

Angel Francisco v. Beckett Starr and
Shadduck High School

**2022 IDAHO & MONTANA
HIGH SCHOOL MOCK
TRIAL CASE**



**IDAHO LAW
FOUNDATION**

TABLE OF CONTENTS

DISCLAIMER	3
VERSION CHANGES	3
VERSION 1.0	3
FINAL VERSION	3
STIPULATIONS.....	6
COMPLAINT & MOTION IN LIMINE.....	7
COMPLAINT.....	7
ORDER ON MOTION IN LIMINE	12
PLAINTIFF WITNESSES	16
BOBBIE DAY, TABLEROCK HIGH BASKETBALL COACH & SOCIAL STUDIES TEACHER.....	16
ANGEL FRANCISCO, PLAINTIFF.....	20
REMI HARTMAN, JOURNALIST & NEWS PROGRAM HOST	26
DEFENSE WITNESSES.....	30
SHELBY BANKS, SHADDUCK HIGH STUDENT	30
KENNEDY QUICK, SHADDUCK HIGH TEACHER & NEWSPAPER ADVISOR	34
BECKETT STARR, DEFENDANT.....	39
EXHIBITS	44
EXHIBIT 1: ARTICLE FROM SHADDUCK GUARDIAN	44
EXHIBIT 2: EDITED GUARDIAN ARTICLE (APPEARED ON HARTMAN OF THE MATTER BLOG)	46
EXHIBIT 3: ANGEL’S ACCEPTANCE & SCHOLARSHIP LETTER	47
EXHIBIT 4: SOCIAL MEDIA RESPONSES TO VIRAL VIDEO OF FIGHT	48
EXHIBIT 5: ANGEL FRANCISCO’S GRADES.....	49
EXHIBIT 6: LETTER RESCINDING ANGEL’S ACCEPTANCE & SCHOLARSHIP	50
EXHIBIT 7: TABLEROCK SCHOOLS ATHLETIC POLICY	51
EXHIBIT 8: TEXT MESSAGES BETWEEN BECKETT STARR & ANONYMOUS SOURCE	55
EXHIBIT 9: JOURNALISM CODE OF ETHICS.....	58
EXHIBIT 10: PHOTO FROM JANUARY 22 BASKETBALL GAME	59

JURY INSTRUCTIONS	60
INSTRUCTION NO. 1.....	60
INSTRUCTION NO. 2.....	60
INSTRUCTION NO. 3.....	60
INSTRUCTION NO. 4.....	61
INSTRUCTION NO. 5.....	61
INSTRUCTION NO. 6.....	61
INSTRUCTION NO. 7.....	61
INSTRUCTION NO. 8.....	62
INSTRUCTION NO. 9.....	62
INSTRUCTION NO. 10.....	62

DISCLAIMER

This case is a work of fiction. The names, characters, businesses, organizations, places, events, and incidents herein are (mostly) the product of the authors' very vivid imaginations.

VERSION CHANGES

VERSION 1.0

Version 1.0, dated November 15, 2021, does not include any changes.

FINAL VERSION

The final version of the case addresses the following questions.

- 1) Out of the 6 players injured, who was injured and from which team?

The case materials provide all the information teams need regarding the injured players.

No further details will be provided.

- 2) Is there a way to access the video of the fight?

The video of the fight will not be included with the case materials.

- 3) Paragraph 18 of the Complaint says that the statements in paragraph 17 are false. What parts of paragraph 17 are considered false?

Subsections a) through e) in paragraph 17 are direct quotes from Beckett Starr's article.

These are the statements the Plaintiff claims are false.

- 4) The case addresses damages and liability. Do teams also have to argue for an injunction to remove the article written by Beckett Starr?

Teams do not have to argue for an injunction to remove the article.

- 5) Will there be an Answer added in response to the Complaint?

No Answer will be provided with the case materials. The legal issues that teams need to address can be found in the Jury Instructions.

- 6) The time between the dates of the events included in the case and the time of trial seem unrealistic. Can you move the dates back by one year?

The dates for the case will not be changed.

- 7) The court's Order in Limine says that if the Defense opens the door to the anonymous source, the Plaintiff can then inquire. Will the case address who the confidential source is?

The identity of the confidential source is not at issue in this case. The materials provide information teams need to explore the credibility of the confidential source.

- 8) In Angel's witness statement, line 8 (page 20), should the first "he" be a "she"?

Yes. Line 8 has been changed from "he" to "she".

- 9) In Remi Hartman's witness statement lines 77-81 (page 28), should it say Angel and not Beckett?

The first instance of "Angel" in line 77 should change to "Beckett," but not the second instance of "Angel." Line 78, the second instance of "Angel", should change to "Beckett" but not the first instance of "Angel." The text will be changed to read:

Rather than abandon the story, ~~Angel~~ Beckett interviews Shelby - the very person Angel had the fight with! Of course, Shelby will say Angel started it. What's worse, Shelby and ~~Angel~~ Beckett had a pre-existing relationship since they were both members of the same newspaper.

- 10) In Angel Francisco's Witness Statement, line 90 (page 23), it says junior year, but lines 78-82 and line 48 suggest that this should be freshman year.

Yes. Line 90 has been changed from junior to freshman year.

- 11) In some places in the case materials, Remi is referred to as Remi Hartman. In other places s/he is referred to as Remi Hart. Which is correct?

Remi's name is Remi Hartman. Any instances where s/he is referred to as Remi Hart have been changed in the final version of the case.

12) In Exhibit 1, Beckett Star writes that “the only player ejected was Shelby Banks” but Shelby doesn’t mention an ejection in his/her witness statement. Do the case materials need to be updated to clarify this issue?

The case materials will not be updated to clarify this issue.

STIPULATIONS

- 1) Tablerock is a city in of 30,000 people, located in the state of Monida.
- 2) The jurisdiction and venue for this case have been previously established and are proper.
- 3) This case has been bifurcated. The only issue that needs to be proven in this trial is defamation. The issue of damages, if necessary, will be addressed in a subsequent trial.
- 4) All parties have agreed to the jury instructions.
- 5) All exhibits included in the case materials are authentic and accurate representations of the items they depict, and the proper chain of custody with regard to the exhibits has been maintained. All parties must use the proper procedures for admitting exhibits into evidence, and all exhibits are subject to objection, except as to their authenticity.
- 6) All witnesses made the statements attributed to them in their own witness statements.
- 7) The dates of witness statements are not relevant and therefore not included. No challenges based on the dates of the witness statements will be entertained.
- 8) The signatures and signature representations (items marked with /s/) on the witness statements and all other documents, including exhibits, are authentic. No challenges based on the authenticity of a witness' signed document will be considered.
- 9) Witness statements were taken after the alleged incident but before trial. Each witness was given an opportunity to update or amend their statement before trial, and no changes were made.
- 10) It is anticipated that the trial time will not permit use of all exhibits provided. Each party should select and use only those exhibits that best support and illustrate that party's theory of the case.
- 11) While this case takes place during the current pandemic, it is not at issue for this case and is therefore not addressed.
- 12) Prior to the trial, defendants moved for summary judgment, arguing that Angel Francisco was a limited public figure and that there was no clear and convincing evidence that Beckett Starr acted with actual malice. The district court granted the motion in part, holding that Angel was a limited public figure based on Angel's public role in getting the schools to compete again. The district court concluded that there was a genuine issue of material fact regarding actual malice and, thus, denied that part of the motion.

COMPLAINT & MOTION IN LIMINE

COMPLAINT

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF MONIDA, IN AND FOR THE COUNTY OF LINCOLN

ANGEL FRANCISCO)	
)	
	)	Plaintiff
	)	Case No. IDMT2022
vs.)	
	)	COMPLAINT
BECKETT STARR, an Individual &)	
SHADDUCK HIGH SCHOOL)	
)	
	)	Defendants

COMPLAINT FOR DEFAMATION

COMES NOW, the Plaintiff, Angel Francisco, by and through the undersigned counsel, and for Plaintiff's Complaint in this action alleges as follows:

JURISDICTION, VENUE, AND PARTIES

- 1) Plaintiff, Angel Francisco, is a citizen and resident of Lincoln County, State of Monida, and at all relevant times mentioned, had attained the age of majority, and resided in Tablerock, Monida.
- 2) Defendant, Beckett Starr, is, and was at all relevant times mentioned, a citizen and resident of Lincoln County, State of Monida, had attained the age of majority, and resided in Tablerock, Monida.
- 3) Defendant Shadduck High School is, and at all times stated herein was, a public entity, form unknown, having its principal place of business in Lincoln County, State of Monida, and a public high school owned and operated by Tablerock Unified School District.
- 4) This Court has jurisdiction under Monida Code § 1-705.
- 5) Venue is proper in this Court because a substantial part of the events and omissions giving rise to Plaintiff's claims occurred in this county.

FACTUAL BACKGROUND

- 6) During the 2021-22 school year, Plaintiff was a senior at Tablerock High School and played on the school's basketball team.
- 7) On December 15, 2021, Plaintiff received a letter of acceptance from the University of Monida, along with an offer of a full-tuition basketball scholarship.
- 8) As required by the terms of the basketball scholarship, Plaintiff withdrew all other pending college applications.
- 9) On January 8, 2022, during a basketball game between Tablerock High School and Shadduck High School, a physical altercation occurred between players from the two schools (the "January 8th altercation").
- 10) As a result of the January 8th altercation, six players were taken to the hospital and treated for various injuries.
- 11) On January 12, 2022, the Shadduck High School student newspaper, The Shadduck Guardian, published an article about the January 8th altercation authored by Defendant Starr.
- 12) Among other things, the article accused Plaintiff of inciting the January 8th altercation.
- 13) On January 14, 2022, Defendant Starr appeared on a national news program to discuss the January 8th altercation.
- 14) On January 20, 2022, after becoming aware of the publicity surrounding the January 8th altercation, the University of Monida rescinded Plaintiff's offer of admission and basketball scholarship.
- 15) Plaintiff's subsequent attempts to obtain reinstatement of the offer of admission and scholarship offer were unsuccessful.

COUNT I: DEFAMATION

- 16) Plaintiff alleges and incorporates by this reference the allegations in each of the preceding paragraphs as if fully set forth herein.
- 17) As a student reporter for The Shadduck Guardian, Defendant Starr authored an article about the January 8th altercation that contained the following statements about the Plaintiff:
- a. "Francisco was one of the students involved in the bus tipping incident that led to the teams not being able to play."
 - b. "[I]t was Francisco who instigated the fight at the basketball game s/he had organized, which a source tells me may have been the plan all along."
 - c. "Angel committed what was clearly a flagrant foul."
 - d. "Because of what Angel set in motion, at least six people ended up at local hospitals for injuries that included a concussion, fractured finger, leg sprain, body bruises and head trauma. As an eyewitness to the events of that evening, I can tell you that the scene was all-out fight instigated by Angel Francisco."
 - e. "While Shelby admits s/he defended him/herself, s/he confirms that it was Angel who set the fight in motion. 'It's one thing to use your elbows to defend your space. That's part of basketball. But it's a whole other thing to use your elbow as a weapon. And that's what Angel did when s/he fouled me.'"
- 18) The statements identified in paragraph 17 are false.
- 19) Defendant Starr's article asserts that some of the statements identified in paragraph 17 arise from an anonymous source.
- 20) Plaintiff is informed and believes that Defendant Starr knew or should have known the statements identified in paragraph 17 are false.
- 21) Without admitting to being a public official, public figure, or limited public figure, Plaintiff alleges that Defendant Starr made the statements identified in paragraph 17 knowing they were false, or with reckless disregard for their truth or falsity.

- 22) Plaintiff is informed and believes that Kennedy Quick, an employee of Shadduck High School and the faculty advisor for The Shadduck Guardian, must approve all student articles prior to their publication.
- 23) Without admitting to being a public official, public figure, or limited public figure, Plaintiff alleges that, despite knowing that the statements identified in paragraph 17 were false, or with reckless disregard for their truth or falsity, Quick approved the publication of Defendant Starr's article about the January 8th altercation.
- 24) Defendants created and published Starr's sensational and provocative article in a malicious effort to spread untruths that were assigned to a purported anonymous source without a full and fair investigation into the truth or veracity of the facts in the article in an effort to get the story to press as quickly as possible regardless of its truth and defamatory content.
- 25) The statements identified in paragraph 17 damaged Plaintiff's reputation by impugning Plaintiff's honesty, integrity, virtue or exposed Plaintiff to public hatred, contempt, or ridicule.
- 26) On or about January 12, 2022, the Shadduck Guardian published the article identified in paragraph 17 in Lincoln County, State of Monida, thereby disseminating the article to the Shadduck High School faculty and student body.
- 27) Shadduck High School students, faculty, and their family members read Defendant Starr's article after its publication in the Shadduck Guardian.
- 28) As a direct and proximate result of Quick and Defendant Starr's conduct alleged herein, Plaintiff suffered general and special damages exceeding \$10,000--including, without limitation, rescission of his acceptance to the University of Monida, loss of a full-tuition basketball scholarship, and other pecuniary loss.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial for all causes of action and issues that may be determined by jury under Montana law.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment against Defendants, and each of them, on each and every cause of action as follows:

- 1) For general and special damages according to proof at trial;
- 2) For an award of Plaintiff's costs of suit incurred herein;
- 3) For such other and further relief as the Court deems just and proper; and
- 4) For injunctive relief in the form of removal of Defendant Starr's article from the online version of The Shadduck Guardian.

Dated: February 7, 2022

/s/ _____
Jem Trotter
Attorney for Angel Francisco, an Individual

ORDER ON MOTION IN LIMINE

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF MONIDA, IN AND FOR THE COUNTY OF LINCOLN**

ANGEL FRANCISCO)	
)	
	)	Plaintiff
	)	Case No. IDMT2022
vs.)	
	)	ORDER GRANTING
BECKETT STARR, an Individual &	)	DEFENDANTS' MOTION
SHADDUCK HIGH SCHOOL	)	IN LIMINE
)	
_____	)	Defendants

This case is before the Court on Defendants Beckett Starr and Shadduck High School’s motion in limine. Defendants seek an order precluding Plaintiff, Angel Francisco, from inquiring during trial into the identity of a confidential source identified in the allegedly defamatory article that gave rise to this lawsuit. Because Monida’s press shield statute precludes Defendants and their employees from being compelled to identify the confidential source, Defendants’ motion in limine is granted as set forth in this order.

FACTUAL BACKGROUND

During a basketball game between Tablerock and Shadduck High Schools on January 8, 2022, players from both teams engaged in a bench-clearing brawl that sent six players to the hospital. In the days following this altercation, the Shadduck High School newspaper, The Shadduck Guardian, published an article authored by Starr with the approval of the newspaper’s faculty advisor, Kennedy Quick. The article allegedly defamed Francisco by stating, among other things, that s/he intentionally instigated the altercation. The article indicates that it relies on a confidential source for this part of its content.

After videos of the altercation that were posted on the internet went viral, Starr appeared on a national news program. Subsequently, the online version of Starr’s article posted on The Shadduck Guardian’s website garnered numerous views. Francisco alleges that, following Starr’s television appearance, the University of Monida withdrew his basketball scholarship and rescinded his admission. Based on the assertions that Francisco intentionally instigated the altercation, Francisco sued both Starr and Shadduck High School for defamation.

