

RECEIVED

Jun 27 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Appellate Case No.: 2023-000952

Kellie Bingham and Kayla Bingham Appellants-Respondents

v.

Medical University of South Carolina.....Respondent-Appellant.

**RECORD ON APPEAL
VOLUME 2 OF 3**

PARKER LAW GROUP, LLP

John E. Parker

John E. Parker, Jr.

Post Office Box 487

Hampton, South Carolina 29924

Phone: (803) 903-1781

ATTORNEYS FOR APPELLANTS-
RESPONDENTS

BARNWELL, WHALEY,

PATTERSON, AND HELMS, LLC

M. Dawes Cooke, Jr.

John W. Fletcher

P.O. Drawer H

Charleston, SC 29402

Phone: (843) 577-7700

ATTORNEYS FOR
RESPONDENT-APPELLANT

INDEX
VOLUME I

Orders/Judgments

Jury Verdict and Form 4 Judgment, filed February 7, 2023	1
Order denying Plaintiffs’ Motion to Determine the Number of Occurrences and granting Defendant’s Motion to Reduce the Verdict, filed May 5, 2023	5
Form 4 Order denying Defendant’s Post-Trial Motions, filed May 15, 2023	10
Order denying Plaintiffs’ Motion for Reconsideration, filed May 16, 2023	13
Order denying Defendant’s Post-Trial Motions, filed September 19, 2023	16

Pleadings

Summons and Complaint, filed November 2, 2017	48
Answer, filed January 16, 2018	55

Pre-Trial and Post-Trial Motions

Plaintiffs’ Motions in Limine, filed May 20, 2022	62
Defendant’s Post-Trial Motions and all exhibits, filed November 28, 2022	68
Ex. A: Order Granting Motion for Remittitur in <i>Larson v. South Carolina Dep’t of Corrections</i>	110
Ex. B: Chart captioned “More Accurate Probability Analysis for Identical Twins”	119
Plaintiffs’ Motion to Determine the Number of Occurrences filed November 29, 2022	120
Defendant’s Memorandum in Opposition to Plaintiff’s Motion to Determine the Number of Occurrences, filed December 1, 2022	122
Plaintiffs’ Memorandum in Opposition to Defendant’s Post-Trial Motions, filed December 16, 2022	129

Defendant’s Reply Memorandum in Further Support of Post-Trial Motions, filed January 30, 2023	178

Plaintiffs’ Motion for Reconsideration, filed May 10, 2023.....	207

Notices of Appeal

Plaintiffs’ Notice of Appeal, filed June 9, 2023.....	210

Defendant’s Notice of Cross Appeal, filed June 12, 2023.....	220

Defendant’s second Notice of Appeal, filed October 16, 2023	225

Transcripts

Hearing Transcript, dated February 1, 2023	227

Trial Testimony, November 14-18, 2022

Jenny Bingham-Direct Examination by Mr. Parker.....	294

Kayla Bingham-Direct Examination by Mr. Parker	308

Dr. Nancy Segal-Direct Examination by Mr. Parker	346

Dr. Nancy Segal-Cross Examination by Mr. Cooke	359

Kayla Bingham-Direct Examination by Mr. Parker (cont’d).....	365

Dr. Michael Paul Harris-Direct Examination by Mr. Parker.....	377

Kayla Bingham-Direct Examination by Mr. Parker (cont’d).....	388

Kayla Bingham-Cross Examination by Mr. Cooke	390

Dr. Deborah Hazen-Martin-Direct Examination by Mr. Parker	404

Dr. Deborah Hazen-Martin-Cross Examination by Mr. Fletcher.....	444

Dr. William Harold Bingham III-Direct Examination by Mr. Parker	473

Dr. William Harold Bingham III-Cross Examination by Mr. Cooke.....	489

Dr. Raymond Dubois-Direct Examination by Mr. Parker	491

Dr. Raymond Dubois-Cross Examination by Mr. Cooke.....	498

VOLUME II

Dr. Raymond Dubois-Cross Examination by Mr. Cooke.....	500
Michelle Mole Friesinger-Direct Examination by Mr. Parker.....	505
Michelle Mole Friesinger-Cross Examination by Mr. Fletcher	520
Michelle Mole Friesinger-Redirect Examination by Mr. Parker	538
David Ellis Roberts-Direct Examination by Mr. Parker.....	545
Kenneth Bingham-Direct Examination by Mr. Parker	548
Kenneth Bingham-Cross Examination by Mr. Cooke	556
Kellie Bingham-Direct Examination by Mr. Parker	557
Kellie Bingham-Cross Examination by Mr. Cooke	584
Kellie Bingham-Redirect Examination by Mr. Parker	592
Dennis Maynes-Direct Examination by Mr. Cooke.....	607
Dennis Maynes-Cross Examination by Mr. Parker	623
Dr. Laura Kasman-Direct Examination by Mr. Fletcher	626
Dr. Laura Kasman-Cross Examination by Mr. Parker.....	647

Additional Excerpts from Trial Transcript

Defendant's Motion in Limine to Exclude Facebook Evidence.....	648
Defendant's Motions for Directed Verdict	651
Jury Charges-Objections	704
Closing Arguments	728
Jury Charges.....	781

Post-Trial Motions	795

Exhibits

Plaintiffs’ Trial Exhibit 9-Email, May 3, 2016, from Kayla Bingham to Myra Haney Singleton re: Block Exam Instruction and Seating Assignments.....	797

Plaintiffs’ Trial Exhibit 10-Email, May 6, 2016, from Debra J. Hazen Martin to Laura Kasman re: Testing Irregularity	798

Plaintiffs’ Trial Exhibit 11-Email chain May 7, 2016 including Mayra Haney Singleton, Laura Kasman, and Debra J. Hazen Martin re: Testing Irregularity	799

Plaintiffs’ Trial Exhibit 14-Email, May 12, 2016, from Laura Kasman to Joseph Ivey and Myra Haney Singleton re: Honor Council Notification.....	801

Plaintiffs’ Trial Exhibit 15-Letter, May 11, 2016 from Laura Kasman to Joseph Ivey re: Possible case of academy dishonesty	803

Plaintiffs’ Trial Exhibit 23-Library Room 436, May 5 2016, Afternoon Session Proctor Notes re: Testing Irregularities during morning session by Michelle Friesinger	804

Plaintiffs’ Trial Exhibit 27-Letter, May 31, 2016, from Kayla Bingham to Raymond N. Dubois re: Notice of Intent to Appeal Honor Council Hearing	806

Plaintiffs’ Trial Exhibit 28-Letter, June 14, 2016, from Raymond N. DuBois to Kayla and Kellie Bingham re: Honor Council Hearing	807

Plaintiffs’ Trial Exhibit 33-Email Chain, August 12, 2016, including Nicholas I. Batalis, Donna Kern, Raymond N. DuBois, Kendrick Kennedy, Lauren Sausser re: Bingham	808

Plaintiffs’ Trial Exhibit 35-Message via Facebook from Lauren Sausser to Deep Sangani re: Bingham twins sanctioned for cheating during exams	811

Plaintiffs’ Trial Exhibit 36-Letter, September 16, 2016, from D. Ellis Roberts to Annette R. Drachman re: MUSC Statement of 9/15/2016	812

Plaintiffs’ Trial Exhibit 37-Email with attached Letter, September 15, 2016, from “Student Information” to “ALL MUSC Students” re FERPA: Letter submission to the Post and Courier.....	814

Plaintiffs' Trial Exhibit 38-Email chain, September 30, 2016, including Trey Bingham and Kenny Bingham re: President and Provost's Message: Don't Rush to Judgement.....	816
Plaintiffs' Trial Exhibit 39-Email Chain, October 18, 2016, From Kellie to Kenny Bingham and Jennie Bingham re: Email sent to Kellie and Kayla from Joel Cook re: Honor Code Issue.....	819
Plaintiffs' Trial Exhibits 41 to 54-Facebook Posts	821
Plaintiffs' Trial Exhibit 55-DNA Diagnostics Center DNA Test Report	835
Plaintiffs' Trial Exhibit 56-Table on the overall correlation of grades for Kayla and Kellie	836
Plaintiffs' Trial Exhibit 65-Library Room 436-Morning Session Proctor Notes	837
Plaintiffs' Trial Exhibit 66-Letter from Nancy L. Segal, Ph.D. dated May 30, 2016	838
Plaintiffs' Trial Exhibit 67-Testing Room Pictures	842
Defendant's Trial Exhibit 2-Email chain re: Block 12 Exam Instructions and Seating Assignments	846
Defendant's Trial Exhibit 3-Email chain including Kayla Bingham and Myra Haney Singleton re: Block 12 Exam Instruction and Seating Assignments.....	855
Defendant's Trial Exhibit 4-Michele Friesinger Proctor Notes	858
Defendant's Trial Exhibit 5-Email chain re: Testing Irregularity	860
Defendant's Trial Exhibit 6-Email between Dr. Laura Kasman and Joseph Ivey	863
Defendant's Trial Exhibit 7-May 11, 2016, Letter from Laura Kasman to Joseph Ivey	865
Defendant's Trial Exhibit 8-Caveon Data Forensics Analysis and Interpretation of Similar Test, dated May 13, 2016	866
Defendant's Trial Exhibit 9-LXR Data for Student 18013	892

Defendant's Trial Exhibit 10-LXR Data for Student 18014	904
Defendant's Trial Exhibit 11-Scratch Paper for Student 18013.....	916
Defendant's Trial Exhibit 12-Scratch Paper for Student 18014.....	921
Defendant's Trial Exhibit 13-Individual Mastery Report.....	932
Defendant's Trial Exhibit 14-Student Exam Correlations Block 1-Synthesis of Year 1 and Student Exam Correlations for Blocks 7-12 of Year 2	992
Defendant's Trial Exhibit 15-MUSC Honor Code	994

VOLUME III

Defendant's Trial Exhibit 15-MUSC Honor Code	1002
Defendant's Trial Exhibit 16-May 13, 2015 NMBE Customized Examination Performance Profile for Plaintiffs	1007
Defendant's Trial Exhibit 17-May 9, 2016, NMBE Examinee Performance for Plaintiffs.....	1011
Defendant's Trial Exhibit 18-Step One Scores for Plaintiffs.....	1015
Defendant's Trial Exhibit 21-Email chain involving Laura-Elizabeth Smith and Inda Humes re: DATA.....	1019
Defendant's Trial Exhibit 26-Plaintiffs' executed Honor Code Statements.....	1021
Defendant's Trial Exhibit 29-Seating Chart DDB 110	1023

1 of what the findings were. They had a chance to present that
2 in the main part of the Honor Council hearing. And then the
3 deliberations are supposed, and under my understanding could
4 be a discussion between the members of the Honor Council, if
5 they had questions or concerns. They could all talk about
6 that just like a jury here and try to understand you know,
7 like the case better. But with the investigator in that mix
8 you know, that gave it a different kind of tone and approach.
9 And I just didn't think that was fair to do that without
10 having the accused students in there as well, which they're
11 not supposed to be, you know, according to the ---

12 Q. Well, you keep anticipating (inaudible). The Honor
13 Code actually doesn't say that the Q students can be in their
14 deliberations, whereas it does not say that the investigators
15 can't be?

16 A. Right.

17 Q. But you felt it was unfair.

18 A. I felt that was unfair.

19 Q. Now, since it's come up just to clear the air the
20 fact that they were well connected had nothing to do with
21 your given the benefit of that?

22 A. It had absolutely nothing at all to do with this
23 case. Because for one thing, you know, I -- since my
24 relatives left in 1685, I've never been back to South
25 Carolina, so I didn't really know anybody here, and I didn't

1 know, you know, who was who or even how to find the lecture
2 hall to tell you the truth. But, so, yeah, that had no
3 influence at all.

4 Q. So the big thing that you talked about was that a
5 big piece of the evidence that was used against the thing was
6 this Caveon report, and it showed that more than astronomical
7 likelihood that they had not looked in them. Recall that?

8 A. Yeah, it was a huge number.

9 Q. But you also saw on the packages appellant
10 material, the field material that they gave this report from
11 Dr. Segal that she cast out on it, right?

12 A. Mm-hmm.

13 Q. You have to take into account twins and then they
14 operate a life. Did it concern you that nobody from Caveon
15 was there to explain to the Honor Council what effect, if any
16 twin situations would've had on that statistical analysis?

17 A. Yeah, I thought that was definitely something that
18 I was concerned about. And the other issue was, you know,
19 these statistical analyses are quite complicated. And you
20 know, I took statistics and other courses, but I don't know
21 if I could even explain exactly all the formulas and
22 calculations that are used. And the students did ask some
23 questions about that in the hearing, and nobody, at least in
24 my transcript, nobody seemed to be able to answer those. And
25 so I thought since that was such a big component of the

1 evidence, it really wasn't covered very well or explained to
2 the students in terms of what the interpretation of that was.

3 Q. So in conclusion, when you decided to throw out the
4 finding, did you conclude that the fact they have not
5 collaborated on this sit down?

6 A. My conclusion was really based on you know, what
7 was available to me in the transcript of the hearing. And
8 you know, obviously there's some circumstantial evidence, but
9 I didn't conclude the appeal. You know, maintaining the
10 appeal was due to either cheating or not cheating. It was
11 really those other factors that really pushed me over the top
12 on that.

13 Q. And then you did repeat your curiosity enough that
14 you reached out to Dr. Segal. Now, you were aware that she
15 had given the report because it was in your packet?

16 A. Right.

17 Q. So you communicated with her and she sent you in
18 her book?

19 A. She sent me some excerpts from her book, and then I
20 think told me where I could purchase it. But and I was, I
21 didn't, for me, that what, that what was in the book didn't
22 really provide the evidence. I needed to conclude that,
23 you know, what she had concluded.

24 Q. Now, now you already made the rule.

25 A. Yeah, no, this was way after the fact actually.

1 similar breach.

2 Q. Last thing I want to talk about not very long, is
3 what, if anything you did to try to help things get their
4 career back on track?

5 A. Well, obviously this was quite a shock. And we,
6 you know, we want to make sure that we do all we can to help
7 all of our students regardless of the situation. So we, you
8 know, we recommended some you know, board prep approaches
9 that might help them get through that process. I contacted
10 one of my colleagues in Florida in Orlando, who was the dean
11 of the medical school there Deborah German. And she helped I
12 think get one or both of them a research position or some
13 sort of administrative position there to help while they
14 were, you know, on administrative or leave, getting ready to
15 take the board exams to give them that opportunity.

16 Q. And did you also help obtain a research position
17 down there?

18 A. I think that Dr. German was able to find that for
19 them, but I don't know the details, but that's the feedback I
20 got from her.

21 Q. Now, the next step for them would've been to go
22 into clinical rotations, correct?

23 A. After the first two years. The next phase is to
24 start your clinical rotations.

25 Q. But in order to do that, they would've to pass the

1 NBME step one examination?

2 A. The National Medical Board everybody has to pass
3 that step one to go onto the next phase. I even had to pass
4 it when I was in medical school. So it's required for
5 everybody.

6 Q. Now, are you aware that they actually stayed
7 enrolled at the Medical University while they were going
8 through the process of trying to pass that test?

9 A. Yeah.

10 Q. (Inaudible) allow that?

11 A. Well, the NBME won't allow individuals to take the
12 test unless they're actually enrolled in a medical school.
13 So we wanted to make sure that they stayed enrolled so they
14 would have the ability to take it.

15 Q. They didn't have to pay tuition while they
16 (inaudible)?

17 A. I think they did, but we did reimburse some of
18 that, but not all of it.

19 Q. And did they actually get a degree from the medical
20 university?

21 A. They did get a degree, a master's degree from the
22 graduate school.

23 Q. What does that mean?

24 A. Well, they had completed the coursework that's
25 required for the master's degree, I think, of clinical

1 Q. But have you ever specifically accused them passing
2 notes to one another?

3 A. Not that exact statement, no.

4 Q. Have you ever specifically accused them of a
5 signaling one another?

6 A. I noted nodding in my report.

7 Q. Have you ever specifically accused him of signaling
8 each other?

9 A. Not that exact phrasing.

10 Q. You were aware of who my clients were before the
11 block 12 examination, correct?

12 A. Can you explain more?

13 Q. Do you know who Kayla and Kellie Bingham were
14 before the block 12 exams that we're hereby day?

15 A. I had met them at a student performance. They
16 passed out pamphlets for us at a student ceremony.

17 Q. And you knew them by name?

18 A. No, I did not know by the by name. I can't.

19 Q. Did you know what their names were?

20 A. No.

21 Q. Did you recognize them as being twins?

22 A. Yes.

23 Q. And could you tell that they were identical twin?

24 A. Yes.

25 Q. Do you know if being identical twin has any effect

1 on testing when they use?

2 A. I do not know anything of that.

3 Q. And have you been certified by the National Board
4 of Medical Examiner as a proctor?

5 A. So we are trained as proctors and there is an
6 extensive proctor manual on how to proctor. And that allows
7 us, once we're trained in that, signed off on and then we can
8 proctor exams.

9 Q. Have they ever given you any information on
10 identical twins?

11 A. No.

12 Q. And did you just say you were director of the
13 Office of Assessment Evaluation at the time of this exam
14 we're hereby today?

15 A. That's correct.

16 Q. Who was your supervisor?

17 A. My supervisor. I don't know my direct supervisor
18 six years ago.

19 Q. Did Dr. Hazen-Martin have a position at you ever
20 review that time?

21 A. She was not directly above me, no.

22 Q. Okay.

23 A. It would've been the associate dean of as assessing
24 the evaluation who would've been over me at the time.

25 Q. Okay. And you were proctor for Kellie and Kayla's

1 afternoon block 12 examination ---

2 A. The afternoon session, yes.

3 Q. --- is that correct?

4 A. That's correct.

5 Q. And is your recollection that Dr. Hazen-Martin

6 opinion specifically directed you by name to monitor Kellie

7 and Kayla Bingham during the block 12 examination?

8 A. Yes.

9 Q. And she did come in and she told you what the names
10 were?

11 A. Yes. She told me their names and told me that she
12 had experienced some testing irregularities and to just
13 follow the proctor guidelines so that I wouldn't stop the
14 exam. Which a lot of times when you note something like
15 that, it's kind of an urge to stop the exam, but she reminded
16 me of the proctoring guidelines to continue to let them take
17 the exam on.

