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Office of the Vice President for Legal Affairs,
General Counsel and
Secretary to the Board of Trustees

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November 17, 2008

VIA FACSIMILE AND FIRST CLASS MAIL

Chris E. Davis
Michigan Protection and Advocacy Service, Inc.
Livonia Corporate Towers
29200 Vassar Blvd., Suite 200
Livonia, Michigan 48152-2116

Re: Micah Fialka-Feldman

Dear Mr. Davis:

We are in receipt of your November 14, 2008 letter on behalf of your client, Micah Fialka-Feldman, regarding his request to reside in Oakland University's residence halls.

Despite your repeated and conclusory assertions that Oakland University's applicable housing policy is discriminatory and that your client is a student because he participates in the OPTIONS program, neither is supported by relevant, objective facts. Nor is your attempt to characterize this matter as simply a housing issue separate and distinct from the University's educational goal of making housing available to students to support them in their efforts to earn degrees.

We are confident you are aware of the court decisions affording universities broad leeway in regulating on-campus housing, such as requiring some students to live on campus, regulating living conditions, applying housing policies differently to different groups of students, and, that reserving housing for students seeking degrees does not violate the Fair Housing Act.

We understand your client and his family are not happy with the University's denial of their request. However, your legal position is not well grounded in fact, warranted by existing law or a good faith argument for the extension, modification or reversal of existing law. As such, if filed, we will vigorously defend the litigation you threaten and seek appropriate sanctions against both your firm and your client pursuant to the applicable court rules.

Very truly yours,

Victor A. Zambardi
Vice President for Legal Affairs,
General Counsel and
Secretary to the Board of Trustees

c: Oakland University Board of Trustees
Gary D. Russi, President