly described an incident with Carter Robinson that may violate the University's Title IX policy; we discussed her rights and options, and she expressed an interest in pursuing a Formal Complaint against Robinson, which she then submitted to OIE on February 13. In the signed Formal Complaint, Taylor identified two witnesses—Ryan Dorsey and Vanessa Grant—and included a narrative alleging that Robinson engaged in sexual assault in the form of nonconsensual fondling of her genitals and breast, at Barkley Hall on February 4, 2023. In relevant part, the complaint<sup>8</sup> stated:

Carter Robinson was a friend and coworker of mine. We first met last year when we were hired as student staff at the library at the same time. We quickly became close at work, and then started hanging out as friends outside of work. This incident has ruined our friendship, and I am no longer comfortable working with him, as he violated my trust in the worst way that night. He sexually assaulted me.

It was February 4th, and we had both worked an evening shift at the library, which was 4:00-10:00pm. After work, we went to his dorm room to hang out like we had so many times before. I was completely sober and opted not to drink anything since I had plans the next morning. Carter had a couple mixed drinks, but he was not too intoxicated to know what he was doing or to forget what he did to me.

That night, we were sitting on his futon and watching a movie. We made out for a while, which was consensual. Then, I felt tired and laid down on the futon. Carter laid down too, and we were cuddling. I fell asleep and then woke up later when I felt him touching me. His hand was down my pants, and he was fingering me. I was confused and disoriented because I had been sleeping, so I definitely did not consent to him touching me like that. I was frozen for a moment, not sure what to do, and I was unable to move. Then, I pulled away from him, but he didn't stop. He just kept fingering me, which I did not want. I shook my head to tell him, "No!" but he still did not move his hand.

<sup>&</sup>lt;sup>8</sup> For ease of reading, content from the written Formal Complaint was copied/pasted into this section of the Investigative Report (IR) with slight formatting and punctuation adjustments to match the rest of the IR. See Exhibit 2 for the original document submitted by Complainant Taylor.

He eventually moved his hand from under my pants to my breasts. He squeezed them twice, which hurt. I did not want him to touch me there either, and I did not consent. Afterward, I was too scared to leave, so I stayed on the futon and cried, unable to sleep. I waited until early the next morning and left as quickly as I could.

On February 15, I met with Taylor (and her Support Person) to further discuss her relationship with Robinson and her allegations against him. I first asked how they met, and she explained:

We met in the fall (September 2022). We are both freshmen and started working at the library shortly after we got to campus this year. We often work the same shifts at the Circulation Desk. There are only a few students who work at that desk; the rest are full-time employees. We connected over our love for books and snarky patrons, I guess. We both read science fiction novels, and we are kind of nerdy. We had some funny interactions with customers, too; we joked about how Gen Z, our own generation, doesn't read anything that's not on a screen. Those are some of the first conversations I remember having as we got to know each other at work, then we became friends outside of work in late October, I think. It was around the time of Homecoming because I remember I had friends coming into town that weekend, and we were going to have a party at my dorm. I invited Carter and some other friends. He came, and that's the first time we hung out.

I asked how many times they hung out before this incident, and whether they had any sexual interactions before then. Taylor answered:

We hung out a lot, probably too many times to count. During the fall and then when we got back to campus this semester, we spent a lot of time together. It was usually about two or three times per week, I'd say—often after work or on weekends. Sometimes we were alone and sometimes with other friends, too. His dorm is really social so I've met some of his friends there, and he has spent time with my friends from home.

Carter and I were mostly platonic in our relationship. We were good friends. We never had sex before, or any [sexual] touching like that. We joked about sex stuff sometimes but never talked about doing anything ourselves, and I never expressed an interest in him like that. I thought we were on the same page before all this happened.

I asked Taylor to tell me more about her statement, "I thought we were on the same page before all this happened." She said:

I just mean it was clear to me that we did not have a sexual or romantic relationship. We were friends, only, and I thought that's all he wanted too, until that night when he forced himself on me. I thought he knew that's not something I was interested in with him, and I never thought he was interested in me like that either.

Next, I asked Taylor what she and Robinson typically did when they hung out by themselves, prior to this incident on February 4. She explained that they often went to dinner at the dining halls together, usually with other friends but occasionally just the two of them, depending on who was available. She further described:

We didn't go out much, like to the bars. We aren't 21, and we just prefer lower-key hangouts, I guess. Other than meeting up for dinner or lunch, we would watch movies or shows or just sit around in one of our rooms and scroll through Tik Tok. Pretty boring stuff, but it was fun and easy to get along with everyone. Sometimes, when we hung out in his room, he would

play video games while I studied. We've been to Target together a few times, plus group tailgates and friends' birthday parties. Casual things like that.

I asked Taylor if they had ever stayed overnight in each other's rooms before the incident. She answered:

Yeah, there were a few times when it got really late while we were hanging out, and we would just sleep on the other's futon, instead of going back to our own rooms. We don't live in the same building; our halls are like ten minutes apart. So yes, that happened, both me in his room and him in mine. Usually our roommates were there, too. It was never sexual or weird in any way, just friends crashing. It's pretty common in the dorms, honestly.