18 Q. But she specifically singled them out for
19 observation? Did she not?

20 A. That's correct.

21 Q. And as a result of this, did you record you recall
22 testing irregularities during that exam?

23 A. I did. I did not note anything until probably a
24 few hours into the exam. When the room filled out, students
25 kind of stagger as they finish the exam and as students ended

1 the exam, I was able to closely monitor them with a full
2 room. I tried to -- I proctor every student. I don't just
3 focus on them. So I did not notice anything until probably
4 two hours within the exam.

5 Q. Could you pull up the first Exhibit 33. And here's
6 the second original. That second page. Can you read that on
7 your screen in front of you all?

8 A. Yeah.

9 Q. Okay. Are those the notes that you took that day?

10 A. That's correct. Both pages.

11 Q. And it's your testimony today that you didn't
12 actually start to record the observations until the last hour
13 or within?

14 A. So yes. If you looked, was that another student on
15 about an hour into the exam, I noticed the student in
16 question was pushed back away from the desk.

17 Q. Has the National Board of Medical Examiners taught
18 you that that's cheating?

19 A. That is not normal behavior, which is what a
20 testing irregularity is. If you're pushed back from the
21 table, glancing at another student's screen, that was a
22 testing irregularity. Typical students are sitting very
23 close to the computer looking at the pictures and not
24 glancing away at all. So that was a testing irregularity.

25 Q. Does the National Board of Medical Examiners have a

1 list of testing irregularity?

2 A. They have a variety of lists that they give you as
3 examples.

4 Q. And is that one of the examples?

5 A. Not that one specifically, but again, it is a
6 testing irregularity of different behavior, which is what
7 they describe.

8 Q. So pushing your chair back is not one of the list
9 of examples of testing or regularities that's provided by the
10 National Board of Medical Examiners?

11 A. Pushing your chair back and glancing at another
12 student's screen is.

13 Q. That's one of the examples?

14 A. Not one of the examples, but that's the testing
15 irregularity that I put down.

16 Q. And the other testing irregularities you want to
17 talk about what you see there on the screen in front of you?

18 A. Sure. I -- do you want me to read it out loud?

19 Q. Let's just start with the (inaudible).

20 A. Okay. Actually that goes along with all the other
21 pieces. So if you want me just to name them out, I can name
22 them out.

23 Q. You noted that one of the students asked for a
24 pencil to better eraser. Is that correct?

25 A. That's correct. That goes along with them passing

1 pushing, writing on the paper, pushing the paper over nodding
2 their heads and then pushing the paper back, erasing that.
3 And then flipping it over.

4 Q. Is asking for a pencil on that list of examples of
5 testing irregularities of the National Board of Medical
6 Examiners provide to proctors.

7 A. We provide pencils to all the students that take
8 them. I've never had a student ask for erase ratio. We give
9 unlimited scrap paper. So they're also timed exams so
10 students don't spend time erasing because they're taking all
11 the time in the exam, so they typically don't erase at all.
12 So that was a very odd request and to follow along with the
13 testing irregularity that I noted, I made sure that I put
14 that down.

15 Q. But is asking for a pencil on the list of examples
16 that can NBME provides to you as testing irregularities?

17 A. No.

18 Q. You also said that they were pushing papers on, is
19 that on a list of examples?

20 A. Anything that causes a sound or a disturbance is
21 listed as a behavior. Again, they're broad examples that
22 they provide proctors not direct.

23 Q. So anything that makes a sound is an irregularity?

24 A. Yes. It interrupt's the class.

25 Q. Okay. So a fire alarm could be a testing

1 irregularity?

2 A. Yes. Construction noise.

3 Q. Is a fire alarm evidence of cheating?

4 A. No.

5 Q. Is the room being too cold evidence of the testing
6 irregularity?

7 A. That is correct.

8 Q. And that's not evidence of cheating?

9 A. No.

10 Q. So to be very clear for the jury testing,
11 irregularity is not synonymous with evidence issue?

12 A. That's correct.

13 Q. And it's your testimony that you have never accused
14 Kayla and Kellie of cheating?

15 A. That's correct.

16 Q. Have you ever had other students ask you for -- of
17 a different pencil?

18 A. A different pencil, yes. Not one with an eraser.

19 Q. Why do you all provide erasers to the students that
20 are taking block examinations?

21 A. They come on pencils.

22 Q. Why do you provide pencils?

23 A. They need to write on the scrap paper for math
24 questions or thinking processes.

25 Q. And what's the purpose of the eraser?

1 on. I mean, I didn't -- I don't recall.

2 Q. These notes after you were done with the test
3 didn't you give these to Dr. Hazen-Martin?

4 A. Yes. after every exam, we collect everything from
5 the students, the proctor sheets, the calculators, the
6 pencils, put it in a bag, and we -- it was always typical
7 practice to hand them back to Dr. Hazen-Martin or Inda.

8 Q. Do you know why she testified to the jury today
9 that you never gave her notes?

10 A. I do not know that.

11 Q. Did you know prior to this block 12 exam that one
12 of my client's attended medicine interview?

13 A. I was told that during the Honor Council.

14 Q. Would that be a reasonable explanation for one, one
15 to push themselves back from a desk during an exam?

16 A. I cannot say.

17 Q. Is it true she did look away from the computer
18 during an exam?

19 A. No.

20 Q. Does the National Board of Medical Examiner's list
21 looking away from your computer as an example of testing
22 irregularities?

23 A. No.

24 Q. Is it cheating to nod your head yourself during the
25 exam?

1 A. Say that again?

2 Q. Is it cheating to nod your head to yourself during
3 that exam?

4 A. No.

5 Q. Is it cheating to flip your scratch paper over
6 during exam?

7 A. No.

8 Q. Is it cheating to erase a marking put on your
9 scratch paper during an exam?

10 A. No.

11 Q. Is it cheating to use the entire time that's
12 allotted to you for the exams?

13 A. No.

14 Q. And again, in fact, you haven't admitted anywhere
15 at all these proctor notes specifically that my clients were
16 cheating during the exam.

17 A. I have not. I'm as a proctor I'm only to report
18 testing irregularities.

19 Q. And you haven't specifically accused them of
20 signaling one another. Have you said (inaudible), have you?

21 A. I did not use the word signaling.

22 Q. And you haven't specifically accused of passing
23 notes to one another, have you?

24 A. I did not say the words passing notes.

25 Q. And you didn't actually see my client physically

1 passing those to one another?

2 A. That exact act of, can you tell me ---

3 Q. Passing a piece of paper, hand to hand, a note to
4 one another?

5 A. No.

6 Q. And as you've been getting to, as proctor, you
7 don't -- it's not your job to make conclusions about
8 cheating.

9 A. That's correct.

10 Q. And that's why you have that set up?

11 A. That's correct.

12 Q. And would that be in the province of the Honor
13 Council to make factual determinations about whether you're
14 testing irregularities amount to some kind of academic
15 irregularities?

16 A. It would be up to the Honor Council, that's
17 correct.

18 Q. In fact, it would be beyond the scope of your
19 position to start making those effective occupations,
20 wouldn't it.

21 A. So as a proctor we are expected, and that's what
22 our job is, is to note testing irregularities. That's why we
23 are in the room.

24 Q. But not to accuse students of cheating?

25 A. That is correct.

1 Q. And since that is in the province of the Honor
2 Council, to make such a determination do you think that that
3 would be somewhat in disregard or student's rights to make
4 those accusations, to make those conclusions before they have
5 a chance to have a proper Honor Council proceeding?

6 A. Can you rephrase that question?

7 Q. I made you confused?

8 A. Yeah.

9 Q. So you're aware that the Honor Code provides you
10 the presumption of (inaudible)?

11 A. That is correct.

12 Q. And so part of the Honor Council process is for
13 them to have an accuser who formally accuses them to the
14 Honor Council. Is that correct?

15 A. Okay.

16 Q. And the data or information the accuser uses that
17 comes from the proctors, the test monitors, is that correct?

18 A. That's correct.

19 Q. Okay. So would it be in violation of a student's
20 presumption of innocence for someone lowered down in shame to
21 make an -- to make a conclusion of cheating before the Honor
22 Council had even had an opportunity to waive the facts?

23 A. That is up to the Honor Council.

24 Q. Correct?

25 A. Correct.

1 A. No.

2 Q. Only you were in the room with students?

3 A. With the students, yes. With all the students,
4 correct.

5 Q. There any source of information that she could have
6 had about what was -- what her conclusions?

7 A. Could have would've been my proctor notes, yes.

8 Q. Okay, thanks.

9 A. Yeah.

10 Q. And then you've already said that you didn't write
11 down any information about what was going on there until the
12 last hour of the exam? Is that true?

13 A. That's correct.

14 Q Then you observed them for the entire duration of
15 the exam, is that right?

16 A. The afternoon session?

17 Q. Right. How many hours was that?

18 A. I do not recall.

19 Q. Did the exam begin at 1:00?

20 A. That's correct. There's normally a lunch break
21 from 12:00 to 1:00 and the exam starts back at 1:00.

22 Q. And would that exam have ended at five that day?

23 A. It -- the exams differ to the number of questions.
24 So for it to go 3, 4, 5 hours, I can't say on that date.

25 Q. Can you pull up please Exhibit 67? Thank you. And

1 Q. More than three years ago.

2 A. Again, I don't know.

3 Q. Do you know if this picture was taken?

4 A. I do not know.

5 Q. Do you know if this picture was taken a immediately
6 after block exam?

7 A. I do not know. I've never seen this picture. I
8 mean, this is not 436.

9 Q. That's your testimony today?

10 A. That is my testimony today. This is not 436.

11 Q. Okay.

12 A. If you see how the computers are, this is a picture
13 taken at this angle at computer row running this way. The
14 room that we were in was in 436 with the proctor seat, the
15 front and rows running opposite this way.

16 Q. Do you know if the proctor's desk is behind where
17 that picture is taken?

18 A. Yes. So in this room, the proctor and test, I
19 mean, desk would've been in front in computer s facing all
20 this way because it's in that way of a room.

21 Q. Okay. So how many students were in the room with
22 you when you brought her to this test?

23 A. I do not know the exact number.

24 Q. Any recollection at all?

25 A. Around 20, over 20.

1 Q. How many students -- and you were observing these
2 students, these 20 students for at least three hours?

3 A. That's correct.

4 Q. And you had been specifically told to watch Kellie
5 and Kayla Bingham because it was believed there was some type
6 of irregularities going on with their testing?

7 A. I was told that there was testing regularities and
8 to follow the proctor guidelines is what I was told.

9 Q. And do you have an explanation for why you didn't
10 write anything down for the last hour?

11 A. Yeah. So as a proctor's job is to review all --
12 watch all the students, that's our main job. It's to make
13 sure that the students are not going to the bathroom
14 together. Making sure there's no construction noise, making
15 sure that there nothing goes wrong with computers, the
16 computer goes out, we're there to log them back on. And so I
17 had to watch the entire room. And so I watched the entire
18 room and then as students ended their exams, since we were in
19 the afternoon session, more students filed out. Because Once
20 they're done with the exam, they can file out. And so it
21 wasn't until the very end of the exam when I did not have
22 that many students left that I was able to actually notice
23 testing irregularities.

24 Q. And were Kellie and Kayla directly in your line of
25 sight?

1 A. That is correct.

2 Q. And so you were able to watch them for the entire
3 duration of the exam?

4 A. I watched all students for the entire duration of
5 the exam.

6 Q. Any testing irregularities for the first two hours?

7

8 A. That's correct.

9 Q. Do you know when Kellie and Kayla completed their
10 exams?

11 A. I do not know.

12 Q. Do you know if they were actually in process of
13 taking your exam when you observed the behavior, do you know
14 if they had finished answering all the questions?

15 A. No, they had not finished answering all of the
16 questions.

17 Q. How do you know they had not answered all of the
18 questions?

19 A. They did. I'm -- I don't know how to answer that.

20 Q. Have you ever heard confirmation bias?

21 A. I have.

22 Q. Do you know what that is?

23 A. I do.

24 Q. Can you tell the jury what your understanding of
25 confirmation bias is?

3 Q. And is that a valid scientific theory?

6 Q. That by putting a preconceived notion in someone's
7 head that you could bias the observer and get or unreliable
8 results.

10 Q. And you don't deny that that's a balance period?

12 MR. PARKER: I have no further questions for you. Thank
13 you.

15 MR. FLETCHER: Thank you, Your Honor. Hello? I just
16 got late.

18 MR. FLETCHER: I'm stop bringing the other work.

20 BY MR. FLETCHER:

22 A. My current title is I'm the Assistant Dean of
23 Assessment, Evaluation and Quality Improvement.

25 A. So I provide accurate and reliable data for the

1 Q. And what did you start with?

2 A. I started at MUSC as a program coordinator for
3 research and family medicine.

4 Q. And you've been trained as a proctor.

5 A. An NBME, yes. A National Board of Medical
6 Educators proctor.

7 Q. And who provides that?

8 A. Well it's provided through the NBME, through the
9 website. They have a manual as well as Inda ensures that we
10 have read that and, and she kind of orients us to the
11 proctoring.

12 Q. And who is Inda?

13 A. Inda is our Director of Educational Technology and
14 she oversees all of the testing that happens at for the NBME
15 degree.

16 Q. Did you basically supervise all of the proctors?

17 A. That's correct.

18 Q. And in your NBME training, what sort of things work
19 were you taught about how to properly proctor exam?

20 A. How to properly proctor exam is that you watch all
21 the room, you note testing irregularities, which could mean
22 again, if the room is cold or if the construction noise, it
23 could be anything that could cause anything wrong with the
24 exam. And then if a student needs to restart the exam,
25 you're there to help them restart the exam or anything like

1 that. Questions they may have. You're their liaison in the
2 room at the time.

3 Q. And did the NBME materials have an exhaustible list
4 of everything you have to lift?

5 A. No. Again, over big examples.

6 Q. So did the NBME materials say doing case on hot?

7 A. No.

8 Q. So you have some judgement as a proctor, just
9 decide what needs to be supported as irregularity?

10 A. Correct.

11 Q. And what are some examples of things that you've
12 dubbed as irregularities in an exam?

13 A. Yeah. So I had a student flip a corner. He had
14 two different answers and he would flip a quarter to decide
15 which answer to choose. At the time that was a testing
16 irregularity that I actually ended up having to take the
17 quarter from him and note that.

18 Q. And did you put that in your proctor's notes?

19 A. I did.

20 Q. Okay. What other sources did you note?

21 A. I had two students actually writing notes back and
22 forth during the exam and wrote that as well.

23 Q. And were they back writing notes?

24 A. They were writing and communicating to each other?

25 A. Yes.

1 Q. And what happened on that case?

2 A. They were investigated.

3 Q. Okay. And what did it turn out?

4 A. I don't know the follow up of this. Proctors only
5 do testing irregularities and then we don't hear the
6 findings.

7 Q. Were they communicating about the examination?

8 A. I do not know.

9 Q. But your responsibility for determining whether or
10 not there's academic misconduct is in the OR counsel,
11 correct?

12 A. Correct.

13 Q. And the primary, your job is to monitor the
14 examination?

15 A. Correct. We are the eyes in the room.

16 Q. And then report anything abnormal?

17 A. Correct.

18 Q. Okay. So things like a student wearing a hat
19 against the rule, that is something you would report?

20 A. That's something you would report.

21 Q. And just because you reported that you suggesting
22 it's necessarily cheating?

23 A. No.

24 Q. If you notice something during examination that
25 suggested there might be academic abnormality, what you do?

1 A. You are not to stop the exam. You're let to
2 everybody continue the exam throughout the exam. You're to
3 note that on the exam and then collect material at the end
4 and report that to Inda.

5 Q. And approximately how many examinations did you
6 proctor?

7 A. Since that or at 2016? (Cross talk). Over 40.

8 Q. And in that time, aside from Kellie and Kayla, have
9 you ever had anyone challenge or question your proctor
10 experience?

11 A. No.

12 Q. Have you ever had any your notes ever challenged
13 before after examination?

14 A. No.

15 Q. The block 12 examination that was given, were they
16 questions and answered randomized or were they identical for
17 all the students?

18 A. They were identical.

19 Q. And describe the room a bit for me.

20 A. Yeah. So the room is 436. It's on, when you're
21 looking at the library, it's on the far right. So it is got
22 a pocket door. So you open the pocket door and the proctor
23 desk is right in the front. And if you're looking at the
24 room, you have your first row of computers on this wall that
25 are facing out. So students are facing towards the wall.

1 And then you have the second row of computers facing this way
2 towards the wall. And then you have two rows next to that.
3 So four rows, and then we have a whiteboard at the front.

4 Q. And from where you were seated in the -- there was
5 a desk in the front?

6 A. That's correct.

7 Q. And where you were seated, how where Kellie and Kay
8 -- Kellie and Kayla at the same side of the room, the
9 opposite side of the room?

10 A. They were at the opposite side of the room at the
11 row right in front of me.

12 Q. Were they all the way wall going way against the
13 wall?

14 A. Yes. So the rows end in a wall and one was at the
15 next to the wall and then seated next to them.

16 Q. And describe to me the computer monitors that were
17 used?

18 A. So the computer monitors are Apple, Mac computer
19 monitors. So they're very large silver monitors.

20 Q. Okay. But you, the monitor in front of you
21 comparatively large or smaller?

22 A. Smaller.

23 Q. Okay. And about how far apart were the seats?

24 A. I don't know.

25 Q. Can you kind of show me from where you're sitting

1 about how far along the person next to you with your arms,
2 did you, those arms, did you close the person next to you?

3 A. Not quite, but close.

4 Q. The proctor's notes that you've been shown indicate
5 reference to the eraser and pencil in the testing room.

6 Twins first came in most of the pencils that you give out to
7 students, do they have a wrist problem?

8 A. It varies. The -- they're reused over and over
9 again. So it just varies on what state they're in.

10 Q. And have you ever had anyone ask for a pencil
11 before?

12 A. I have not.

13 Q. And is the scratch paper created in any way?

14 A. Is it graded? No.

15 Q. Does have any impact on the outcome of the test
16 score test?

17 A. No.

18 Q. Is there any point they can offer neatness or
19 anything on the scratch paper?

20 A. No.

21 Q. And did you find a request for a counsel
22 (inaudible) regular?

23 A. Yes.

24 Q. And I understand that the second portion of test
25 did the students received the same seats they had the first

1 part?

