

EXHIBIT 8

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10 **FRESNO DIVISION**

11 TAYLOR ANDERS, HENNESSEY
12 EVANS, ABBIGAYLE ROBERTS,
13 MEGAN WALAITIS, and TARA WEIR,
14 individually and on behalf of all those
15 similarly situated

16 *Plaintiffs,*

17 v.

18 CALIFORNIA STATE UNIVERSITY,
19 FRESNO; TERRENCE TUMEY, in his
20 official capacity as Director of Athletics
21 at California State University, Fresno;
22 JOSEPH CASTRO, in his official
23 capacity as former President of California
24 State University, Fresno; and DR. SAÚL
25 JIMÉNEZ-SANDOVAL, in his official
26 capacity as Interim President of
27 California State University, Fresno

28 *Defendants.*

Case No. [Case No.]

DECLARATION OF
ARTHUR H. BRYANT

21 I, Arthur H. Bryant, am over 18 years of age and competent to make the following
22 statement. All of the statements below are based on my personal knowledge.

23 1. I am counsel to the Plaintiffs in this matter.

24 2. On December 3, 2020, I sent to Joseph I. Castor, then President of California State
25 University, Fresno, by email, a letter explaining that Fresno State's announced elimination of
26 its women's lacrosse team would violate Title IX. I requested Fresno State not eliminate the
27
28

1 women's lacrosse team and asked to have a meaningful discussion about it. The letter requested
2 a response by December 7, 2020. Letter from A. Bryant to J. Castro dated Dec. 3, 2020, Exhibit
3 A.

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5 3. By December 7, 2020, I had received no response of any kind from anyone at
6 the university.

7 4. On December 8, 2020, I wrote another letter to President Castro, expressing my
8 disappointment that no one from the university had responded to the serious allegations set
9 forth in my first letter. Letter from A. Bryant to J. Castro dated Dec. 8, 2020, Exhibit B.

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11 5. Darryl Hamm, attorney for Fresno State, responded on December 10, 2020. Mr.
12 Hamm stated that, after women's lacrosse was eliminated in 2021-2022, Fresno State would
13 be in compliance with Title IX and that it would welcome the opportunity to prove its Title
14 IX compliance in court. Letter from D. Hamm to A. Bryant dated Dec. 10, 2020, Exhibit C.

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16 6. The next day, on December 11, 2020, I wrote to Mr. Hamm. In this letter, I
17 requested the data that supported his contention that Fresno State would not be in violation
18 of Title IX if it were to eliminate the women's lacrosse team. I asked that he respond by
19 December 15, 2020. Letter from A. Bryant to D. Hamm dated Dec. 11, 2020, Exhibit D.

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21 7. On December 22, 2020, I received a letter from Mr. Hamm titled "Final letter
22 to Bailey Glasser." Mr. Hamm stated that Fresno State would not reinstate the women's
23 lacrosse team and was in compliance with Title IX. Letter from D. Hamm to A. Bryant dated
24 Dec. 22, 2020, Exhibit E. He sought no discussion.

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26 8. Hearing nothing further, I took Mr. Hamm at his word that Fresno State was
27 not reversing course and would not voluntarily reinstate the women's varsity lacrosse team.
28 I prepared to file a complaint and a motion for a preliminary injunction.

