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CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2010, a copy of foregoing *PLAINTIFFS' TRIAL EXHIBIT LIST* 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 System.

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

ACTIVE/73061.1/AWHITING/2173163v1

PLAINTIFFS' TRIAL EXHIBIT LIST (6/20/10)

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
1.	QU EADA Report 2007-2008		Lopiano Dep. Ex. 6, McDonald Ex. 11		Admitted Full 5/11/09
2.	QU EADA Data 2008-09		Lopiano Dep. Ex. 8		Admitted Full 5/11/09
3.	Ltr from Janet Judge to JBO		Lopiano Dep. Ex. 17		Admitted Full 5/11/09
4.	EADA Reports 1995-96 through 2006-2007				Last 18 pps. 5/12/9
5.	D. Lopiano Chart: QU Historical EADA Figures (1995-2009)		Lopiano Dep. Ex. 9		
6.	1979 Policy Interpretation		Lopiano Dep. Ex. 2		
7.	1996 Clarification		Lopiano Dep. Ex. 3		Admitted Full 5/11/09
8.	NEC Squad Size Chart	D 0243	Part of Lopiano Dep. Ex. 14		1 st Page Admitted Full 5/11/09
9.	NCAA Squad Size Chart	D 0244-45	Part of Lopiano Dep. Ex. 14		Admitted Full 5/11/09
10.	D. Lopiano "Squad Sizes" Chart		Part of Lopiano Dep. Ex. 14		Admitted Full 5/11/09
11.	QU Squad Lists 2007-2008		McDonald Ex. 3		Admitted Full 5/11/09

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12.	QU Squad Lists 2008-2009		McDonald Exs. 1, 2		Admitted Full 5/11/09
13.	Change In Status Reports 2007-08 and 2008-09		McDonald Ex. 4		Admitted Full 5/11/09
14.	QU Cheer Website (old)		McDonald Ex. 7		Admitted Full 5/11/09
15.	QU Cheer Website (new)		McDonald Ex. 8, plus additional material from current website		Admitted Full 5/11/09
16.	Press Release re Cheer Championship		McDonald Ex. 5		Admitted Full 5/11/09
17.	Memo from QU Vice President Lynn Bushnell (3/4/09)				Admitted Full 5/11/09
18.	OCR Memo to Chief State School Officers, etc., September 1975		Lopiano Dep. Ex. 18		
19.	OCR letters re cheerleading and definition of "sport"		Lopiano Dep. Ex. 19		Admitted Full 5/11/09

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20.	Letter from Robin Sparks to Jack McDonald dated 3/9/09 re: request for EADA reports 1996 to present		McDonald Ex. 9		Admitted Full 5/11/09
21.	2007-08 Men's Cross Country /Track Schedule & Results		McDonald Ex. 10		Admitted Full 5/11/09
22.	Student-Athletes Receiving a Particular Fund Code dated 4/23/09 re: 2007-08 Academic Year		McDonald Ex. 14		
23.	2008-2009 Scheduling, Pre-Season, Vacation & Travel Guidelines / Coaches – Roster Sizes		Flynn Ex. 15		Admitted Full 5/11/09
24.	Donna A. Lopiano Professional Resume		Lopiano Dep. Ex. 1		
25.	NCAA Publication: "Gender Equity in Intercollegiate Athletics: A Practical Guide for Colleges and Universities – 2008"		Lopiano Dep. Ex. 4		
26.	EADA Institution Data re: 7/1/2007-6/30/2008		Lopiano Dep. Ex. 5		Admitted Full 5/11/09
27.	Instructions for Federal Government and NCAA Athletics Programs Reporting		Lopiano Dep. Ex. 7		

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28.	QU Men's Cross Country /Track 2008 Roster		Lopiano Dep. Ex. 10		Admitted Full 5/12/09
29.	QU 2008-2009 Schedules		Lopiano Dep. Ex. 11		Admitted Full 5/12/09
30.	Chart: Quinnipiac University Comparison of Athletics Participation Numbers		Lopiano Dep. Ex. 12		
31.	Assurance of Compliance – Civil Rights Certificate		Lopiano Dep. Ex. 13		
32.	Northeast Conference webpage		Lopiano Dep. Ex. 15		
33.	NCAA Championships List – Men's & Women's Sports		Lopiano Dep. Ex. 16		
34.	Letter from Mary Frances O'Shea to David Stead of Minnesota State High School League re: definition of "drill team and "cheerleading"		Lopiano Dep. Ex. 20		Admitted Full 5/11/09
35.	Memorandum from Jim Lord, Executive Director of American Association of Cheerleading Coaches & Advisors to Mary Frances O'Shea dated 8/26/98 re: cheerleading as a Title IX sport		Lopiano Dep. Ex. 21		