2 A. Yes.

3 Q. Did the bioengineer in the drug discovery
4 buildings, how are seat assigned? Where is it assigned?

5 A. It's not assigned.

6 Q. And in the auditorium?

7 A. In the auditorium, yes. It's assigned in the
8 auditoriums. And yeah.

9 Q. How are students seated in the library?

10 A. They can sit wherever they would like in the
11 library rooms.

12 Q. Is that the case for 436?

13 A. That's correct.

14 Q. So you spoke with Dr. Hazen-Martin before at the
15 beginning of the afternoon session?

16 A. That's correct.

17 Q. Do you recall what she said to you?

18 A. She said that she had noted some testing
19 irregularities and that she wanted to remind me of the
20 proctoring guidelines to not stop the exam if I did notice
21 something and to write what those testing regularities were.

22 Q. Okay. Did she tell you what to observed?

23 A. No.

24 Q. And did she tell you what you should write on
25 proctor notes?

1 A. No.

2 Q. Did she instruct you specifically on what you
3 should say about these students?

4 A. No.

5 Q. And was what you wrote on the proctor's notes your
6 own observations?

7 A. Yes.

8 Q. Did you take it right down from cheating?

9 A. No.

10 Q. So what's the first unusual thing you noticed about
11 Kellie and Kayla during the examination time?

12 A. Again, I didn't notice anything until later on in
13 the exam after students had finished their exam. And I
14 noticed that one was pushed back further than the other. And
15 glancing in the direction of the other.

16 Q. You show jury with receipt how far back they were?

17 A. Yeah, so I mean, they were pushed back pretty arms
18 length from the desk and looking in the direction of the
19 other computer.

20 Q. Okay. And give an example how they'd looking at,
21 at the computer.

22 A. Looking -- they were not looking at their computer
23 screen.

24 Q. Okay. Was it a glance or their eyes ---

25 A. They glanced, they wouldn't staring, but glancing?

1 Yes.

2 Q. And is that unusual?

3 A. Yes.

4 Q. Did you observe anyone assault to anyone else
5 remember doing that?

6 A. No.

7 Q. And in any of your other examinations, have you
8 observed anyone them?

9 A. No.

10 Q. And had you observed that no examination, would you
11 been it in regular area?

12 A. Yes.

13 Q. What else did you observe about the examination?

14 A. I noticed that they were writing on the paper and
15 pushing it towards one another as one looked down and then
16 pulled it back erased and then flipped over. That's actually
17 what that caught my attention because that was pretty noisy
18 and kind of like you could hear it. And so I noticed them
19 doing that more than one time.

20 Q. And was it apparent to you that was pushing the
21 paper so the other (inaudible)?

22 A. Yes.

23 Q. And what would happen after they pulled the paper
24 back?

25 A. They would erase it and flip it over.

1 Q. And you saw this moving once?

2 A. Yes.

3 Q. And was that irregular?

4 A. Yes.

5 Q. Had you ever seen that in your proctoring?

6 A. The previous one where the students were
7 communicating. They were writing and looking at paper, yes.

8 Q. And you saw the paper for each other?

9 A. Yes.

10 Q. In that case they were in fact communicating to one
11 another?

12 A. Correct.

13 Q. In that case, you noted those as irregularity as
14 well?

15 A. Correct.

16 Q. And you said they were -- they just -- I strike
17 that. What other things did you observe about that
18 (inaudible)?

19 A. They were nodding their heads positively and
20 negatively. So nodding, yes. Nodding or shaking. No. I
21 noticed that as well.

22 Q. Okay. And what was the other thing be doing when
23 the shaking and nodding their head?

24 A. I just observed them nodding and shaking.

25 Q. Did it seem like they were doing it to themselves

1 or trying to communicate?

2 A. Yes, trying to communicate.

3 Q. And is it -- do you believe Kayla and Kellie were
4 communicating with each other in that regard?

5 A. Yes. They were communicating, I believe.

6 Q. And during the Honor Council proceeding, you were
7 asked to testify?

8 A. Yes.

9 Q. And were you asked the Honor Council proceeding
10 whether it was your opinion that they had been communicating
11 with each other?

12 A. I was asked that question.

13 Q. And did you answer that question?

14 A. I did not answer it as the Honor Council's duty to
15 investigate that and make that decision.

16 Q. And would be accurate, say that you not under the
17 influence their decision by stating (inaudible)?

18 A. That is correct.

19 Q. Now, I know that we (inaudible) I'm going to show
20 because little fire here, but I know you don't use the word,
21 I believe is where signaling ended up. Is that correct?

22 A. That's correct.

23 Q. Do you believe the girls were signaling each other?

24 A. I believe they were nodding and communicating.

25 Q. And would you consider that to be signaling?

1 A. Yes.

2 Q. Was your belief they were doing this in a
3 communicative way?

4 A. Yes.

5 Q. And is there both of them nodding and shaking their
6 heads?

7 A. Say that again.

8 Q. Did you observe both of them nodding or shaking
9 their heads?

10 A. I don't -- I can't answer that.

11 Q. About how far away was their seat where you were
12 seeing their computer?

13 A. Again, they were in the back of the room, but
14 straight in front of me.

15 Q. And when one puts the paper over to the other, what
16 would the other, if one's writing slides over, what would the
17 other (inaudible)

18 A. Look at the paper.

19 Q. And then what would they do at the paper?

20 A. They would bring it back, erase it and flip it
21 over.

22 Q. The one who looked at, what did they do when they
23 saw the paper?

24 A. Flip through the questions on their computer.

25 Q. Okay, so they look the paper and then do something

1 on the computer?

2 A. Correct.

3 Q. Again, have you ever seen anything like that in
4 your proctor?

5 A. Other than the communicating? I've seen that.

6 Q. And do you believe they were communicating about
7 the test?

8 A. Yes.

9 Q. At some point during the examination, did you make
10 eye contact on them?

11 A. I did.

12 Q. Tell the jury about that.

13 A. I was intently watching them at that point. There
14 was nobody there was like very few students left in the room
15 and they looked at me and I looked at them and they looked
16 back at their screen.

17 Q. And that was it awkward?

18 A. Yes, it was awkward.

19 Q. Was that uncomfortable?

20 A. Yes.

21 Q. Did you feel like -- what -- how made you feel?

22 A. I just wanted them to note that I was watching as a
23 proctor.

24 Q. You didn't feel like, did you get the impression
25 that they were concerned that you were watching all?

1 on the computer?

2 A. Correct.

3 Q. Again, have you ever seen anything like that in
4 your proctor?

5 A. Other than the communicating? I've seen that.

6 Q. And do you believe they were communicating about
7 the test?

8 A. Yes.

9 Q. At some point during the examination, did you make
10 eye contact on them?

11 A. I did.

12 Q. Tell the jury about that.

13 A. I was intently watching them at that point. There
14 was nobody there was like very few students left in the room
15 and they looked at me and I looked at them and they looked
16 back at their screen.

17 Q. And that was it awkward?

18 A. Yes, it was awkward.

19 Q. Was that uncomfortable?

20 A. Yes.

21 Q. Did you feel like -- what -- how made you feel?

22 A. I just wanted them to note that I was watching as a
23 proctor.

24 Q. You didn't feel like, did you get the impression
25 that they were concerned that you were watching all?

1 A. No.

2 Q. I understand you did not write down notes for
3 passing notes in your proctor test?

4 A. That's correct.

5 Q. Do you believe that they were passing notes?

6 A. Yes.

7 Q. And you believe that what they did paper pushing
8 note the passing notes?

9 A. Correct.

10 Q. So they were moving the note, correct?

11 A. They were moving the note.

12 Q. Moving towards the other?

13 A. Towards the other, yeah.

14 Q. But (inaudible) see?

15 A. Correct.

16 Q. And what happened when the exam ended?

17 A. The exam ended and then they brought their
18 materials back to my desk.

19 Q. Okay. What happened then?

20 A. At that time I asked them for all of the scrap
21 paper. We -- and one of them tried to keep -- wanted to
22 throw away some of the scrap paper and I told them no, that I
23 would actually take it back. Because we collect all scrap
24 paper, it doesn't matter if it's not and we recycle it. So
25 to make sure that I take it back.

1 Q. And is that unusual or regular?

2 A. Yes. I mean, every block we take every piece of
3 scrap paper from the students and they know we recycle them.

4 Q. So what do you do with all the material you gather
5 at the end of examination?

6 A. All the material that we gather at the end of the,
7 we have a, it's a what is a blue bag that we put all the
8 calculators in the pencils and the scrap paper. And the
9 proctor folder, which has the proctor sheet in which we write
10 testing irregularities on back into the blue folder. And we
11 either take it Inda or Hazen-Martin, who's ever available at
12 the time.

13 Q. Do you recall who you gave this back to?

14 A. Hazen-Martin.

15 Q. And after -- when you handed her the bag, did you
16 speak with her at all about what you observed on the test?

17 A. No.

18 Q. Did she say anything to you about what she
19 observed?

20 A. No.

21 Q. And after that, did you ever talk to Dr.
22 Hazen-Martin about the test?

23 A. No.

24 Q. And did you ever talk to Dr. Kasman about what she
25 was observing?

1 A. No.

2 Q. And when you testified for Honor Council, did you
3 said truthfully to the best of your relevance?

4 A. Yes.

5 Q. And the progress notes you prepared, is everything
6 in there true and accurate?

7 A. Yes.

8 Q. And before you testified to Honor Council did you
9 undertake an oath to maintain as confidential information
10 concerning the Honor Council?

11 A. Yep. Yes.

12 Q. And do all witnesses Honor Council talk you about?

13 A. Yes, that I'm aware of.

14 Q. And at any point have you ever disclosed any
15 information about the Honor Council? Anyone outside of Your
16 Honor Council?

17 A. No.

18 Q. Have you ever spoken with any use state reporters
19 or anyone that press about the proceedings?

20 A. No.

21 Q. Did you ever expose any information about council
22 proceed to any students who are Honor Council?

23 A. No.

24 Q. Are you aware of anyone who disclosed any
25 information to our press or other students about Honor

1 that, are you?

2 A. Say that question. Rephrase the question.

3 Q. You're not deny that you've ever seen evidence of
4 an eraser being used during the block?

5 A. I cannot recall that.

6 Q. Do you specifically look at every pencil to ensure
7 that the eraser hasn't been used?

8 A. No.

9 Q. So you can't say whether or not students routinely
10 use their erasers during block exams to make notes on scratch
11 paper?

12 A. I cannot say.

13 Q. And in fact, MUSC provides a pencil with erasers to
14 students as opposed to pen so that you presumably could make
15 marks with paper erase. Right?

16 A. Sure.

17 Q. So it is not cheating to ask for a pencil with a
18 better eraser, is it?

19 A. No.

20 Q. Okay. I think just a little while ago you gave
21 some testimony and you said that the students looked at each
22 other, screens?

23 A. Mm-hmm.

24 Q. Could you pull up Exhibit 23? Can you tell me
25 where on here you noted they were looking directly at each

1 other's computer screens.

2 A. I did not use the word directly looking at computer
3 screens.

4 Q. So why are you giving testimony today that's not
5 accurate to you with your proctor's notes.

6 A. Can you flip to the second page? I kept -- I in
7 this time, I wrote it as kept glancing over at the other
8 student's direction.

9 Q. Well, why didn't you write down an arrow at each
10 other's screens?

11 A. I cannot say.

12 Q. I mean, were you trying to be dishonest about what
13 you were known?

14 A. No.

15 Q. So can you explain to the jury why today you said
16 you were looking at each other's screens when on that day we
17 never wrote that down.

18 A. I wrote on my proctor notes as a testing
19 irregularity as the sentence of they kept glancing at the
20 other's direction.

21 Q. And you just told us that these two were in their
22 exam for three hours with you and they're passing notes.
23 They're nodding their heads, they're shaking their heads.
24 They're looking at each other. They're directly in their by
25 sight. And you didn't notice any of this for hours?

1 A. Again, I did not notice testing irregularities
2 until further into the exam.

3 Q. How did you not notice that?

4 A. You have to focus on the entire room to make sure
5 that nobody else is having any issues.

6 Q. But you've also told the jury that you're directly
7 in your life's sight, after you've been told this specific re
8 watched that for irregularities. Explain how you don't see
9 that. Explain to me please.

10 A. Sure. So as that proctor, I'm responsible for all
11 of the students in the room. So, and I wasn't going to just
12 focus on them as my proctor guidelines is to review all the
13 students. The way where they were sited, they were further
14 in the back. So there were students in front of them, like
15 so the row was directly in front of me. So there were
16 students seating actually in front of them. I could still
17 see everybody's computer screens, but they were directly in
18 front of them until those students filled out. I could not
19 see those students. Like I couldn't focus on those students.

20 Q. But weren't you directed to focus on those
21 students?

22 A. I was directed to follow the proctor guidelines to
23 not stop the exam.

24 Q. And to monitor Kellie and Kayla?

25 A. Yes. But as a job, as a proctor under NBME

1 guidelines, I am to proctor the entire room.

2 Q. And then you failed notice any of this until time
3 was running on the exam. Is that correct?

4 A. I cannot say.

5 Q. And you wrote down most of observations last
6 hearing.

7 A. I cannot say.

8 Q. You know, you didn't write those down during the
9 first two exam. Correct?

10 A. I've noted that.

11 Q. So you wrote them down at the last hearing?

12 A. I noted them as I was noting them. Yes.

13 Q. After you accused Kellie and Kayla for testing
14 irregularities.

15 A. Yes.

16 Q. And you would admit that none of the testing
17 irregularities that you've noted are listed anywhere by
18 National Board Medical Examiners as examples of testing
19 irregularly design?

20 A. Correct.

21 Q. And so whether or about that is a testing
22 irregularity is completely your opinion?

23 A. I don't know how to answer that.

24 Q. It's a conclusion that you drawn that specific
25 behavior is a testing irregularity.

1 A. Correct.

2 Q. Is your opinion that they were somehow moving
3 (inaudible) by nodding their heads?

4 A. I cannot say.

5 Q. How do you convey an answer to by nodding or
6 shaking their head.

7 A. I cannot say.

8 Q. Is your opinion that they have some kind of secret
9 communication system?

10 A. No.

11 Q. Do you recall giving testimony at the hearing for
12 this?

13 A. The Honor Council?

14 Q. Yes.

15 A. Yes.

16 Q. Do you know whether you ever told them that they
17 were shaking their heads?

18 A. I do not know.

19 Q. And you never told them that you thought they were
20 communicating?

21 A. I answered all the questions that I was asked.

22 Q. Right. And when you were asked to offer your
23 opinion, you refused to do so. Didn't you?

24 A. In an Honor Council proceeding proctors need to let
25 the Honor Council decide and investigate that thoroughly.

1 Q. But wasn't the Honor council asking you for your
2 opinion?

3 A. Yes.

4 Q. So they wanted to know what your opinion was?

5 A. That's correct.

6 Q. And you wouldn't give them opinion, would you?

7 A. No.

8 Q. But today, six years later, you haven't been
9 (inaudible)?

10 A. Yes.

11 Q. What happened in the past six years?

12 A. Again, I was told before I went into the Honor
13 Council to not bias the Honor Council. They needed to do
14 their investigation.

15 Q. Did you arrive in your opinion after you spoke to
16 investigative lawyers?

17 A. Say it again.

18 Q. Did you arrive in your opinion that you gave today
19 and you thought to my clients or communicating, did you
20 arrive at that opinion after any investigative lawyers spoke
21 to you?

22 A. No.

23 Q. When did you come to that opinion?

24 A. I -- can you repeat the question?

25 Q. When did you come to that opinion?

1 A. Of -- opinion of what?.

2 Q. That they ever make any with each other during
3 that?

4 A. While I was watching them?

5 Q. So why did you offer that opinion to Honor Council
6 when they asked for?

7 A. Again, we're instructed the Honor Council ---

8 THE COURT: So that's been asked and answered. Ask your
9 next question.

10 BY MR. PARKER:

11 Q. You were asked about the scrap paper?

12 A. Yep.

13 Q. And your testimony was that one of them tried to
14 throw away the scrap paper?

15 A. Mm-hmm.

16 Q. Have you gotten an explanation from either one of
17 them about what they were trying to do with the scrap paper?
18 Do you recall that?

19 A. We talked about that in Honor Council proceedings.

20 Q. And when Kayla and Kellie were questioning you
21 during the Honor Council proceedings, do you remember them
22 asking you questions about the scrap paper?

23 A. Yes.

24 Q. And do you remember being asked a lot of questions
25 that indicated that the scrap paper was actually blank paper

1 Honor Council, I had stepped that -- we were placed in a room
2 down the hallway from the deliberations, and at one point
3 just getting up and may -- using the restroom, I left that
4 room, so you could hear the council from down the hallway.
5 And it was obvious at one point to me that things were not
6 going to go in my client's favor. So I believe I told that
7 to their father. But we officially knew when we were called
8 back in to when we sat down, they read out some sort of
9 declaration of guilt.

10 Q. What -- when you were listening, what was happening
11 inside?

12 MR. COOKE: I object to the relevance. It's hearsay as
13 well.

14 THE COURT: The hearsay objection is sustained.

15 MR. PARKER: I didn't ask him what he said, Your Honor.

16 THE COURT: I thought you asked him what you -- he
17 heard.

18 MR. PARKER: What -- I did. I'm sorry, I can correct
19 it.

20 BY MR. PARKER:

21 Q. But did you hear him talking back and forth?

22 A. Yes.

23 Q. And did you -- how would you characterize the tone
24 and what was doing, not what they said, but the overall tone
25 of what was said?

1 MR. COOKE: Objection to the relevance and also to
2 hearsay.

3 THE COURT: I'm going to let him testify about the tone.
4 If he knows.

5 THE WITNESS: There was a lot of laughing coming from
6 the room that was clear from down the hallway. There were --
7 I -- the tone was loud, somewhat boisterous.

