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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of )  
themselves and all others similarly situated, )

Plaintiffs, )

v. )

U.S. DEPARTMENT OF EDUCATION and )  
Suzanne GOLDBERG, in her official capacity as )  
Acting Assistant Secretary for Civil Rights, )  
U.S. Department of Education, )

Defendants. )

v. )

COUNCIL FOR CHRISTIAN COLLEGES & )  
UNIVERSITIES, WESTERN BAPTIST )  
COLLEGE d/b/a/ CORBAN UNIVERSITY, )  
WILLIAM JESSUP UNIVERSITY AND )  
PHOENIX SEMINARY, )

Defendants-Intervenors. )

Case No. 6:21-cv-00474-AA

**DECLARATION OF PAUL  
CARLOS SOUTHWICK**

I, Paul Carlos Southwick, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Exhibit A is Questions and Answers on the Title IX Regulations on Sexual Harassment (July 2021) available at <https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf>
3. Attached as Exhibit B is Status Chart of Plaintiffs' Title IX Complaints.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 22nd day of October, 2021.

By: s/ Paul Carlos Southwick  
Paul Carlos Southwick

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Docket No.	Recipient	Received	Stage	OCR Regional Office	Re: Plaintiff	180-Day Waiver Requested? Status?	Communication/Interaction with Complainant/Plaintiff (Date/type)
09212318	Azusa Pacific University	7/27/2021	Eval	San Francisco Office	Jonathan Jones	Yes (pending)	7/28/21: OCR SF issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/18/21: Lauren Swain replied to OCR's request for an interview date requesting interview questions be sent by email. She further stated she would reply with her availability after November 5, 2021.
06212204	Baylor University	7/28/2021	Eval	Dallas Office	Justin Tidwell-Davis	Yes (pending)	7/28/21: OCR Dallas issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR Dallas emailed Lauren Swain asking to schedule an intake interview with this plaintiff; awaiting response.
06212205	Baylor University	7/28/2021	Eval	Dallas Office	Jake Picker	Yes (pending)	7/29/21: OCR Dallas issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/8/21: OCR Dallas emailed 14-Day clarification questions to Swain, with an invitation to provide answers via phone.

06212206	Baylor University	7/28/2021	Eval	Dallas Office	Veronica B. Penales	Yes (pending)	7/29/21: OCR Dallas issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/12/21: OCR Dallas emailed 14-Day clarification questions to Lauren Swain, with an invitation to provide answers via phone.
06212226	Baylor University	8/25/2021	Eval	Dallas Office	Lauren Ashley Moser	Yes (pending)	8/27/21: OCR Dallas issued acknowledgement letter to Lauren Swain. 10/12/21: OCR Dallas emailed 14-Day clarification questions to Lauren Swain, with an invitation to provide answers via phone.
11212234	Bob Jones University	7/28/2021	Eval	Metro Office	Elizabeth Hunter	Yes (pending)	7/28/21: OCR Metro issued acknowledgement letter to Lauren Swain.
08212212	Brigham Young University	7/27/2021	Closed (dismissed)	Denver Office	Ashtin Markowski	Yes (moot; dismissed under 108(j))	8/19/21: OCR Denver emailed Lauren Swain acknowledgment letter. 8/19/21: Lauren Swain asked OCR Denver to identify which plaintiff was associated with the case number. 8/20/21: OCR Denver replied Ashtin Markowski. 10/19/21: OCR Denver sent dismissal letter to Lauren Swain pursuant to 108(j) of OCR's Case Processing Manual (Markowski v. Brigham Young University, Civil No.: 2:20-cv-000872-JNP, U.S. District Court, Utah).
10212151	Brigham Young University-Idaho	7/27/2021	Eval	Seattle Office	Chandler Horning	Yes (pending)	9/17/21: Received email from Lauren Swain requesting update. 9/22/21: OCR SEA sent Lauren Swain acknowledgment letter. 10/19/21: OCR SEA sent Lauren Swain email to schedule interview.