Francisco's complaint alleges that defendants knew Starr's article contained false statements or acted with reckless disregard to falsity of certain statements. The defendants, according to Francisco, "created and published Starr's sensational and provocative article in a malicious effort to spread untruths that were assigned to a purported anonymous source without a full and fair investigation into the truth or veracity of the facts in the article in an effort to get the story to press as quickly as possible regardless of its truth and defamatory content." In other words, Francisco claims that the defendants maliciously defamed him/her either by lying about having a confidential source, or by relying exclusively on a confidential source they knew, or should have known, was untrustworthy.

Francisco's first set of interrogatories asked defendants to identify the confidential source who provided the information supporting the article's allegedly defamatory statements. Defendants objected, asserting that Monida's press shield statute, Monida Code § 12-128, protects them from having to reveal the source's identity. Francisco moved to compel an answer to his interrogatory and thereby force the defendants to disclose the identity of the confidential source. Defendants opposed Francisco's motion and moved for a protective order, arguing that they could not be compelled to disclose the confidential source's identity under Monida's shield statute. This Court determined that the shield statute applied and, therefore, denied Francisco's motion to compel, and granted defendants' motion for a protective order. Subsequently, Defendants filed the motion in limine currently before the Court.

ANALYSIS

Defendants seek an order defining how much, if any, testimony they may elicit regarding the confidential source's identity without "opening the door" for Francisco to fully explore the source's identity on cross-examination. According to Defendants, even if they volunteer information about the source's identity on direct examination, the press shield statute still precludes Francisco from inquiring into the source's identity to any extent exceeding their direct testimony. For the reasons stated below, this Court agrees.

The critical question for this Court is to what extent, if any, does Monida Code § 12-128 allow a party to adduce evidence about a confidential sources identity during a trial without opening the door for an opposing party eliciting the source's identity on cross-examination. This is a question of statutory interpretation. The interpretation of a statute is an issue of law. *Jones v. Jones*, 151 Monida 642, 649-50 (2011). Such interpretation begins with the literal words of the statute; those words must be given their

plain, usual, and ordinary meaning; and the statute must be construed as a whole. Id. Monida Code § 12-128 provides:

No person engaged in, connected with or employed on any newspaper, radio broadcasting station or television station, while engaged in a news-gathering capacity, shall be compelled to disclose in any legal proceeding or trial, before any court or before a grand jury of any court, before the presiding officer of any tribunal or his agent or agents or before any committee of the Legislature or elsewhere the sources of any information procured or obtained by him and published in the newspaper, broadcast by any broadcasting station, or televised by any television station on which he is engaged, connected with or employed.

The statutory text of Monida Code § 12-128 unambiguously prevents any compulsory disclosure during a trial of sources who provided information to any “person engaged in, connected with or employed on any newspaper” that is published in the newspaper. The allegedly defamatory article Starr authored that was published in The Shadduck Guardian expressly states that it relies upon information from a confidential source. Thus, the only remaining question for this Court is whether Defendants and their employees were engaged in, connected with, or employed by a “newspaper” within the context of the statute. According to Webster’s Third New International Dictionary, a “newspaper” is “a paper that is printed and distributed daily, weekly, or at some other regular . . . interval and contains news, articles of opinion (as editorials, features, adverting, or other matter regarded as of current interest.” WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 1524 (1986). Although The Shadduck Guardian may not be the most prestigious publication, this Court has little trouble concluding that it falls within the above definition. Thus, Monida’s press shield statute applies to Defendants and their employees. Accordingly, the statute prevents Francisco from initiating a line of questioning during trial that would elicit the identity of the confidential source from the Defendants or their employees.

Francisco contends that this interpretation of Monida Code § 12-128 prevents the full and fair inquiry into Starr’s pre-publication investigation of the altercation. This is particularly problematic for Francisco as (he/she) has not yet discovered the identity of Starr’s confidential source. Francisco is not, however, entirely barred from inquiring into the confidential source’s identity during trial. Rather, Francisco is precluded only from initiating inquiries into that topic in the first instance. Accordingly, this order does not prevent Francisco from cross-examining Defendants or their employees regarding the identity of the confidential source to the extent they testify regarding that topic on direct.

In sum, Francisco cannot ask Defendants or their employees about the identity of the confidential source if Defendants do not do so first. If Defendants choose to disclose information about the

confidential source as part of their case-in-chief, Francisco may cross-examine Defendants or their employees to the extent they testify on that topic under direct examination.

IT IS SO ORDERED

/s/

Hon. Bronwyn James
First District Judge

Dated: February 25, 2022

PLAINTIFF WITNESSES

BOBBIE DAY, TABLEROCK HIGH BASKETBALL COACH & SOCIAL STUDIES TEACHER

1 My name is Bobbie Day. I am a proud native of Monida and an even prouder alum of Tablerock
2 High. I would rather not state my age, so let's just say I am old enough to know better - especially when it
3 comes to some of the things that have been claimed in this case. But, I'll get to that later.

4 I have been teaching and coaching at Tablerock High School since 1989. I started out as the health
5 teacher and transitioned to teaching social studies about twenty years ago. I have also coached at
6 Tablerock High School ever since I joined the faculty there. I have filled various coaching roles
7 throughout my time at Tablerock, but my passion has always been basketball. I finally got the varsity
8 coaching position about ten years ago and the team has only gotten better under my leadership. We used
9 to be losers before I became the varsity coach. Now we're winners. That may sound arrogant, but it's just
10 fact. And, it shouldn't really be a surprise to anyone who knows anything about the history of basketball
11 in this state. I played basketball for Tablerock High back in the day and was the star player the entire time
12 I played here. Again, that may sound arrogant, but it's just more fact. Also, when I say, "we used to be
13 losers," I don't mean when I played. We were winners then - undefeated state champions ever year. The
14 losing started after I graduated and left to play college ball. Of course, I played for a D1 school during
15 college and did really well. Really well. Unfortunately, we never got past the "Sweet Sixteen" in the
16 NCAA tournament, but we did make it to the "big dance" two of my four years at college. Sadly, my last
17 year playing college ball was cut short when I blew out my knee halfway through the season. I was out
18 for the season and my dreams of playing professional basketball ended at the same time. But, I am not
19 bitter. Instead of focusing on the past and my lost opportunities, I bring the passion I had as a player to
20 the sidelines as a coach. Some say I live vicariously through my players. Maybe I do. But, then again,
21 maybe that's just another reason why my players are winners.

22 The biggest winner these past couple of years has been Angel Francisco. S/he reminds me of myself
23 when I was a player, and s/he has the talent to make it the pros. Sure s/he had a rough patch or two, but
24 haven't we all? Kids can be immature, and they can get caught up in peer pressure and make impulsive
25 decisions. Angel is no different. And, maybe s/he was involved in that bus tipping incident, but so what?
26 Lots of kids were - that's just kids being kids. Too bad Shelby doesn't understand that. Frankly, I am glad

27 Shelby left Tablerock. S/he wasn't that good of a player, and s/he is a tattletale. I mean, don't get me
28 wrong, tipping the bus was a step too far but like I said, kids will be kids.

29 Anyway, Angel paid the price for whatever role s/he played in the bus tipping because s/he was
30 suspended for the first five games when basketball season started. Plus, adversity just makes you tougher
31 and more driven to succeed. Angel definitely learned that lesson - eventually. It took a few months and
32 some tough talk from me, including telling Angel I was going to kick her/him off the team because of
33 her/his grades. Angel was skating by with Cs in most of her/his classes, but the F s/he had in math wasn't
34 going to cut it...at least not as far as the school is concerned. I mean, I wasn't too worried about what
35 kind of grades my players got - if they could play, they could play. But it was school policy that all
36 players had to have passing grades in all classes in order to participate in sports. So, I told Angel s/he
37 better get her/his act together. Angel told me s/he would and promised me s/he was a winner on and off
38 the court. Angel proved that by buckling down and in her/his junior year. Angel did so well both as a
39 player and a leader, I named her/him team captain. S/he proved my decision to do so was excellent by
40 leading our team to the state championship. Like I said, we're winners.

41 Angel continued to impress both on and off the court in her/his senior year. I was Angel's senior
42 project advisor and her/his idea was terrific. More evidence of her/his leadership. Angel told me s/he
43 wanted to bring back the rivalry between Tablerock and Shadduck...but rivalry in a good way, not in a
44 bad way. I mean, if there's ever a time in this country's history to bring people together, even "rivals," it's
45 now. Angel's idea was to have Tablerock and Shadduck play each other in basketball again after the
46 teams were banned from doing so after the bus-tipping incident. I was all-in. There's nothing like a good
47 rivalry, even one geared toward reconciliation, to get the competitive juices flowing. We billed it as the
48 "Reconciliation Game" and Angel worked hard to make it happen. Because I was Angel's advisor for the
49 project, I had her/him write a proposal to present to the athletic directors for each school and the school
50 board. Part of the proposal included playing in a neutral location with extra security. I thought that was a
51 little much. I mean, it was our proposal, and we did all the work on it, I thought we should have gotten
52 home court advantage. But, ultimately, we decided to propose playing the game at the local community
53 gym. I also thought the suggestion for additional security was a little much. I mean, it's high school
54 basketball and it's a reconciliation game! I tried to discourage Angel from including that in the proposal,
55 but s/he pushed for it and thought it would provide comfort to the decision-makers who might be
56 concerned about more property damage if things went south. I told Angel that was fine, but there was no
57 way the school would pony up the cash for that. But, Angel was committed to making the game happen

58 and organized a fundraiser to pay the costs associated with the game. That just shows you how
59 committed Angel was to this project. I could not have been more proud of her/him. Not only was Angel's
60 proposal good for me and my basketball program, it was good for Angel and her/his college
61 prospects...and maybe good for my prospects, too, if people saw the winner I made in Angel.

62 Then came game day - January 8, 2022. Of course, we were winning at halftime and headed into the
63 locker room with fire in our bellies. Then things went south in the third quarter. One of Shaddock's
64 players - tattletale Shelby - punched Angel. Punched her/him square in the nose. You don't hit my star
65 player and team captain in the nose and get away with it. I don't care who you are. Did I lose my temper?
66 Absolutely. Was I justified? Absolutely. I screamed at the refs to call a flagrant foul. Now! They didn't
67 seem to be paying attention to me, so I picked up my seat on the sideline and banged it on the floor a few
68 times to get their attention. I didn't throw it, I just pounded it on the floor a few times. Then the next
69 thing I knew one of the refs called a flagrant foul on Angel. What?! Are you kidding me?! I. Could. Not.
70 Believe. It. Then I got really mad. And so did everyone else who knew the refs screwed up. The bleachers
71 cleared and fights ensued. So much for reconciliation.

72 I didn't hang around in the melee for long. I needed to check on Angel. Needless to say, s/he was
73 very upset. Plus, as angry as I was, it was best that I remove myself from the situation. I didn't need
74 another suspension on my record. By the way, I am sure that will come up at some point, so I might as
75 well explain it now. Back when I was coaching junior varsity - about fifteen years ago - I didn't control
76 my temper as well as I do now. The team was playing a tight game and the refs were doing a terrible job.
77 By the fourth quarter, I couldn't take it anymore. They were just so bad. When they called a fifth foul on
78 one of my best players, causing her/him to foul out, I had to let the refs know how bad they were. So, I
79 threw my sideline chair onto the court. The player who was supposedly fouled was at the free throw line,
80 so it wasn't that big of a deal. It's not like they were all running around and in danger of getting hit with
81 the chair. So, I got thrown out, too. It was totally worth it. But I also got suspended from coaching for a
82 year, which wasn't worth it. Well, it wasn't worth it at the time, but I can say I learned my lesson as a
83 result. I'm still fiery and passionate about the game and my team, but I haven't thrown a chair since. And
84 I haven't gotten thrown out of a game since. I know people have compared me to Bobby Knight, the
85 legendary Indiana Hoosiers coach, because of our names and, sure, my passion for the game. But, I can
86 tell you the difference between us is night and day...or knight and day. Well, except we're both winners.

87 But back to what this case is about. Or what it isn't--our shouldn't be--about. That article written by
88 that Beckett Starr character is totally bogus on the facts. I am not sure s/he even accurately quoted what I

89 said, although s/he got one thing right about my position - it's not newsworthy. And certainly not on a
90 national level. The issue was handled within the school district just as it should have been. Anyone
91 involved in an actual fight was suspended from school for two days. Angel wasn't suspended because
92 Angel didn't do anything. I can't believe Beckett got away with publishing that article. And I can't believe
93 Beckett's advisor, Kennedy Quick, still has a job at Shadduck High. In fact, I don't know how Quick got
94 the job in the first place. I hear Quick likes to call her/his style "laissez-faire" - more like lazy-faire if you
95 ask me.

96 As far as the actual facts (not Beckett's fake news), Angel did not start anything...other than an
97 attempt at reconciliation. It was Shelby who started it. That much was clear. I mean, I was right there on
98 the sidelines, and I clearly saw Shelby punch Angel in the nose. No doubt about it. And I didn't see Angel
99 do anything to "start" it, much less anything that warranted getting punched in the nose. Sure, Angel
100 played aggressively that night, but that's what winners do. They play to win. Seems to me Shelby just
101 can't take the competition. That's why s/he left Tablerock. At least that's my opinion. But I digress. Back
102 to Beckett's fake news article. I can't imagine Beckett had a better view or angle than I did. Plus, I bet
103 Beckett doesn't even know anything about basketball. S/he probably doesn't know a flagrant foul from a
104 flagrant fowl. And none of that cell phone footage shows what actually happened. As far as I know, those
105 kids in the crowd didn't even start recording with their phones until the fight broke out. Plus, you know
106 what they say, a video can show everything and nothing - it just depends on the viewpoint. My
107 viewpoint was up close and in real time, and I was actually paying attention to the game - not playing on
108 my phone.

109 There's no way Angel deserves to lose her/his future over this. S/he didn't do anything wrong. S/he's
110 a winner. Beckett is the loser in this story. That's the only headline here.

ANGEL FRANCISCO, PLAINTIFF

1 My name is Angel Francisco. I'm 18 years old and a senior at Tablerock High School. You probably
2 know that already, because my name has been smeared in the press both here in Tablerock and across the
3 country. None of it's true, of course. At least most of it's not true. But that's why we're here, right? For me
4 to prove that Beckett Starr and Shadduck High School maliciously published lies about me that cost me
5 my scholarship. I'm getting ahead of myself, though.

6 I'm from Tablerock. I grew up on 3rd Street, near Lion's Park. As a kid one of my favorite things to
7 do was play basketball. My mom got me a basketball for my third birthday. I don't even remember that
8 myself, but it's what she told me. I was too young to be able to shoot or dribble at the time, but as I got
9 older I obviously improved. One of my first memories is playing basketball with older kids at Lion's Park
10 when I was probably 5 or 6. I loved it! As a kid, I would play basketball all summer long. During the
11 school year, I'd rush to the park right after school and play until my mom called me home for dinner.

12 When I was 7 my parents signed me up for a kids' basketball league. I was on the District 5 team,
13 nicknamed the Bears. We were ok—we weren't the best team in the league, but we weren't the worst,
14 either. That's where I first met Shelby. Shelby started playing for the Bears at the same time I did. We
15 became friends pretty quickly, probably because Shelby lived two blocks from me, and we could ride our
16 bikes to each other's houses without crossing any busy streets. Our parents took turns driving us to
17 basketball practice and games, and during the off-season Shelby and I would play basketball together at
18 the park to keep our skills up.