8 BY MR. PARKER:

9 Q. And after this -- after you got the resolved, what
10 Honor council had found, what did you do?

11 A. I consulted with my clients and who were visually
12 and extremely upset, and we gathered briefly and then we -- I
13 think it was -- the overall feeling was that we wanted to all
14 leave the building quickly. So we all left together and then
15 separated to our vehicles once we exited the building.

16 Q. And then, you then helped them file an appeal?

17 A. I did.

18 Q. And the appeal was directed to the dean, Dean
19 Dubois?

20 A. Yes, sir.

21 Q. And then, later I believe on June 14th to 16th, Dr.
22 Dubois overturned the Honors Council findings?

23 A. Yes.

24 Q. And during any of this time, did anybody gang up
25 together, Mr. Bingham or anybody associated with Bingham

1 disclose what happened in the Honors Council or anyone other
2 than family members? Do you know? If you know.

3 A. No, not that I'm aware of.

4 Q. All right. Would defendant have interest to
5 disclose anyone?

6 A. Absolutely not.

7 Q. And after the Dr. Dubois overturned the Honors
8 Council, what occurred after that?

9 A. Well, I think that there was a reaction from the
10 student body that was negative towards the -- my two clients.
11 There was an assumption that because they were accused and
12 because the Honor Council convicted ---

13 MR. COOKE: Your Honor, object based on hearsay, and I'm
14 going to renew our relevance objection on the basis that the
15 rumors cannot be tied with any agent of university acumen, of
16 course, scope of employment, and therefore it's prejudicial
17 not relevant.

18 THE COURT: I am going to sustain the objection to the
19 extent he's speculating about what other people did or
20 thought during that time period.

21 BY MR. PARKER:

22 Q. Did -- were you personally aware of things that
23 were occurring as a result of Dr. Dubois's decision to
24 overturn the finding of the Honors Council?

25 A. Yes, sir.

1 were incredibly focused and dedicated to all of their
2 activities.

3 And we were very close as a family. We were fortunate
4 that me and my wife weren't split. A lot of the soccer
5 parents would split because they had kids playing at
6 different levels or other sports or whatever. And for us, we
7 were blessed that both of the girls just happened to be able
8 to be on the teams, and they played all over the southeast.
9 And so we traveled with them pretty much all the time. I
10 mean, so we were very tight-knit, close family, and the girls
11 excelled at everything they did. It was -- dang, I didn't
12 take Algebra one and I'm an engineer until 11th grade. And
13 they were taking it in 7th grade.

14 And so, you know, they -- you could just -- they had a
15 thrive for learning. They did very well. And so they was
16 elevating, and through high school they were still playing
17 soccer and all, but they had pretty much run out of courses
18 to take by the time they hit their sophomore year. And so
19 the Governor's School for Science and Mathematics is
20 something that we looked at and they replied to, it's highly
21 competitive. And they were able to get into the governor
22 school, and they thrived in that environment as well. And
23 you know, onto Furman University and then on obviously to the
24 Medical University. And now they just finished up at USC
25 law.

1 Q. And during all that time, I know that it is all
2 kids are, you had some trouble, but how would you
3 characterize that overall what they did and how you deal with
4 it?

5 A. They were perfectionists. I mean, they -- every, I
6 mean, you say that, I'm sitting here thinking back. I mean,
7 they used to -- I probably got on to them more in the soccer
8 field. Yeah, I would've been one of those guys probably
9 could've coached long ago, but I couldn't probably coach
10 today, you know. But the point of it is that it is really
11 hard to kind of pick out that -- they were never in trouble.
12 There was never anything in trouble that they had. So yeah,
13 I guess the biggest thing that I ever got them in trouble
14 that I can think of is when they were young and I think what,
15 one of them told their grandmother or something about, you
16 know, they -- I forgot what they were doing to talk to the
17 grandmother. She said, you want me to have to go in there
18 and cook or something? She said, well, that's what you're
19 supposed to do. Well, no, that didn't go over well, they got
20 in trouble right then. You're not going to talk about your
21 grandparents. And so that was only -- that was a one and
22 done. They didn't do that anymore, but, you know, that's it.

23 Q. And you were -- let me go back a little back to the
24 qualifications that -- your father was on the board at
25 Medical University?

1 BY MR. PARKER:

2 Q. Go ahead and let's go now to --

3 A. The bottom line is -- I'll get back -- maybe I can
4 clean this up quickly then. The bottom line is that we made
5 Dean Dubois aware in the appeals document that exactly those
6 things and given those exhibits and why, it was now grossly
7 unfair because we were not able to question her on things
8 that we could not find anywhere else. And so he was keenly
9 aware of that fact, so page 14, appeals document, Exhibit 6
10 and 9. So the statement that yesterday made is not supported
11 by the appeals body.

12 Q. What was the statement that Dr. Dubois depicted?

13 A. He said that at the time he overturned the girls,
14 he was unaware that the girls had consented to Dr. Hazen -- I
15 mean, Dr. Kasman not being there. That is factually untrue.

16 Q. And you were quite aware?

17 A. Very well aware as far of -- it in his appeals by
18 page 14, with two documents of support and a narrative.

19 Q. The notice of intent to appeal and documents sent
20 up by Dr. Dubois, he could submit all those, and ---

21 A. That's right.

22 Q. --- potentially issue the decision that threw out
23 the Honor Council finding.

24 A. He did.

25 Q. And did you all, at that point in time, or had you

1 all told anybody about this other than people who had it easy
2 to go?

3 A. Absolutely not.

4 Q. Did you want to talk to them?

5 A. Absolutely not.

6 Q. And so after Dr. Dubois overturned the Honors
7 Council, what occurred after that?

8 A. Well, after he overturned the Honor Council I think
9 the girls went a couple days later and met with Dean Dubois
10 and thanked him, you know, for his support and give him an
11 opportunity. Met with him to make sure they could get back
12 on track. They went to studying their -- for their step one,
13 they were behind, but they would just miss that first six,
14 eight week, whatever period of time it was, and they would
15 study to take it again to try to catch up. But things were
16 trying to get back to normal at that point in time.

17 Q. And what occurred after that upset normal?

18 A. Well, a -- I can't remember who first called me,
19 but I, again, in some of the timelines, because all of these
20 things were aligning, but by Lauren Sausser with Post and
21 Courier was emailing students asking that naming Kayla and
22 Kellie by name.

23 MR. COOKE: Your Honor, objection. That's based on
24 hearsay. And if I could just renew my relevance objection to
25 this line of questioning as well.

1 THE WITNESS: I thought there was a document by --

2 THE COURT: I'm going to sustain the hearsay objection.

3 BY MR. PARKER:

4 Q. Don't say what was said about any fact outside the
5 Court, but as (crosstalk).

6 A. I was --- sorry. I was --- I'm sorry. I thought a
7 document had been put in yesterday from an email from her.

8 But if that wasn't the case ---

9 Q. The email from who?

10 A. Lauren Sausser. I thought I saw one yesterday, but
11 maybe it was a different one. I'm sorry.

12 Q. All right. In any event ---

13 A. Anyway, there were emails going about ---

14 A. It became very public?

15 Q. --- that's correct. It became very public and the
16 girls were made aware. They had people contacting them. And
17 it was really starting to become very problematic. It
18 elevated and escalated very quickly.

19 Q. And did the dispute body and MUSC get a petition
20 up?

21 A. They did. They started a petition for an
22 independent investigation. They had the big on, you know,
23 anytime -- being in politics and you're dealing with groups,
24 if you've got a hot issue, sometimes the last thing you want
25 to do is bring all of them together because it ignites and

1 fuels a flame. And so, typically, you try to calm it down
2 because if not, you're bringing together people. If you
3 bring everybody, you bring a hundred people together in a
4 room, okay? And all of a sudden they've got communications
5 with each other, they've got a direct line of access and it
6 just explodes from there.

7 Whereas if they're separated, you kind of let it try to
8 tamp down and try to dissipate itself out, is a better way
9 for that to transpire that. Whatever reason, it did not
10 happen that way. And so each of these sequence of events
11 just kept looming and it was feeding the Post and Courier in
12 their articles. There was a minimum of five, may have been
13 eight, at least five Sundays, we call it above the center
14 fold. In the old newspapers, you've got paper folder, excuse
15 me, paper folded. And so you talking when you're five and
16 six Sundays above the center fold in the Post and Courier,
17 the state's largest publication, yeah, it runs pretty
18 rampant.

19 And you know, there's only one -- there's only two
20 students that met the criteria that was described in those
21 articles. And addition to that, others had been directly
22 leaking their name.

23 Q. And the Facebook that we've seen in evidence, all
24 of that --

25 A. It is.

1 Q. --- the petition, all of it was aimed at the
2 daughters?

3 A. They were.

4 Q. And that was -- went on into the fall of 2016.

5 A. It did.

6 Q. And as a result of what was going on they met with
7 Dubois about what they should do?

8 A. Yeah. They talked to Dean Dubois -- and I forget,
9 I can't remember what day it was. It kind of was a
10 culminating event of their withdrawal from the school. Each
11 day it'd be getting worse and worse -- in this last newspaper
12 article that was spurred by the MUSC's response and Post and
13 Courier that we just heard a few minutes ago about the
14 validation article, you know, Honor Council process and the
15 (inaudible) and all that stuff, it fired off another inquiry
16 and another round of articles and interest from the Post and
17 Courier, as well as that article and letter did itself.

18 But the girls got that they went ballistic and of course
19 they call me when they do that, and Kayla, and I'd sent her
20 on and she tried to go to her rotation and she called me
21 because she had locked herself in the closet at hospital.
22 And she was just an absolute melt out mode because of the way
23 these students were treating her and what was happening to
24 her. And I immediately called Dean Dubois. It may have been
25 the first time I'd ever talked to him. I can't remember if I

1 talked to him prior to that or not. And he said, Kenny -- he
2 says, you've got to get your girls out of here. He said,
3 it's not safe. It's about a good environment. They can't --
4 you can't leave them here.

5 And so he says, I can help you. He said, I'll take in--
6 he recommended a place up in Chicago for them to go and to do
7 some study. And they get out of that environment. So I
8 immediately call the girls, they stop in the middle of the
9 rotation. They sent the Dean a letter acknowledging -- an
10 email acknowledging his request that he thinks is best for us
11 to leave. And that's what ---

12 Q. And did you talk ---

13 A. --- that's what we did.

14 Q. -- closely with Dean Dubois.

15 A. I did.

16 Q. --- the girls?

17 A. I did. (Inaudible).

18 Q. And did he tell you what he thought about what the
19 Honor Council did?

20 A. He told me it was the most egregious thing he'd
21 ever seen in his life. He was floored and embarrassed

22 Q. And ---

23 A. And that's the God's honest truth.

24 Q. Did he tell you that first?

25 A. He certainly did.

1 Q. Is that before the Honor Council hearing?

2 A. Yes.

3 Q. So you did talk to the vice chairman of the board.

4 Who was your father about this before the Honor Council met?

5 A. Sure. I told him what was going on. Because I had
6 to.

7 Q. You know if he talked to anybody about it?

8 A. He did not.

9 Q. How do you know?

10 A. Because I know my dad. Yeah. That's what he would
11 do, is he would try to harm his granddaughters by spreading
12 that.

13 Q. Well, you kind of touched on it. You know, you saw
14 all these posts on Facebook about the perception for whatever
15 reason that they had used to influence to get out of this
16 honor charge. And the first thing you did when they called
17 you was called the president of the university.

18 A. I told you exactly why and that's documented.
19 That's who I knew. And I asked him for the process and to
20 follow the process, period.

21 Q. All these rumor that we talked about came out in
22 August of 2016. Right?

23 A. I mean that's whenever it started heating up. I
24 don't remember exact days, but --

25 Q. But the honor thing was back in May, and the award,

1 confused pretty much every day. We say that anytime we're
2 asked, are you a twin? We have like five questions that
3 continuously follow us. Are you a twin? Are you fraternal
4 or identical? How far apart are you? Do you do everything
5 together? I forgot the fifth one, but I'm a little bit
6 nervous. So, but we typically have the same questions and
7 everyone's like, oh, it's so great to be a twin. And it is
8 great to be a twin. But ---

9 Q. At school you all have similarity?

10 A. Yes.

11 Q. All right. Same thing on the SAT? Same score?

12 A. Same score. Yes, sir.

13 Q. Same -- close GPA at department?

14 A. Yes, sir. And in high school and in med school.

15 Q. In high school?

16 A. Yes. And in law school.

17 Q. And in medical school?

18 A. And in med school. Yes, sir.

19 Q. You getting medical school, (inaudible) grades and
20 so forth, but what is your relationship like with Kayla? Do
21 you all have any kind of secret communications by being
22 enough with one?

23 A. We do not have telepathy or secret communications.
24 That is a fallacy. I can't feel if she's hurt and I don't --
25 and she can't feel when I'm hurt. I mean, I get sad when I

1 know she's sad, but I think that that's just like being very
2 close to each other.

3 Q. And moving down to the test. That issue here block
4 12?

5 A. Yes.

6 Q. You went through block 12 in the morning with that
7 incident?

8 A. Correct.

9 Q. Anybody say anything? Do anything, you know,
10 anything?

11 A. No, sir.

12 Q. And in the afternoon, did the afternoon session --
13 tell us about that afternoon session?

14 A. The afternoon session was the same that we have
15 done on every exam that we have completed thus far. So it
16 had been 12 total exams at that point. We went in and
17 started our exam. We completed the exam and then we left.

18 Q. Know anything was going on?

19 A. Nothing at all.

20 Q. Did you recall -- you've heard the testimony about
21 the prior to saying that you all were looking at each other?

22 A. Yes. That is completely false.

23 Q. Did you all look at each other in any inappropriate
24 way?

25 A. No, sir. Not at all.

1 Q. Did you all make eye contact with you or mom?

2 A. No, sir. Not at all.

3 Q. And you got a computer screen in front of you,
4 correct?

5 A. Yes, sir.

6 Q. And on that computer screen, is -- are the
7 questions that you've got ask?

8 A. Yes, sir.

9 Q. And as we put a sample into those questions, are
10 they relatively complicated?

11 A. They are very complicated.

12 Q. And on the afternoon part, do you recall having any
13 questions along that?

14 A. Pardon?

15 Q. Any questions along the afternoon part?

16 A. I believe it was 153 questions.

17 Q. And the 153 questions that are very complicated as
18 we -- the jury has seen them, you can't be looking elsewhere
19 and concentrating on those?

20 A. That is correct.

21 Q. And you all went through the exam? You did. And -
22 - yeah. Did you know when you finished answering the
23 question for the first time?

24 A. The first time, I mean, we -- I typically, at
25 least, take about a minute and a half, a minute per question.

1 That's what they were teaching us to do before step one, is
2 because it is such a time sensitive test and you have to prep
3 yourself to be able to finish everything. But I typically
4 try to finish within an hour. And I believe that that's
5 right around when I finish the exam the first time. Excuse
6 me, an hour before the end of the exam.

7 Q. So this test would've been over the 1st of that
8 4th?

9 A. Yes.

10 Q. Give or take?

11 A. Yes. Give or take.

12 Q. And did -- on the block 12, did that in fact,
13 correct?

14 A. Yes.

15 Q. You finished about an hour before?

16 A. To the best of my knowledge at this point, that's
17 correct.

18 Q. And the last hour there, what did you do?

19 A. I would -- when I took an exam, I would go through
20 and go through each question as quickly as possible.

21 I would mark the questions that I would like to go back
22 to, and then at the last hour I would go back to the
23 questions that I had marked to review them to make sure that
24 I selected what I believed to be the correct answer.

25 Q. And so the last hour, and that is -- is that when

1 the observations of Ms. Friesinger occurred during the last
2 hour?

3 A. To the best of my knowledge, yes.

4 Q. And in the last hour, had you completed the exam by
5 then, except for those questions you have a question about?

6 A. To the best of my knowledge, yes.

7 Q. And so during the last hour, you would've been
8 trying to make sure that you had correct answers?

9 A. Yes. I would review the questions that I had
10 marked to make sure I've got ---

11 Q. And to do that, did you look over your notes that
12 you had, you had paper that you could write notes?

13 A. I did.

14 Q. And we have those as exhibits and you would --
15 yeah, I think I forgot, but I think it's about 12 pages of
16 hand written note you had?

17 A. I believe mine is four.

18 Q. Four pages?

19 A. Yes, sir. But I did have extra scratch paper at
20 the end of the note.

21 Q. Did Kayla Bingham had more than yours?

22 A. Hers were longer to -- from what I've seen, yes.

23 Q. And you did these notes as you were going through?

24 A. Yes. Through the exam.

25 Q. Could -- from where you all were seated -- and let

1 me ask you before we get into that (inaudible), what did --
2 and before the Honor Council hearing, where did you go with
3 your dad to take picture?

4 A. I went to the testing room that we were assigned
5 and I went with him. I can't remember the number. 434, I
6 believe. Whatever the room number was, I went with my dad
7 and we took pictures and measurements of the testing room
8 prior to the hearing.

9 Q. And when did Ms. Friesinger testified yesterday
10 that that wasn't the room that you all went in; is that
11 correct?

12 A. I do not believe that is correct because we went a
13 week after we had taken the exam. So I'm pretty ---

14 Q. Are you positive you got the right room?

15 A. I am positive that that was the correct room in the
16 photo.

17 Q. And you took the pictures of the area where you all
18 were sitting?

19 A. Yes.

20 Q. And where were you all sitting in the relationship
21 with each other?

22 A. We were sitting next to each other. I was seated
23 next to a wall that was on my right side and then Kayla
24 would've been on my left.

25 Q. And are you right-handed?

1 A. I am right-handed.

2 Q. And where would your scratch back that those four
3 sheets of paper been located?

4 A. They would've been on the right side of my
5 computer, for the most part of the exam that I can remember.

6 Q. And the -- those scratch back you used it to the
7 things that maybe you weren't sure of or whatever?

8 A. Yes. Absolutely.

9 Q. And did you ever put those over in the direction of
10 Kayla so that she could look at?

11 A. No.

12 Q. Not at all?

13 A. No.

14 Q. All right. Did you move those notes at any time
15 that you recall?

16 A. Not -- I mean, I -- obviously, I moved them to look
17 over them at the end of the exam, but that's my best -- like
18 I did not move them anywhere else. I did not push them or
19 hand them to anyone else.

