



April 2, 2007

Mr. Douglas G. Schneebeck
 Modrall Spering Roehl Harris & Sisk
 P. O. Box 2168
 Albuquerque, N.M. 87103-2168

Via facsimile to 505-848-1882

Re: Equity in Athletics, Inc. v. U.S. Department of Education

Dear Mr. Schneebeck:

Thank you for your letter dated March 23, 2007 concerning the above captioned lawsuit filed by your client, Equity in Athletics, Inc. against the U.S. Department of Education concerning the interpretation of Title IX of the Education Amendments of 1972.

In your letter, you request that James Madison University defer its planned elimination of ten varsity athletics sports "until FIA's litigation establishes the Title IX standard applicable in Virginia." The JMU Board of Visitors met on Friday, March 30, and took no action concerning the athletics program.

I certainly appreciate your statements in the letter that you have no desire to sue JMU, and your recognition that JMU has always sought and still seeks to comply with the law. I also understand that your client's current litigation may ultimately alter the interpretation of Title IX under which JMU and others throughout the country have operated for many years, once the suit is resolved. And I offer my gratitude for your willingness to interact with the university and its legal representatives before taking any action. As you know, JMU as a state agency is represented by the Attorney General of Virginia, and I have passed this message along to that office.

Again, thank you for your letter.

Sincerely,

Susan L. Wheeler
 Policy & Legal Affairs Advisor
 James Madison University
 540-568-3727
 540-568 7800 (fax)

cc: The Hon. Robert McDonnell, Attorney General of Virginia
 Mr. William Thro, Solicitor General of Virginia
 Mr. Ron Forehand, Education Section Chief, Attorney General of Virginia
 Mr. John Knight, Assistant Attorney General
 Mr. Joseph Damico, Rector, Board of Visitors, JMU
 Dr. Linwood Rose, President, JMU
 Mr. Charles King, Vice President for Administration and Finance, JMU
 Mr. Jeff Bourne, Athletics Director, JMU
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