10212152	Brigham Young University-Idaho	7/28/2021	Eval	Seattle Office	Rachel Moulton	Yes (pending)	9/17/21: Received email from Lauren Swain requesting update. 9/22/21: OCR SEA sent Lauren Swain acknowledgment letter.
15212122	Cedarville University	7/28/2021	Eval	Cleveland Office	Brooke C.	Yes (pending)	7/28/2021: OCR CLE sent letter of acknowledgement. 9/20/21: OCR CLE received letter from Lauren Swain requesting update. 10/20/2021: OCR sent email to Lauren Swain to schedule intake interview.
03212192	Clarks Summit University (Formerly Baptist Bible College)	7/28/2021	Eval	Philadelphia Office	Gary Campbell	Yes (pending)	7/28/21: OCR issued acknowledgement letter to Lauren Swain. 8/9/21: OCR contacted Lauren Swain about scheduling evaluation interview. 8/10/21: OCR and Lauren Swain agree on 8/11/21 for evaluation interview. 8/11/21: OCR interviewed Lauren Swain and Paul Southwick. 9/17/21: Lauren Swain requested update on status of OCR's evaluation. 9/20/21: OCR provided update on status of complaint, saying it is in evaluation.

07212131	College Of The Ozarks	7/28/2021	Eval	Kansas City Office	Saren Craig	Yes (pending)	<p>7/28/21: OCR KC issued acknowledgement letter to Lauren Swain.</p> <p>8/5/21: OCR KC corresponded with Lauren Swain to schedule interview for 8/10/21.</p> <p>8/9/21: OCR KC cancelled the phone interview and indicated the staff member would contact Lauren Swain at a later date regarding the complaint.</p> <p>8/11/21: Lauren Swain sent an email requesting a reason the interview was cancelled and for a timeframe in which it would be rescheduled.</p> <p>9/17/21: Lauren Swain sent an email requesting a status update, and when the intake interview would be rescheduled.</p> <p>10/4/21: OCR KC sent an email to Lauren Swain to reschedule the intake interview.</p> <p>10/6/21: OCR KC sent Lauren Swain an email indicating the intake interview was scheduled for 10/8/21. Both parties agreed to the time. Lauren Swain requested OCR KC send call-in information to their office's legal fellow, Josiah Robinson.</p> <p>10/8/21: OCR KC conducted an intake interview of Lauren Swain.</p> <p>10/12/21: OCR KC sent Lauren Swain an email with a link to OCR's Case Processing Manual; OCR KC also indicated where to direct FOIA requests.</p>
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08212214	Colorado Christian University	8/3/2021	Eval	Denver Office	Journey Mueller	Yes (pending)	<p>8/23/21: OCR Denver sent acknowledgment letter.</p> <p>9/1/21: OCR Denver emailed Complainant Lauren Swain to request the <i>Hunter</i> class action complaint.</p> <p>9/17/21: OCR Denver replied to Lauren Swain's email requesting status of complaint and stated that case was in evaluation.</p>
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05212268	Dordt University	7/28/2021	Eval	Chicago Office	Avery Bonestroo	Yes (pending)	<p>8/3/21: OCR Chicago issued acknowledgement letter to Lauren Swain.</p> <p>8/10/21: OCR Chicago emailed Lauren Swain to schedule an interview with her.</p> <p>8/10/21: Lauren Swain emailed OCR Chicago providing her availability for an interview and asked to include REAP attorney Paul Southwick.</p> <p>8/11/21: OCR Chicago emailed Lauren Swain and Paul Southwick indicating the meeting needed to be rescheduled.</p> <p>8/11/21: Lauren Swain emailed OCR Chicago asking for an explanation as to why the interview was rescinded.</p> <p>9/17/21: Lauren Swain emailed OCR Chicago asking for an update.</p> <p>10/4/21: OCR Chicago emailed Lauren Swain to schedule interview with her.</p> <p>10/4/21: Lauren Swain emailed OCR Chicago providing her availability and asked to include REAP attorney Joe Baxter.</p> <p>10/5/21: OCR Chicago emailed Lauren Swain and Joe Baxter confirming meeting time.</p> <p>10/5/21: Lauren Swain emailed OCR Chicago acknowledging receipt of meeting time.</p> <p>10/7/21: OCR Chicago interviewed Lauren Swain via Microsoft Teams; Joe Baxter participated in the meeting.</p> <p>10/12/21: OCR Chicago emailed Lauren Swain and Joe Baxter to schedule interviews with Avery Bonestroo. OCR Chicago provided proposed dates and times for the interview.</p> <p>10/12/21: Joe Baxter emailed OCR Chicago</p>