20 Q. Now, Kayla's papers or her scratch paper would've
21 been where? In relationship with her computer.

22 A. Her testimony is that she moved her keyboard back
23 and had the scratch paper in front of her.

24 Q. That day did you know that?

25 A. I didn't know that. I didn't tend to look at her

1 paper, her positions. I looked at my papers and my test.

2 Q. And if in fact you had looked, could you see what
3 she had written on her scratch paper from that distance?

4 A. No.

5 Q. Is there any way you could have seen it?

6 A. I mean, I'm sure if she had like shoved them over
7 significantly, I -- but no, she did -- I mean, nothing like
8 that ever occurred. No.

9 Q. And were you aware of her removing her papers at
10 all?

11 A. No, I was not.

12 Q. And to answer that many questions that fast, where
13 do you have to be looking?

14 A. At the computer screen.

15 Q. And you got to be looking at the questions and
16 answers that you're doing?

17 A. Yes.

18 Q. And do -- while you were doing exam, was any time,
19 where you had any time you looking at room?

20 A. Not that I'm aware of.

21 Q. What would be the reason to look around the room?

22 A. The only reason is if someone came in and out of
23 the door, I was obviously facing the wall. So I could have
24 glanced over if there was a noise or something. But that
25 would've been the only reason that I can recall as still

1 looking in that direction.

2 Q. Where was the proctor sitting in relationship to
3 you?

4 A. The proctor was sitting facing us, from that
5 direction.

6 Q. She was facing you all?

7 A. Uh-huh.

8 Q. And then you would've been looking at her?

9 A. Have we been looking at her?

10 Q. Could you been looking -- would -- could you look
11 at her to see her?

12 A. I could see her, yes.

13 Q. And -- but you weren't looking at her because you
14 were looking at the computer screen?

15 A. That is correct.

16 Q. And -- but you knew she was looking?

17 A. Yes, absolutely. All of our exams in medical
18 school are proctor.

19 Q. And how far from you was the proctor? Like she was
20 at distance as far as we are apart?

21 A. It's a little bit difficult to say because it's
22 been a while, but probably roughly about, this amount of
23 space.

24 Q. That's your best estimation?

25 A. At this point, yes. Not being back completely in

1 the room. We didn't measure that particular distance when we
2 went in to take the pictures.

3 Q. Did you measure the distance between the computers,
4 the screens?

5 A. We did.

6 Q. Do you recall what it was?

7 A. I think it was three and a half feet, but I'm not -
8 - I can't -- I mean, I can't fully remember exactly I -- to
9 the best of my recollection, I think it was three and a half
10 feet. I could be wrong with that.

11 Q. Is it -- recall it being 6 feet center to center or
12 back?

13 A. Six feet center to center? It could -- if that's
14 what the numbers you have, then I trust you with that.

15 Q. But you don't recall precisely?

16 A. I do not recall precisely.

17 Q. You remember your dad putting the tape measure
18 down, had you down the -- your neck?

19 A. I do. He is definitely the engineer, so, he would
20 know.

21 Q. And that unusual happened during exam. Did you all
22 study hard for that exam?

23 A. We studied incredibly hard with that exam. Can I
24 take just a second ---

25 Q. You can.

1 A. --- to elaborate a little bit?

2 Q. Sure.

3 A. Okay. So during -- because the -- I know that you
4 all have heard this several times before, but we had a block
5 10 exam in which we did differently, and Kayla did not do as
6 well on two of her sections. And because of that, she was
7 immediately referred to Ms. Myra, Haney Singleton, who
8 advised her on steps that would help advance her success
9 throughout the semester to make sure that she was successful
10 on the following exam. There were several different things
11 that she suggested.

12 One is she mentioned during the block 10 exam there was
13 a computer failure that was in front of her, and that was
14 very distracting. I think it was throughout most of the
15 first entire part of her exam.

16 So when she was talking with Haney singleton, she said, well,
17 that's an easy fix. If you ever get placed in the line or if
18 you ever get placed in an auditorium or the drug discovery
19 building, just email me and we'll move you to the library.
20 It's a smaller room, it's less quiet and you don't have to
21 worry about the computer failing because they're just the
22 desktop.

23 So that was one of them. The second is she recommended
24 several different study books, which Kayla, as soon as she
25 left the meeting, went home and ordered. And then the third

1 is that she wanted to go to the Center of Academic Excellence
2 to help there, so that they could also help her.

3 We continued to study together. She pulled one of the
4 two sections up by the block 11 exam, but she was still not
5 passing on one of the other two. So she had to pull that
6 last subject up in the block 12 exam. She went back to Ms.
7 Haney Singleton and was like, I really need to pull this up
8 on this last exam. Ms. Haney Singleton said, you always --
9 because we were always class goers. We go and med school is,
10 you can do it kind of two different ways. You can go to
11 class every day and sit through the lectures. They also
12 record most of the lectures. There's a few that are
13 mandatory, but for the most part, they also record all of the
14 lectures and put them on a platform called Tegrity.

15 Tegrity allows you to watch the lectures, you can
16 re-watch the lectures, you can slow the lectures down. And
17 so she said instead, for this last block exam, instead of
18 going to class, why don't you wake up and go through the
19 Tegrity lessons, go through them, you know, however many
20 times you need to, pause. And so that's what we did studying
21 for the block 12 exam. Is we got up, we put on the Tegrity
22 lectures that were available. We watched all of them. We
23 re-watched them to make sure that we could get the points
24 that we needed to and put them in our notes. So it was a
25 little bit different than what we had done in any of the

1 other 11 block exams that we had had. So, I'm sorry, now
2 I've completely lost train of the questions that was asking.

3 Q. It's all right. It's your age, that happens to
4 you.

5 A. Yeah, I know. But the other main thing is we
6 studied incredibly hard for this exam, this particular exam,
7 because we had a little bit more time to go through each of
8 the lectures and listen to the information multiple times.

9 Q. And have you all (inaudible) through your schooling
10 scores similarly?

11 A. Yes.

12 Q. Everybody?

13 A. Yes. Similarly, overall, yes, obviously there are
14 a few exceptions, but for the most part, yes.

15 Q. And when was the first have you all knew anything
16 this about?

17 A. When we received the email from Dr. Kasman letting
18 us know that our block 12 exams were being withheld.

19 Q. And then they made a formal accusation against you?

20 A. Yes.

21 Q. And we heard the testimony about the hearing with
22 what transpired and Dr. Dubois eventually reversed that?

23 A. Yes sir, he did.

24 Q. And let me ask you, did you cheat on that exam in
25 any way whatsoever?

1 A. I did not cheat on that exam, nor have I ever
2 cheated on any exam that I've ever taken.

3 Q. Have you ever cheated on an exam in your life?

4 A. No, I've never cheated.

5 Q. And was it a shock for you to be falsely accused?

6 A. It was devastating and shocking.

7 Q. And when you -- what happened? Go through a little
8 bit of what happened that led up to the accusation against
9 you.

10 A. Are you talking about like that led up, like prior
11 to the morning?

12 Q. I'm saying that you were being accused of academic
13 dishonesty? Correct.

14 A. Prior -- like prior to the block 12 exam, what led
15 to the accusation?

16 Q. I asked on block 12 exam.

17 A. Okay.

18 Q. You were falsely accused, correct?

19 A. That is correct.

20 Q. And when do you receive that, by which one? How
21 did you get that?

22 A. An email. So we received an email from Dr. Laura
23 Kasman, which I believe was shown earlier. And it said, if
24 you have any concerns or questions, please go see Ms. Haney
25 Singleton, which I immediately went to go see, Kayla was in a

1 meeting. She had also gotten the email, but she came to Ms.
2 Haney Singleton a little bit later. I did not hear anything
3 in the room until Kayla arrived a few minutes later. They
4 basically -- she basically sat us, spoke down, didn't really
5 tell us a ton of information, but then she came back in the
6 room and she was just like, this is not good. They're like
7 accusing you of academic dishonesty.

8 And we were both like, this is impossible. Like
9 there's, like, what in the world are -- like is happening
10 right now. And we need to call our, like, parents and see
11 what we need to do. Like this is completely not true. And
12 she was -- she told us -- she was like, don't call your
13 parents, like at all. Please don't call your parents. You
14 don't need to. It's just -- we'll do the investigation and,
15 you know, it's not anything big enough where you need to call
16 your parents.

17 And we were like, but we're going to call our parents.
18 So we did call my mom and dad to let them know because they,
19 I mean, we had no idea what to do, what the process was going
20 to be, what was going to happen.

21 Q. And in your life, is this the first time that you
22 have ever been accused of cheating?

23 A. Yes. This is --

24 Q. Ever any hint of this before at all your life?

25 A. No.

1 A. Oh, is a correlation. I do not have one. Thank
2 you.

3 MR. COOKE: It's Defendant's Exhibit 14.

4 MR. PARKER: Yes. Defendant's Exhibit 14.

5 THE WITNESS: And can I make one other statement before
6 I get into this?

7 BY MR. PARKER:

8 Q. Sure.

9 A. There was a statement made by Dr. Hazen Martin
10 yesterday that said that I always finished my exams earlier
11 than Kayla did, and that was a complete lie. I have always
12 taken every single minute of every exam from high school,
13 from college, from medical school, and in law school. I
14 never finish an exam early. And the only, I mean, I don't
15 know how she would've known that information in the first
16 place. And the only possible explanation I could give is
17 that if you were seated in a separate building, you have to
18 have a proctor come in to start the exam. And there's only
19 so many proctors. So they will go to different rooms at each
20 time. Every exam in medical school, people have the same
21 amount of time to take. So if I ever finished early or then
22 Kayla during an exam, the only reason for that would've been
23 that the proctor started my exam prior to Kayla's exam.

24 Q. Thank you.

25 A. Yes.

1 Q. Defendant's Exhibit 14, what is it about?

2 A. This is a correlation sheet that the Medical
3 University of South Carolina produced. I believe it was
4 during the hearing. And I know that the defense has gone
5 over it a little bit, but I -- they've only gone over a,
6 like, part of it. And I wanted to go over it with you all in
7 just a little bit more detail to explain it.

8 So the first page here that you can see is the first
9 year that we have at medical school. And I honestly am not
10 even sure who student A and student B is. I would assume
11 Kayla's probably student A and student B -- I can tell you.
12 I'm so sorry. Give me one second. Let me see if I will pull
13 up the block 10 exam. Okay. So Kayla's student A and I am,
14 Kellie is Student B.

15 So basically percentage of correlation, the caveat
16 report that you have heard of said that any score over a 70
17 percent, and this is all in the hearing transcript, is
18 showing that there is correlation or collaboration between
19 two students. And we have, out of the 13 exams that we have,
20 there are only three that are not above a 70 percent
21 correlation rate. Those exams are year one, block 4, excuse
22 me, year one, block 3. And the reason for that is because
23 Kayla had broken up with her boyfriend the day before this
24 exam. Can we switch to the back page? I can go through this
25 page first and then I can go to go to the other page to make

1 it a little bit simpler. But all of the other correlations
2 are in the 70s, 80s and also 90s.

3 The library rooms. As soon as we had been accused, we
4 immediately reached out to MUSC to please get our seating
5 assignments for the libraries, which they said the IP
6 addresses were linked to their LXR data, which is how they
7 get our testing scores. But they were unable to provide us
8 with our IP addresses to show us exactly where we had sat.
9 So while in some of the library exams we had sat in together
10 in the past, there were several others that we had not sat in
11 beside each other in the past. So and the only ones I can
12 tell you for certain is I know in six and seven exams and one
13 of those I know for certain we sat apart. And then the other
14 one I did know we sat together, but you can -- you'll also
15 see that the correlation rates between those two exams are
16 pretty much identical.

17 So, and block 1 we had a 76 percent correlation rate.
18 Block 2 we had an 83.48 percent correlation rate. Block 3
19 was the 69.79, which in fairness is also fairly close to a 70
20 percent. But that is when Kayla had broken up with her
21 boyfriend the night before. And in block 4 was an 89.34
22 percent, block 5 was a 96.2 percent, which is higher than our
23 correlation rate for block 12. And while we were assigned
24 seats for this particular exam, they do -- I do know that the
25 defense was saying that we actually did sit beside each

1 other, but we were assigned a seat in the front of the room
2 and we did -- we had a seat between us, so it wasn't like we
3 were directly beside each other, we just sat where they put
4 us for that exam.

5 And then for block 6, like I said -- I can't remember
6 block 6 or block 7. One of it was in the same room, but I
7 just couldn't remember which one we sat by each other and
8 which one we had. Because this was a little bit later and
9 they can provide us the information for block synthesis is at
10 the end of the year, you have two weeks and then you take an
11 exam. And that was in 93.52 percent correlation rate. Can
12 we go to the back of the page please? Thank you.

13 Our block 7 exam was a 92 percent correlation rate. Our
14 block 8 exam in an 87 percent correlation rate. I also want
15 to note that in blocks 8, both Kayla, myself we had gone to a
16 San Diego to present our research at a conference. And
17 during the conference was actually when our exam was held.
18 So we had to take our exam late. So we were one of four
19 people that were in a room being monitored by a proctor
20 during this entire exam. And we had an 87 percent
21 correlation rate for that particular exam.

22 In block nine, that's one of the lower ones. That's a
23 63 percent. So during this exam, a, it's one of the most
24 difficult ones notoriously in medical school, but two, Kayla
25 and her boyfriend got a dog the week of studying, so we also

1 didn't quite study together as much for that one.

2 Block 10, as we stated, that's when I was in Arizona and
3 Kayla was in Charleston. So we didn't study together at all
4 for that exam. Block 11 was a 76 percent correlation rate,
5 and then block 12 with the 96 percent correlation rate that
6 they are currently talking about.

7 So us scoring in the high correlation percentages isn't
8 something that is an abnormality. I know they've showed the
9 62 percent. But in fairness for all of those, we actually
10 did have external events that happened for those particular
11 exams.

12 Q. Is it any -- did you all cheat on any of these
13 exams?

14 A. We absolutely did not cheat on a single one of
15 these exams.

16 Q. And how did this come out in the hearing? Did it
17 come out in the hearing with Jeanette or Honors Council?

18 A. And I believe that the Honor Council produced this
19 information during Honor Council hearing.

20 Q. And this is that -- did you overlook these accurate
21 result, correct?

22 A. They were provided to us by MUSC, but we had the
23 test scores and I believe they came from the data that MUSC
24 had at the time, so.

25 Q. Did you confirm the accuracy of it?

1 very different strengths and weaknesses.

2 Q. Unless I hand you both.

3 A. That sounds perfect.

4 Q. Footnotes on (inaudible).

5 A. Okay.

6 Q. (Inaudible) Defendant's Exhibit 16 and 17.

7 A. 17. So these were the pictures they showed you
8 yesterday with the bar brass showing we have different
9 strengths and weaknesses. These tests were given a week or a
10 few days after our final block exam of the year. And that
11 it's cumulative of all of the information that we learned
12 through the year and how -- the first year we both did pretty
13 well and then the second year we didn't do as well on these
14 NDME exams. And when we asked, oh, was there a study guide
15 provided? Because for all other block exams you get a
16 syllabus and that syllabus is all of the information for that
17 block exam.

18 So you take your notes in the syllabus, the lecture are
19 all in the -- about the syllabus, it's printed out and you
20 get a prior -- like the first thing before your block exam
21 starts, you get a syllabus that has all of the information in
22 it. And it was mentioned that while there was no study guide
23 specific for these particular tests that are taken, that
24 aren't graded, that we still had the whole syllabus that we
25 had had throughout the entire year. And this I just wanted

1 to show you. Do you have the picture?

2 Q. Yes. Do you want to go over that one before we do
3 that?

4 A. I can. I mean, it's not -- I just wanted to make
5 sure they recognized the different exam that we had, so they
6 were showing that Kayla -- I think this is me. So that like
7 for my second year, I believe, or this might have been my
8 first year. One second. This is me too. Okay. So they
9 were just showing that, you know, I might have been better in
10 cardiovascular or in renal or system pathology, where Kayla's
11 strengths were -- actually hers are also somewhat in
12 cardiology, but she did last in, like, renal histology,
13 endocrine systems. How -- just how we were different in,
14 like, the areas that we had for these exams. But I wanted to
15 show you the material and the study guide that --

16 Q. Did you check when this was taken?

17 A. This was taken about two or three days after our
18 block 12 exams, which we had spent pretty much exclusively
19 studying for the six weeks that that exam was. Completely
20 diving in into that particular study guide. So when they
21 said that no, there wasn't a specific study guide, you had
22 the study guide that you had the rest of the year.

23 Q. The exam you're looking at now was from 2015?

24 A. The exam -- this was going to be for the 2016 exam.

25 Q. Plaintiff's Exhibit 17 that was admitted without

1 objection.

2 A. Okay. Can we flip it the other way? Thank you.

3 And push it up just a bit, little bit more. Keep going.

4 Okay. So that's the study guide we had for this exam. The

5 study for within two days of our -- of this -- it's

6 cumulative, so yes, it does build along, but this was the

7 study guide that was presented to us as to how we should have

8 -- that we could have used to study together for this NBNE

9 national exam. So obviously it's a lot of information that

10 you probably can't get through in two days to fully refresh

11 yourself.

12 Q. What time was this picture taken?

13 A. This picture was taken May 6, 2016. It was taken

14 one day after I took my block 12 exam.

15 Q. And you were just trying to show how much material

16 you had study?

17 A. I was showing that I was done with this material

18 and I didn't have to study it ever again.

19 Q. Okay. Now ---

20 A. Well, until step one thing, but (inaudible).

21 Q. After Dean Dubois overturned the Honors Council,

22 you thought you would get back to normal?

23 A. Yes.

24 Q. Did it get better?

25 A. Relatively. No, it did not get better.

1 Q. And what happened after you did (inaudible).

2 A. After?

3 Q. -- the Honors Council.

4 A. I started getting treated very differently on
5 campus by the students. Friends that I went to class with
6 every single day and sometimes studied with them also, they
7 stopped talking to me, completely stopped responding to
8 texts. Completely ignored me.