19 By the time I was in middle school I started to get serious about basketball. My parents signed me up
20 for a traveling team (the Tigers) and I got to play at a much higher level. I started going to basketball
21 camp during the summer, which really helped me improve my skills. Shelby came to camp the first year,
22 when we were in sixth grade, but stopped going after that. I tried to stay friends with Shelby, but we just
23 grew apart. I was so involved in basketball that it was pretty much the only thing I had time for. Shelby
24 still liked basketball but wasn't as committed to it as I was. But that's ok. Different people like different
25 things, I guess. After 9th grade, Shelby transferred to Shadduck, and we didn't see each other very much
26 after that. I heard rumors that Shelby was being bullied by the basketball team, but I never saw anything
27 like that happen. Shelby played on the Shadduck basketball team, so I guess we saw each other when our
28 schools matched up, but we didn't hang out outside of school.

29 In high school I got really serious about basketball. I made varsity my freshman year, something I'm
30 really proud of. And I didn't just ride the pine, either. I started in more than half the games my first year,
31 and I can tell you I was a big contributor to our team's success. My freshman year we were 25-8. Our
32 season ended when we lost to the Tri-Cities Hawks in the second round of playoffs. I was bummed, but it
33 was only my freshman year—I knew I'd have more opportunities for athletic success in the future.

34 One big difference between high school basketball and the leagues I played in before is the fans.
35 When I played for the Bears and the Tigers, our fans were just parents, grandparents, and siblings. Sure,
36 they'd cheer us on, but they didn't go overboard. High school was a different situation all together.
37 Tablerock High School had an unofficial club that organized students to attend games and cheer on our
38 school. We'd get tons of people in the cheering section at our basketball games. It's one of the things I
39 really liked about playing high school ball. Hearing your classmates cheer for you really gets your
40 adrenaline going.

41 We had a bit of a rivalry with Shadduck. That's no secret—it's been that way for years, long before I
42 went to Tablerock. Historically, our two schools engaged in what I'd call friendly prank wars. Both
43 schools had big boulders by the main door that the seniors got to decorate each year. Tablerock and
44 Shadduck students had a habit of trying to sneak onto each other's campus at night and paint the rival
45 school's boulder in our own colors. I'm under oath, so I'm not going to tell you whether or not I ever
46 participated in that. But I wouldn't judge anyone who did. I think it's good clean fun. I mean, the rocks
47 are meant to be painted anyway, right? And no one got hurt, right?

48 Anyway, things admittedly got out of hand my freshman year. In the middle of October there was a
49 huge football game between us and Shadduck. We were both undefeated at that point, so the stakes
50 couldn't have been higher. We hosted the game that year. Midway through the second quarter, someone
51 noticed that the American Flag was missing from the flagpole in front of the school. Instead, there was a
52 pirate flag decorated in blue and gold, Shadduck's colors. We knew Shadduck was behind it. They'd
53 taken the prank war to the next level. Lots of rumors and quiet discussion circulated in the stands for the
54 rest of the game.

55 It was a close game, too. The score was tied 14-14 going into the fourth quarter. Both teams really
56 brought it for that last quarter, but Shadduck managed to score a touchdown with two minutes
57 remaining. That was the end of it—we lost. People started leaving even though there was still a minute or
58 two left on the clock.

59 I was disappointed as I left the game. On the way to the parking lot, I ran into some classmates who
60 told me that the flag prank Shadduck had pulled was worse than we thought. Not only did they replace
61 the American Flag with a pirate flag, they also cut the rope and smeared some sort of grease all over the
62 flagpole so no one could get the pirate flag down. I heard a commotion in the parking lot and went to see
63 what was going on. A group of people had gathered near the Shadduck team bus and was pushing on the
64 side of it, rocking it back and forth. People started shouting and more people came to help push. The bus
65 started rocking so much that the wheels began to come off the ground. Ultimately, with probably 30-40
66 people pushing, the bus tipped over.

67 Sounds of metal crumpling and glass shattering filled the parking lot. Everyone took off running in
68 all directions. I took a second to make sure no one was hurt when the bus tipped over (luckily that was
69 the case—I didn't even hear of anyone getting any minor cuts or bruises), then I ran, too. As I ran past the
70 front of the stadium I saw Shelby standing there, looking confused. I saw Shelby's mouth open to say
71 something to me, but I was running so fast I didn't hear what it was. I was able to make it out of the
72 parking lot and ran into some basketball teammates a couple blocks away. They gave me a ride home.

73 The flag and bus incident put an end to the rivalry between Tablerock and Shadduck. At least as far
74 as sports were concerned. School administration cancelled all athletic events between the two schools, so
75 we really didn't run into each other very much for the next couple years. I'll admit, I got in trouble, too.
76 The Tuesday after the bus incident, I got called into the Athletic Director's office. He told me that
77 someone had reported seeing me running away from the area was the bus was right after it tipped over.
78 He didn't say who, but I know it must've been Shelby who ratted me out. I was really angry. I didn't
79 have anything to do with the bus tipping, I just saw it happen as I was leaving. But I still got punished. . .
80 I was suspended for the first five games of the basketball season, and I had to help clean up the mess in
81 the parking lot, along with about 15 other people who got ratted out. Honestly, I'm a little surprised
82 Shadduck didn't try to go after us to pay for the bus. I don't know what I would've done then.

83 I'll admit, I didn't really focus on school my first two years of high school. I was really into basketball
84 and didn't really care about my classes. As a result, my grades were not very good. Midway through my
85 sophomore season, Coach Day sat me and told me I had a failing grade in math. I didn't even know I
86 was failing! Coach Day explained the school's policy that you had to be passing all of your classes to
87 participate in sports. Basketball was really important to me, so I decided to grow up and be responsible
88 about my academic life. I'm proud to say I turned things around and got all A's the first semester of
89 junior year (except for math—math is really hard for me and I'm proud of the B+ I earned).

90 After my five-game suspension the beginning of my freshman year following the bus incident, I
91 helped the team to a third-place finish overall. Instead of attending other sporting events when I wasn't
92 playing basketball, I concentrated on my schoolwork and actually got straight A's the second semester of
93 my junior year (even in math!). I was proud of myself, and my parents were, too. That summer, they paid
94 for me to go to Heartland Basketball Camp in Minnesota, one of the best basketball camps in the country.
95 The coaches there were actual NBA players! It was one of the best summers of my life. I met other
96 motivated basketball players from all over the country, people I figured I would probably play against in
97 a few short years when I was in college. My skills improved dramatically, too. I got stronger and faster
98 and, I think, developed a more mature attitude.

99 I was excited about my senior year. We had a real chance to win State and I would finally get to find
100 out which college I would go to, and if I would get a scholarship. One thing bothered me, though—I
101 missed the rivalry with Shadduck. I know things got out of hand my freshman year, but I think good-
102 natured rivalries are an important part of sports. I decided to do something about it. At Tablerock, seniors
103 have the option of doing a Senior Project. Basically, you write up a proposal for what you want to do and
104 what you expect to learn from it, find a teacher to sponsor you, then you get to devote 2-4 class periods
105 per day working on your project, rather than going to regular class. It's a cool opportunity and a lot of
106 seniors take advantage of it.

107 Our basketball coach, Bobbie Day, was also the social studies teacher. Coach Day was my senior
108 project sponsor and helped me put my plan together. I wanted Shadduck and Tablerock to start
109 interacting again, so I developed a presentation that I gave to the athletic directors from both schools
110 proposing a basketball game between us. I proposed that the game be held in a neutral location, and we
111 hire extra security to make sure things stayed under control. The athletic directors liked my idea and
112 talked to school administration about it, who were also on board. Someone's mom worked at the local TV
113 station, and she was able to get me on the air to talk about this "Reconciliation Game" I planned that was
114 scheduled for January 8, 2022.

115 By December, I had applied to a number of colleges. My top choice was University of Monida, but I
116 had also applied to Boise State University, Montana State University, The University of Minnesota,
117 DePauw University in Indiana, and Georgetown University in Washington, D.C. On December 15, 2021, I
118 got a letter informing me that I had been accepted to the University of Monida and offered a basketball
119 scholarship. I was over the moon! I talked it over with my parents, but it was an easy decision. I accepted
120 the offer and withdrew my applications to the other schools.

121 Still riding high from my acceptance and scholarship offer, I went into the reconciliation game
122 against Shadduck ready to show the U of M that they made a great decision inviting me to join their
123 basketball program. I was the captain of the team again for my senior year, so of course I started. I saw
124 that Shelby was starting for Shadduck, which was kind of cool.

125 The game was intense from the start. I was particularly surprised by how aggressive everyone was
126 playing, especially Shelby. I got hit by Shelby's elbow a couple times, but I didn't think much of it—it was
127 an intense game, and everyone was just playing hard. I got tripped by another player, too. I don't know if
128 it was intentional, but I decided not to make a stink about it. Shadduck was better than I expected them to
129 be, and at halftime we were only up by 8 points. Shadduck's coach must have given them quite the pep
130 talk during halftime because they came out swinging the third quarter. Literally.

131 About five minutes into the third quarter, Shelby punched me. I was shocked. Shelby had been
132 aggressive the whole game, but I didn't expect a blatant punch like that! I had the ball and was driving
133 for a layup when Shelby swung a fist that hit me right in the nose. I lost the ball as my eyes started to
134 water and, for a moment, I couldn't see. I felt someone touch my shoulder, so I wheeled around and
135 pushed the person away, assuming it was Shelby coming back for another punch. It wasn't Shelby,
136 though, it was Taylor Pendragon, the Captain of Shadduck's team.

137 As soon as I pushed Taylor, the whistle blew, and I heard the ref yell my number and accuse me of a
138 flagrant foul. I was livid. Why hadn't the ref called out Shelby for punching me? I let the ref know my
139 feelings and, if I'm honest, I probably could have used more polite words. But this was a big deal. This
140 kind of flagrant foul meant I could be ejected from the game. Plus, I had been punched and I was just
141 defending myself! But the ref didn't want to hear it.

142 Well, the fans were not pleased. The Tablerock side of the stands erupted. People started coming
143 down the bleachers onto the court. The Shadduck fans followed suit. Soon, actual fights began to break
144 out. I think some of the players were even involved. I didn't stick around to be involved. I went back to
145 the locker room. I figured with all the fighting the game would be called anyway, which it was. I heard
146 that six people had to go to the hospital as a result of the fight. Both our team and the Shadduck team got
147 suspended for a week.

148 But that wasn't the worst of it. A bunch of people decided to take out their phones and record videos
149 of the fight, which they then uploaded to the internet. That night, some of the videos went viral. A couple
150 days later, Beckett Star wrote an article for the Shadduck Guardian saying that I was the one who

151 instigated the fight and even that I planned to start a fight at the game. That's ridiculous! I didn't start
152 anything. Shelby hit me first! And of course I didn't plan to start a fight. Getting the two schools back
153 together on friendly terms was my idea! Why would I try to sabotage that?

154 What's worse, Beckett didn't even ask to interview me! The article was filled with falsehoods, and I
155 was never given a chance to tell my side of the story. Not good, balanced journalism, if you ask me.
156 Because the videos from the fight had gone viral, Beckett's story did too. It even got reprinted in the
157 Associated Press! Can you believe that? Lies about me reprinted by a national news agency!

158 Of course the University of Monida caught wind of the incident. On January 20, 2022, I got a call from
159 the University Athletic Director informing me that they were rescinding my acceptance and scholarship. I
160 was crushed. Not only would I not be able to play basketball at my dream school, but I also would
161 probably have to take at least a year off before starting college, since I had withdrawn all my other
162 applications. My family fought to have my admission and scholarship reinstated, but we weren't
163 successful.

164 That's why I decided to file this lawsuit against Beckett and Shadduck. They knew the stuff they said
165 about me in that article wasn't true, but they published it anyway. Because of that, my promising
166 basketball career is ruined, and I might not even get to go to college at all.

REMI HARTMAN, JOURNALIST & NEWS PROGRAM HOST

1 My name is Remi Hartman. How old am I? Suffice it to say I am knocking on the door of the big 5-0.
2 But, you're only as old as you feel, and sometimes older than you act. Age is just a number anyway and
3 in my line of work, the most important thing is to go with the flow and settle into the groove that will get
4 you the best story. The accurate story. But the best one. I have learned that the more people like you, and
5 the more they think you like them, the more they will talk. I learned this at a fairly young age interacting
6 with customers at my family's restaurants. Since I like to write a good story, I will start with mine.

7 I am from New Orleans, Louisiana, also known as Cajun Country, home of the New Orleans Saints,
8 and a close neighbor to our beloved LSU Tigers. Home of Mardi Gras, good music, and better food. I
9 come from a long line of restauranteurs, some more prominent than others. Fortunately, by the time I was
10 born my parents were on the prominent side of Louisiana culinary culture. My parents owned several
11 five-star restaurants throughout New Orleans. No diners, drive-ins, or dives for us. In fact, we had the
12 top Michelin star restaurant on Bourbon Street - Creole Deville. We specialized in both Creole and Cajun
13 cooking. The cuisine was Creole and Cajun inspired comfort food, and the restaurant was packed every
14 night. Nationally renowned chefs visited Creole Deville on a regular basis. I won't name any names, but I
15 can tell you none of them ever called any of our chefs a donkey. Creole Deville not only attracted famous
16 chefs; it was a hot spot for tourists. I met folks from all walks of life, and I loved meeting people from all
17 over the country, and even the world. When I was twelve, I bussed tables at the restaurant. I later worked
18 in the kitchen, as a host, and as a server. I struck up conversations with co-workers and customers every
19 chance I got. My parents often told me to quit "interviewing" everyone. They told me I should let the
20 employees work and let the customers enjoy their meals. I am not sure about my co-workers, but the
21 customers didn't seem to mind - at least for the most part. They liked learning about our restaurant, and
22 the out-of-towners often asked advice on things to see and do during their visit. It was a win-win. I got to
23 hear other people's stories, and I got to tell a little bit of mine while telling them where I thought they
24 should visit during their stay. Plus, I do have that Louisiana charm.

25 Once I graduated from high school, I decided I didn't want to stay in the family restaurant business.
26 As much as I loved all things Louisiana and our restaurants, I had bigger dreams - partly inspired by all
27 that "interviewing" my parents thought was a waste of time. I wanted to be a journalist, maybe even
28 travel the world. I got my undergraduate degree at Hampshire College in Amherst, Massachusetts. As
29 you can probably guess, Massachusetts is a whole lot different than Louisiana. But, having interacted
30 with folks from all over while I was in Louisiana, I fit in just fine. Like I said, I know how to go with the

31 flow and settle into whatever groove I need to settle into. At Hampshire, I got a degree in
32 Communications and Public Policy. I decided to go to graduate school after that and pursued my dream
33 of international travel. I went to the London School of Economics where I got a degree in International
34 Relations. Yeah, I know that's not a journalism degree, but only fifteen percent of journalists have a
35 degree in journalism. It's not the words on the diploma that matter, it's the words that you put on paper
36 (or the computer!) that matter, and the experience and perspective behind those words. After graduate
37 school, I started using that experience and perspective by writing for the Guardian Newspaper in
38 London.