I then asked Taylor to explain what she meant by "mostly platonic" in her description of their relationship. She replied:

We were not dating. We were just friends. Sometimes we were flirty, usually when we were drinking, just teasing each other or fake punching each other—kid stuff like that. Nothing serious. He was always telling funny stories and poking fun at me; a lot of our friendship was based on humor and banter, I think.

I asked Taylor to explain more about their "flirting" and any physical contact they had with each other before this incident on February 4. She said:

Like I mentioned, we had never had sex or talked about wanting to have sex. We had made out a few times, like kissing and just holding each other. That sounds weird. I can just describe it as being really good friends with a twist—just flirting and kissing and cuddling sometimes—but it wasn't ever supposed to go further or become a romantic thing. It was casual and fun; I felt really comfortable with him. I trusted him.

I asked if kissing and cuddling, as she described, were the extent of their physical contact. I specifically inquired whether they had engaged in oral sex, touching of genitals, or similar activities. Taylor confirmed:

Kissing and cuddling—that was the extent of it. If I'm thinking about any contact at all... Maybe some hand holding and swinging arms while we walked? Again, that sounds weird to say out loud, but we were just kind of silly people and platonically affectionate in that way. I had never touched or seen his genitals, and the same goes for him. Nothing like that, which is why what happened doesn't make any sense.

Next, I referenced back to her statement that she and Robinson "joked about sex" with each other, as well as Robinson telling funny stories and "poking fun" at Taylor, as she described above. I asked Taylor to tell me more about those things. She replied:

The jokes are a little hard to describe off the top of my head. Mostly, it was situational, like when something would come up in a show or movie we were watching. There would be a suggestive comment between characters or a sexy scene. We might say, "Oh, they are going to end up in bed," or "Get a room!" I guess it was really us talking to the people on screen, or about them. It wasn't even about one of us or things we want to do or things we have done. Definitely just friends being comfortable with each other and kind of having the same sense of humor.

And with the stories and teasing, it was similar—situational. Robinson was always a good storyteller, very animated and detailed. It's like he's performing, and it makes people laugh. He often gives people a hard time, not just me. One example was when he snuck up on me on the sidewalk after class one day, and he scared me. I jumped and screamed and then it became a running joke, like he would make a big deal of announcing his presence, even if I clearly see him, because he says I startle easily.

I then asked Taylor to walk me through the evening of February 4, step by step. She recalled:

Okay, Carter and I both worked at the library until 10:00. During our shift, we talked about what to do that night; it was a Saturday. He invited me to come to his room and hang out, so that's what we did. Everything was normal. We walked to his dorm, just a few minutes from the library. His roommate had gone home for the weekend, so it was just us. I sat on his futon and turned the TV on. I scrolled through Hulu for a bit [and] found a movie we both like. We watched that for a while. He made some drinks for himself and offered me some, too. I didn't take any, though, because I knew I had to be up and productive the next morning.

So, we were sitting on the futon. One time, when he came back to the futon after getting a drink, he sat closer to me than he had been, like almost on my leg. He leaned over for a kiss, and we kind of laughed. We made out for maybe a few minutes—just kissing, no touching or anything like that. Then we watched more of the movie, and a while later, I felt more tired and just laid down on the futon. Carter followed me and laid down behind me. It wasn't long before I fell asleep. We were cuddling when I fell asleep, but we weren't kissing or doing other sexual things. Then this all happened.

I asked Taylor if she could describe the details of what occurred next. She explained:

The next thing I know, I felt his fingers on me; his hand was down the front of my pants, and I was so confused. It felt like a dream at first because I just woke up and couldn't believe it was really happening. I didn't move for a few seconds. I didn't know what to do, but I wanted him to stop, so I tried moving away from him, but that didn't work. I shook my head "no" and he kept touching me. He finally stopped and then grabbed my boob, too. I felt sick and, just, so upset and betrayed. I laid there and he got up, and I wanted to run.

I asked what happened after the contact stopped and Robinson got up from the futon. Taylor said:

I didn't feel like I could leave. I didn't know what to say or do, so I just continued lying on the futon. The movie was still on, but we weren't watching it anymore. I think that's when Carter went to the bathroom and then got into bed. I pretended like I was sleeping; I had my eyes closed, and he got into bed. I tried to fall asleep and just forget it, but I couldn't sleep. I laid still, trying not to think about it. I just focused on lying there and hoping morning would come, I guess. I cried, but it was silent, like the tears rolled down my cheeks; I didn't wipe them away. I couldn't stop.

I asked what happened in the morning, and Taylor described, "I checked the time on my phone, and it was about 6:30am. I got up quietly, left his dorm, and walked back to my room." I asked if Robinson was awake, at that time. She stated, "No, he was still sleeping when I left. I didn't talk to him that morning."

I asked if she has spoken to Robinson since that morning, and she responded, "He texted me that afternoon, but not since then." I asked about the nature of those texts exchanged on the afternoon of February 5, and

she explained, "He asked where I had gone that morning and why I left so early. I told him I was upset and didn't want to talk to him, and he acted like he didn't know why I was upset." Taylor provided screenshots<sup>9</sup> of their exchange; the content is also pasted below:

Robinson (1:21pm): "Hey, are you ok?"