9 MR. COOKE: All right. Just for the record, I preserve
10 objection to this line of questioning based on relevance.

11 THE COURT: Yes, sir. Go ahead.

12 BY MR. PARKER:

13 Q. Go ahead.

14 A. I can continue? Okay. I had people blatantly
15 ignore me in the hallway, and I was in neurology at the time
16 when I went back to my clinical rotation. And I was only
17 with (inaudible) students and none of them would talk to me.
18 They all collaborated to -- together on whatever projects.
19 And any time, you know, I would try and go, they wouldn't
20 have nothing to do with me. I had a friend that I wished her
21 a happy birthday and instead I got a text from one of her
22 friends that wasn't a med student was like, you're, I -- I
23 know you're not in your parking spot. Can I use it? I'm
24 going to a party tonight.

25 I had people that I trusted very much say horrible

1 things. It was absolutely horrible. People that you -- like
2 people that you trust, people that you truly with your soul
3 believe that, you know, there's no way this would ever happen
4 because they've seen how hard you study. They see how you go
5 to class every day. You participate in everything. That --
6 they came over all the time. I mean, no one, no one talked
7 to us. No one said anything to us. It was complete -- and I
8 actually, so when I found out I failed my step exam, you're
9 not allowed to finish your -- or you're not allowed to
10 finish.

11 So I had actually at that point moved back to Columbia
12 and I'll never forget Kayla calling me one day when I was on
13 a walk and just in tears being like, I don't know what
14 happened, but someone just shoved me against a wall for no
15 reason. And then like I -- like she just was like, I don't
16 know what to do. Like, no one's like talking to us.
17 Everyone's like just completely -- it is so hostile. It was
18 so tense.

19 It was -- I just never even like imagined some of the
20 Facebook pictures and that we were talking about. One of
21 them was from Cody Gathers and he was like one of my friends.
22 Like I worked in the Kirsten, like I was one of the
23 co-directors. So like I literally helped run the clinic. I
24 was one of the top two physicians in the care clinic. He had
25 done it before me. So he like -- so I was very close with

1 him. And just the nastiest things, like, that he would say
2 is just, I mean, I like to consider myself someone that is
3 truly as kind as I can be to people. But I just could never
4 imagine the nastiness and the anger that just came out of
5 everybody. I mean, it was absolutely horrible.

6 Q. And Cody Gathers was president of class?

7 A. Yes, he was.

8 Q. And did he have any information about any of this
9 that you know of?

10 MR. COOKE: Objection. Based on hearsay, lack of
11 foundation.

12 THE COURT: I think if you rephrase that.

13 BY MR. PARKER:

14 Q. Do you know whether or not Cody has said any
15 information furnished to him about you all?

16 THE COURT: All right. That's sustained.

17 MR. PARKER: That's not hearsay.

18 THE COURT: Well, you're asking her what somebody else
19 knew from somebody else.

20 MR. PARKER: That she know of.

21 THE COURT: I understand. That's eliciting hearsay.

22 THE WITNESS: Can I say about the post that I saw?

23 THE COURT: Let him ask the question.

24 THE WITNESS: Okay.

25 MR. PARKER: Post is in evidence.

1 Q. And decided to go to law school?

2 A. It took a little bit of time, but, yes.

3 Q. And you went to law school?

4 A. We did.

5 Q. And you are now working for Adams and Reese?

6 A. I am.

7 Q. Working from where?

8 A. Home, most of the time.

9 Q. On a computer or?

10 A. On a computer.

11 Q. Computer. You work by computer?

12 A. Yes, sir.

13 Q. And how has -- what happened to you at the law
14 school university changed your life and what you observed has
15 changed Kayla's life?

16 A. I mean, it's changed everything about my life. It
17 is just -- I don't trust the medical profession at all. I
18 don't trust people in general. I just -- I hate going
19 anywhere. And yes, I know we saw the photos, which I can --

20 I'm sure might come up and I would, you know, talk
21 about those then. But I mean, there is not -- there is
22 barely any part of my life now that is the same as it was
23 prior to this.

24 Q. And the photographs that we saw that Mr. Roberts
25 (inaudible) your dad, you lived at those photographs?

1 A. Okay. If it ---

2 Q. That's the big picture. And then that's the close
3 up.

4 A. Okay. If they are the same two pictures, then it's
5 roughly 39 and a half to -- inches.

6 Q. So it's not 6 feet.

7 A. I would guess not if it -- if that's a correct
8 measurement, then no, it would not be 6 feet.

9 Q. You don't remember. You're not claiming it was 6
10 feet from the bottom, right?

11 A. I'm just saying whatever the numbers that were
12 provided at the time, I don't remember what the distance was.

13 Q. We've seen some testimony of at least about where
14 you took different exams. And again, I think we're repeating
15 ourselves, but if you were assigned to the auditorium, you
16 had a fixed -- you are assigned a specific seat?

17 A. That is correct.

18 Q. So we can tell based on that Exhibit 14, which seat
19 you were assigned to. We actually have a seating chart.
20 You'll see the seating charts, and we can pretty much tell
21 where you sat.

22 A. Yes.

23 Q. And when you sat in the library and in the library
24 rooms, there's no side seat. So you sat where you wanted to
25 sit?

1 A. That is -- yes. That is what the testimony has
2 been.

3 Q. And as I understand your testimony, you just don't
4 remember when you sat next to Kayla.

5 A. I remember that we sat separate at least on several
6 different exams. I just can't remember which ones they are.
7 Yes.

8 Q. Fair enough. So looking at that Exhibit 14, is it
9 fair to say that we can tell some instances where you were
10 definitely sitting away from each other. We just don't know
11 when you were sitting together? Other than the block 12,
12 which we know you were sitting with Kayla.

13 A. Block 12, we knew we were sitting together and I
14 believe, as Honor Council, I said we were sitting together in
15 either block 6 or block 7, I just could not remember which
16 one.

17 Q. I'm going to ask you a few questions that you've
18 asked -- been asked before ---

19 A. Sure.

20 Q. --- the prior testimony.

21 A. Okay.

22 Q. Is it fair to say that you do not remember if you
23 either of you sat back from your push back from the table
24 during block 12 exam?

25 A. It was stated in the proctor's notes and I -- in my

1 prior testimony in the Honor Council hearing, I made the
2 comment that it was most likely me because I do have
3 tendonitis in my left knee.

4 Q. Okay. Is it accurate to say that you do not
5 remember if you nodded, but you nodded during the exam?

6 A. I mean, specifically I'm a very animated person
7 typically, so it, I mean, it would not surprise me if I had
8 nodded my head at my screen.

9 Q. And is it fair to say that you do not remember
10 specifically if either you pushed your scrap paper?

11 A. I don't remember if I pushed my scrap paper
12 anywhere or not. It is been six years. I think even in the
13 Honor Council hearing, I don't know if I'm -- made a comment
14 if I pushed it or not. If I had the transcript, I can look
15 at it and I'll give you the answer that I gave him my
16 testimony then.

17 Q. Well, I think in your deposition you said you don't
18 recall specifically (inaudible)?

19 A. I don't particularly recall. And that was two
20 years ago, so it was four years after the event.

21 Q. So just to make sure we understand your testimony
22 with response to Mr. Parker's question, you definitely deny
23 sliding it over for the purpose of sharing information?

24 A. Absolutely.

25 Q. But you can't necessarily deny that you slipped

1 paper or that you can?

2 A. If I moved paper? I can't deny that I moved paper.

3 I mean, I wrote notes, so moving paper or flipping it over?

4 Yeah. I can't deny that.

5 Q. You want to have -- you also don't recall if either

6 of you erased the scrap paper or flipped it over?

7 A. I went back and looked at my Honor Council

8 testimony, so if my deposition's different, then I apologize.

9 I also -- it's very tough to read back through that, so, but
10 like Kayla said, when we went back, I was the one that asked
11 for the pencil, and apparently, and I also state in my Honor
12 Council transcripts that the eraser I did receive did not
13 work, so.

14 Q. In Dr. Dubois's letter of June 14, and this is --
15 offers Plaintiff's Exhibit 28, and I think we all remember
16 this by now, correct? This is one of the overturned Honor
17 finding?

18 A. Yes, sir.

19 Q. So see where I put a little bracket down there, it
20 says, you acknowledged during the hearing that these
21 circumstances came up after that. The investigators
22 presented strong circumstantial evidence supporting the
23 charges against you, including statistical evidence that you
24 did not complete the examination independently. It also
25 included corroborating evidence that you arranged to take the

1 A. Yes.

2 Q. Correct? That was your testimony.

3 A. That was my testimony.

4 Q. So you did say that, and there are things on here
5 that could very easily conceive as some form of
6 communication.

7 A. I -- if that's my testimony, then yes, I did say
8 that.

9 Q. And if in fact you were observed to be going
10 lockstep through your questions and answering them at the
11 same time, getting mostly the same answers, including the
12 same wrong words, you would agree that that itself could give
13 an entrance that you were collaborating?

14 A. Say that one more time?

15 Q. Don't say exactly like that.

16 A. Yeah --- you have to do exactly like you just said.

17 Q. You would agree, would you not, if you were in fact
18 observed to be going lockstep through the exam, answering the
19 same questions at the same time and getting the same answers
20 right or wrong, but that could also give rise to the
21 reasonable suspicion that you would have collaborate?

22 A. I also disagree with that because if you look at
23 the report that you just -- that MUSC presented, then our
24 collaboration rates are very high on a significant number of
25 exams. And the only time point we ever have from Dr. Hazen

1 Martin is one specific point in time that was taken two hours
2 in when her testimony says that she was, you know, watching
3 is pretty constantly at least every 20 minutes. So I mean it
4 how -- I have no evidence that we were continuously in
5 lockstep other than her testimony when she obviously could
6 have printed out more examples of when we were on the same
7 questions at the same time.

8 But all we have is at the end of the first part of the
9 exam, the one she did in the middle of the second exam, and
10 then the one at the end of the second exam. So, I mean, I
11 know her testimony is -- it is difficult to see, but I also
12 don't think that being in lockstep is that unusual or
13 evidence of cheating because students are time to take the
14 exam within, you know, exam questions in a certain time
15 periods.

16 Q. All right, let me ask you, do you remember having
17 your deposition taken on October 18, 2019?

18 A. Uh-huh.

19 Q. And do you remember being asked this question?

20 "Would you agree that if an audit showed that at a given time
21 in an examination you and your sister had completed the same
22 number of questions and merely identical results, is that
23 something that could lead someone to believe that there might
24 be academic dishonesty going on?" Do you remember answering,
25 "It is possible".

1 A. Yes. There is.

2 Q. Oh, that's in Honor Code?

3 A. Because it's brought against us.

4 Q. Okay. you would agree with me that if somebody
5 associated with the Honor Council, whether it be an
6 investigator or a member of the council, if they leaked
7 information, right or wrong, about proceedings that would be
8 in direct violation of your policies in the Medical
9 University of South Carolina?

10 A. If anyone on the Honor Council leaked any
11 information?

12 Q. Yes.

13 A. That is a direct violation, yes.

14 Q. The rumors have -- it may have not been clear from
15 your direct testimony, but the rumors that you started
16 hearing didn't occur immediately, right? Thi was -- when did
17 you start your rotation?

18 A. The -- when I say the rumors did not start
19 immediately, I'm -- I can't speak to that. I can only speak
20 of the first time that I started hearing about them. Yeah.

21 Q. You became aware it was ---

22 A. That being ---

23 Q. --- August?

24 A. It was -- I believe it was August. I believe it
25 was August. I believe that was the first time in August.

1 Yes, it was right when we started our rotation. So I -- we
2 -- I think took our -- it was either the end of July or
3 August. I can't say exactly for sure.

4 Q. And your Honor proceedings were long over by then,
5 right?

6 A. I mean, I wouldn't say long over. I think it was
7 the Honor proceedings. I think that the appeal went into
8 June, to the best of my knowledge. So, I mean ---

9 Q. Couple months.

10 A. A month, a month and a half, somewhere around
11 there.

12 Q. Okay. But you agree that whatever rumors came back
13 to you came back from sometime in August.

14 A. The rumor -- I first heard the rumors starting, I
15 believe, in August. Yes. End of July or August.

16 Q. What exactly is the job that you have now?

17 A. I'm a -- excuse me. I'm a Government Affairs
18 Advisor at Adams and Reese in Columbia, South Carolina.

19 Q. And you actually first considered law school, in
20 fact, when you were in college, right?

21 A. I briefly considered law school back in college.

22 Q. Are you currently taking medication for anxiety?

23 A. Yes, I am.

24 Q. Took some today?

25 A. Yes, I did.

1 attacks recently and or as frequently as you previously had?

2 A. I would actually say that is not true. The reason
3 I wasn't on medication for the deposition is I had left it at
4 the house. It was in Charleston and I had left my medicine
5 at the house. But ---

6 Q. You did testify that you were not taking
7 medication?

8 A. I knew I wasn't taking medication during the
9 deposition.

10 Q. And that your panic attacks did become less
11 frequent?

12 A. And they had.

13 Q. And now they pick up?

14 A. Correct.

15 Q. When did you here -- you're living in Columbia now?

16 A. Yes.

17 MR. COOKE: Thank you.

18 MR. PARKER: (Inaudible). Plaintiff's exhibit 55
19 without objection.

20 THE WITNESS: Okay.

21 REDIRECT EXAMINATION

22 BY MR. PARKER:

23 Q. Exhibit 55, is that a DNA analysis of you all being
24 identical twins?

25 A. Yes, sir, it is.

1 Q. And how identical are you according to that report?

2 A. We are 99.999999 percent.

3 Q. Almost 100.

4 A. Almost.

5 MR. PARKER: (Inaudible). Thank you.

6 MR. COOKE: What's exhibit number is that?

7 MR. PARKER: 55.

8 THE COURT: Okay. Thank you, ma'am. You can step down.

9 THE WITNESS: Thank you. Am I allowed to put them back
10 up?

11 MR. PARKER: That's okay.

12 THE COURT: That's fine. We've got plenty.

13 THE WITNESS: I'm sorry.

14 THE COURT: That's all.

15 MR. COOKE: Your Honor, make sure we agree on this
16 exhibits?

17 MR. PARKER: Your Honor, we would take -- put that
18 exhibits in that ones that all in and we need about three or
19 four minutes so we can refer back. Sure. We can work
20 together in this.

21 THE COURT: Okay. You want me to release the jury for
22 a few minutes while we do that?

23 MR. PARKER: That I do.

24 THE COURT: Okay. Ladies and gentlemen, we'll take
25 about 10 minutes, please don't begin discussing the case.

1 THE COURT: Okay.

2 MR. COOKE: We've got some motions, Your Honor.

3 THE COURT: Okay. Ladies and gentlemen, I know you've
4 just come back in, but we do have some -- because the
5 plaintiff is rest. Do we have a few legal matters that we
6 need to take up outside of your presence? I'm going to
7 excuse you again. Again, please don't begin discussing the
8 case. Okay.

9 MR. COOKE: We wouldn't want Your Honor to take our
10 brevity as indication that we're not serious about these
11 motions, but we are trying to move things along. And I know
12 we'll have another opportunity at the close of the evidence
13 that you don't grant it. But I'm going to let Mr. Fletcher
14 go through the rounds of the motion.

15 MR. FLETCHER: Yes, Your Honor, and I will be extremely
16 brief. I know the jury wants to get through the testimony
17 today if we can. So I'm -- again, don't take the brevity.
18 Doesn't mean we don't think there's are very serious motions.
19 At this time defendants move for -- direct moves for the
20 directive verdict on several grounds.

21 First is the defamation. There could be two limiting to
22 the two statements at issue in this case. There could be no
23 publication because their only publication was within MUSC
24 and, you know, they were only sent -- there's no evidence
25 those documents that ever sent outside the university, so for

1 no publication.

2 Second, we have argued on numerous occasions that
3 absolute privilege applies in this case. Generally, there
4 are two circumstances where absolute privilege would apply.
5 The first is acts of state, and the second is to judicial
6 proceedings. We filed a pretty substantial trial brief on
7 this issue and we'll defer to that. But we will point out
8 that the evidence is shown beyond any doubt that this was an
9 act of state that, you know, all the alleged miss or
10 defamatory statements occurred in the context of performing
11 acts of state.

12 In addition, the Honor Council proceeding was a
13 quasi-judicial proceeding, which should be protected under
14 the absolute privilege besides of the Crow case, which a VFW
15 proceeding cited to a district court case where the court
16 found that it could apply to things such as arbitration.
17 Because essentially is a judicial process. And therefore we
18 would ask that the Court applies a matter of law absolute
19 privilege to the statements made by Dr. Kasman and Dr. Hazen
20 Martin.

21 If the Court does not apply absolute privilege, we would
22 move for directed verdict on qualified privilege. And I was
23 ruling in dispute at this point that the statements made by
24 Dr. Hazen Martin and Dr. Kasman are clearly subject to -- at
25 least a qualified privilege. They're made in the context of

1 beginning Honor Council proceedings, and there is no evidence
2 that those specific statements were ever distributed anywhere
3 outside of those Honor Council proceedings. No evidence of
4 any abuse of the qualified privilege.

5 And at this point is, you know, typically qualified
6 privilege is an issue for the jury. What the Court has said
7 in a Harris BT Tex International that although abuse of the
8 conditional privilege is generally an issue for the jury to
9 decide, in the absence of a controversy as to the facts, is
10 for the court to determine. And respectfully, in this case,
11 with regard to the only defamatory statements that would
12 issue in this case, there is no evidence at all to support
13 the -- that the privilege was abused in any way, shape or
14 form.

15 Additionally, with regard to qualify privilege, we note
16 that the plaintiffs have not pled malice in their complaint,
17 so that's not an exception they can use to try to get out of
18 the conditional privilege. If they are allowed to bring in
19 malice, we then assert the malice defense under the Court
20 Claims Act. Honestly, we've heard a lot of evidence and
21 testimony about republications in the form of rumors or
22 newspaper articles or any other form. At this point, none of
23 the republications at issue, number one, they cannot be
24 attributed to MUSC because first there's no evidence at all
25 establishing who made any of those republications, and second

1 to the extent anyone from MUSC and the employee of MUSC made
2 those statements. They were clearly outside the scope and
3 course of their employment with MUSC.