39 When I started at the Guardian, my focus was on writing articles exploring the intersection between
40 British and American culture. I had the American side of that story down pat from my storied life in
41 Louisiana and the stories I elicited from the many visitors to my family's restaurants, including those I
42 got from all those "interviews" my parents complained about while I was working at the Creole Deville.
43 Although my exposure to British culture was limited to my interactions with visitors from across the
44 pond to Louisiana and my time in London, I am well-known for my in-depth research, my natural
45 instincts on what matters, and my easy-going style and openness to those I interview. I think the folks I
46 interview can sense I care, especially since I go out of my way to conduct face-to-face interviews. There's
47 no substitute for eye contact and in-person interactions.

48 While at the Guardian, I taught the journalism ethics course at a local university for two years. I was
49 also a regular commentator on Atlantic News Network - sometimes called ANN, like Queen Ann if you
50 like a British flair. ANN is real news in real time. My involvement with ANN started after the tragic
51 events of 9/11. My commentary focused on the intersection between politics and human-interest stories.
52 My goal was - and still is - to tell the stories of the people impacted by political decisions - to put real
53 faces to political maneuvering. Real news. Real stories. Real time. ANN's viewers cared about what I said,
54 and the network executives took notice. My popularity with the viewers led to filling in for regular
55 network hosts, and eventually to my own show in 2008 - The Hart of the Matter with Remi. That's when I
56 moved back to the States. The Hart of the Matter was an instant hit and has won multiple Emmy Awards.

57 The focus of the Hart of the Matter is just what the name suggests - getting to the heart of the matter
58 on important issues. The number one goal of the show is to disseminate as much useful information as
59 we can. To be useful, the information must be truthful. And we all know that some folks have more
60 trouble with the truth than others. The real truth often isn't found in the words people say or write - it's

61 found in their actions. So, as much as I like to hear people's stories, I also know I need to watch what they
62 do. It's like the saying "a picture is worth a thousand words" - an action is worth a thousand words, too.

63 Now, some might say I use too many words - at least when I am talking unedited. What can I say? I
64 am passionate about what I do, and I have a lot to say about what I uncover in my interviews and my
65 search for the truth, and there's not always enough time to cover everything I want in one episode of the
66 Hart of the Matter. Some have characterized my opening monologues on the Hart of the Matter as rants,
67 but like I said, the point of my show, including the monologue, is to tell the whole truth and nothing but
68 the truth.

69 Speaking of truth, the truth in this case is obvious. Now, I don't have a dog in this fight - other than
70 the truth - but it seems to me that Beckett Starr's article about the big reconciliation game lacks a little
71 journalistic integrity. I mean, I know confidential sources in journalism are a thing, but for a high school
72 newspaper? Give me a break. In any event, as I understand it, this confidential informant told Beckett
73 that Angel planned to start the fight at the reconciliation game, which doesn't even make sense. Why
74 would Angel want to sabotage his/her senior project? Seems to me this so-called confidential informant
75 had a beef against Angel - as evidenced by his/her refusal to be accountable for his/her claim about
76 Angel's intentions. I wouldn't have pursued such a weak claim any farther under those conditions.

77 Rather than abandon the story, Beckett interviews Shelby - the very person Angel had the fight with!
78 Of course Shelby will say Angel started it. What's worse, Shelby and Beckett had a pre-existing
79 relationship since they were both members of the same newspaper. It's like they just contrived the story
80 together to make it sound better for Shadduck. That's not a story worth telling much less printing in a
81 newspaper. And then it received national press attention! Slow news day, anyone?

82 I will tell you what I think this is all about. Two words: cancel culture. And it's cancel culture at the
83 smallest level. This "informant" wanted Angel cancelled. Shelby wanted Angel cancelled. And Beckett
84 Starr was happy to facilitate that effort just to try to make a name for him/herself. Beckett didn't make
85 any legitimate journalistic effort to get to the truth. I mean, I understand Beckett is just a high school
86 student, so the standards are lower, but when you write words that have real impact on real lives, you
87 have to do more, especially if you want to get national media attention for your silly small-town rivalry.

88 I tried to push Beckett on these issues before s/he appeared on my show. I asked her if I could edit
89 his/her story before I reprinted it on the show's website. At first s/he said, "no." But then the next day she
90 emailed me back and gave me permission to make the edits. As a journalist, it's really important to know

91 the difference between a news story and an editorial. Beckett's article was filled with so much conjecture.
92 I had to take that out to make it more newsworthy for my website. I mean, don't get me wrong. There's
93 definitely a story here but it's not the one that Beckett is telling. It's how some high school kids used the
94 power they had to hurt another person's future.

95 I tried to push Beckett on the real story when s/he appeared on my show. I tried to get him/her to
96 share more about the so-called confidential source and get to the essence of why s/he wanted to damage
97 Angel over a little skirmish. It became obvious very quickly that Beckett was in over his/her head. Beckett
98 kept falling back on these canned answers about how confidential sources are the lifeblood of journalism
99 and how it's his/her job to tell the full story. It's like someone coached him/her on what answers to give
100 me. S/he may get there someday, but s/he's no Ronan Farrow yet. S/he got a lot of learning to do to take
101 all that raw talent and ambition s/he clearly has and become a responsible journalist. Too bad s/he didn't
102 get that lesson from her advisor Kennedy Quick.

103 Of course, a lot of the blame for this falls squarely on Kennedy Quick's shoulders. Beckett may not
104 know any better, but Quick certainly does. Or should. I guess it shouldn't be a surprise to anyone that
105 Beckett cut corners if she's learning the journalism trade from Quick. I know all about Quick's history on
106 reporting. I have read the article written about Quick in The New York Horizon. In fact, I used it as an
107 example when I was teaching journalism ethics in London. The article detailed the defamation lawsuit
108 filed against Quick for lying about some CEO's misappropriation of funds. Now, it's obviously not hard
109 to believe in this day and age that some CEO misappropriated funds. Indeed, I have covered many such
110 stories on the Hart of the Matter. So, maybe it happened as Quick reported it, but maybe it didn't. I don't
111 really know what became of that defamation suit, but what I do know is that Quick cut corners on that
112 story and admitted not double-checking facts s/he received from a biased source - the CEO's ex-secretary!
113 Sounds a lot like what Beckett did in this case--took information as "fact" from a clearly biased source -
114 Angel's rival, Shelby. Biased source + confidential source = a big pile of bull. Seems to me Quick hasn't
115 learned anything from her/his past mistakes. Perhaps s/he needs a refresher on journalistic ethics,
116 especially the first two principles: seek truth and minimize harm. Journalists, or in Quick's case, former
117 journalists, give us legitimate truth-seeking journalists a bad name. Too bad I am not teaching anymore; I
118 would let Quick audit my class for free.

119 I tried to get Angel to come on to the Hart of the Matter to, you know, get to the heart of the matter,
120 but s/he declined the request. It's too bad. I could have helped him/her get the truth out and take a stand
121 against this cancel culture spiraling out of control.

DEFENSE WITNESSES

SHELBY BANKS, SHADDUCK HIGH STUDENT

1 My dad always tells me, "Shelby, you're a Banks, so start acting like one." He's been telling me that a
2 lot since the fight at the basketball game. I really don't want to write about what happened--I normally
3 just keep things to myself. I'm also scared of what Angel Francisco and the other bullies at Tablerock
4 might do if I speak up. But, I've got to uphold my family's name, so I will give my side of the story. I'm
5 going to be brave, just like a Banks should be.

6 I was born in Palo Alto, California. That's where my dad started his company making cell phone
7 apps. He started the company using money he got as a small gift from my grandfather--about \$500,000--
8 and it quickly grew to a multi-million-dollar business. It's similar to how my grandfather made his
9 money, and I guess it's how I'm going to have to make my way in the world when I grow up. It's just a
10 Banks thing.

11 When I was four, my dad had made enough money, and the business was stable enough, that we
12 were able to move away from the big city to Tablerock. Moving to the country was always a dream of my
13 mom's--she's an artist and loves scenic landscapes. Of course, my dad couldn't stay away from business
14 for very long, so he bought some restaurants. He also invested in the local construction companies and
15 helped build some of the improvements in Tablerock. My mom got elected as a city councilwoman and
16 started several charities to help homeless people. I think my parents are hoping that, someday, there will
17 be a statue of them in a park named after them, just like there's one of my grandparents in a California
18 park. Again, just another Banks tradition.

19 I love art and always have. When I was little, my mom would let me loose with crayons, paint, and
20 markers and let me draw on pretty much anything, including my bedroom walls. But, when I was six, my
21 parents decided that I needed to take up basketball--being an artist doesn't really get your family's name
22 in the local newspaper as well as being a sports star. And, to be a sports star, you've got to start young. So
23 they signed me up to play for the Bears. That's where I met Angel. Yes, we were friends, but it was just a
24 kid thing--at that age, you can be friends with anybody, even people who grow up to be horrible.

25 I went to a summer basketball camp with Angel, but just one. Angel was obsessed with basketball
26 and wouldn't talk about anything else. The monotonous nature of the conversations bored me after a
27 while, and that's when Angel and I started not being friends. I mean, I like basketball, but it's just a sport.

28 Because my birthday is in July, I've always been younger and shorter than most of my classmates, so
29 sports have always been difficult. After that summer, I talked my parents into letting me go to a summer
30 camp for artists instead of basketball camp. We studied some classical works, but we also got to learn
31 about (and imitate) the fun and crazy modern art trending at the moment! To get my parents to agree, I
32 promised to work extra hard during the school year at my basketball skills.

33 I kept my promise. I got on the junior varsity basketball team my freshman year at Tablerock High
34 School. My parents were proud, although a little disappointed that I didn't make varsity. Angel, on the
35 other hand, never let me forget it. Angel would show up early to varsity practice, when junior varsity
36 practice was finishing, just to taunt me about it. Pretty soon, other varsity basketball team members
37 joined in. I began to dread going to practice.

38 Then, things got worse. In October of 2017, Tablerock had a football game with its rival, Shadduck
39 High. Tablerock lost. I could tell a lot of people were upset but, then again, that's what happens at every
40 sporting event, so I wasn't worried. On my way to get my bicycle to go home, I saw Angel run past the
41 front of the stadium. Angel seemed scared and was looking around. I yelled out, "Hey, is everything
42 okay?" but it must have spooked Angel, because Angel ran away. I didn't think much of it at the time.

43 When I got to basketball practice the next Monday, I could tell something had changed. The varsity
44 coach, Bobbie Day, was there and told us that a Shadduck bus had been tipped after the football game.
45 Coach Day said that all athletic events between Tablerock and Shadduck had been cancelled. Then, while
46 glaring at me, Coach Day told us that someone had reported seeing Angel (who Coach Day ranted about
47 as being the "star player" of the varsity team) and Angel had been suspended from basketball for the first
48 five games of the season. Coach Day sent the junior varsity coaches' home and ran our practice that day.
49 Coach Day seemed to have it out for me--when we did exercise drills, Coach Day kept telling me I had
50 not done it properly and would have me redo it. I was completely exhausted at the end of practice.

51 Then, when I left practice, Angel and the other varsity players were there. They called me a tattle-tale,
52 threw basketballs at me, and kept shoving me roughly. Even though my legs were aching, I managed to
53 run away. When I got home, I vomited. My parents noticed something was up. I told them what had
54 happened, and they decided to pull me out of Tablerock High School right away. Later that day, they let
55 me know that they'd made some phone calls and that I was going to attend Shadduck High from then on
56 out. They also made sure that I was immediately accepted onto the Shadduck junior varsity basketball
57 team. When I found that out, I was relieved--because basketball games were cancelled between the two

58 schools, I thought I wouldn't have to ever see Angel and the other varsity players again. I was soooo
59 wrong!

60 Even though I'd gotten away from the bullies, I still had a hard time at Shadduck. I really struggled
61 making friends there at first. Except for playing basketball, I've mostly kept to myself. Although they
62 didn't say it, I think my parents were embarrassed by my lack of social interaction--they were both
63 popular enough to become student body president when they were in high school, and I had no shot at it.
64 I buried myself in my artwork.

65 During my junior year, I came up with an idea for a comic strip and wanted to get it published in the
66 Guardian, which is Shadduck's school newspaper. I went to the faculty advisor for the Guardian,
67 Kennedy Quick, who barely took the time to glance up and refer me to the student editorial board. The
68 board liked my idea and I've been drawing comics for the Guardian ever since. Beckett Star, one of the
69 student reporters, really liked my work. Beckett even promoted my comic strip by writing a school article
70 praising it. After that, other kids started hanging out with me more. I owe a lot to Beckett.

71 I made the varsity basketball team my senior year. Things were getting better in my life. That is, they
72 were until Beckett told me that Angel was trying to get the schools to compete again. When Beckett told
73 me the news, my stomach felt like vomiting again. I knew Angel was up to no good--there's no way that
74 Angel was doing it out of a pure intent to reconcile the schools. I was sure Angel wanted the glory of
75 beating Shadduck High on the basketball court. I also think Angel was still angry about being suspended
76 after the bus-tipping incident--in Angel's mind, Shadduck was to blame for starting the pranks that day.
77 Of course, I knew this meant I would face Angel someday. I couldn't let Angel win. I decided to work as
78 hard as ever on my basketball skills.

79 Being a good con artist, Angel got a movement going and eventually convinced the school authorities
80 to have a test game. It came as no surprise to me when Angel announced that the test game was going to
81 be a varsity basketball game. It just confirmed to me that Angel had an ulterior motive.

82 When game day came, I was ready. I was going to do everything I could to shut Angel down. That is,
83 everything that was within the rules. Angel, however, didn't seem to have any scruples about fouling
84 people. I was guarding Angel, who seemed intent on getting me riled up. Angel kept on hitting me with
85 an elbow when the refs weren't looking and taunting me. But I kept my cool. It was Angel who seemed to
86 be losing it--an arrogant person like that can't stand having shots blocked by someone s/he thought was
87 an inferior player, and I was shutting Angel's shots down like crazy that night.

88 At halftime, Tablerock was up by eight points. I was desperate not to let Angel win, so I stepped up
89 my game even more. This made Angel furious--you could see the fire coming from Angel's eyes. Then,
90 while going for a layup, Angel drove right into me and bowled me over. I was livid--I knew Angel had
91 seen me. I got right up and punched Angel smack on the nose. The ref must have seen Angel plow into
92 me because the ref got it right and called a flagrant foul on Angel instead of me. Boy, did that make Angel
93 mad! Angel got right up in the ref's face and started swearing at him. That's when everyone started
94 coming down from the stands. Fights broke out, and I ended up with a bloody nose. Three of my friends
95 ended up in the hospital that night. I was furious--this was all Angel's fault. But, luckily, some of my
96 other friends had used their cell phones to video the fights. I told them to go and post them online. I
97 wanted the world to know what a failure Angel's "senior project" had been.