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							<p>stating he would reach out to students to arrange meeting.</p> <p>10/12/21: Joe Baxter emailed OCR Chicago to confirm the times provided by OCR were Central Standard time.</p> <p>10/13/21: OCR Chicago emailed Joe Baxter confirming the times provided for an interview with Avery Bonestroo were Central Standard time.</p> <p>10/18/21: Lauren Swain emailed OCR stating Avery Bonestroo was not available during any of the dates/times proposed by OCR and that she would follow up with OCR with proposed dates/times for an interview.</p>
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05212269	Dordt University	7/28/2021	Eval	Chicago Office	Lauren Hoekstra	Yes (pending)	<p>8/3/21: OCR Chicago issued Acknowledgement Letter to Lauren Swain.</p> <p>8/10/21: OCR Chicago emailed Lauren Swain to schedule an interview with her.</p> <p>8/10/21: Lauren Swain emailed OCR Chicago providing her availability for an interview and asked to include REAP attorney Paul Southwick.</p> <p>8/11/21: OCR Chicago emailed Lauren Swain and Paul Southwick indicating the meeting needed to be rescheduled.</p> <p>8/11/21: Lauren Swain emailed OCR Chicago asking for an explanation as to why the interview was rescinded.</p> <p>9/17/21: Lauren Swain emailed OCR Chicago asking for an update.</p> <p>10/4/21: OCR Chicago emailed Lauren Swain to schedule interview with her.</p> <p>10/4/21: Lauren Swain emailed OCR Chicago providing her availability and asked to include REAP attorney Joe Baxter.</p> <p>10/5/21: OCR Chicago emailed Lauren Swain and Joe Baxter confirming meeting time.</p> <p>10/5/21: Lauren Swain emailed OCR Chicago acknowledging receipt of meeting time.</p> <p>10/7/21: OCR Chicago interviewed Lauren Swain via Microsoft Teams; Joe Baxter participated in the meeting.</p> <p>10/12/21: OCR Chicago emailed Lauren Swain and Joe Baxter to schedule interviews with Lauren Hoekstra. OCR Chicago provided proposed dates and times for the interview.</p>
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							<p>10/12/21: Joe Baxter emailed OCR Chicago stating he would reach out to students to arrange meeting.</p> <p>10/12/21: Joe Baxter emailed OCR Chicago to confirm the times provided by OCR were Central Standard time.</p> <p>10/13/21: OCR Chicago emailed Joe Baxter confirming the times provided for an interview with Lauren Hoekstra were Central Standard time.</p> <p>10/18/21: Lauren Swain emailed OCR Chicago stating Lauren Hoekstra was not available for an interview during any of the dates/times proposed by OCR and that she would follow up with OCR with proposed dates/times for an interview.</p> <p>10/19/21: Lauren Swain emailed OCR with proposed dates and times for Lauren Hoekstra's interview.</p>
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03212191	Eastern University	7/28/2021	Eval	Philadelphia Office	Faith Millender	Yes (pending)	7/28/21: OCR Phila sent acknowledgement letter. 9/17/21: Lauren Swain emailed OCR asking for status. 10/13/21: OCR emailed Lauren Swain to request phone call to clarify complaint. 10/18-19/21: Correspondence with Lauren Swain regarding questions about clarification interviews. Lauren Swain responded that she will check student's availability.
09212315	Fuller Theological Seminary in California	7/27/2021	Eval	San Francisco Office	Darren McDonald	Yes (pending)	7/28/21: OCR SF issued Acknowledgement Letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/14/21: OCR SF spoke briefly with Lauren Swain, who informed OCR SF that she would be back in the office on 10/18/21 and would contact us then. 10/18/21: Lauren Swain emailed OCR SF, requesting a phone interview for Friday, October 22 at 3:30pm PST. OCR SF confirmed the date/time of the interview. Lauren Swain also stated that she would be joined by attorney Paul Southwick during the interview and requested interview questions in advance.