4 We've put on undisputed evidence that the federal law
5 and MUSC policy required that this information be kept
6 entirely confidential. And additionally, at the time of any
7 alleged leak would've occurred, would've been after, not only
8 the Honor Council proceeding was completed, but also the
9 appeal had been decided. So there's no official business or
10 official duty that any leak could have been associated with.
11 And therefore, any release of information outside of the
12 Honor Council cannot be attributed in any way to MUSC.

13 Additionally, we will move for a direct verdict on the
14 grounds of truth. With regard to Dr. Hazen Martin's
15 statements, her email has been very clear that she observed
16 irregularities that she monitored the LXR printouts and the
17 LXR computer screens. And there's been no evidence to the
18 contrary. The notice in support to be, in fact, they weren't
19 proceeding in lock staff or they weren't giving the same
20 answers. So it's undisputed that the statements she made in
21 her email to Dr. Kasman are absolutely true.

22 And with regard to Dr. Kasman's email, to her letter to
23 Joseph Ivy, the Honor Council, she makes a very quick first
24 sentence that she's reporting a possible case of academic
25 dishonesty. She's very clearly not stating there's any

1 cheating. The only use of the word cheating in that email is
2 followed by the cheating is suspect -- that suspect --
3 cheating was first suspected during the LXR monitoring. And,
4 you know, again, use the word suspected makes it clear that
5 she's not making any statement that in this email that
6 they're actually cheating.

7 With regard to the other statements that they've
8 complaint about in this email, first is that she uses the
9 term signaling and the evidence is clear that the note of the
10 proctor made very clear that she'd observed communicative
11 actions with nodding the head and, you know, other movements
12 that she interpreted as being communicative. The proctor
13 notes also indicated with regards to the other complaint,
14 which is the passing notes. The notes made clear, the
15 proctor's notes made clear that she observed writing on
16 paper, pushing toward the other, reading of the notes, and
17 then pushing back and raising and flipping over.

18 While, you know, thinks a hyper-technical interpretation
19 of Dr. Kasman's email said that she didn't, you know, that
20 what was within that she's not alleging the same thing that
21 are in the proctor's notes. Essentially, she's taking the,
22 you know, saying the exact same thing that Michelle
23 Friesinger said, and she's just using slightly different
24 words, but it's making this the same point. And you know, in
25 any event, you know, she is not, as all the other witnesses

1 have testified, Dr. Hazen Martin, Dr. Kasman, Michelle
2 Friesinger, none of them were required or had the
3 responsibility of making a determination of guilt or
4 innocence. They were just raising the issue. And I think
5 she makes it abundantly clear in that, that, you know, that's
6 all she's doing is the beginning of the process. And
7 everything she says in there is supported by the evidence
8 that she had, including the proctor's notes.

9 The plaintiffs have made reference to a negligence
10 claim, and first, we would move on the productive on the
11 grounds that the complaint does not assert a true negligence
12 claim. Negligence is used in a couple of paragraphs, but
13 it's clear that the thrust of this case is defamation and
14 there's no negligent defamation cause of action that would be
15 subsumed within defamation claim.

16 Furthermore, with regard to if there is a negligence
17 claim, there's no evidence support in the existence of a duty
18 of care to the plaintiffs some of these circumstances. There
19 is no legal basis for imputing a duty of care to a university
20 to -- and essentially in what they've -- in their complaint,
21 the only allegation that contains negligence is a reference
22 to not telling Caveat about the fact that the plaintiffs are
23 twins. And there's no legal duties under the facts of this
24 case. There's no evidence to the Court, to the imposition of
25 a duty to report that to caveat, a duty flown to the

1 plaintiffs.

2 Moreover, to the extent that there is a duty, there's no
3 evidence of causation. At this point, there is no evidence
4 that had Caveat been told that these girls were twins, it
5 would've materially changed their conclusions in any way.
6 You know, Dr. Segal has testified that got some, you know,
7 she's testified in general terms about the impact of
8 similarities, but there's nothing at this point in the record
9 that would suggest that had Caveat been told this
10 information, their response or their conclusion would've been
11 any different than it was, and certainly not that it would've
12 been so different that it would've changed the outcome of
13 anything that occurred in the Honor Council.

14 There's also a causation issue because there was a --
15 after the Honor Council proceeding, the appeal was
16 successful. And so essentially the, you know, the process
17 worked the way it was supposed to. Yeah, and additionally we
18 have the issue that the Caveat report postdated the alleged
19 defamatory statements by Dr. Hazen Martin and Dr. Kasman.

20 Finally, we would point out that if there is a
21 negligence claim under South Carolina Code Section 1578, 6025
22 that's on the Tort Claims Act, because this involve students
23 that gross negligence is a standard rather than negligence.
24 And as Your Honor is sure aware, the standard of gross
25 negligence requires not even the -- even slight care be

1 given. And I think the testimony in this case has shown
2 that, and I think without any dispute, that A, there were
3 policies that protected the confidentiality, the plaintiff's
4 information, that the -- they -- the university followed all
5 its policies and that there was at least some slight care
6 given if in the event that a duty of care did exist at the
7 plaintiff's.

8 And finally, the -- we would argue that because
9 there's no allegation of a bodily -- of a direct bodily
10 injury in this case this is not a perfect risk for
11 negligence. As Your Honor knows, the only circumstance in
12 which the courts of South Carolina recognize a claim for
13 negligent infliction of emotional distress is in the
14 bystander context. Generally a negligence claim requires
15 there be some physical injury directly caused by the
16 negligence.

17 In this case, any injury, any direct injury is
18 emotional, and to the extent that there's any physical
19 manifestation, it flows from the emotional injury. It's not,
20 you know, typically it's the other way around where you have
21 a car accident and you're physically injured and there's
22 emotional damages follow up. Here, the only injuries are
23 emotional. And therefore we're under these circumstances,
24 South Carolina, will not recognize (inaudible) negligence
25 cause of action. So, okay. I'm very sorry for reading that

1 so quickly, but I know we're in a -- we're trying to get
2 these jurors out for the holiday, so thank you. Thank you,
3 Your Honor.

4 THE COURT: Do you think that -- assuming there was case
5 law that says whether a qualified privilege exists is a legal
6 question and then whether there's an abuse of the qualified
7 privilege is a factual determination for the jury, is that?

8 MR. FLETCHER: Well, the -- yeah, the Harris BT Tex case
9 actually says that although abuse of a conditional privilege
10 is generally an issue for the jury to decide, in the absence
11 of controversy as to the facts is for the Court to determine
12 in this case --

13 THE COURT: Okay. And I agree with you there, but what
14 I'm saying is the existence of a qualified privilege, just
15 that issue is a legal determination that I make.

16 MR. FLETCHER: That's correct.

17 THE COURT: Is my understanding.

18 MR. FLETCHER: Okay.

19 THE COURT: Am I -- you think that I'm bound by -- first
20 of all, Judge Goodstein heard motions, denied a motion for
21 summary judgment and was part and parcel of her order. And I
22 read it at one point, but that seems like a long time ago.
23 Was that an absolute immunity did not apply in this case.
24 So, first of all is -- was that part of her holding? And
25 secondly, am I bound by that?

1 MR. FLETCHER: No. Part of Judge Goodstein's holding
2 was that the quasi-judicial issue in that case -- in that
3 motion was a little bit. In that case plaintiffs were
4 actually had filed a motion for summary judgment arguing that
5 the reversal of the Honor Council decision by Dr. Dubois
6 acted essentially as either race you to -- or collateral stop
7 in this case. So they were trying to prevent us from
8 asserting evidence of truth. And Judge Goodstein found for
9 purposes of preclusion a quasi-judicial hearing such as this
10 or such as the Honor Council is not enough to trigger that
11 preclusive effect over a circuit court.

12 However, I think she make, I think, was in a footnote
13 that she make clear that she would not make any ruling on
14 whether this was a -- whether absolute privilege could apply
15 in the context of a quasi-judicial proceeding. And when I
16 said -- when we cited numerous cases in which quasi-judicial
17 proceedings have been given the protection of an absolute
18 privilege.

19 MR. COOKE: And to answer the second part of your
20 question, no, it's not. So, even if she did hold that, it
21 was not finding, I can't give you the name of the case, but
22 I'll easily find with her cited recently that an order
23 denying summary judgment determines nothing. That's binding
24 on the trial court.

25 THE COURT: That's --

1 MR. FLETCHER: Sorry.

2 THE COURT: Okay. So let me tell you kind of the issues
3 that I'm struggling with, and I don't want to go too far into
4 it now because I do want us to move on with the testimony,
5 but, so you all can be thinking about this so we can address
6 it again at the end. So there's two issues with the
7 defamation. You've got the statements made by Dr. Hazen
8 Martin, Dr. Kasman and then you've got a possible disclosure
9 by an Honor Council member.

10 So I'm struggling with how the statements that these two
11 professors made to initiate an Honor Council proceeding can
12 be anything other than subject to a qualified privilege. And
13 I understand you have issues with the wording of that, but it
14 seems to me that's the exact reason we have a qualified
15 privilege because they have a legitimate need to protect the
16 integrity of not just the current students, of the Medical
17 student -- Medical University, but former students. Every
18 doctor who has graduated from the medical school, the
19 integrity of that program is of the utmost importance. And
20 so they shouldn't have to worry that something they say in
21 good faith to start a proceeding is now going to end up
22 exactly where we're now in a slander case.

23 So the second category would be disclosures by somebody
24 on the Honor Council. So I know we don't have direct
25 evidence of this, but my feeling at this point is that we can

1 prove murder by circumstantial evidence. I mean, a crime can
2 be proved by circumstantial evidence that requires proof
3 beyond a reasonable doubt. Then I do think that there should
4 be a case made that you could prove defamation by
5 circumstantial evidence. And again, if you can prove murder
6 by circumstantial evidence, you ought to be able to try to
7 prove defamation by circumstantial evidence. That's kind of
8 my feeling at this point.

9 So I'm going to need to hear from you all on the effect
10 of, if it is an Honor Council student who makes that
11 disclosure, who decides whether they were acting in the
12 course and scope, is that a legal determination? Is that a
13 factual determination? I feel like it's a legal
14 determination, but I'd rather that it's a factual
15 determination for the jury to decide. I do want to hear from
16 you all on that issue, but in particular, and on the
17 negligence cause of action, because it -- again, what you
18 have described in the negligence cause of action seems to be
19 a problem with the process of the Honor Council proceeding,
20 which seems to be protected to me under the immunity
21 provisions of the Tort Claims Act.

22 And the fact that had they disclosed it, and let's say
23 for sake of argument, had they disclosed that these were
24 identical twins but that -- let's say it did affect the
25 outcome, I mean, your -- one of your damages because it was

1 overturned by the president or the dean. So I'm really
2 struggling with the negligence cause action, how we get that
3 to the jury. And I'm glad to hear from you now. I'm not
4 going to grant the motions for direct verdict at this point.
5 I am going to want to hear from you on those issues in
6 particular.

7 MR. FLETCHER: Thank you, Your Honor.

8 THE COURT: So if you want me to hear from you now, I'm
9 glad to, but if not ---

10 MR. PARKER: So (inaudible) once.

11 THE COURT: Okay. And again, I'm going to deny the
12 motions at this point, but I am going to want hear some more
13 on that after the close of all the testimony.

14 MR. FLETCHER: Thank you, Your Honor.

15 MR. COOKE: Thank you.

16 THE COURT: Can we bring the jury back in?

17 MR. PARKER: Yes, Your Honor.

18 THE BAILIFF: All present, Your Honor.

19 THE COURT: Thank you. Please be seated.

20 MR. COOKE: Thank you, Your Honor. The defense would
21 call Dennis Maynes.

22 COURT REPORTER: Come on up, sir. Please raise your
23 right hand and place your left hand on the Bible.

24 DENNIS MAYNES,
25 being first duly sworn, testifies as follows:

1 A. So Caveat is kind of a strange name, comes from the
2 Latin for two car to protect Caveat. It's -- the mission of
3 the company is to improve the security of exams, specifically
4 to help the organizations to administer exams and develop
5 exams to make sure that those processes are secure. In a
6 Caveat, we have several subunits. The one I'm involved with
7 is statistical analysis of data to look for evidence of,
8 let's say, whether or not the SCAT exams are secure.

9 We also have a unit called Web Patrol that scours the
10 internet looking for evidence of the exams being disclosed.
11 Another unit, that's what we call security audits where we
12 evaluate policies and procedures within an exam organization.
13 Another unit does monitoring and investigations, and we also
14 have units that do secure exam development services. And we
15 have also technology development unit.

16 Q. And what was your title with Caveat?

17 A. My title was Chief Scientist.

18 Q. And who did you co-found the company with?

19 A. Our principal founder is David Foster. There were
20 several other people that were brought in to help found the
21 company. There were, I think 14 and all. I guess I can't
22 remember the exact number. I could probably list them all
23 for you, but probably would've had a few folks.

24 Q. About how many employees did Caveat have in total?

25 A. About 50.

1 Q. What kind of work -- you told us the subject
2 matter, but specifically what kind of work would Caveat do?

3 A. Well, my unit, we did analysis of the data of test
4 results, test response data, any of the -- what they would
5 call -- any way with the metrics. Like when questions are
6 answered, how long they took to answer the questions that
7 they're given by computer, the actual responses, the recorded
8 for mobile choice questions, and I'll use statistics for
9 doing that.

10 Q. Let's talk about that for just a very few minutes.
11 But what got you interested in the whole field of using
12 statistics for test security?

13 A. Well, you know, I -- when -- did the statistics
14 because I really wanted to do Applied Maths, and that's --
15 test security is like important and I actually have a passion
16 for it because the test and test scores and decisions that
17 come out of test are life changing. They're high stakes. We
18 all take tests and we all rely upon those tests to be
19 trustworthy.

20 Q. Did you help to develop the technology that Caveat
21 uses to, you know, do its data forensic?

22 A. Yes, I'm the principal researcher, developer for
23 those techniques and those software systems. So that answers
24 yes.

25 Q. All right. And without going into too much detail,

1 tell the jury how you went about developing the system that
2 you used. You didn't just sit down and make it up one day,
3 right? You learned.

4 A. Well, I wished I could just make it up quickly, but
5 took a lot of study. So we went and looked at what other
6 people had done, what they had written. We explored the
7 kinds of things and kinds of evidence you might gather to
8 help understand what the securities exam exams is like. And
9 then some of the things, we went to the literature for, some
10 other things we didn't. So, for example, if someone goes to
11 a foreign country to take a test and there's no good reason
12 that appears to -- that they went to the foreign country to
13 take the test, except maybe they went to India to attend a
14 boot camp, so they get all this specialized instruction of
15 the actual exam, then maybe there's a reason. So we call
16 that a foreign test. That's not a big thing. If two people
17 wear -- share email addresses, those are usually private.
18 That shouldn't happen usually. But some of the things we
19 did, like in this case, what we called the similarity
20 analysis, we went to the literature and saw what people did
21 first, and then we began to build from there.

22 Q. Okay. So the concept of -- you didn't invent the
23 concept of statistical analysis of tests?

24 A. No.

25 Q. And with all due honesty, would you be willing to

1 say that you've improved on the existing technology?

2 A. I've done my best. You know what, I guess I
3 shouldn't toot my horn too much, but I feel like we've got
4 the best.

5 Q. Well, of course you're honored to do that. To help
6 a little bit. Has your work been peer reviewed?

7 A. Yes, it has.

8 Q. In what form?

9 A. So in two or three forms. First of all, there --
10 some of the work has been published where it was reviewed by
11 other peers in the field prior to publication. Some of the
12 work was presented to what are called technical advisory
13 committees. So the one that's the most significant is the
14 state of Florida. The state of Florida, the education
15 department uses experts to advise them on administering the
16 tests and to advise them on using the test, advise them on
17 building the test, creating the test. And they have a panel
18 of 15 experts. Five of those people on that panel are
19 measurement specialists and people that are work at
20 universities. They have -- they are kind of -- they're known
21 as the word psychometrician, which is kind of a blending of
22 psychology and metrics. So primarily these are people that
23 study statistics, they're psychologists to study statistics
24 and the measurement of people. So those individuals that are
25 all teaching at prestigious universities, they reviewed what

1 we did also.

2 Q. And has your work actually been accepted in market?

3 We have Caveat has actual clients that used your services?

4 A. Caveat does. Caveat has quite a few clients.

5 Q. Are you allowed to say who some of them are?

6 A. I can say who some of them are. Some of them have
7 gotten up with me in conference presentations and talked with
8 me. The American Board of Internal Medicine, American Board
9 of Surgery, Federation of State Boards of Physical Therapy,
10 Project Management Institute, ISC Square, that's another IT
11 certification company. Some of them are -- were private, so
12 I probably shouldn't share their names. And so not all of
13 the clients we've worked for continue to remain Caveat
14 clients for a variety of reasons. But I've done work for
15 probably 15 different IT certifications. Some Oracle, HP,
16 Microsoft, just to name a few of those.

17 Q. How many tests would you -- are you able to say
18 that have the Caveat has analyzed, in other words.

19 A. Okay. So test is one of those strange words. A
20 test can actually mean all the set of questions that were
21 answered when someone took the test. And it could also mean
22 just the results that a single person produced when they took
23 the test. So I'll just go, I say a test record as the
24 results for one person taking a test, probably 50 million
25 test records in excess of 50 million.

1 Q. 50 million test records?

2 A. Yes.

3 Q. That would include individual answers too, correct?

4 A. Yeah. One person answers a whole lot of questions
5 for one test. That's a test record.

6 Q. So you've done 50 million of those.

7 A. Yeah, it's more than 50 million. Large numbers.
8 Those were like state of Florida or state of Mississippi.

9 Q. Those are your customers also.

10 A. Those are customers also.

11 MR. COOKE: Your Honor, I would at this time render Mr.
12 Maynes as an expert in statistical analysis of security
13 tests.