98 As luck would have it, the videos went viral. Soon after, Beckett contacted me. Apparently the school
99 editorial board had given Beckett permission to do an article on the game. Even though it was hard to
100 admit, I was truthful with Beckett about punching Angel in the nose in retaliation for the flagrant foul.
101 After I told my story, Beckett asked me if I thought Angel should be contacted. I told Beckett that I
102 thought it wouldn't be a good idea because Angel was obviously a liar--Angel hadn't admitted to
103 participating in the bus-tipping incident, even though Angel was clearly guilty. And, Angel had not
104 admitted to committing a flagrant foul when it clearly was one. Beckett thanked me and said the story
105 would be out pretty soon.

106 Boy, did things get crazy in Tablerock after the story was published! I didn't realize how bad it would
107 be to have my name in the press when I wasn't the one who did something wrong. I couldn't believe it
108 when protestors showed up outside my home, demanding that my family leave town. One group even
109 started a boycott movement, telling people not to eat at my dad's restaurants. Another group went
110 around gathering signatures to recall my mom as a councilwoman. But, even though it's been really bad
111 for business, my parents have supported me in telling the truth. That's just another Banks thing.

112 Being totally immature, Angel filed a lawsuit against Shadduck and Beckett. I completely support
113 Beckett's action in publishing the article. Finally, the world gets to see the real Angel, the cocky, wannabe
114 sports star that is just one big bully. I'm not going to live in fear of Angel anymore.

KENNEDY QUICK, SHADDUCK HIGH TEACHER & NEWSPAPER ADVISOR

1 Look, I know that lawyers are good at digging up dirt on people. So, this being a legal thing and all,
2 I'm just going to start by airing my dirty laundry and get it over with. It won't take long to find an article
3 about me entitled "Journalist Kennedy Quick Faces Defamation Suit for Lying about CEO's
4 Misappropriation of Funds." It was written by my vindictive rival working at The New York Horizon, a
5 small-time competitor to the newspaper I worked for. We met in college and quickly became bitter
6 enemies, writing a series of articles against each other's journalism style, choice of subject matter, and
7 grammatical errors. The article he wrote is highly inaccurate—I didn't lie about the CEO. I may have not
8 done the greatest job double-checking the facts given to me by the CEO's ex-secretary, but hey, I was in a
9 rush to get out a good story before others beat me to it! I could've sued my rival for defaming me, but I
10 was tired of the battle and wanted to get out of New York City. I resigned from my position at the
11 Brooklyn Mid-Morning Post—I did NOT get fired, as my rival later reported with glee. Unfortunately, I
12 still needed to have a job for a few more years before I could retire. I started searching for a job but, with
13 that article about me lurking online, no news company would even come near me, much less give me an
14 interview.

15 I did have one bit of good news around this time, however—my son's wife gave birth to a daughter,
16 my first grandchild! The family was in Monida, so I decided to take a temporary break from job-hunting
17 and visit them. While there, I learned that Shadduck High was looking for a new English teacher. I never
18 thought of myself as a teacher before, but I'd become pretty attached to my granddaughter by that point
19 and didn't want to leave. I sent in an application and, to my surprise, they called me back the next day
20 and offered me the position. So, at fifty-four, I switched careers and became an English teacher for
21 Shadduck High.

22 Of course, I couldn't get journalism completely out of my blood. After all, I graduated with a degree
23 in journalism, summa cum laude, from the prestigious program at the University of Maryland and
24 worked for a stellar newspaper for thirty-two years. So, naturally, I became the official advisor for the
25 Shadduck High school newspaper called the Guardian. I pride myself on being a hands-off, laissez-faire,
26 type of advisor. The Guardian has an editorial board composed of five students, elected by the student
27 reporters. I give the editorial board outlines for how to run the school newspaper and let them go at it—
28 the school of hard knocks teaches better lessons than I could give. Basically, the editorial board is the
29 governing entity for the school newspaper. The board is composed of students elected by the student
30 reporters. The board manages the student reporters, sets the vision for the school paper, and gives

31 preliminary approval for articles submitted by student reporters. After the board’s approval, the school
32 requires me, as the advisor, to decide whether to give final approval for publication. Consistent with my
33 approach, I don’t give feedback on the content, structure, or grammar of the article. I just give a thumbs
34 up or thumbs down.

35 I’ve only rejected one article submitted by the editorial board. That was in the spring of 2021. It was
36 an article criticizing a teacher at Shadduck High. I denied publication because I thought it would expose
37 the school to legal liability—even though the editorial board is largely independent, the school shares
38 responsibility for what is published. The editorial board members were furious and called me a
39 hypocrite. They even submitted an article by the same student criticizing me for allegedly playing fast-
40 and-loose with my laissez-faire principles. When I saw the second article, I laughed and approved it for
41 publication. I’ve got a thick skin and I figured it would help them blow off steam.

42 I should add that each year I give the editorial board and student reporters a short lecture based on
43 the code of ethics promulgated by the Society of Professional Journalists. These standards are commonly
44 accepted throughout the field of journalism (with maybe the exception of those TV sensationalist media
45 people—they think they’re too large and powerful to be bound by any ethical considerations). The first
46 lesson I teach the student reporters is to always double-check the facts. After my experience in New York,
47 I’ve become much more cautious and cynical about what people tell me, and I’ve done my best to instill
48 those values into my students. However, because I’ve been in the real world and know what it’s like to
49 work under pressure, I emphasize to my students that the code of ethics is a set of “guidelines” that
50 change according to circumstances.

51 I’ve been teaching and advising now for six years. A couple of years ago, I came across a gem—
52 Beckett Starr, a talented, aggressive, and promising student reporter. I encouraged Beckett to take the
53 hardest assignments, and Beckett always came through. In my experience, Beckett is thoroughly truthful,
54 a quality which I have sought to reinforce. You couldn’t ask for a better student reporter. However, the
55 editorial board has a pattern of ignoring Beckett’s intuition about what will be the hot topics. I saw that
56 Beckett’s initiative was being squelched, so I decided to give Beckett one-on-one mentoring to
57 compensate. And (remember this is high school) I think the members on the editorial board are jealous
58 that they haven’t been given similar attention.

59 Even though I’m an outsider, I soon became intrigued by the tension between Shadduck High and
60 Tablerock High School. I love sports, but not as much as these two schools! I mean, I don’t condone the

61 bus-tipping that happened years ago, but I've got to say I admire the passion that it shows. That, and
62 rivalries always furnish good material for articles. I was disappointed when they discontinued most
63 competitions between the schools. After that, all we had was spelling bees, which put people to sleep and
64 are not newsworthy. No one tips over a bus if they lose a spelling bee.

65 When I heard that a student from Tablerock High (who I have since learned was Angel Francisco)
66 was getting the schools back together, I became excited. I encouraged Beckett to investigate the
67 developing story and to take a skeptical angle—deep down, I wanted the schools to compete again, but
68 people don't like news articles that tell them everything's all right. People get interested if they think
69 something will go up in flames. Of course, the student editorial board didn't agree, and refused to
70 authorize Beckett's investigation into Angel's efforts. But, in my experience, it's a good practice to
71 investigate the dark side of things—when things end up going downhill, I've found that editorial boards
72 freely forgive rogue reporters who had the foresight to question the rose-tinted glasses worn by others.
73 Again, I was hoping that everything would work out fine, but I had to help Beckett continue developing
74 good journalism instincts.

75 Ultimately, the schools agreed to hold one basketball game, as a test to see if the schools could begin
76 competing in sports again. Being a teacher, I was able to get a front-row seat. It was date night for my son
77 and daughter-in-law, so I had my now-six-year-old granddaughter with me. Before the game, the mayor
78 gave a brief speech about reconciliation. I think it actually had some impact on the players. During the
79 first half of the game, you could see that the players were cordial to each other, even friendly—some gave
80 high fives to the opposing team when they scored. During half time, I went and got my granddaughter
81 some nachos. Not the healthiest option, but I'd forgotten to get her dinner before the game.

82 When I got back, the game had already started again. I noticed a change in the atmosphere. Two
83 opposing players, Angel and a kid who looked vaguely familiar (I later learned it was Shelby Banks, who
84 it turns out writes a comic strip for the Guardian), seemed to be at each other's throats. I'm not a
85 basketball expert, but it seemed like they were fouling each other behind the referee's back, doing things
86 like pulling on the other person's jersey. In addition, Shelby was guarding Angel like crazy and kept
87 shutting Angel down. You could tell Angel was getting pretty frustrated by the way Angel's face was
88 flushed red.

89 Then, Shelby blocked one of Angel's shots. Angel glared at Shelby, and it seemed like something
90 snapped inside Angel. My granddaughter even noticed the tension and got excited. Too excited, it turns

91 out—as she stood up, the nachos landed on my lap. Using the sole napkin given to me by the stingy
92 concession worker, it took me a couple of minutes to mop up the mess. When I glanced back up, I saw
93 that Shelby was behind Angel. I saw Angel quickly look at Shelby, in kind of a furtive way, then Angel
94 whipped out an elbow and smacked Shelby in the nose. It was designed to look like an accident—the
95 eyebrows on Angel's face rose in what looked like an attempt to feign surprise that Shelby was there—but
96 I knew it wasn't an accident because Angel had looked at Shelby just the moment before. Shelby yelled in
97 pain and immediately tackled Angel to the ground. That's when the fans started pouring down onto the
98 court. I grabbed my granddaughter and fled—I knew what these crazy school sports fans were capable
99 of, and I didn't want my granddaughter caught in the crossfire!

100 Soon after, I called Beckett. I instructed Beckett to interview as many witnesses as possible. I gave my
101 version of the story but because I had been distracted by the nacho incident, I knew there were gaps in
102 my story. I told Beckett to interview other witnesses to fill in the gaps and to double-check what I
103 remembered. Beckett wrote up the story and submitted it to me. Like I said before, Beckett's proven
104 him/herself to be a truthful journalist, so I trusted that Beckett followed my instructions to talk to
105 multiple witnesses. I reviewed Beckett's story and approved it for publication.

106 Now, after this lawsuit was filed, I realize I could have done a more thorough review of Beckett's
107 work, but I still stand by my opinion that it was completely appropriate to publish the article. The
108 school's lawyers, in preparing for this case, made me review the witness statements of Beckett, coach
109 Bobbie Day, Shelby, and Angel. After reviewing the efforts that Beckett made to investigate the story, I
110 conclude that, in my training and experience, Beckett adequately complied with the code of ethics for
111 professional journalists.

112 The code of ethics requires a reporter to “verify information before releasing it” and to “use original
113 sources whenever possible.” Here, Beckett actually witnessed the events. As such, Beckett wasn't
114 required to do much additional verifying to double-check the events at the basketball game. Again, the
115 code is only a guideline, which means it's flexible. Beckett went the extra mile by talking to Shelby and
116 getting Shelby's account of the game. Of course, we later learned that Angel has a different story, but
117 that's common with any public occurrence and especially when the emotions on both sides are charged.
118 In my experience, a reporter isn't required to get the accounts of every possible witness just to see if there
119 are contradictions. For something like this, it's sufficient that the article is supported by a couple of
120 eyewitnesses. Plus, after the editorial board completely changed course and approved Beckett's
121 investigation, the board gave Beckett a tight deadline for the article. This was a big story and videos had

122 already gone viral—it was important to get the article out before it was old news, which happens fast.
123 Although reporters shouldn't do a rush job, the need to get the information to the public in a timely
124 manner tempers the need for diligence. Sure, Beckett could have investigated more thoroughly, but that's
125 true for every other article in the world!

126 As for Beckett's representation that Angel may have planned all along to start a fight, Beckett
127 properly relied on the anonymous source for this information. That source was close to Angel, and so had
128 an interest in remaining anonymous—based on what I saw on the basketball court, Angel is not someone
129 you want coming after you! Anonymous sources have been around as long as journalism, which is why
130 we have shield laws to protect their identities. The shield law is why the trial court held that Angel
131 couldn't force Beckett to disclose the identity of the anonymous witness during discovery. Anonymous
132 sources help other people stay honest, and a good journalist always keeps a promise to protect the
133 anonymity of the source. That's exactly what Beckett did.

134 In my professional opinion, Beckett's article satisfied the standards of professional journalism.
135 Beckett did a great job, and I stand by my approval of Beckett's work. This is one defamation suit I'm not
136 running from.

BECKETT STARR, DEFENDANT

1 I am Beckett Starr. I've lived in Tablerock all my life and frankly can't wait to put this town in my
2 rear view. Some might call me a bit "bookish" and "athletically inept." However, my routine selection as
3 the final member of any team in gym class at Shadduck High School never bothers me. I focus my
4 attention and energy into useful endeavors--like my school's newspaper, The Shadduck Guardian.

5 Over the last few years, I penned all the Guardian's top stories. My first article during my freshman
6 year was about financial misconduct in student government that resulted in the removal of several class
7 representatives. Nobody was aware of the issue before I started looking into things. That first article
8 demonstrated my knack for investigative journalism. The following summer, I attended a summer
9 program for students interested in pursuing journalism as a career at the encouragement of the
10 Guardian's faculty advisor, Kennedy Quick. The program convinced me to pursue a career in journalism
11 and taught me practical interviewing skills, investigative techniques, and journalistic ethics.

12 Initially, the rivalry between Tablerock and Shadduck High Schools did not interest me. A juvenile
13 prank war was humorous, but it was not worth my time. However, I took notice after seeing Angel and
14 other Tablerock students tip over the Shadduck football team's bus in the fall of 2017. Property damage
15 like that is uncommon in the Tablerock community. Sadly, the Guardian's editorial board (a group of
16 students that controls the Guardian's day-to-day operations) passed me over for the assignment to write
17 about that event in favor of some hack with more seniority. My disappointment intensified when the
18 school board subsequently discontinued activities between Tablerock and Shadduck. I tried to convince
19 Quick to override the Board's decision. Quick thought highly of me and trusted my instincts.
20 Surprisingly, Quick did not intervene on my behalf. I must admit, it would have been great to report on
21 some jocks suffering consequences for the actions.

22 After the initial uproar over the bus tipping, interest in the rivalry between Tablerock and Shadduck
23 waned. At least it did until Angel launched a "senior service project" seeking reinstatement of athletic
24 competitions between the schools. This newshound got a whiff of something truly newsworthy behind
25 that service project. I did not know Angel's angle yet, but something with all the reconciliation nonsense
26 s/he spouted was off. My journalistic intuition told me that Angel's whole "reformed delinquent seeking
27 to remedy some of the harm (s)he caused" was just an act. People just do not go from tipping school
28 busses to social activists for no reason. The Board refused to authorize any investigation into or reporting

29 on Angel's activities. I suspect this decision resulted from concern that coaches, and boosters would not
30 look kindly upon those who might impede the rekindling of the intra-city rivalry.

31 Regardless, I still kept my eye on Angel. I went to the school board meetings where Angel advocated
32 reinstating athletic competitions between Tablerock and Shadduck. When the Guardian's editorial board
33 got wind of my activities, they were furious. In apparent retaliation for failing to walk away from Angel's
34 service project, the Guardian's editorial board relegated me to the sports desk for the rest of the school
35 year, which really stung, given it was my senior year. Although my assignment to the sports desk was
36 not expressly designated a punishment, there was no other way to explain it. Instead of investigating
37 anything of substance, I was stuck reporting some blockhead's opinion on how "hustle" and "teamwork"
38 brings victory. What a waste!

