From: Najjar, Ameen <anajjar@ncaa.org>
Sent: Wednesday, October 12, 2011 11:13 AM
To: Goldberg, Judd J <jgoldberg@miami.edu>
Cc: mglazier@bsk.com
Subject: Re: Subpoenas

Judd,

Thanks for the information and we are continuing to explore the matter. Apparently under the FRCP and bankruptcy rule 2004, she can represent the bankruptcy matter, Pro Hac Vice and I believe already has.

I will keep both of you apprised of developments.

Amen

Sent from my iPhone

On Oct 11, 2011, at 11:43 AM, "Goldberg, Judd J" <jgoldberg@miami.edu> wrote:

> Ameen,
>
> Good morning.
>
> After our phone call yesterday, we confirmed that the only viable method by which subpoenas can be properly issued is through the pending bankruptcy proceedings. Maria Perez, Nevin Shapiro's criminal defense attorney, is not his bankruptcy attorney, nor could she be as she is not a member of the bankruptcy court in South Florida. We are therefore confused as to how she plans to be the one asking the questions in any depositions as she could not properly be the one issuing the subpoenas. We have also received no indication from the bankruptcy trustee that he is working with Ms. Perez.
>
> As we mentioned during the call, the University, like the NCAA, has the same ultimate interest in discovering the truth. However, we continue to have concerns about this proposal and the attendant loss of control.
>
> Please let us know when we can get on the phone again to discuss in further detail. If you think it would be helpful to have folks from your legal department on the call, we would be happy to explain our concerns to them as well.
>
> Thanks,
>
> Judd