Robinson (2:37pm): "Where did you go this morning? So early"

Taylor: (2:58pm): "Back to my room"

Taylor (3:01pm): "No, not ok"

Robinson (3:02pm): "What's wrong? Tell me"

Taylor (3:05pm): "You know what's wrong, Carter. And I don't want to talk to you"

Taylor (3:06pm): "Leave me alone"

Robinson (3:07pm): "Hailey, I'm sorry. Did I do something wrong? I'm scared"

Robinson (3:07pm): "I don't want to lose you"

Taylor (3:10pm): "You assaulted me. I guess you should be scared. You've lost me"

Robinson (3:11pm): "Assaulted you? What is going on? Hailey, it's me. Is this about last night?

We messed around. It's ok if you don't want to do that again. I didn't

assault you. I'm so confused. Can we talk?"

Robinson (3:15pm): "Hailey, please answer"

Robinson (3:17pm): "What are you talking about? We can figure this out. We had a fun night,

and I don't know what you're saying. I'm sorry if you're freaked out. Was

it too much too soon? Let's just talk"

Robinson (3:21pm): "I would never hurt you. You know that"

Robinson (3:44pm): "Please answer my calls"

Robinson (4:16pm): "Hailey, I'm coming over to check on you if you don't respond. You won't

answer me. I'm worried. I didn't assault you. You know that. I don't

understand"

Taylor (4:33pm): "Do not come over. Please stop"

Robinson (4:36pm): "Hailey wtf? Why are you doing this? You can't just say shit and drop me

for no reason. I didn't do anything. We hooked up and you freaked out.

That's fine. It doesn't need to be a thing tho"

Robinson (4:38pm): "It was a mistake and we'll take a step back and just be friends. Don't

make any dumb decisions right now. Please"

We read through the text messages together. I asked Taylor if Robinson ended up coming to her dorm that day, or any time since then. She confirmed that she did not, and they have not spoken since this exchange on February 5, which was four days prior to our meeting. I asked how many times Robinson called her. Taylor checked her phone and answered:

Nine times from 3:13pm to 4:34pm that afternoon. <sup>10</sup> I never answered, and he didn't leave messages. I guess he got the hint and gave up. He knew why I was upset and was trying to make himself feel better and smooth things over with me, but I just couldn't imagine talking to him. I was not okay. I'm still not okay.

We then discussed resources on campus and in the Columbia community that are available to assist her and all parties in our cases.

Looping back to the incident on February 4, I asked a few follow-up questions. I confirmed that Robinson lives in Barkley Hall, which is where the incident occurred. I asked about alcohol Robinson consumed that night. Taylor recalled him having two mixed drinks, vodka and Sprite. When asked about how many shots of alcohol

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<sup>&</sup>lt;sup>9</sup> Exhibit 6: (Text Messages between Taylor and Robinson 2.5.2023).

<sup>&</sup>lt;sup>10</sup> Exhibit 7: (Taylor Call Log 2.5.2023).

each glass contained, she estimated three to four shots. She confirmed that she saw him pour the drinks himself while they were in his room. Taylor confirmed that the initial kissing and cuddling were consensual; she explained that everything was consensual before she fell asleep. I asked what time she fell asleep, and she estimated it was around 11:00pm. I referred back to her statement that they were cuddling when she fell asleep, and I asked her to describe their positions at that time. Taylor stated:

I was on my right side, lying on the futon and facing the TV. Carter was behind me, facing the same direction, like I was the "little spoon" for lack of a better term. The futon isn't huge, so we were butted up against each other—his front to my back—and I think his hand was resting on my hip or my side. It wasn't wrapped all the way around me, as I remember.

I asked Taylor to confirm that the positioning she described is what she referenced as "cuddling" in her complaint, and she said, "Yes, just lying next to each other and making contact like that—nothing sexual." I asked if they had "cuddled" in that manner on previous occasions, and she replied, "Yeah, we've watched shows like that before or laid next to each other on our phones. [It is] always on one of our futons, not the bed or anything." She added, "And he hasn't ever taken it as an invitation to grope me before then."

I asked if they had talked at all about going to sleep and/or engaging in other activities that night, aside from the movie. She said, "Not really. We were just lying there, watching the movie, and I fell asleep because it was late. It wasn't something I planned, necessarily, but I also wasn't surprised." I asked whether she had fallen asleep while watching something with Robinson before, and she stated this was the first time that scenario occurred. She also confirmed they had no other plans for activities to do that night, and they did not discuss engaging in any further sexual activity.

Next, I asked Taylor how long she was asleep before she felt Robinson's hand underneath her pants. She answered:

I don't know for sure, but based on the time when I looked at my phone later, it was probably at least 5 minutes. Between 5-10 minutes, I think. I didn't see the time right when I fell asleep or right when I woke up. The last time I checked the time before sleeping, it was a few minutes before 11:00. I remember thinking that I should head home soon, maybe around 11:15. I don't remember seeing too much of the movie after that and before I was sleeping—just a few minutes.

