

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

TYLER CAMERON GUTTERMAN, DALE  
NELSON, HUNTER JOHNSON, and BRIAN  
HILTUNEN,

Plaintiffs,

v.

INDIANA UNIVERSITY, BLOOMINGTON,  
and MICHAEL MCROBBIE, in his official  
capacity as President of Indiana University,

Defendants.

Case No. 1:20-cv-02801-JMS-MJD

**DEFENDANTS' PRELIMINARY WITNESS AND EXHIBIT LISTS**

Defendants, the Trustees of Indiana University, misnamed in Plaintiffs' Complaint as Indiana University, Bloomington ("IU" or the "University"), and Michael McRobbie, in his official capacity as President of Indiana University ("President McRobbie") (collectively, "Defendants"), by counsel, respectfully submit their Preliminary Witness and Exhibit Lists.

**WITNESS LIST**

1. Libby Spotts
2. Anna Krause
3. Simone Cardosa
4. Jackie Stelmaszczyk
5. Ranji Abraham
6. Other current or former employees or representatives of the University
7. Representative(s) from the University Information Policy Office
8. Plaintiff, Tyler Cameron Gutterman

9. Plaintiff, Dale Nelson
10. Plaintiff, Hunter Johnson
11. Plaintiff, Brian Hiltunen
12. All persons identified in any other party's Initial Disclosures, Preliminary Witness

Lists, and/or any subsequently filed Witness Lists

13. All persons identified in the discovery process
14. All deponents
15. All persons needed for purposes of impeachment, rebuttal, or other purposes, the need for which cannot be anticipated prior to trial
16. All expert witness disclosed subsequent to the filing of this Witness List
17. Any records custodian or other person needed to verify, admit, introduce, and/or lay foundation for any documents to be used at trial

As discovery is not yet complete, Defendants reserve the right to amend or supplement this list.

**EXHIBIT LIST**

1. Any relevant University policies, including but not limited to the following:
  - a. CrimsonCard Terms and Conditions;
  - b. Official University Identification Card Policy (UA-13);
  - c. Management of Institutional Data Policy (DM-01), including the supporting Standards for Management of Institutional Data (DM-01s);
  - d. Privacy of Electronic Information and Information Technology Resources (IT-07);
  - e. Indiana University Code of Student Rights, Responsibilities, & Conduct; and

- f. Residence Hall Rules and Regulations;
2. Documents and information available on the University's website which relate to the allegations contained in Plaintiffs' Complaint, including but not limited to <https://policies.iu.edu>; <https://studentaffairs.iu.edu>; <https://studentcode.iu.edu>; <https://crimsoncard.iu.edu>; and <https://housing.indiana.edu>.
3. Copies of the CrimsonCards issued to Plaintiffs, including any available data generated by Plaintiffs' use of their respective CrimsonCards;
4. Documents and communications related to the University's accessing of deidentified, aggregated CrimsonCard data in connection with its investigation into allegations of hazing by Beta Theta Pi, at issue in Plaintiffs' Complaint;
5. Documents and communications related to the University's investigation into allegations of hazing by Beta Theta Pi, at issue in Plaintiffs' Complaint;
6. Any and all exhibits necessary for impeachment or rebuttal purposes;
7. Any and all pleadings, motions, and documents filed in this matter, including exhibits thereto;
8. Any and all responses to interrogatories, requests for production, and/or requests for admission in this matter;
9. Any and all documents produced or identified by any party or non-party during discovery in this matter;
10. Copies (whether transcribed or videotaped) of deposition testimony provided in this matter and admissible pursuant to the Federal Rules of Civil Procedure;
11. All exhibits used in depositions taken in this matter;

12. Any and all expert reports exchanged or produced in this matter;
13. Curriculum vitae for any experts expected to testify at trial
14. Documents and materials relied upon or created by any expert witness identified by any party in this action, reserving the right to object to the admissibility of same;
15. Models, charts, diagrams, photographs, and demonstrative material relied upon by any witness called by any party to this action, reserving the right to object to the admissibility of same;
16. Exhibits or evidence listed by any party in this action, reserving the right to object to any such exhibit;
17. Any documents identified in the Initial Disclosures and any preliminary or final exhibit lists served by the parties to this matter;
18. All exhibits used by any party in a hearing for this matter; and
19. Demonstrative exhibits and other summaries of documents pursuant to the Federal Rules of Evidence.

As discovery is not yet complete, Defendants reserve the right to amend or supplement this list.

Respectfully submitted,

ICE MILLER LLP

*s/ Sean T. Dewey*

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Jenny R. Buchheit  
Stephen E. Reynolds  
Sean T. Dewey  
Tiffany S. Kim

*Attorneys for Defendants Indiana  
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McRobbie, in his official capacity as  
President of Indiana University*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2021, a copy of the foregoing was filed electronically through the CM/ECF system. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system:

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