39 Not that anyone could have noticed my frustration, I dutifully produced the articles and play-by-
40 plays my new role demanded. Those pieces were the best sports writing the Guardian ever saw – Frank
41 DeFord level sports writing. While I languished at the sports desk, Quick was the only person who
42 sensed something amiss with Angel. Quick encouraged me to continue following Angel's activities. I
43 must admit the school board's decision to allow athletic competitions between Tablerock and Shadduck
44 again was surprising. It seemed nobody cared about the safety risks.

45 As college application deadlines loomed, I started feeling anxious. Admission to top college
46 journalism programs is extremely competitive, and my financial situation only exacerbated my anxiety.
47 Without financial aid, I was not going to be able to pay for college. According to Quick, the few existing
48 scholarships regularly went to student athletes with no involvement in journalism. Only a major scoop
49 would give me any chance at keeping one of those scholarships out of the hands of some musclebound
50 dimwit. Who knew that I would break such a story from the sports desk. Despite the schools' history, I
51 did not expect the January 8, 2022 basketball game between Tablerock and Shadduck to be anything but
52 fodder for a mindless summary of people pushing around a leather ball. Any reasonable person would
53 have expected security so tight that there would be zero chance of any "mishaps." How wrong I was.

54 Both Tablerock and Shadduck were having successful seasons, and the victor would be in the driver's
55 seat for the conference championship. This fact and the schools' history drew a capacity crowd.
56 Unfortunately, it also resulted in my seat being so high up in the nosebleeds that I considered hiring a
57 Sherpa to get to it. Despite the poor vantage point, even I had some trouble containing my enthusiasm at
58 points with so many people cheering. I may have joined in a few of the "Take a seat!" chants that started

59 whenever Tablerock's coach, Bobbie Day, stood up. If you did not already know, the chants reference a
60 time when Coach Day hurled a chair onto the court during a fit of rage.

61 As expected from a Bobbie Day coached team, Tablerock was physical, some might even say
62 "chippy," from the tipoff. The players quickly realized that the referees had swallowed their whistles,
63 and the game devolved into an old-fashioned "rock fight," with two hard hitting defenses facing off
64 against two ineffective, if not downright inept, offenses. Angel was especially aggressive throughout the
65 first half, talking trash and throwing elbows like candy at a parade. Eventually, it became clear that
66 Shelby Banks was Angel's primary target. This was not particularly surprising either. Shelby had
67 transferred from Tablerock to Shadduck after suffering some intense bullying from Tablerock basketball
68 players. Not that Shelby took the abuse laying down mind you, (s)he would eventually return the favor.

69 Things boiled over early in the third quarter when Angel tried to run over Shelby driving for a layup.
70 Angel was out of control and lost the ball after colliding with Shelby. Apparently frustrated by the
71 turnover, Angel pushed another Shadduck player. Shelby stepped in with a straight right to Angel's nose.
72 In response, both benches emptied, and the game spiraled into a "basketbrawl." For the next ten minutes,
73 pandemonium reigned. When the dust settled, six players ended up in the hospital. Once school officials
74 separated the uninjured players, the remainder of the game was cancelled and declared a no-contest.

75 Once the initial shock of what I had witnessed subsided, my journalistic intuition went crazy. Angel's
76 behavior during the game and my prior suspicions all suggested something newsworthy was afoot. I
77 immediately sought permission from the Board to investigate the cause of the fight. At first, they were
78 reluctant. However, the next night, I received a phone call from someone close to Angel who helped with
79 the signature gathering campaign to revive athletic competition between Tablerock and Shadduck.
80 According to this individual, Angel planned to instigate the fight. When I informed the Board of the
81 phone call, not only did they authorize an investigation, but they also relieved me of my duties at the
82 sports desk to do it. I knew this was my best chance at a bit story. However, I was also aware that time
83 was of the essence. Videos of the fight were already on social media. If other news media reported on the
84 fight before I completed my investigation, the public might lose interest before I could publish my
85 findings. I had to hurry.

86 The first step of my investigation was to meet face-to-face with the person who contacted me about
87 Angel. The individual agreed to meet only after I promised to keep the individual's identity confidential.
88 Although I did not recognize the individual when we met, I was able to confirm the individual's identity

89 as one of Angel's classmates at Tablerock High School through school yearbooks and social media
90 accounts. I also confirmed that the individual collected some of the signatures from Tablerock residents
91 that Angel presented to the school board to convince them to back his/her senior service project. During
92 the meeting, the individual confirmed that Angel was trying to start a fight during the basketball game.

93 After meeting my confidential informant, I needed the perspective of someone at the epicenter of the
94 fight. Like I said, I did not have a courtside seat. From the nosebleeds, all the cheering fans obstructed my
95 view somewhat. I needed to confirm my recollections. So, I went and talked with Shelby. I knew Shelby
96 through (his/her) work as a cartoonist for The Shadduck Guardian, and I was confident s/he would give
97 me the unvarnished truth. Shelby confirmed not only my impression that Angel was especially
98 aggressive throughout the game, but also my belief that Shelby had punched Angel only in retaliation for
99 unnecessarily dangerous play. After speaking with Shelby, I did not feel the need for any input from
100 Angel. I was writing an article for the Guardian--not Angel's school newspaper. Besides, nothing Angel
101 might have said would hold water in my opinion. Angel probably would have denied any wrongdoing,
102 but how much can you trust someone who tips over school buses?

103 I did contact Coach Day to find out what, if any, consequences Angel might face for starting the fight.
104 As expected, Coach Day fed me some line about the fight being a "bad look," but the issue had "been
105 handled" and was "no longer newsworthy." At this point, I felt it unnecessary to review the Shadduck
106 basketball team's recording of the game or any of the viral videos posted online. A person on the court
107 had confirmed my recollections of the evening. What more did I need? More importantly, a few days had
108 already elapsed since the fight. I needed to complete my article as soon as possible, so I started writing.

109 I finished a first draft of my article the same day I interviewed Shelby. The article exposed Angel's
110 hidden agenda and intentional over aggression during the basketball game. When I presented the article
111 to the Board, they were nervous about publishing some of the accusations it contained. I stood my
112 ground, however, and argued that we needed to print the truth--regardless of how ugly it might be.
113 Eventually, I suggested taking the article to the paper's faculty advisor. The Board agreed to print my
114 article if it received Quick's blessing. Quick had backed an investigation of Angel from the beginning, so I
115 was confident my article would be approved. Quick did not disappoint me. My article was approved
116 after only a single reading--no questions asked.

117 Shortly after my article went to press, things really got interesting. The same week that my article
118 went up on the Guardian's website, recordings of the fight went viral on social media. Overnight the

119 view counts for these videos skyrocketed from a few hundred into the millions. I then started posting
120 links to my article in the comments section of these videos. For the next few days, the Guardian's website
121 crashed multiple times due to the influx of additional traffic to my article.

122 Then a producer from the national television news show, Hart of the Matter with Remi, contacted me.
123 The show producer I spoke with asked to reprint my article on their website and interviewed me for a
124 segment on the fight. At first I wasn't sure about having them reprint my article because they wanted to
125 make some changes, but later I decided the national attention was too good an opportunity to pass up.
126 But as far as the interview went, I was ecstatic and immediately agreed to get on the show. My nose for
127 news was finally receiving recognition on a national level.

128 However, the interview did not turn out quite as I hoped. While prepping me for the interview,
129 producers said I should not mention Angel, or any other student, by name. I was not sure that that was
130 all about. The interview itself focused exclusively on the fight and its immediate aftermath, with only a
131 couple questions about the rivalry between Tablerock and Shaddock. Remi made it sound like Angel was
132 the victim which was really rich, especially because I had no opportunity to reveal Angel's intention to
133 start the fight. I should have expected a cable news show to produce a shallow segment. Quick always
134 told me that such shows always focused on violence whenever possible. And Mr./Mrs. Quick said I did a
135 great job sticking to my talking points even with a tough interviewer like Remi Hartman.

136 I suppose I should not be that bitter. After my interview broadcast, a representative from one of the
137 top college journalism programs contacted me. She indicated that some members of the faculty had seen
138 my interview and recalled my application. Once they perused my work on the Guardian's website, the
139 journalism faculty decided to admit me to their program along with a full scholarship! It was gratifying
140 that someone had finally recognized my talent.

141 Unfortunately, I was not able to ride the high from my acceptance into a top journalism program for
142 that long. In the spring of my senior year, Angel sued both me and Shaddock High School, claiming my
143 article was defamatory. I had heard through the grapevine that the University of Monida rescinded
144 Angel's admission and full-ride basketball scholarship following publication of my article. Angel's
145 lawsuit is just one more attempt by a bully to victimize someone perceived as weaker. Angel is not going
146 to bully me into silence or retracting my article. My investigation into Angel was sufficiently thorough,
147 and I know what I wrote is the truth. I cannot be held liable for publishing the truth.

EXHIBITS

EXHIBIT 1: ARTICLE FROM SHADDUCK GUARDIAN

Fight Ends Basketball Season

By: Beckett Starr

As one of the people present at last week's game between Tablerock and Shadduck, I can tell you that civility was in short order. The now infamous game made national headlines when one of the spectators captured cell phone footage of the ugly incident that has since gone viral on social media.

In what school officials describe as "one of the worst things witnessed on a basketball court," the game ended in a bench-clearing brawl that included spectators pouring from the bleachers and attacking players.

The intense rivalry between Tablerock and Shadduck High Schools has been legendary for generations, but last week's game was the first time the two schools have faced off in any sport in nearly four years. Any sporting event between Tablerock and Shadduck always included harmless cross town rivalry pranks. But few years ago the pranks began to escalate to dangerous levels. In the fall of 2017, some Shadduck students climbed the flagpole in front of Tablerock and attached a pirate flag. They then cut the rope so that the flag could not be lowered and put Vaseline all over the pole so that it could not be climbed again. That evening during a football game, Tablerock retaliated by tipping over the Shadduck team bus. After this incident, all activities between the two schools were prohibited.

At the center of all of this – past and present – is Tablerock senior Angel Francisco. Francisco was one of the students involved in the bus tipping incident that led to the teams not being able to play. Francisco then organized a senior service project to bring the two schools back together. And finally, it was Francisco who instigated the fight at the basketball game s/he had organized, which a source tells me may have been the plan all along.

In what has been typical of the rivalry between the two schools, game play was aggressive both sides. The fight erupted in the third quarter when Shelby Banks allegedly punched Angel Francisco, after Angel committed what was clearly a flagrant foul. Because of what Angel set in motion, at least six people ended up at local hospitals for injuries that included a concussion, fractured finger, leg sprain, body bruises and head trauma. As an eyewitness to the events of that evening, I can tell you that the scene was all-out fight instigated by Angel Francisco.

Although both teams were involved in the fight, the only player ejected was Shelby Banks. The referee said that, although Francisco fouled Banks, it did not justify Banks in punching Francisco. When asked for comment Banks said "I was just competing. But from the moment the game started Angel acted like s/he was out for blood, which was weird given s/he was the one who organized the game."

While Shelby admits s/he defended him/herself, s/he confirms that it was Angel who set the fight in motion. "It's one thing to use your elbows to defend your space. That's part of basketball. But it's a whole other thing to use your elbow as a weapon. And that's what Angel did when s/he fouled me. Yeah, I took a swing at Angel, but I was defending myself. Angel started all of this. And with all the pent-up frustration I had from having to ignore Angel's poor sportsmanship during the entire game, I just lost it. You know how it goes. It's not the one who starts the fight that gets in trouble. It's the one who stands up to the bully and gets caught who bears the consequences."

All team members from Shadduck have been disciplined, their basketball season has been suspended, and the team will remain on probation next season as well. Additionally, the ban on games between Tablerock and Shadduck has been reinstated.

I reached out to Tablerock coach, Bobbie Day to see what consequences Day's team in general and Angel Francisco in particular were facing in the aftermath of the event. Said Day: "When you get people coming out of the stands, adults beating up on minors, that's not a good look. But this has been handled and is no longer newsworthy. It's just a matter of an event took place and it's over and done with and everybody's moving forward in whatever way is appropriate. As far as I'm concerned there's nothing more to discuss."

All this goes to show that the two schools should never, ever, compete in athletics again. Students at Tablerock like Francisco will always be there to tip a bus or start a fight. If anyone brings up reconciliation again, all we need to do is remind them that it only results in Shadduck students going to a hospital.

EXHIBIT 2: EDITED GUARDIAN ARTICLE (APPEARED ON HARTMAN OF THE MATTER BLOG)

Basketball Game Ends in Fight

By: Beckett Starr, as edited by Remi Hartman

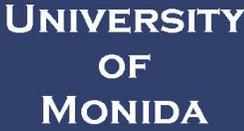
The basketball game between two schools in the state of Monida made national headlines when one of the spectators captured cell phone footage of the incident that has since gone viral on social media. In what school officials describe as “one of the worst things witnessed on a basketball court,” the game ended in a bench-clearing brawl that included spectators pouring from the bleachers and attacking players.

The intense rivalry between Tablerock and Shadduck High Schools in Tablerock, Monida has been going on for generations. Last week’s game was the first time the two schools have faced off in any sport in nearly four years. Any sporting event between Tablerock and Shadduck always included cross town rivalry pranks. But few years ago the pranks began to escalate to dangerous levels. In the fall of 2017, some Shadduck students climbed the flagpole in front of Tablerock and attached a pirate flag. They then cut the rope so that the flag could not be lowered and put Vaseline all over the pole so that it could not be climbed again. That evening during a football game, Tablerock retaliated by tipping over the Shadduck team bus. After this incident, all activities between the two schools were prohibited.

Then in 2021, Angel Francisco, a senior at Tablerock High organized a senior service project to bring the two schools back together. In what has been typical of the rivalry between the two schools, game play was intense. The fight erupted in the third quarter and at least six people ended up at local hospitals for injuries that included a concussion, fractured finger, leg sprain, body bruises and head trauma.

Both teams were involved in the fight. All team members from Shadduck have been disciplined, their basketball season has been suspended, and the team will remain on probation next season as well. Additionally, the ban on games between Tablerock and Shadduck has been reinstated.

When reached for comment, Tablerock coach, Bobbie Day said, “When you get people coming out of the stands, adults beating up on minors, that’s not a good look. But this has been handled and is no longer newsworthy. It’s just a matter of an event took place and it’s over and done with and everybody’s moving forward in whatever way is appropriate. As far as I’m concerned there’s nothing more to discuss.”

EXHIBIT 3: ANGEL'S ACCEPTANCE & SCHOLARSHIP LETTER

December 8, 2021

Angel Francisco
756 3rd St.
Tablerock, Monida

Dear Angel,

Tradition. Family. Commitment. Spirit. Champions. These five elements are characteristic of what makes the University of Monida a special place to live, learn, and play college basketball. The U of M has built a strong foundation in both academics and athletics. This rich history and tradition will be the building blocks for our future.

Every day we prepare to win championships on and off the court. We recruit ambitious, achievement oriented, high-energy players. We want people who are hungry. We want players that have a passion and display that passion consistently.

After careful evaluation of your academic, athletic, and personal accomplishments, we are convinced that you that the abilities we are looking for in our basketball program. **The University of Monida would like to offer you admission to the class of 2026, along with full basketball scholarship beginning in the fall of 2022. This scholarship is subject to your meeting all NCAA eligibility requirements.**

Angel, I know you are the type of person you would be a great addition to our family. We feel strongly that the lessons learned and the experiences gained here at U of M are priceless. If you have any questions about this letter, please do not hesitate to contact me.