Then, it wasn't until after he moved off the futon, after he assaulted me, that I looked at my phone for the time again. It was 11:18. It's hard to say exactly when certain things happened or how long they lasted; you don't pay that much attention to a clock in real life, but I do know I was sleeping—all the way sleeping, not just falling asleep or tired.

I asked what movie they watched that night. Taylor explained that it was *Zombieland* from 2009, which she had seen before. I cited back to her Formal Complaint where she stated that she felt "frozen" and "unable to move" when she woke up. I asked Taylor to tell me more about those feelings in the moment. She described:

I didn't know what was happening or why. It didn't feel real at first, and time seemed to slow down. It was like an out-of-body experience where I thought to myself, "I need to get up. I need to move," but I just laid there instead, like I wasn't in control of my body. It was surreal. That lasted for maybe a few seconds. I don't know. Time is hard to estimate in those moments.

I then asked Taylor to specifically describe the first thing she felt as she was waking up. She said, "It was like a jolt that caused me to suddenly wake up. I felt pressure, like his finger rubbing me hard." I referred back to

her previous statement where she alleged that Robinson "fingered" her, and I asked her to clarify what she meant. Taylor stated, "He was touching, like massaging, my clit with his finger. I think it was one finger." I asked Taylor if Robinson penetrated her vagina, and she responded, "No. It was external. But it was hard, like he was pushing really hard. It hurt." I asked about how long the contact persisted, and she answered:

I don't know for sure. I think I woke up toward the beginning; I would think so. But by the time I woke up, his hand was already there. His hand sliding under my pants must not have been enough to wake me. That lasted several seconds, maybe 5-10 seconds, before I moved at all. That was when I was frozen.

When asked, Taylor explained that she was wearing full-length black leggings and a crew-neck sweatshirt that night, along with a bra and boy short-style underwear. She confirmed that her clothing was not removed or pulled down during the incident. I asked her to describe what she did next, after feeling "frozen." She recalled:

I rolled away from him, like onto my stomach so that my genitals would be facing downward. I hoped he would take his hand out of my pants, but he didn't. He rolled partially on top of me and stretched his arm around me. He kept moving his finger on me. So I made noise and shook my head, "No." He kept going for a while longer, several seconds. Then, he finally took his hand out of my pants. I thought he was letting me go, but then he grabbed my boob.

I asked Taylor what kind of noise she made, and she explained, "It was a grunt, like a deep noise to signal 'Stop!' I did that as I was shaking my head." I asked Taylor if she said anything aloud, or if he said anything or made any noises, at that time. She answered, "I didn't say anything. He didn't say anything either. I think he was pretty quiet, except for some sighing, maybe." I then asked Taylor to explain more about Robinson's contact with her breasts. She said, "He slid his hand up from my pants to my left breast. He had his whole hand over it and squeezed hard twice. While he did that, he let out a sigh and started to get up soon afterward. He didn't say anything." When asked, Taylor confirmed that Robinson's hand was on top of her clothes when he made contact with her breast.

Next, I asked Taylor where she went after leaving Robinson's room. She explained, "I walked about 10 minutes back to my dorm (Donovan Residence Hall)." I asked if she encountered anyone on the walk, and she said, "No. It was really early and nobody was out." Taylor then explained:

I got back to my room, and my roommate Vanessa (Grant) was there. She was sleeping. I tried to be quiet, but she woke up. I think she could tell I was upset. I had cried on my walk back, so I'm sure my eyes were red. She asked what was wrong, and I told her what happened. We are good friends, and I knew I could trust her. She hugged me and offered to take me to the hospital, but I didn't want to go. I just wanted to sleep. I had planned to go to a sorority event that morning, but I skipped it and stayed in my room.

I asked if she told anyone else about what happened, other than Vanessa Grant, and Taylor said:

I told my friend Ryan (Dorsey) a couple weeks later. He was actually friends with both me and Carter. I wasn't sure if I should tell him because of that, but I did. It was after I saw Carter at a Greek event. Ryan and Carter are in the same fraternity. When I told him, Ryan was supportive but seemed less comfortable talking about it. He didn't really ask questions, but I could tell he was processing and seemed disappointed in Carter. I haven't talked to Ryan about the incident since then, but he knows there is an investigation. I've talked to Vanessa about it more.

I asked Taylor if there was any more information she wanted to share that we had not yet covered, and she said she had nothing to add.

On March 22, I met with Taylor again via Zoom to ask a few follow-up questions for the investigation. First, I asked whether she had been around Robinson before when he was drinking alcohol. She confirmed, "Yes, a few times." I asked if his demeanor on February 4 was different than other times she had observed him drinking. She answered, "Yes. I had never seen him like this before—as a person who would assault me. I never felt scared of him before, even when he was really drunk. I never knew him to be violent in any way." Taylor reiterated, "He wasn't that drunk when this happened. He had been drinking some while I was there [in his room], but he was in control and acting normal."

Next, I asked Taylor if/when she opened her eyes after she felt Robinson's finger on her genitals, as she reported. She said, "I didn't open my eyes right away. I was frozen for a few seconds, then I did open them as I tried moving away from him." Following up, I asked if she made eye contact with Robinson at any point while he was touching her genitals. Taylor responded, "I don't think so. My eyes were definitely open and I saw him; I looked toward his face, but I think he was looking down toward his hand. We didn't meet eyes."