09212317	Fuller Theological Seminary in California	7/27/2021	Eval	San Francisco Office	Joanna Maxon	Yes (pending)	7/28/21: OCR SF issued Acknowledgement Letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/14/21: OCR SF spoke briefly with Lauren Swain who informed OCR SF that she would be back in the office on 10/18/21 and would contact us then. 10/18/21: Lauren Swain emailed OCR SF, requesting a phone interview for Friday, October 22 at 3:30pm PST. OCR SF confirmed the date/time of the interview. Lauren Swain also stated that she would be joined by attorney Paul Southwick during the interview and requested interview questions in advance.
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09212322	Fuller Theological Seminary in California	7/28/2021	Eval	San Francisco Office	Nathan Brittsan	Yes (pending)	7/28/21: OCR SF issued Acknowledgement Letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/14/21: OCR SF spoke briefly with Lauren Swain who informed OCR SF that she would be back in the office on 10/18/21 and would contact us then. 10/18/21: Lauren Swain emailed OCR SF, requesting a phone interview for Friday, October 22 at 3:30pm PST. OCR SF confirmed the date/time of the interview. Lauren Swain also stated that she would be joined by attorney Paul Southwick during the interview and requested interview questions in advance.
10212150	George Fox University	7/27/2021	Eval	Seattle Office	Audrey Wojnarowisch	Yes (pending)	9/17/21: Received email from Lauren Swain requesting update. 9/22/21: OCR SEA sent Lauren Swain acknowledgment letter.

05212226	Indiana Wesleyan University	6/24/2021	Eval	Chicago Office	Mortimer Halligan	Yes (pending)	<p>6/24/21: OCR Chicago sent letter of acknowledgement to Lauren Swain. OCR Chicago sent introductory email to Lauren Swain, requesting evaluation interview and consent form. OCR Chicago received email from Lauren Swain, with signed consent form attached.</p> <p>6/28/21: OCR Chicago sent another email requesting intake interview, and received response with proposed dates.</p> <p>6/29/21: OCR Chicago exchanged emails with Lauren Swain setting up date for intake interview and providing copy of complaint processing procedures.</p> <p>7/2/21: OCR Chicago conducted intake interview.</p> <p>7/12/21: OCR Chicago sent request to Lauren Swain requesting follow-up interview.</p> <p>7/14/21: Lauren Swain responded with email that she would contact client to set up follow-up interview.</p> <p>7/16/21: Lauren Swain sent email proposing date for follow-up interview.</p> <p>7/19/21: OCR Chicago sent Lauren Swain email confirming follow-up interview date; Lauren Swain responded with thank you and also asked for different attorney to also be invited.</p> <p>7/20/21: OCR Chicago contacted Lauren Swain to confirm other attorney would be invited.</p> <p>7/22/21: OCR Chicago conducted follow-up interview.</p> <p>9/17/21: Lauren Swain sent Office email requesting update on status of case.</p>
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							9/23/21: OCR Chicago sent Lauren Swain email advising that it would get back to her with update on status and next steps.
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05212266	Indiana Wesleyan University	7/30/2021	Eval	Chicago Office	Louis James	Yes (pending)	<p>8/2/21: Office sent letter of acknowledgement to Lauren Swain.</p> <p>8/6/21: Office sent email to Lauren Swain requesting intake interview; Lauren Swain provided copy of Federal lawsuit.</p> <p>8/10/21: Lauren Swain sent email with proposed dates for intake interview; Office emailed Lauren Swain to say that interview would not occur that week.</p> <p>8/11/21: Lauren Swain emailed to ask why Office rescinded interview request.</p> <p>9/17/21: Lauren Swain sent Office email requesting update on status of case, including whether interview request will be reinstated.</p> <p>9/23/21: Office sent Lauren Swain email advising that it would get back to her regarding interview.</p> <p>10/1/21: Office emailed Lauren Swain with proposed interview dates; Lauren Swain said she would get back to Office.</p> <p>10/6/21: Email exchange scheduling interview for 10/15/21.</p> <p>10/12/21: Office received email from Joe Baxter advising that 10/15 would not work and requesting other dates; Office replied with list of possible dates.</p> <p>10/18/21: Office emailed Joe Baxter to propose additional dates for interview.</p>
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09212314	La Sierra University	7/27/2021	Eval	San Francisco Office	Cameron Martinez	Yes (pending)	7/28/21: OCR SF issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/18/21: Lauren Swain replied to OCR's request for an interview date requesting interview questions be sent by email. She further stated she would reply with her availability after November 5, 2021.
04212293	Lee University	7/27/2021	Eval	Atlanta Office	Daniel Christopher Tidwell-Davis	Yes (pending)	7/28/2021: OCR Atlanta issued acknowledgement letter.
11212235	Liberty University	7/28/2021	Eval	Metro Office	Lucas Wilson	Yes (pending)	7/28/21: OCR Metro issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter.
04212295	Lipscomb University	7/28/2021	Eval	Atlanta Office	Victoria Joy Bacon	Yes (pending)	7/28/21: OCR Atlanta emailed acknowledgement letter.
03212193	Messiah University	7/28/2021	Eval	Philadelphia Office	Rachel Held	Yes (pending)	7/29/21: Acknowledgment letter sent to Lauren Swain. 9/17/21: Lauren Swain emailed requesting status. 9/20/21: OCR Phila responded that complaint was in evaluation. 10/13/21: OCR Phila emailed Lauren Swain to request phone call to clarify complaint. 10/18-19/21: Lauren Swain emailed requesting list of questions/clarifications; OCR responded with the purpose of the interviews; Lauren Swain responded that she would check student's availability.