Go Blue!

Peyton Wallace

Peyton Wallace
Head Basketball Coach

 4 Charlie Street, Mt. Vernon, Monida

 206-555-1015

 info@umonida.edu

EXHIBIT 4: SOCIAL MEDIA RESPONSES TO VIRAL VIDEO OF FIGHT

Shaddock Guardian
Yesterday at 2:55 pm · 🌐

Fight Ends Basketball Season by Beckett Starr

Read about the fight at last week's game against Tablerock as reported by our own Beckett Starr.



Like Comment Share

👍👎🗨️👤 David and 237 others

Katie Owens Oh wow!
22 likes · undefined · undefined · Yesterday

Yvonne Frazier I can't believe Angel would start something like this!
4 likes · undefined · undefined · Yesterday

Philip Shelton Not cool...
36 likes · undefined · undefined · Yesterday

Pedro Myers I thought Angel was a good person. This is hard to believe. Sorry to anyone who got hurt.
2 likes · undefined · undefined · Yesterday

Elbert Garret (U of M) This is what passes for high school basketball these days?
7 likes · undefined · undefined · Yesterday

Emily Wise Angel Francisco 2024!
0 likes · undefined · undefined · Yesterday

Joel Riley Not gonna be on my team...
15 likes · undefined · undefined · Yesterday

Lorraine Alvarado What a do it. Angel, I hope you get suspended for the rest of your basketball career!
5 likes · undefined · undefined · Yesterday

Georgia Allen Sounds to me like many people were at fault. Kinda irresponsible to blame just one person.
2 likes · undefined · undefined · About an hour ago

Write a comment... 📷 📺 🗨️ 📄

EXHIBIT 5: ANGEL FRANCISCO'S GRADES

Report Card				
Tablerock High School 2021-2022				
Name: Angel Francisco				
Grade: 12				
A - Excellent		C - Average		F - Poor
B - Very Good		D - Below Average		P/F - Pass/Fail
<u>Subject</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>
European Literature	A-	B-		
US History	B+	C+		
Advanced Biology	B-	C		
Pre-Calculus	A	B		
Programming II	A-	B+		
Senior Project	P	P		
GPA:	3.47	2.67		

EXHIBIT 6: LETTER RESCINDING ANGEL'S ACCEPTANCE & SCHOLARSHIP

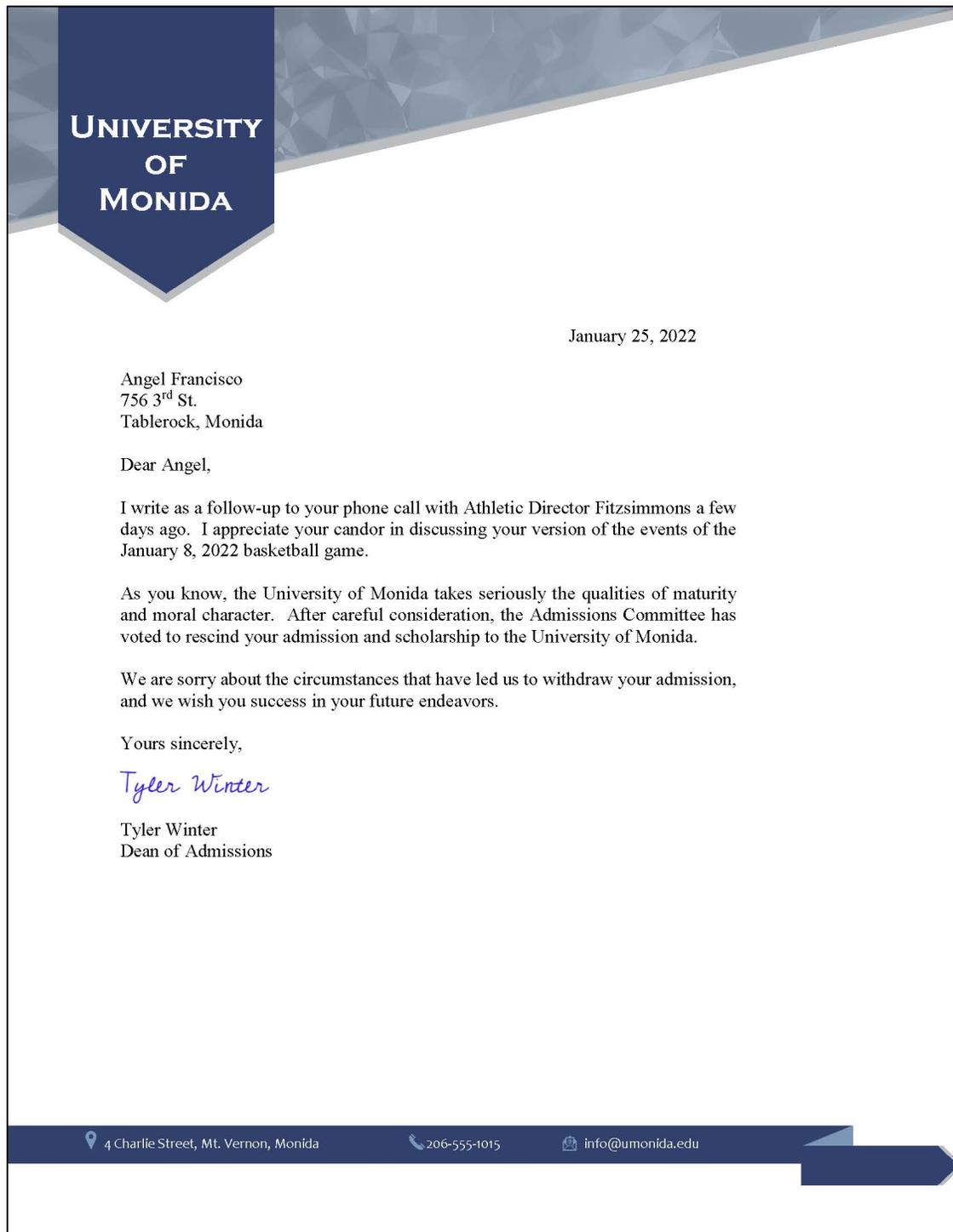


EXHIBIT 7: TABLEROCK SCHOOLS ATHLETIC POLICY

I. VIEWS, GOALS, & RESPONSIBILITIES OF THE SCHOOL

The Role of Interscholastic Athletics

Organized athletics offers the participants an opportunity to foster the physical, mental, emotional, social and moral growth. Through situations which arise during strenuous practice sessions and athletic contests, student athletes must not only learn how to react to their own capabilities and limitations, but how to appropriately react to the behavior of others. These reactions result in physical and mental growth, as well as change. Because of the competitive and emotional nature of athletic contests and the player's obvious interest in the outcome, they are more susceptible to change than in many educational settings. To ensure that these changes are positive, all phases of athletics should be expertly organized and conducted.

In order to attain success in athletics, the participants must train their minds and bodies to respond instantly and effectively to the various challenges that arise during practice and game play. This parallels learning to effectively deal with challenges that arise later in life.

The competitive world is often neither gentle nor overly kind. With effective direction, the child may grow toward social maturity by learning

- patience for a desired result,
- sacrifice and common goal setting,
- to deal with minor physical/mental difficulties,
- to control emotional outbursts,
- to deal with fear, and
- to be more self-reliant.

Tablerock Public Schools Athletic Philosophy

It is the belief of Tablerock Public Schools that athletics provide many opportunities to develop the body, mind and soul of the participating students. To facilitate the pursuit of these opportunities, Tablerock Public Schools desires to facilitate an athletic program that gives all interested students a place and role in which to compete in a safe and healthy way.

Objectives of the Tablerock Public Schools Athletic Dept.

- Provide safe, organized and productive ways for our students to compete in physical competition.
- Developing work ethic through preparation for competition.
- Developing teamwork and social skills.
- Effectively teach the rules and strategies of each sport.
- Teach students to respect the games, the opponents and themselves by playing within the rules and showing exceptional sportsmanship.
- Encourage students to grow physically, mentally, morally and socially.
- Further in students an appreciation for optimum health and physical fitness.
- Develop an overall athletic program, where the standards and values of each individual sport are cohesive with those of the entire program.

- Instill in all athletes the desire to represent their school and community in a manner that will make school administrators, teachers, parents, and the community proud.

Responsibilities of the Coaching Staff

- Create an environment where the students feel welcome, accepted, challenged, encouraged and are held accountable to standards of expectations.
- Promote student safety through teaching proper techniques and monitoring student health.
- Be examples of the characteristics we hope to teach the students.
- Be teachers – on the fields and courts as well as in the classroom.
- Treat students fairly.
- Be open in communication.
- Continually learn and develop their knowledge of the sports they can teach effectively.
- Work with students and other coaches when a student is involved in activities that occur at the same time.
- Determine the playing time and strategies that they feel best serve the team.

II. EXPECTATIONS & RESPONSIBILITIES OF THE STUDENT ATHLETE

Participation in the athletic program is not a right but a privilege. No student is required to take part in the athletic programs. Therefore, it is imperative that all students taking part in the program understand the expectations and responsibilities of the athletic program. There will be measures of accountability for students who fail to meet these expectations and live up to these responsibilities.

- **Academic Success:** Beyond simply maintaining eligibility, athletics will always be subordinate to academics. Athletes should be leaders in the classroom. Any issues with classroom behavior will have consequences in athletics as well.
- **Compliance with Coach's Expectations:** Each coach will have certain ways they want things done and it is the responsibility of the student to adhere to those expectations.
- **Responsibility with School Equipment:** The student should use school equipment in the manner in which it was intended to be used and take care of it. Damaged or lost equipment will be the financial responsibility of the student.
- **Practice Responsibilities:** Students are required to attend the practices of the sports they are committed to. It is the responsibility of the student to let a coach know if they have to miss a practice. It is the responsibility of the student to accept any extra conditioning or punishment required by the coach. Coaches have the right to exercise discretion on certain reasons for missing practice such as a family member's death, etc. Each program will have similar and comparable ways to deal with missed practices. Each student is expected to put forth exemplary effort in practice in whatever role asked by the coaching staff.
- **Conduct and Behavior:** Students are expected to show character in their conduct and behavior and represent Tablerock Public Schools in a way that is indicative of our values and beliefs. Play fairly and within the rules. The coach will address Unsportsmanlike Conduct. Ejection from a contest will result in further suspension. Total, absolute respect for officials and their decisions. Players will need to control emotions and actions in the heat of competition. Profanity – in

practice or competition – will not be tolerated Interaction with fans or parents deemed inappropriate by the coach will not be tolerated.

- **Eligibility:** Participation in athletics is a privilege, NOT a right. Students can earn the privilege through hard work, dedication, desire, and self-discipline. All students in ninth through twelfth grade are eligible to participate in high school sports.
- **Academic Eligibility:** Student-Athletes are expected to maintain passing grades in all classes. A student who wishes to participate must have an overall Grade Point Average (GPA) of 2.0 (average grade of “C” or better) or achieve at least a 2.0 GPA on the last report card prior to the season or activity period. If a report card is issued during a season or activity period, a student must remain eligible in order to participate. Students wishing to appeal their eligibility status must coordinate with their Athletic Director.

IV. INJURY PROTOCOL

Unfortunately, participation in athletics carries a potential for injuries. How we deal with those injuries is important. All injuries must be reported to the proper individual as soon as they occur/or are noticed. Injuries need to be reported so that:

- 1) They can be properly cared for. This may include only some treatment, possibly rehabilitation or physician referrals if needed.
- 2) All parties involved can be notified. This may include but not be limited to Parent(s), Guardian(s), Coach & Administrator(s).

The coaching staff can facilitate referral to doctors who specialize in sports medicine. These doctors are sensitive to the injuries and needs of athletes and structure their care with the athlete and their quickest, safe return to activities in mind.

V. POTENTIAL ATHLETIC ISSUES

Athletic Review Committee

In order to maintain consistency in our programs, an athletic review committee will convene if necessary. The committee shall consist of the head coach of the sport involved, a coach not directly involved and the Athletic Director. In the event that committee convenes to determine infractions and an athlete’s status, a parent of the athlete shall be contacted. If the committee cannot come to an adequate decision, the problem will be taken to the next level: principal, superintendent, etc. The Athletic Review Committee will handle punishment for these offenses that do not have a set consequence

Criminal Activities

If a student athlete is arrested and charged with a felony crime, he/she will automatically be suspended from athletic activities until guilt or innocence is determined. If the student is found guilty, they will be suspended from all athletic activities for one calendar year. A misdemeanor offense will be dealt with on a case-by-case basis by the review committee and could result in suspension from the team.

Fighting

Student athletes are expected to exercise self-control. FIGHTING WILL NOT BE TOLERATED. Punishment for incidents in athletics will be up to the Athletic Review Committee.

Hazing

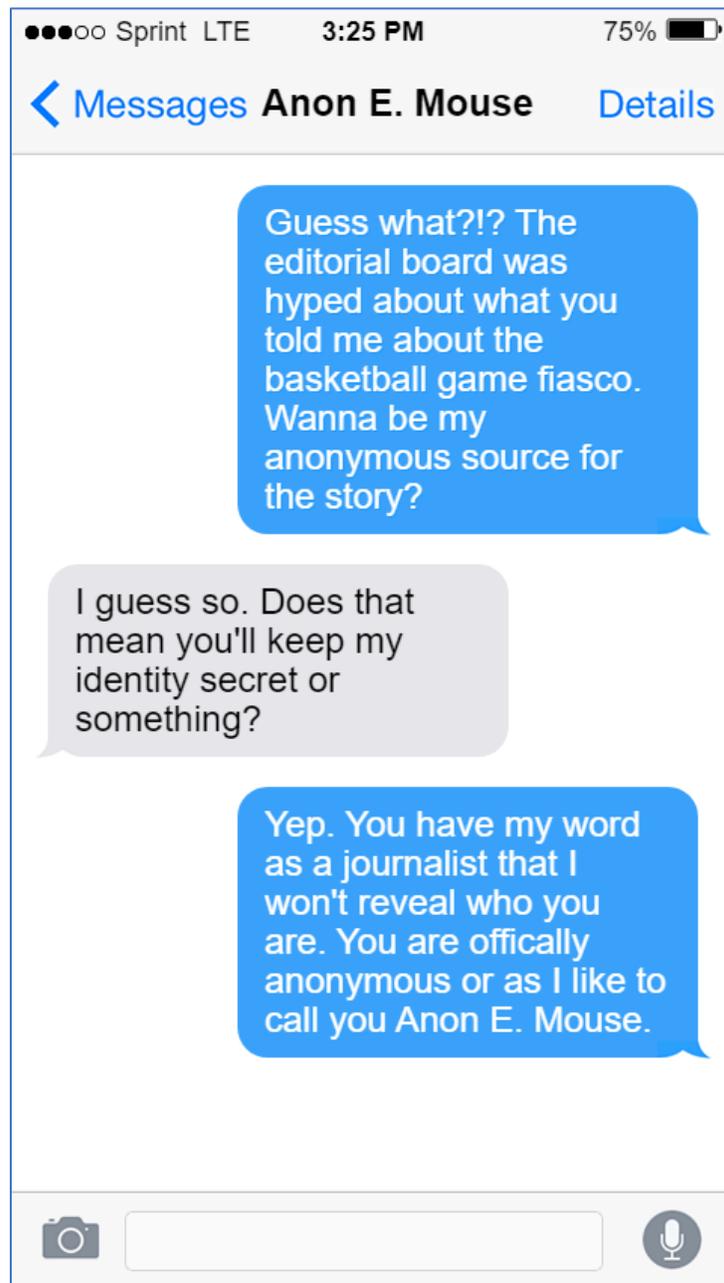
The National Federation of High School Sports Associations defines hazing as any humiliating or dangerous activity expected of a student to belong to a group, regardless of their willingness to participate. Hazing will not be allowed, condoned, or accepted by any group in the athletic program. Punishment will be up to the Athletic Review Committee.