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36.	Women's Sports Foundation: Cheerleading, Drill Team, Danceline and Band as Varsity Sports: The Foundation Position		Lopiano Dep. Ex. 22		
37.	Quinnipiac University NCAA Certification Self-Study: Final Report (May 2006)	D1412-D1648			
38	Quinnipiac University Athletic Department Budget Information				Admitted Full 5/11/09
39.	Season of Competition used report - 2008-09				Admitted Full 5/12/09
40	Competitive Cheer – 2008 – 09 Schedule/Results (from QU website)		PX 501		
41	Competitive Cheer – 2009 – 10 Schedule/Results (from QU website)		PX 502		
42	Competitive Cheer – 2009 – 10 Roster (from QU website)		PX 503		

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43	1/28/2010 Press release "Universities Announce Formation of National Competitive Stunts and Tumbling Association" (from QU website)		PX 506		
44	NCSTA Sanctioned Meet Format	D0868 – D0930	PX 507		
45	Excerpt from QU Athletics 2007 – 2008 Staff Handbook	D1192, D1209	PX 513		
46	Excerpt from QU Athletics and Recreation 2008 – 09 Staff Handbook	D1260, D1281	PX 514		
47	QU Athletics and Recreation 2009 – 10 Staff Handbook	D1335 – D1410	PX 515		
48	User's Guide for The Equity in Athletics Act Web-Based Data Collection (U.S. Dept. of Education/Office of Postsecondary Education - 2009)		PX 518		

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49	QU 2009 - 2010 Roster Comparisons – Plan v. Actual 1/20/2010	D9177	PX 520		
50	Roster Management Student-Athlete “Change in Status” Notification	D8908 – D8944	PX 521		
51	E-mails between Jack McDonald and Karen Morrison August 4–5, 2009 re: NCAA Web Page – Emerging Sports for Women	D0932 – D0934	PX 522		
52	Criteria for Emerging Sports	D0935 - D0936	PX 523		
53	Jack McDonald’s e-mail correspondence re NCSTA	D13332 – D13419	PX 524		
54	QU 2009 -2010 Roster Comparisons – Final v. Preliminary Plan v. NCAA Avg. Squad Size 12/10/2009	D9176	PX 525		

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55	QU Student-Athletes Receiving a Particular Fund Code - Report Date: 2/15/2010	D9075 – D9081	PX 526		
56	2009 – 2010 Change in Status Log	D9070 – D9074	PX 527		
57	2010 NCAA Gender Equity Report (Like EADA Report) for 2008 – 2009	D13408	PX 528		
58	E-mail chain between Mark Thompson and Shawn Green re: Roy's Salary dated 6/19/2009	D12366	PX 530		
59	QU Part A – Fall 2009 Enrollment for Full-Time Undergraduate Students	D13186	PX 540		
60	E-mail chain between Mark Thompson and Dave Clarke dated 5/4/2010 re: Coaches Input on Roster Numbers for 2010 – 11	D013323 – D013324	PX 541B		
61	QU First Date of Competition Squad List dated 12/2/2009 (Women's Track, Indoor)	D9082 – D9084	PX 542A		
62	QU First Day of Competition Squad List for 2010 EADA Report dated 10/26/2009 (Women's Basketball)	D9130 – D9131	PX 542B		

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63	QU First Date of Competition Squad List for 2010 EADA Report dated 9/4/2009 (Field Hockey)	D9132 – D9134	PX 542C		
64	QU First Date of Competition Squad List for 2010 EADA Report dated 9/24/2009 (Women's Ice Hockey)	D9135 – D9137	PX 542D		
65	QU First Date of Competition Squad List for 2010 EADA Report dated 9/30/2009 (Women's Lacrosse)	D9138 – D9140	PX 542E		
66	QU First Date of Competition Squad List for 2010 EADA Report dated 9/4/2009 (Women's Soccer)	D9141 – D9143	PX 542F		
67	QU First Day of Competition Squad List for 2010 EADA Report dated 9/10/2009 (Women's Tennis)	D9144 – D9145	PX 542G		
68	QU First Day of Competition Squad List for 2010 EADA Report dated 9/18/2009 (Softball)	D9146 – D9147	PX 542H		