I relayed to Taylor that Robinson had told me, "After kissing for a while, we both laid down together, and I fondled her in a consensual manner. There was only a moment between those things, not enough for her to fall asleep. The complainant moved and moaned in pleasure as I touched her." She responded:

None of this is a true account of what happened. We didn't lay down at the same time; I laid down first and then he followed several seconds later and snuggled up behind me, which I was fine with. All of that happened between the kissing and his sexual contact later. It was a break in the progression; it was not continuous contact, and there was no communication about doing anything else after the kissing stopped.

There were more than enough time for me to fall asleep, as there were at least 5-10 minutes that passed in the movie while I was sleeping. There was at least that much of the movie that I missed when my eyes were closed. I'm very familiar with the movie, enough to know it was more than "a moment" that I was out. If he admits that we cuddled, then he must admit that more time passed between activities. If he says we went from one thing right into the next, then when did we cuddle?

Yes, I did move. I moved away from him. I rolled my body to face downward so he would have to remove his hand. I absolutely did not moan. I grunted, like "uh uh," to say "no." There is no way he could interpret that noise as a pleasurable moan. And again, that was after the contact started anyway; he had already violated me by touching me while asleep, so any noises I made thereafter cannot be used to support consent.

Regarding the nature of their relationship, I relayed that Robinson had stated, "Over the course of the Fall Semester and into the Spring Semester, we grew closer and began to explore more of an intimate relationship, well before February 4. We were progressing past friendship and getting more and more physical in our interactions, which led to consensual sexual activity that night." Regarding their cuddling and kissing on February 4, I relayed that Robinson said, "These were normal activities for us, as our friendship was developing into more of an intimate connection." I asked Taylor if she wanted to respond to Robinson's assessment of their relationship. She stated:

I agree that we had engaged in intimate contact before, but only hand holding and cuddling and kissing—I told you about those things. But it was not "normal;" we had only made out

maybe three times before, and those previous occasions were nothing like this where he fingered me without consent. Our relationship was not moving beyond friends. At most, we were flirty friends or friends with certain benefits. We were only friends and never talked about being more than that, nor did I want to be more than that. Most importantly, the status of our relationship doesn't matter, even if he was delusional as to what he thought it was. This is about him touching me while I was asleep, which would be wrong, even if we were in a non-platonic relationship.

Next, I relayed that Robinson had said, "I did not squeeze the complainant's breasts after we finished. I removed my hand from her genitals and lifted myself off the futon." I asked Taylor if it was possible that contact with her breast occurred as Robinson was lifting himself up from the futon, as he stated. She replied, "No. There was definite and direct contact with my breast. It was intentional, not incidental. He paused his hand over my breast and squeeze twice, then he got up. They were distinct motions."

Referring to the text screenshots Taylor had provided, I quoted Robinson last text to her, which said, "It was a mistake and we'll take a step back and just be friends. Don't make any dumb decisions right now. Please". I asked Taylor what she thought Robinson meant by "mistake" and "dumb decisions." She replied, "The mistake was that he took advantage of me and touched me without my consent. He realized that was a mistake. I assume the "dumb decision" he was worried about was me reporting what he did. He was scared and freaking out about what would happen to him."

#### **RESPONDENT: CARTER ROBINSON, MU STUDENT, STAFF AT CAMPUS LIBRARY**

I met with Carter Robinson and his attorney Support Person on February 28, in my office. We first discussed the investigation process, as well as rights, options, and resources available to him. Robinson provided this written statement, 11 in response to the allegations:

The allegations against me are untrue, and I am deeply saddened by the false accusations and loss of a friend over this situation. All sexual activity between us was mutual and consensual, and I do not know why inaccurate information has been provided about me. I want to take this opportunity to share about myself and my experiences with the complainant, then to respond to each allegation.

I met the complainant in September 2022 when we were hired to work at the campus library. We became fast friends and spent a lot of time together outside of work. Over the course of the Fall Semester and into the Spring Semester, we grew closer and began to explore more of an intimate relationship, well before February 4. We were progressing past friendship and getting more and more physical in our interactions, which led to consensual sexual activity that night.

We routinely spent time alone in one of our rooms, and we were mutually comfortable with physical contact. The complainant never gave any indication that she was uncomfortable around me or did not like where our relationship was heading. We trusted each other and knew each other well, and I would never violate that trust.

Nothing was out of the ordinary or concerning to me until I awoke on February 5 to find that the complainant had already left my room. It was really early, and it was unusual for her to leave at

<sup>&</sup>lt;sup>11</sup> Exhibit 8: (Robinson Written Statement 2.28.2023). Content from the written statement has been copied/pasted into this section of the IR with slight non-substantive formatting adjustments to match the rest of the IR. See Exhibit 8 for the original document.

that hour. We had each stayed overnight in each other's rooms many times before. I had no reason to think something was wrong until she left like that. From my perspective, we had a good night and both enjoyed the sexual activity before going to sleep. That afternoon, I texted her to see if she was okay. I thought maybe she wasn't feeling well or something was bothering her, unrelated to me. We talk every day, and it was strange that she hadn't reached out to me yet, after leaving in such a hurry that morning.