Suspension from School

If an athlete is suspended from school for any reason, they will be ineligible during the period of suspension. A second suspension in the same school year will result in review and could result in total expulsion from the athletic program for the remainder of the school year. This includes on and off campus suspension.

EXHIBIT 8: TEXT MESSAGES BETWEEN BECKETT STARR & ANONYMOUS SOURCE

Notes: The messages that appear on this and the next two pages are all part of the same exhibit. The message in the blue bubbles were written by Beckett Starr; those in gray were written by the anonymous source. The messages are in shown in the order they were sent/received.



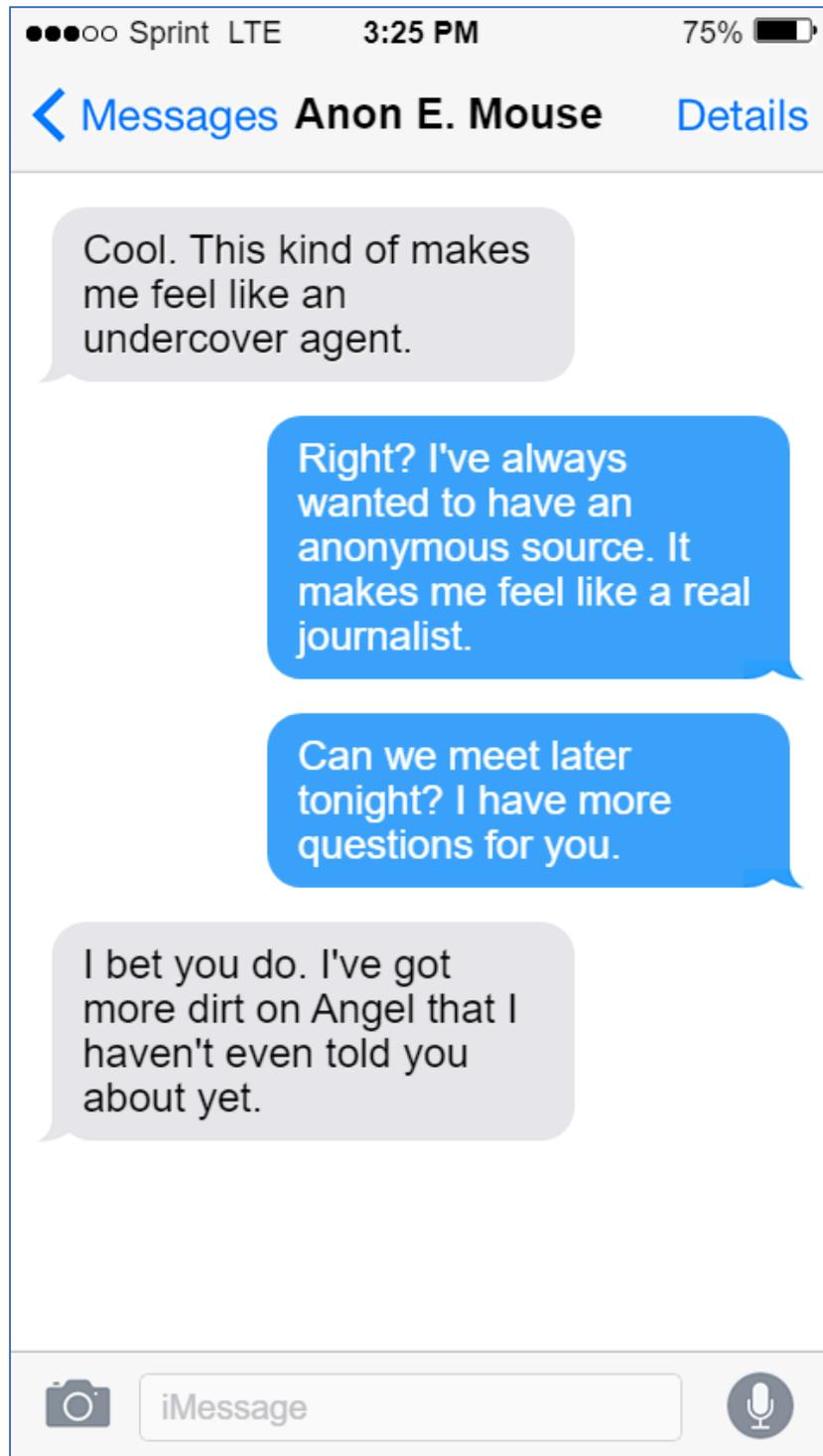




EXHIBIT 9: JOURNALISM CODE OF ETHICS

Society of Professional Journalists

CODE of ETHICS

PREAMBLE

Members of the Society of Professional Journalists believe that public enlightenment is the forerunner of justice and the foundation of democracy. Ethical journalism strives to ensure the free exchange of information that is accurate, fair and thorough. An ethical journalist acts with integrity. The Society declares these four principles as the foundation of ethical journalism and encourages their use in its practice by all people in all media.

SEEK TRUTH AND REPORT IT

Ethical journalism should be accurate and fair. Journalists should be honest and courageous in gathering, reporting and interpreting information.

Journalists should:

- ▶ Take responsibility for the accuracy of their work. Verify information before releasing it. Use original sources whenever possible.
- ▶ Remember that neither speed nor format excuses inaccuracy.
- ▶ Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing or summarizing a story.
- ▶ Gather, update and correct information throughout the life of a news story.
- ▶ Be cautious when making promises, but keep the promises they make.
- ▶ Identify sources clearly. The public is entitled to as much information as possible to judge the reliability and motivations of sources.
- ▶ Consider sources' motives before promising anonymity. Reserve anonymity for sources who may face danger, retribution or other harm, and have information that cannot be obtained elsewhere. Explain why anonymity was granted.
- ▶ Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.
- ▶ Avoid undercover or other surreptitious methods of gathering information unless traditional, open methods will not yield information vital to the public.
- ▶ Be vigilant and courageous about holding those with power accountable. Give voice to the voiceless.
- ▶ Support the open and civil exchange of views, even views they find repugnant.
- ▶ Recognize a special obligation to serve as watchdogs over public affairs and government. Seek to ensure that the public's business is conducted in the open, and that public records are open to all.
- ▶ Provide access to source material when it is relevant and appropriate.
- ▶ Boldly tell the story of the diversity and magnitude of the human experience. Seek sources whose voices we seldom hear.
- ▶ Avoid stereotyping. Journalists should examine the ways their values and experiences may shape their reporting.
- ▶ Label advocacy and commentary.
- ▶ Never deliberately distort facts or context, including visual information. Clearly label illustrations and re-enactments.
- ▶ Never plagiarize. Always attribute.

MINIMIZE HARM

Ethical journalism treats sources, subjects, colleagues and members of the public as human beings deserving of respect.

Journalists should:

- ▶ Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.

- ▶ Show compassion for those who may be affected by news coverage. Use heightened sensitivity when dealing with juveniles, victims of sex crimes, and sources or subjects who are inexperienced or unable to give consent. Consider cultural differences in approach and treatment.
- ▶ Recognize that legal access to information differs from an ethical justification to publish or broadcast.
- ▶ Realize that private people have a greater right to control information about themselves than public figures and others who seek power, influence or attention. Weigh the consequences of publishing or broadcasting personal information.
- ▶ Avoid pandering to lurid curiosity, even if others do.
- ▶ Balance a suspect's right to a fair trial with the public's right to know. Consider the implications of identifying criminal suspects before they face legal charges.
- ▶ Consider the long-term implications of the extended reach and permanence of publication. Provide updated and more complete information as appropriate.

ACT INDEPENDENTLY

The highest and primary obligation of ethical journalism is to serve the public.

Journalists should:

- ▶ Avoid conflicts of interest, real or perceived. Disclose unavoidable conflicts.
- ▶ Refuse gifts, favors, fees, free travel and special treatment, and avoid political and other outside activities that may compromise integrity or impartiality, or may damage credibility.
- ▶ Be wary of sources offering information for favors or money; do not pay for access to news. Identify content provided by outside sources, whether paid or not.
- ▶ Deny favored treatment to advertisers, donors or any other special interests, and resist internal and external pressure to influence coverage.
- ▶ Distinguish news from advertising and shun hybrids that blur the lines between the two. Prominently label sponsored content.

BE ACCOUNTABLE AND TRANSPARENT

Ethical journalism means taking responsibility for one's work and explaining one's decisions to the public.

Journalists should:

- ▶ Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage and news content.
- ▶ Respond quickly to questions about accuracy, clarity and fairness.
- ▶ Acknowledge mistakes and correct them promptly and prominently. Explain corrections and clarifications carefully and clearly.
- ▶ Expose unethical conduct in journalism, including within their organizations.
- ▶ Abide by the same high standards they expect of others.

The SPJ Code of Ethics is a statement of abiding principles supported by additional explanations and position papers (at spj.org) that address changing journalistic practices. It is not a set of rules, rather a guide that encourages all who engage in journalism to take responsibility for the information they provide, regardless of medium. The code should be read as a whole; individual principles should not be taken out of context. It is not, nor can it be under the First Amendment, legally enforceable.

EXHIBIT 10: PHOTO FROM JANUARY 22 BASKETBALL GAME



JURY INSTRUCTIONS

INSTRUCTION NO. 1

These instructions explain the duties of jurors and define the law that applies to this case. It is the jury's duty to determine the facts, to apply the law set forth in these instructions to those facts, and in this way to decide the case. The jury's decision should be based upon a rational and objective assessment of the evidence. It should not be based on sympathy or prejudice.

INSTRUCTION NO. 2

It is the judge's duty to instruct the jury on the points of law necessary to decide the case, and it is the jury's duty to follow the law as the judge instructs. The jury must consider these instructions as a whole, not picking out one and disregarding others. The order in which these instructions are given or the manner in which they are numbered has no significance as to the importance of any of them.

INSTRUCTION NO. 3

In determining the facts, the jury may consider only the evidence admitted in this trial. This evidence consists of the testimony of the witnesses, the exhibits admitted into evidence, and any stipulated or admitted facts. While the arguments and remarks of the attorneys may help the jury understand the evidence and apply the instructions, what they say is not evidence. If an attorney's argument or remark has no basis in the evidence, the jury should disregard it.

The production of evidence in court is governed by rule of law. At times during the trial, the judge may have sustained an objection to a question without permitting the witness to answer it, or to an offered exhibit without receiving it into evidence. Some evidence may have been admitted for a limited purpose. If so, the judge called your attention to this when the evidence was admitted. Remember that whenever evidence was admitted for a limited purpose, the jury must not consider such evidence for any purpose other than the limited purpose for which it was admitted – the judge's rulings are legal matters and are solely the judge's responsibility. The jury must not speculate as to the reason for any objection, which was made, or the judge's ruling thereon, and in reaching its decision the jury may not consider such a question or exhibit or speculate as to what the answer or exhibit would have shown. Remember, a question is not evidence and should be considered only as it gives meaning to the answer.

The law does not require the jury to believe all of the evidence admitted in the course of the trial. As the sole judge of the facts, the jury must determine what evidence to believe and what weight to attach to it. In so doing, the jury brings to this courtroom all of the experience and background of the jurors' lives. There is no magical formula for evaluating testimony. In their everyday affairs, the jurors must determine for themselves whom they believe, what they believe and how much weight they attach to what they are told. The considerations the jurors use in making the more important decisions in their everyday dealings are the same considerations they should apply in their deliberations in this case.

INSTRUCTION NO. 4

The plaintiff has the burden of proof and must prove all elements of the claim by a preponderance of the evidence. When the judge says that a party has the burden of proof on an element of the claim, or uses the expression "if you find" or "if you decide," it means you must be persuaded that the proposition is more probably true than not true.

INSTRUCTION NO. 5

In this case the parties have stipulated or agreed that the amount of damages that should be awarded, if any, will be the subject of a separate trial.

INSTRUCTION NO. 6

Plaintiff claims defendants committed the tort of defamation. Defamation means the communication of false information which tends to challenge or criticize the honesty, integrity, virtue, or reputation of the person about whom the statement is made, or exposes that person to public hatred, contempt, or ridicule.

INSTRUCTION NO. 7

The plaintiff is a limited public figure. Accordingly, to prove a claim of defamation against each defendant in this case, the plaintiff has the burden of proving each of the following elements:

- 1) The defendant(s) communicated information concerning the plaintiff to others; and
- 2) The information impugned the honesty, integrity, virtue, or reputation of the plaintiff or exposed the plaintiff to public hatred, contempt, or ridicule; and
- 3) The information was false; and

- 4) The defendant(s) knew the information was false, or acted with reckless disregard for its truth, at the time the defendant communicated the information to others; and
- 5) The plaintiff was damaged because of the communication.

If you find from your consideration of all the evidence in the case that the plaintiff proved each of the foregoing elements, your verdict should be for the plaintiff. If you find that any of the elements has not been proved, then your verdict should be for the defendant(s). It is possible for you to find that the plaintiff proved all of the elements against one defendant, but not the other.

INSTRUCTION NO. 8

To be defamatory, the communication must be false in a material fashion. This means that the “gist” or “sting” of the communication, when taken in its entirety and in context, must be false. It is not sufficient to prove that some insignificant detail is false if the “gist” or “sting” of the communication is otherwise true.

INSTRUCTION NO. 9

Evidence may be either direct or circumstantial. Direct evidence is evidence that directly proves a fact. Circumstantial evidence is evidence that indirectly proves the fact, by proving one or more facts from which the fact at issue may be inferred.

The law makes no distinction between direct and circumstantial evidence as to the degree of proof required; each is accepted as a reasonable method of proof, and each is respected for such convincing force as it may carry.

INSTRUCTION NO. 10

You have now heard all the evidence in the case. My duty is to instruct you as to the law. You must follow all the rules as I explain them to you. You may not follow some and ignore others. Even if you disagree or don't understand the reasons for some of the rules, you are bound to follow them. If anyone states a rule of law different from any I tell you, it is my instruction that you must follow.

As jurors you have a duty to consult with one another and to deliberate before making your individual decisions. You may fully and fairly discuss among yourselves all of the evidence you have seen and heard in this courtroom about this case, together with the law that relates to this case as contained in these instructions.

During your deliberations, you each have a right to re-examine your own views and change your opinion. You should only do so if you are convinced by fair and honest discussion that your original opinion was incorrect based upon the evidence the jury saw and heard during the trial and the law given to you in these instructions.

None of you should surrender your honest opinion as to the weight or effect of evidence or as to the innocence or guilt of a defendant because the majority of the jury feels otherwise or for the purpose of returning a unanimous verdict.