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69	QU First Date of Competition Squad List for 2010 EADA Report dated 9/4/2009 (Women's Cross Country)	D9148 – D9149	PX 542I		
70	QU First Date of Competition Squad List for 2010 EADA Report dated 9/2/2009 (Women's Volleyball)	D9150 – D9151	PX 542J		
71	QU First Date of Competition Squad List for 2010 EADA Report dated 9/4/2009 (Men's Soccer)	D9152 – D9154	PX 542K		
72	QU First Day of Competition Squad List for 2010 EADA Report dated 10/8/2009 (Baseball)	D9155 – D9157	PX 542L		
73	QU First Day of Competition Squad List for 2010 EADA Report dated 10/16/2009 (Men's Lacrosse) (Doc. Nos. D9158 – D9161)	D9158 – D9161	PX 542M		
74	QU First Date of Competition Squad List for 2010 EADA Report dated 10/1/2009 (Men's Ice Hockey)	D9162 – D9164	PX 542N		

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75	QU First Date of Competition Squad List for 2010 EADA Report dated 9/3/2009 (Men's Cross Country)	D9165 – D9166	PX 542O		
76	QU First Day of Competition Squad List for 2010 EADA Report dated 9/10/2009 (Men's Tennis)	D9167 – D9168	PX 542P		
77	QU First Day of Competition Squad List dated 10/29/2009 (Men's Basketball)	D12231 – D12232	PX 542Q		
78	QU First Day of Competition Squad List dated March 15, 2010 (Women's Track, Outdoor)	D013257 – D013259	DX AU		
79	QU First Date of Competition Squad List 2010 EADA Report dated 9/3/2009 (Men's Cross Country)	D9165 – D9166	DX BB		
80	E-mail chain between Carolyn Robin and Tracey A. Flynn dated 3/29/2010 re: Christine Donnelly Change in Status	D013311 – D013312	DX AS		

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
81	E-mail chain between Carolyn Robin and Mark Thompson dated May 10, 2010 re: 2010 – 2011 Rosters	D13625 – D13628	DX BF		
82	Competitive Cheer Position Announcement Head Coach – Competitive Cheer	D10781			
83	Competitive Cheer Position Announcement Sideline Cheer Coordinator	D10782			
84	E-Mails from and to C. Martin and M. Thompson regarding addition of "walk-ons" 11/16/2009	D11275			
85	"National Averages v. Current Plan"	D11324 – D11325			
86	September 1, 2009 E-mail from M. Thompson to J. McDonald with attached 2009-10 Roster Comparisons	D11322—D11323			

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87	February 23, 2009 E-Mail From McDonald to Belmonte and Attached Gender Comparison Sheet	D11532 – D11533			
88	February 15, 2010 E-Mail From Carolyn C. Martin to Jack McDonald	D12544			
89	August 17, 2009 E-Mail From Caro, Danie to Flynn, T. re “wfax roster”	D12637 – D12638			
90	Danie Caro E-Mails to McDonald re “Important wfax roster questions”	D12640 – D12642			
91	E-Mail Dated September 17, 2009 From Flynn to Clarke, Dave	D12827 – D12828			

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92	10/21/2009 E-Mail From Tracey Flynn to Thomas Moore Regarding MBB	D12843 – D12844			
93	11/16/2009 E-Mail and attachment adding six women student athletes to Indoor Track Roster	D12852 – D12853			
94	January 4, 2010 e-mail exchange between Eric DaCosta and Tracey Flynn.	D12867			
95	March 31, 2010 E-Mails between Carolyn Robin and Mark Thompson	D13287			
96	May 4, 2010 E-Mail From Dave Clarke	D13322 – D13323			
97	Miscellaneous E-Mail Between Thompson and Coaches Regarding Target Roster Management Numbers	D15039 – D15070			

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
98	Emails to/from Jack McDonald re NCSTA and Competitive Cheer dated in April and May 2010	D15458-D15460 D15522-D15530 D15547-D15549 D15565-D15567 D15422 D15859-D15864 D15867-D15873			
99	Expert Report of Donna Lopiano, Ph.D. (May 15, 2010)				
100	Curriculum Vitae		Ex. A Lopiano Report		
101	Sports Management Resources Billing Rates		Ex. B Lopiano Report		

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
102	Squad size comparison chart; Ex. 14 from preliminary injunction testimony		Ex. C Lopiano Report		
103	NEC average squad sizes		Ex. D Lopiano Report		
104	NCAA average squad sizes		Ex. E Lopiano Report		
105	NCAA participation report		Ex. F Lopiano Report		
106	NFHS participation report		Ex. G Lopiano Report		
107	Women's Sports Foundation position on cheer		Ex. H Lopiano Report		
108	2000 OCR letters to Minnesota High School League		Ex. I Lopiano Report		
109	2008 OCR letter re: Definition of Sport		Ex. J Lopiano Report		
110	Department of Education EADA guidelines		Ex. K Lopiano Report		