Her text responses were very minimal and didn't sound like her. She was clearly upset, and I wanted to help, but then she said I had assaulted her. I was confused because that is not what happened. At first, I wasn't too worried because I thought it was an innocent misunderstanding and we would talk it out together, but then she shut down and wouldn't answer my calls or respond to my messages. She said she didn't want to talk to me. It hurt; it felt surreal because I had no idea what was going on, and nothing like this had happened between us before.

I talked to a friend, Ryan Dorsey, asking for advice. He said I should wait for her to respond. So, I stopped messaging her. The next communication I received was a letter about this investigation. I was shocked.

My overall response to the allegations is that they are false and very hurtful to me. All contact was consensual. Specific information per each allegation:

 Taylor reported that she and Robinson walked together from the campus library to Robinson's room in Barkley Hall around 10:00pm. In his room, Taylor alleges that they engaged in consensual kissing and "cuddling" while watching a movie, then she fell asleep around 11:00pm. She reported that she did not consume any alcohol that night, but Robinson drank about 6-8 shots of vodka, mixed with Sprite, while they hung out.

The complainant and I had a very close relationship, at that time. As mentioned above, it was common for us to hang out together in our dorm rooms, which we did on the night in question. As admitted by the complainant, she consented to kissing and cuddling in my room that night. These were normal activities for us, as our friendship was developing into more of an intimate connection. The level of our physical contact with each other progressed in a natural manner, both in our relationship as a whole and on February 4th when consensual contact continued past the kissing and cuddling.

I consumed a minimal amount of alcohol that night and retain full memory of all the events that occurred. The complainant did not fall asleep at 11:00; I was right next to her, and we were watching a movie and making out, at that time. We did not sleep until later, closer to midnight.

2. Taylor alleges that she slept for about 5-10 minutes before she was awakened by Robinson's fingers rubbing her genitals (clitoris). She reported feeling "confused" and "disoriented" at that time, as well as "frozen" and "unable to move" for several seconds as he continued.

The complainant was not asleep while I was on the futon with her. She never indicated feeling tired or stated that she was going to sleep. Instead, she was participating in our mutual activities. After kissing for a while, we both laid down together, and I fondled her in a consensual manner. There was only a moment between those things, not enough for her to fall asleep. The complainant moved and moaned in pleasure as I touched her. She was very much awake during all contact. As stated above, it was a natural progression of sexual activity; it was not forced.

3. Taylor reported that she rolled away from Robinson on the futon, in an attempt to stop the contact. She alleges that, in response, Robinson shifted closer to her without removing his hand or stopping contact.

The complainant did not communicate that she wanted to stop or that she was not consenting to our ongoing contact. Both of us repositioned in the course of natural progression of sexual contact. Had the complainant indicated that she was not comfortable or otherwise objected, I would have stopped immediately. Instead of objecting, the complainant was actively engaged and provided nonverbal feedback that she was enjoying the contact. She was certainly awake and moving.

I did not know, nor should I have known, that she withdrew consent during the progression of our contact, as she now claims. At the time, we were very close friends and our relationship was evolving beyond that; I would never have harmed her or anyone else in this way. I cannot emphasize enough that everything we did was completely consensual.

4. Next, Taylor reported that she shook her head side to side and audibly "grunted," attempting to signal "no" and her lack of consent to Robinson fondling her genitals. She alleges that Robinson waited several more seconds before he removed his hand from her pants, slid his hand up her body, and "squeezed" her breast twice before he got up from the futon.

The complainant did not shake her head "no" or grunt "no" at any point during this encounter. Had she done so, I would have stopped immediately and asked what was wrong. I would have clearly communicated if there were any concerns. The complainant did not get up from the futon, push me away, say no, or otherwise indicate a lack of consent. I obtained nonverbal consent, as permitted by policy, through positive affirmations like responsive movement and moaning.

Furthermore, I did not squeeze the complainant's breasts after we finished. I removed my hand from her genitals and lifted myself off the futon. The complainant then opted to stay in my room overnight, and we both slept—her on the futon and me on the bed.

After providing a copy of this written statement and reading it aloud, Robinson indicated that he did not wish to answer any questions, or provide information beyond the written statement, at our meeting. Through his Support Person, he stated that he may consider responding to written questions. Later, on March 29, I emailed Robinson a list of follow-up questions, providing an opportunity for written response or to schedule a second interview, as I was concluding the investigation. Robinson ultimately declined to answer the written questions, which he is permitted to do. He explained his intention to speak with the Hearing Panel directly about the allegations, at the live hearing.

For the record, the written follow-up questions I sent to Robinson on March 29 are pasted below, verbatim. Responses to these questions could have inspired additional follow ups, based on information provided. At this point, any responses to these questions, and/or further follow-up questions based on those answers, will have to be presented at the hearing.

- 1. How would you describe the nature of your relationship with Taylor prior to February 4?
  - a. How do you think she would describe the nature of your relationship?
  - b. What conversations did the two of you have about the nature/status of your relationship and where it was heading, at any time prior to the incident?
  - c. Did you have romantic feelings for Taylor? Did you tell her how you felt about her?
  - d. Did Taylor have romantic feelings for you? Did she tell you how she felt about you?