05212273	Moody Bible Institute	7/28/2021	Eval	Chicago Office	Megan Steffen	Yes (pending)	8/16/21: OCR Chicago sent email to Complainant/student. 9/27/21: OCR Chicago sent copy of letter of acknowledgement to Lauren Swain. 10/18/21: OCR Chicago contacted Lauren Swain seeking to arrange intake interview; Lauren Swain replied and intake interview was scheduled for 10/27.
07212133	Oklahoma Baptist University	7/28/2021	Eval	Kansas City Office	Tristan Campbell	Yes (pending)	7/28/21: OCR KC issued Acknowledgement Letter to Lauren Swain. 9/17/21: Lauren Swain requested a status update. 9/20/21: OCR KC responded with a status update.
10212153	Regent University School Of Law	7/28/2021	Eval	Metro Office	Jamie Lord	Yes (pending)	7/28/21: OCR Metro issued Acknowledgement Letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter.
10212153	Seattle Pacific University	7/28/2021	Eval	Seattle Office	Spencer Vigil	Yes (pending)	9/17/21: Received email from Lauren Swain requesting update. 9/22/21: OCR SEA sent Lauren Swain acknowledgment letter.
04212297	Toccoa Falls College	7/28/2021	Eval	Atlanta Office	Natalie Carter	Yes (pending)	7/28/21: OCR Atlanta issued acknowledgement letter.

04212294	Union University	7/27/2021	Eval	Atlanta Office	Alex Duron	Yes (pending)	<p>7/28/21: Sent acknowledgement letter.</p> <p>8/3/21: OCR requests availability for clarification interview via email to Lauren Swain. Lauren Swain responds asking for clarification on which of her 5 complaints this is about.</p> <p>8/4/21: OCR sends Lauren Swain and Alex Duron calendar invite for 8/11/21 interview.</p> <p>8/5/21: Alex Duron asks if meeting time is Eastern or Pacific. OCR resends calendar invite to clarify meeting is scheduled for 12p Eastern/ 9a Pacific Time.</p> <p>8/9/21: Lauren Swain asks OCR to also send invitation to attorney Paul Southwick.</p> <p>8/10/21: OCR emails link to join meeting to Paul Southwick. Lauren Swain acknowledges receipt.</p> <p>8/11/21: OCR clarification interview with Lauren Swain, Paul Southwick, and Alex Duron. Alex Duron emails OCR regarding Union University correspondence informing him admission rescinded &amp; Union Univ. Community Values.</p> <p>9/17/21: Lauren Swain requests status update.</p> <p>9/22/21: OCR responded to Lauren Swain's request for status update.</p>
04212296	Union University	7/28/2021	Eval	Atlanta Office	Scott McSwain	Yes (pending)	<p>7/28/2021: OCR Atlanta sent acknowledgement letter.</p>

09212316	Westmont College	7/27/2021	Eval	San Francisco Office	Darren McDonald	Yes (pending)	7/28/21: OCR SF issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain emailed asking for an update on this matter. 10/13/21: OCR SF emailed Lauren Swain asking to schedule an intake interview with this plaintiff. 10/18/21: Lauren Swain replied to OCR's request for an interview date requesting interview questions be sent by email. She further stated she would reply with her availability after November 5, 2021.
07212132	York College	7/27/2021	Eval	Kansas City Office	Hayden Brown	Yes (pending)	7/28/21: OCR KC issued acknowledgement letter to Lauren Swain. 9/17/21: Lauren Swain requested a status update. 9/20/21: OCR KC responded with a status update.