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
111	Summary chart of QU EADA numbers (1995-1996 through 2008-2009)		Ex. L Lopiano Report		
112	Summary chart of participation scenarios for 2009-2010		Ex. M Lopiano Report		
113	QU charts showing numbers manipulation		Ex. N Lopiano Report		
114	Chart of varsity sports offered by other NCAA Division I institutions in Connecticut		Ex. O Lopiano Report		
115	Expert Report of Athena Yiamouyiannis, Ed.D. (May 17, 2010)				
116	Curriculum Vitae		Ex. 1 Yiamouyiannis Report		
117	Documents Reviewed		Ex. 2 Yiamouyiannis Report		
118	The NCAA's First Century in the Arena		Ex. 3 Yiamouyiannis Report		
119	Squad Sizes and Official Traveling Parties		Ex. 4 Yiamouyiannis Report		

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120	NCAA Sports Participation Average Squad Size (1981-82 - 2008-2009)		Ex. 5 Yiamouyiannis Report		
121	2009-2010 NCAA Contests/Athletes		Ex. 6 Yiamouyiannis Report		
122	QU Track		Ex. 7 Yiamouyiannis Report		
123	QU Women's Cross Country Participation 2009-2010		Ex. 8 Yiamouyiannis Report		
124	Indoor and Outdoor Track & Field Championship Events		Ex. 9 Yiamouyiannis Report		
125	School – Location, Region Conference		Ex. 10 Yiamouyiannis Report		
126	NCAA Division I Women's Track		Ex. 11 Yiamouyiannis Report		
127	Skyhawk 2009 Cross Country Schedule; Northwestern Cross Country 2009 & Track 2010 Schedules		Ex. 12 Yiamouyiannis Report		
128	Northeast Conference Indoor Performance List		Ex. 13 Yiamouyiannis Report		

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
129	Women's Outdoor Track & Field		Ex. 14 Yiamouyiannis Report		
130	Standards for 2010 New England Indoor Track Championship		Ex. 15 Yiamouyiannis Report		
131	2009 Open Outdoor Track		Ex. 16 Yiamouyiannis Report		
132	Expert Report of Jeff Webb (May 17, 2010)				
133	Curriculum Vitae		Ex. 1 Webb Report		
134	Answers to Frequently Asked Questions about Catastrophic Injury Coverage for Cheerleading		Ex. 2 Webb Report		
135	UCA College Nationals		Ex. 3 Webb Report		
136	2009-2010 Quinnipiac University (NCAA D-I) Competitive Cheer Schedule		Ex. 4 Webb Report		

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
137	Name Change Resolves 'Cheer' Dilemma – NCAA. org		Ex. 5 Webb Report		
138	AACCA -Cheerleading As a Sport		Ex. 6 Webb Report		
139	Defendant's Responses and Objections to Plaintiffs' First Request for Admissions				
140	Defendant's Amended Responses and Objections to Plaintiffs' First Request for Admissions				
141	Defendant's Interrogatory Response re Projected Undergraduate Student Body for 2010-11				
142	Quinnipiac University 2010 -11 Roster Comparisons with 2009-10	D15857			
143	6/9/10 Envelope and 6/1/10 Roster letter to Robin Sparks				
144	5/20/10 email from Jack McDonald to Connie Mancini w/ attachments	D15796-D15799			
145	2008-09 EADA Reports of NCSTA members				
146	Charts re QU 2009-2010 Roster Plan	D9168A-D9177			

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147	4/7/10 email from McDonald to Seeley w/ attached letter from Seeley to McDonald	D15424-D15429			
148	5/3/10 email from Seeley to Thompson	D013326			

ACTIVE/73061.1/JORLEANS/2173316v4

Biediger, et al. v. Quinnipiac University [No. 3:09cv621(SRU)]

PLAINTIFFS' SUPPLEMENTAL TRIAL EXHIBIT LIST (6/21/10)

<u>Trial Exhibit No.</u>	<u>Description</u>	<u>Bates No.</u>	<u>Deposition Exhibit No.</u>	<u>Objection?</u>	<u>Result</u>
149	Supplemental Report of Donna Lopiano, Ph.D.				
150	Exhibit A to Supplemental Report of Donna Lopiano, Ph.D.				
151	Exhibit B to Supplemental Report of Donna Lopiano, Ph.D.				

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