- e. In your written statement, you said, "We were progressing past friendship and getting more and more physical in our interactions..." Please explain more about the progression and physical interactions.
- 2. What types of intimate/sexual contact had you engaged in with Taylor before February 4?
  - a. What conversations did the two of you have about engaging in sexual activity with each other, either on or before February 4?
  - b. Had you seen or contacted Taylor's genitals or breasts before that day?
  - c. How many times had you slept over in each other's rooms before? Did you engage in sexual activity on those nights?
- 3. Describe your interactions with Taylor on February 4, prior to arriving at your room that night.
  - a. When you invited her to your room on February 4, what were your expectations as to what you would do together that night?
  - b. What was different about your interactions with Taylor on February 4, compared to previous hang outs or sleepovers? What was the same?
- 4. How much and what kind of alcohol did you consume on February 4? At what time?
  - a. Were you under the influence of any other substances on the evening of February 4?
  - b. Did Taylor consume any alcohol or other substances that night?
  - c. How would you describe your level of intoxication at the time of the incident?
  - d. Had you consumed alcohol in Taylor's presence before February 4?
- 5. Please provide a step-by-step account of what occurred while Taylor was in your room that night.
  - a. What time did you arrive at your room?
  - b. What did you each do upon arrival to your room?
  - c. Was anyone else in your room, other than Taylor, that night?
  - d. Did you interact with anyone else in your residence hall or on the walk from the campus library?
  - e. If you watched a movie, show, or other videos, what did you watch?
  - f. Where were you located in the room, in relation to Taylor, at various points throughout the evening?
  - g. Describe all the conversations you had with Taylor while in your room.
  - h. How would you describe Taylor's demeanor that night? Was it consistent with other times you have hung out together, or not? Please explain.
- 6. Who initiated the consensual kissing? How long did it last? Where were you in the room?
  - a. Who/what caused the kissing to stop?
  - b. Please describe what happened after you stopped kissing.
  - c. How much time passed from when you stopped kissing to when you touched Taylor's genitals? Your written statement says "a moment." How many seconds or minutes?
- 7. Did either you or Taylor say anything or physically move during the time between the consensual kissing and when you reached your hand underneath her pants?
  - a. How were the two of you positioned at that time? Could you see her face?
  - b. Were the lights on in the room, at this point in the night? Was the TV still on?
  - c. How did Taylor immediately respond, verbally and nonverbally, when you reached your hand underneath her pants?

- 8. What kinds of feedback (including physical movements, facial expressions, or other verbal or nonverbal acts) did you observe from Taylor throughout the sexual activity that night?
  - a. Give examples of Taylor's body language that indicated that she was consenting to you fondling her genitals. Were there any movements or expressions by Taylor that you perceived to be withdrawing or withholding consent?
  - b. In the written statement, you said that the complainant "moved and moaned" in response to your fondling of her. Please describe the movements and sounds in more detail. How did you interpret her sounds and movements?
  - c. Did she move her head during sexual activity?
  - d. Did she make any attempts to move away from you?
- 9. What caused you to stop touching Taylor's genitals and remove your hand from her pants?
  - a. How did she respond when you did so?
  - b. What did you do next?
  - c. Your written statement describes that you "lifted [yourself] off the futon." Did you make any contact with Taylor's breast(s) while lifting yourself?
  - d. Did you and/or Taylor say anything after the sexual contact ended? Was the TV still on?
  - e. Did you hear any noise from Taylor for the rest of the night? Did you observe her crying?
- 10. In text messages to Taylor, you reportedly said, "I'm scared" after asking her what was wrong. You reportedly said, "It was a mistake" in reference to what occurred on February 4, and you said, "Don't make any dumb decisions right now." Please explain more about what you meant by those three statements.
  - a. What were you scared of?
  - b. What was a mistake?
  - c. What "dumb decisions" were you referring to?
  - d. You stated that you spoke with Ryan Dorsey about the text conversation with Taylor, and he advised you to wait for her to respond. Please explain the contents of that conversation.

## WITNESS INTERVIEWS

### WITNESS 1: RYAN DORSEY, MU STUDENT, FRIEND OF TAYLOR AND ROBINSON, FRATERNITY BROTHER OF ROBINSON

I spoke with Ryan Dorsey on March 7, 2023, via Zoom. I first asked him how he knows the parties in this case, Hailey Taylor and Carter Robinson. He explained, "Carter and I are members of the same fraternity, Beta Beta Beta. We met through that at the beginning of the year. I met Hailey through him initially, when a group of us were hanging out in the fall. But then Hailey and I got to be good friends apart from Carter." I then asked how he learned of the incident that occurred between them, and what he knows about it. He explained:

Carter messaged me over Snapchat the next day (February 5). I wish I had those messages, but I don't; they were automatically deleted. But, I remember he was upset by messages that Hailey sent him, just a few minutes before he reached out to me. He started by saying that they had hooked up the night before, and then he said she was accusing him of assaulting her now. He was confused, and I was confused too. I didn't know what to think when he showed me screenshots of their messages. It was clear that Hailey was upset, and obviously, I wasn't there and didn't know what happened.

