

EXHIBIT 5

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

9 TAYLOR ANDERS, HENNESSY EVANS,
10 ABBIGAYLE ROBERTS, MEGAN WALAITIS, and
11 TARA WEIR, individually and on behalf of
all those similarly situated

12 *Plaintiffs,*
13 v.

14 CALIFORNIA STATE UNIVERSITY, FRESNO,
TERRENCE TUMEY, in his official capacity as
15 Director of Athletics at California State University, Fresno,
JOSEPH CASTRO, in his official capacity as
16 former President of California State University,
Fresno, DR. SAÚL JIMÉNEZ-SANDOVAL,
17 in his official capacity as Interim
President of California State University, Fresno

18 *Defendants.*

Case No. _____

**DECLARATION OF
TARA WEIR**

19
20 I, Tara Weir, am over 18 years of age and competent to make the following statement. All of the
21 statements below are based on my personal knowledge.

22 1. I am currently enrolled at California State University, Fresno (“Fresno State”). I am a
23 freshman majoring in Pre-Veterinary Medicine. I expect to graduate in 2024.

24 2. I am a member of the varsity women’s lacrosse team at Fresno State and I have three years
25 of athletic eligibility left.

26 3. I am a named plaintiff in this action. I make this declaration in support of this Court
27 preserving the women’s varsity lacrosse team.

1 4. I am personally devastated by the prospect that women's lacrosse is being eliminated as a
2 varsity sport at Fresno State.

3 5. I grew up outside of Philadelphia, Pennsylvania, and lacrosse was very popular in my
4 community. I have been playing since the fifth grade. My grade school started a lacrosse team, and the
5 coach invited me to try it after she saw me play basketball. Once the team started, I fell in love with the
6 sport.

7 6. The following year, I started playing on a travel team and continued improving. I continued
8 playing both lacrosse and basketball until eighth grade, when the year-round stress on my body and my
9 academics forced me to choose between the two sports.

10 7. I worked hard and excelled at lacrosse throughout high school. During the college
11 admissions process, my priority was to find a school where I could play lacrosse and that also offered my
12 chosen major, Pre-Veterinary Medicine.

13 8. During my junior year of high school, I committed to play NCAA Division I lacrosse at
14 Saint Francis University in Pennsylvania. However, the following summer, the Saint Francis coaching
15 staff disbanded. One of those staff members, Coach Kara Concheck, was going to take a position at Fresno
16 State as assistant coach, and she invited me to visit the school.

17 9. When I visited Fresno, I fell in love with the school and the team, and knew it was the right
18 place for me because I would be able to play lacrosse all four years and pursue my Pre-Veterinary major.

19 10. This school year, before I had even had a chance to play a season, Fresno State announced
20 that it had decided to eliminate women's lacrosse. While this spring season has not yet been cancelled,
21 this announcement was especially devastating to me because I came to Fresno State with the expectation
22 that I would be able to play four years of lacrosse.

23 11. If our team is not preserved, I will have to transfer schools if I wish to play lacrosse. I feel
24 deceived by Fresno State.

25 12. Coming to Fresno State from the East Coast was a major adjustment for me. I uprooted my
26 life and moved across the country and took the initiative to become happy and settled in this community.
27 I immediately bonded with my teammates and made great friends.

1 13. Now, if I wish to continue playing lacrosse, I will lose these close relationships and have
2 to start over again at a new school among teams and friends that are already integrated. I dread the prospect
3 of having to find a new school with my major and go through the adjustments of moving and making
4 friends all over again.

5 14. The situation has been stressful and frustrating for me. It feels as though the years of hard
6 work and commitment I put into my sport to reach this level were all for nothing.

7 15. I hope that the Court will correct the harm Fresno State has caused to me and my teammates
8 and prevent future harm by preserving the women's lacrosse team.

9 I declare under penalty of perjury that the foregoing is true and correct.

10
11 Dated: February 8, 2021



Tara Weir