I just felt bad and tried to support him as a friend without making any judgment. I still don't know many specifics about what happened between them that night. I haven't asked. I have

just tried to be friends with both of them through all of this, trying not to talk much about it with them while also making sure they know I support them and can help in other ways.

Carter asked me what to do [during the Snapchat conversation on February 5], and I told him that I would just let it sit for a while and stop texting her until she writes back. He had sent several messages she didn't respond to, and she told him to stop. My advice was to step back and stop. I think he did that.

I asked Dorsey if he ever spoke with Taylor about the incident, and he replied:

Yeah, she mentioned it to me a while later, maybe a couple weeks after Carter did. The three of us were at an event, and she was nervous. She saw him there and came to talk to me and confided that she didn't want to interact with Carter because he had sexually assaulted her. Of course, I had heard about it from Carter's side, but that was the first time Hailey mentioned it. Again, I didn't ask for any details, but I told her I was sorry she was upset and that anything happened, and I asked if I could do anything to help her. She said there wasn't anything to do and that she just wanted me to know, and then I think she left soon thereafter.

I haven't talked to either of them about this since those respective conversations, except for Hailey telling me recently that I may get an email asking me to help with the investigation. She didn't say anything beyond that. I told her I would talk with OIE if you reached out.

I then asked Dorsey what he observed about the demeanor of each party, both during the conversations about the incident and in any interactions since then. He described:

They were both really upset when I talked to them about it. With Carter, it wasn't face-to-face, but I could feel his stress coming through the messages, and he has definitely been quieter and more withdrawn since then. It has been about a month, and I haven't seen him around much. I think he's keeping to himself and still upset and stressed about this case.

Same for Hailey—she's upset. When she told me, she seemed scared and really uncomfortable around him. We've hung out in small groups a couple times since then, and she just seems less talkative, more reserved. It really sucks all around, and it has been a hard place to be in as both of their friends.

I asked Dorsey about the nature of the parties' relationship before the incident, and he said that they were close friends. He explained that they hung out a lot and worked together, too. I asked if he was aware of any romantic feelings between them or sexual activities they had engaged in, and he said, no, that he was not aware of either of those things and only knew them to be good friends.

## WITNESS 2: VANESSA GRANT, MU STUDENT, FRIEND AND ROOMMATE OF TAYLOR

I met with Vanessa Grant on March 10, 2023, via Zoom. I first asked how she knows Hailey Taylor and Carter Robinson. She explained that she is Hailey's friend and roommate in Donovan Residence Hall this year. She said they met during move in and did not know each other before coming to campus, but they became fast friends. She further stated that she does not know Robinson well, but they have met a few times when he came to hang out with Hailey in their room, and they have hung out in larger groups together at tailgates and at the dining halls.

I asked Grant how she learned of the incident being investigated, and what she knows about it. She said:

The morning after it happened (February 5), Hailey came home really early, maybe around 6:45am. I was sleeping, but I heard her and sat up to see what was going on. She seemed upset; I could tell she had been crying because her eyes were puffy and red. She was wearing the same clothes as the day before, but I expected that because I knew she was staying over at Carter's room after they got off work. Sometimes she likes to do that if it gets too late when they're hanging out and she doesn't want to walk home; he lives closer to the library where they work.

Anyway, I asked if she was okay, and she said, "No." I asked what happened and she said that Carter hurt her. She sat down next to me on my bed, and I asked, "What do you mean?" She then explained what happened—that he reached down her pants while she was sleeping. She said it hurt, like he was pushing too hard, and she didn't know what was going on and tried to get away from him, but he wouldn't stop.

She was crying when she told me; she was really upset. I was shocked because they were so close, such good friends. It was hard to believe he would do that; I guess I hoped he was the kind of guy who wouldn't hurt her like that. But I believe Hailey and would have no reason not to [believe her]. He was blowing up her phone that day, freaking out because I think he realized he did something wrong. Hailey has been really stressed by the investigation and definitely quieter than normal. It all goes to show that something terrible did happen, and I feel terrible for her.

I asked Grant what her assessment was of the relationship between Taylor and Robinson before this incident on February 4. She said:

They were really good friends. I know they met at work and quickly started hanging out outside of work, too. They have similar interests, and I thought he was good for her. They spent time together, probably every week and sometimes on the weekends too. He came over to our room a few times, but they were more often in his room, I think. He went with us to some things, too, like the tailgates. She had met several of his friends, and they would hang out as a group. I know they also spent time alone sometimes, like one-on-one after work like this. Just really good friends, and Taylor never shared any concerns about him to me. I didn't expect anything bad.

Following up, I asked whether Taylor had shared with her that she (Taylor) had romantic feelings for Robinson, or that either of them was interested in being more than friends. She said, "No, nothing like that. We never talked about her liking him as more than a friend." I asked if she was aware of any prior sexual activity between them, and she said, "No. She never mentioned that. I think that's something she would tell me about. We talk about everything, even personal things like that."

# **LIST OF EXHIBITS**

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