14 MR. PARKER: No objection.

15 THE COURT: Okay. Ladies and gentlemen, I do find that
16 he's qualified to give you opinion testimony in this matter.
17 You can give that testimony whatever weight you feel it's
18 entitled to.

19 MR. COOKE: Thank you, Your Honor.

20 BY MR. COOKE:

21 Q. Can I get Exhibit 22? I'm going to show you what
22 we've marked as Exhibit 22 and ask you to submit a document
23 of your resume.

24 A. Yeah, this is a CV. It's not really my resume, but what
25 I -- not what I submit to get a job. But it says

1 summary of all of my professional credentials and experience.

2 Q. What does CV mean?

3 A. Curriculum Vitae.

4 Q. Which is basically a summary of things that you

5 have done.

6 A. Yes.

7 MR. COOKE: We (inaudible) this as Defendant's Exhibit

8 22.

9 MR. PARKER: No objection.

10 THE COURT: It's submitted.

11 (Defendant's Exhibit 22 was admitted into evidence.)

12 MR. COOKE: Thank you.

13 BY MR. COOKE:

14 Q. All right. Let's talk a little bit about the type

15 of analysis that you were asked to do in this case. First of

16 all, how were you contacted?

17 A. So I was informed by Jamie Mulke (ph), who at the

18 time worked for us with -- she had been contacted by MUSC

19 University asking for an analysis. And so we talked to them.

20 Actually, I just got the data and we began to do the work.

21 Q. Was what you were asked to do along the lines of

22 the type of work that Caveat does and is known for?

23 A. Yes.

24 Q. I want to make something and it's clear to the jury

25 at this point. Was it your understanding at the time that

1 you were being asked to help build a case or be an expert
2 witness in the court or anything of that nature?

3 A. No.

4 Q. What did you think you were being asked to do?

5 A. I was being asked to analyze test result data
6 because they had a concern. I don't know what that concern
7 was. I didn't know what that concern was at the time. But
8 that's -- so we were asked to do that, but, and prepare a
9 report.

10 Q. And is this the type of thing the Caveat does
11 frequently on these 50 million tests that you've analyzed,
12 that's the same type of analysis that you did here?

13 A. Yeah, it is. It's -- we always repair -- prepare
14 reports. Sometimes they're short, sometimes they're long.
15 In this case, this is a rather short report.

16 Q. All right. So this is the hard part. I'm going to
17 ask you to try to explain to us what happens when you put
18 this information into your computers and do the best you can
19 to make it something that we can understand.

20 A. Okay. So I'll do my best. So we have -- we
21 received the data electronically. So we just have a file
22 that comes to us. And with the file we received from MUSC
23 was a text file, tabs are limited. So just there was
24 identified for the individual. And then there are 37 -- 307
25 columns in the file. And each column is the answer that the

1 within his field of expertise to evaluate that.

2 THE COURT: Well, I mean an expert can give opinions and
3 can give the reason for those opinions, what it's based on.

4 So I'm going to allow it under rule 702.

5 MR. COOKE: Thank you, Your Honor.

6 THE WITNESS: So the state assessment director said
7 never that that happened, and I never saw any appeal or any
8 question from the state concerning that.

9 BY MR. COOKE:

10 Q. Have you look at any research on the effective lens
11 and other affinities on test results?

12 A. So the research that is, that I'm aware of, was a
13 paper presented by Dr. Jeff Allen of the ACT at the
14 conference on statistical detection of potential test fraud
15 in 2012. That research was with the ACT exam and it analyzed
16 what he called shared characteristics. Students who had the
17 same teachers, students who also had the same twin, you know,
18 if they had the same birthdays, did not have anything about
19 identical, just twins. And that was search, when I went
20 through the paper carefully, indicated there was a modest
21 effect. There was a modest association with similarity and
22 twins above and beyond what we would expect with independent
23 test taking. So I'm aware of that.

24 And I also did some other research for the CPA Australia
25 exam where they claimed to have individuals who lived

1 together, studied the same exam material together at the same
2 time and whether or not they would be flagged for similarity.
3 And yet that research where we analyzed 40,000 test takers, a
4 very few number who actually had this shared environment.
5 That research also found a very small modest effect.

6 Q. Are you aware of any companies that do similar work
7 to Caveat that somehow made adjustments for the fact that
8 they are twins?

9 A. I'm not aware of any.

10 Q. Did you look at Dr. Siegel referred to an article
11 that she found about the study test results from teenagers
12 from Poland, I think. Did you read that article?

13 A. I read it. I didn't study it in a lot of detail,
14 but I read the article.

15 Q. And does that article cause you to change your
16 opinion about the validity of the liability of the Caveat
17 process

18 A. Does not.

19 Q. Why not?

20 A. Because that article focused on performance. Just
21 the test scores of the twins did not focus on the actual
22 answer selections that they made. And you can make -- get
23 the same score on a test and have very different answer
24 selections. So it did not check -- affect my opinion at all
25 on that regard.

1 Q. Now, you were -- I think you were sitting here
2 earlier today when telling me being put up on the screen, the
3 Defendant's Exhibit 14, the one that shows how they scored on
4 their other block exams. Did you see that?

5 A. Yeah. And then they had the (inaudible)
6 correlation.

7 Q. Right. So is the Caveat process more or less
8 precise than working at that analysis on the ---

9 A. Well, it is more precise for a couple of reasons.
10 First of all, it takes into account every single question and
11 each question and its difficulty and the distractors that go
12 into that question. So we get a more precise estimate of
13 what is expected. The other reason it's more precise is
14 because that just gave the total percent of answers that
15 weren't in agreement. And we actually separate out correct
16 and incorrect. Incorrect answers that are the same, are
17 quite unusual, a lot less likely to occur than correct
18 answers that are the same. And so that analysis did not do
19 that.

20 Q. So getting to the -- to this particular case, did
21 you run the analysis on the -- on this exam?

22 A. Yes. Well, with my colleague, Marcus Scott.

23 Q. And were you even told which -- what kind of in
24 that testing irregular suspected.

25 A. No.

1 Q. Or who they suspected?

2 A. No.

3 Q. So you just put them through with identifiers and
4 their answers to the questions?

5 A. Correct. All I did was I knew we were doing the
6 similarity analysis.

7 Q. And what did you conclude as a result of that? You
8 need to have the report in front of you or the --

9 A. I don't think I need the report.

10 Q. Okay.

11 A. So we concluded that for the plaintiffs, their
12 agreement with their answers was highly unusual. Actually, I
13 would say anomalous, extreme. They had 242 correct answers
14 that were the same. And they had 54 incorrect answers that
15 were the same, which is 296 total correct -- total answers
16 that were the same out of 307, which is why we get to 96
17 percent. And of those 242 the two plaintiffs had scores of
18 245 and 246. So since we already know that 242 was the same
19 for both, one of the plaintiffs had a -- had three answers to
20 the answer -- three questions answered correctly, that other
21 missed, answered incorrectly. The other one had four
22 questions they answered correctly the other one answered
23 incorrectly. Which left 58 answer -- 58 questions that they
24 both had incorrect. And of those 58 questions, they both had
25 incorrect, they matched on 54 of that answers.

1 Q. So in other words, whether there were four or five
2 possible answers to each of those questions, each of them
3 picked the wrong answer and picked the same wrong answer on
4 that exam.

5 A. Yeah. Of 54 out of 58.

6 Q. So that means that there are only four wrong, they
7 both got wrong and picked different wrong answers?

8 A. Correct.

9 Q. Out of 307 total questions?

10 A. Out of 307 total questions.

11 Q. So were you able to do an analysis on what this
12 likelihood that those two individuals that they're working
13 independently?

14 A. So we had -- so that's kind of a tricky question.
15 Sorry. I know you didn't think it was a tricky question.

16 Q. That's okay.

17 A. So we don't actually evaluate whether they did the
18 work independently. We evaluate the opposite. We assume
19 they worked independently and we calculate the probability of
20 the observed data, assuming it was independent. And that
21 calculation was, the probability was about 1 in 10 to the 38
22 power, which is a number that's so big that I can't even
23 imagine it, you know.

24 Q. You said 1 in 10 to the 38 power?

25 A. Yeah.

1 Q. Now in life, lots of coincidences do happen, right?

2 You recognize that?

3 A. That's why we always talk about probabilities.

4 Q. And so in a medical school class, you could have
5 two people that are just so in sync with each other that they
6 get very close scores, right?

7 A. You could have that.

8 Q. So at what magnitude of probability do you raise a
9 flag to your customers and say, we think that there's likely
10 -- that it's likely that they do not work independently on
11 this examination?

12 A. Okay. Usually we use what we call a conservative
13 threshold. And that conservative threshold is one in 30
14 million. So 10 to the 7.5 power is what we usually use.

15 Q. 10 to 7.5 power.

16 A. Yes.

17 Q. So this one is how many more orders of magnitude
18 than your usual threshold?

19 A. 10 to the 31 more.

20 Q. All right, so let's do a little bit more math.

21 Let's say that as the ACT study says twins are maybe twice as
22 likely as other people in the population to answer questions
23 the same.

24 A. So that's not actually what the ACT study says.

25 Q. You tell me what it said and tell me how that could

1 affect the results.

2 A. So the ACT study and all of these studies, this
3 research that's done, we focus on what we call type one
4 error, which is the probability of making a mistake, a
5 probability, not -- in this case, making the inference,
6 deciding that the tests were not taken independently, when in
7 fact they were. So that's the error we're trying to prevent.
8 And the ACT study analyzed that error and using a target rate
9 of 5 percent as their, what we call alpha level. We want to
10 flag one in 20. They flagged one in 10. So, you know, and
11 when I analyzed the results in that paper more, and my other
12 research I did, showed that that's pretty consistent. It's
13 whatever probability we calculated, probably that probability
14 should be doubled. So if it was -- so if we did calculate
15 one in a million probability, we should double that to be two
16 in a million.

17 Q. So if you applied that to the one in 10 to the 38
18 power and you made that doubling adjustment, what would come
19 out?

20 A. Two in 10 to the 38 power?

21 Q. So would that be the equivalent of buying, winning
22 four consecutive Powerball by winning two -- by buying two
23 tickets instead of one ticket?

24 A. That's what I put affidavit, but it's, you know,
25 even that was a gross approximation and I knew that at the

1 time.

2 Q. So even taking into account, I know the twins and
3 that they performed very similarly in other tests and so
4 forth, what would Caveat's opinion be with regard to the
5 probability that they worked independently or did not work
6 independently?

7 A. Yeah, just -- our opinion would be that we had
8 evidence to say they did not work independently. If the
9 tests were not taken independently, that's what we would say.
10 But we wouldn't be able to say cheating or anything like
11 that. I explained why, but we would just say we have
12 evidence that the tests were not taken independently.

13 MR. COOKE: Your Honor, we have already like to offer
14 the reported evidence and it's been marked as Defendant's
15 Exhibit 8.

16 THE COURT: Any objection?

17 MR. PARKER: Yes, Your Honor. We object to the report
18 with that this testimony is in and should the report has a
19 lot of other stuff in it.

20 THE COURT: When you say other stuff, tell me what your
21 object. And I'm sorry, it's number 38. Did you say 38?

22 MR. COOKE: No, It's 8.

23 THE COURT: 8.

24 MR. COOKE: I'm told that's already in evidence. I did
25 not see it.

1 MR. COOKE: Thank you. That's all I have.

2 MR. PARKER: Just a few questions.

3 CROSS EXAMINATION

4 BY MR. PARKER:

5 Q. Explain when say you did not know that the two
6 tests you were looking at that were under the scrutiny were
7 from identical twins, correct? When you did your ---

8 A. I did not know they were twins.

9 Q. And when I took your deposition, you didn't know if
10 it'd make any difference (inaudible).

11 A. No, I think at the time of the deposition I said it
12 didn't make much difference.

13 Q. You ---

14 A. I didn't say no difference.

15 Q. You said you didn't know what difference?

16 A. I didn't know what the difference would be. It's
17 not an area that is widely ungodly studied.

18 Q. And you did say you looked at the study act about
19 twins.

20 A. The one by Jeff Allen.

21 Q. And that was done for twins and fraternal test,
22 correct?

23 A. Correct.

24 Q. And what percentage of fraternal?

25 A. Did not report in the paper?

1 Q. What percentage of fraternal?

2 A. Again, it -- the paper did not report.

3 Q. But after you looked at that, you said that that
4 would cut your probability of whatever you found in hand,
5 correct?

6 A. Correct.

7 Q. In other words, you figured that because the term
8 identical twins when you took into account, you said it
9 detected when you had the whole cumulative bunch of them that
10 would cut your figures by half.

11 A. By half.

12 Q. All right. And then you looked at the publish
13 study?

14 A. Yes.

15 Q. And in that study they concluded that it was like
16 eight or nine times that the probability that they would
17 score the same as to unrelated people. Is that correct?

18 A. I believe that's what the study said.

19 Q. And so if your studies when they included identical
20 twins and they included fraternal twins and you don't know
21 the proportion, and you said it cut in half of that, correct?

22 A. Correct.

23 Q. So if they identical twins, then it should be cut
24 by another four tenths, correct? If that study is correct.

25 A. So you are -- I think that's -- I don't think we

1 can make that interpretation. I can't say yes or no to that
2 answer. If you'd like, I would elaborate.

3 Q. Well, I don't need you to elaborate, but in fact,
4 your study not take into account the science on enough
5 performance records.

6 A. The study from Poland did not take into account
7 answers that were the same. It took into account scores, but
8 not answers.

9 Q. But what they did conclude then and that the
10 conclusion was that the number of twin (inaudible), to have
11 some scores on tests.

12 A. So there -- is there an answer there -- question
13 there?

14 Q. Yes, that's what that stated.

15 A. It talked about scores. That's what it talked
16 about --- did not talk about similar answers at all.

17 Q. And you didn't take into account that they study
18 together?

19 A. So no one told me they studied together, but I
20 assume that every single person taking that exam has the same
21 teacher, is studying the same coursework, the same work, and
22 is studying together in groups or not groups?

23 Q. How did you take into account they studied
24 together?

25 A. What was the question?

1 residency for PhDs.

2 Q. Okay. And are you the year two director of
3 students?

4 A. No, I -- when I took the assistant team position, I
5 stepped down from that, but I'm still the director of the
6 Master of Science and Medical Sciences.

7 Q. And your two year director sort of what
8 responsibility do you have with regard to the second year of
9 students?

10 A. So I am the decider when it comes to absence
11 requests. So if there's a mandatory activity, I'm the person
12 that decides whether or not the student's request meets the
13 policy for an excused absence. And whenever there was a
14 mandatory activity like this exam or any of the exams or we
15 have many large group mandatory activities, I'm the person,
16 if there's any kind of disciplinary action that needs to be
17 taken, I'm the point person for that to make sure it's
18 applied fairly. There has to be one person.

19 Q. So you've been essentially in medical education for
20 over 20 years?

21 A. I've been involved in graduate and medical
22 education for 20 years. Medical little bit less.

23 Q. And during that time, how many medical students
24 have you been able to mentor for that period?

25 A. If I've been teaching since 2008 and there's 180 a

1 year over 2000, so.

2 Q. And in the course of your work as a curriculum
3 director, do you have proctor examinations?

4 A. Yes, I have.

5 Q. And you received training in that?

6 A. Minimal. I'm not in VME accredited.

7 Q. All right. But your experience, if you observe
8 something unusual during examination, as a proctor, what do
9 you do?

10 A. We have a sheet, a form that we write it down and
11 then we sign it before we leave.

12 Q. Okay. And what sorts of things might you put down
13 on a proctor report?

14 A. Someone arrives late. If their seat is broken and
15 I have to move them, I write that down. If they have
16 prohibited items like a watch or a hat. And then of course
17 if I see somebody whose eyes seem to be wandering or they're
18 acting fidgety or something like that, I -- it's anything
19 that draws my attention, I would write that down.

20 Q. And during your -- in your experience as a proctor,
21 (inaudible)?

22 A. Oh yes. Many times.

23 Q. Before the block examination issue in this case,
24 did you have any other -- had any issues or problems with the
25 victims?

1 A. No, no. I didn't know who they were.

2 Q. And is the MUSC medical curriculum, is it
3 challenging?

4 A. Yes.

5 Q. And is that intentional?

6 A. It's necessary, yes.

7 Q. Why is that?

8 A. There's a lot to know to be a competent physician.
9 It's just a lot of information.

10 Q. Is what the intention to produce physicians in the
11 competent to treat patients in South Carolina?

12 A. Yes, of course.

13 Q. Were you present at the blood 12 examination?

14 A. No, I was not.

15 Q. Did you at any point observe that during their
16 examination?

17 A. No.

18 Q. Were you ever present in the room?

19 A. No.

20 Q. You have any firsthand knowledge of any in the
21 occurred on that day?

22 A. No.

23 Q. So when you first started there, something that
24 might be regular about block 12 exam?

25 A. I received an email from Dr. Hazen Martin like

1 about six o'clock on Friday night, which was the day after
2 the exam.

3 Q. When did -- I'm going to show you what's in
4 admitted evidence as Exhibit 5. Is that the email you
5 received Dr. Hazen Martin?

6 A. Yes, it is.

7 Q. And what was your -- explain what Hazen Martin --
8 Dr. Hazen Martin did during block 12 exam?

9 A. So the testing LXR that she refers to in this
10 letter was a testing software we used at that time. And it
11 required that the student's computers be hardwired to the
12 network had they actually had an Ethernet cable plugged into
13 their computers. And we'd had incidents where students had
14 actually knocked it and they didn't notice. And so none of
15 their answers were registering. So Dr. Hazen Martin would go
16 in regularly during the exam and make sure everyone's answers
17 were registering, and if they weren't, we'd go to that and
18 say that, you know, your cord isn't plugged in.

19 Q. And what did Dr. Hazen Martin tell you about what
20 she observed during the block 12 exam?

21 A. She said that when she logged in to check it that
22 the -- well, in the letter -- I only know from the letter.
23 Okay, so.

24 Q. Will you read for the jury what question?

25 A. Yes, I will. That's the only way I know. Let's

1 see. It's been six years. Let's see. "I entered the exam
2 several times during each testing period during the AM
3 testing period. I noted that two students were progressing
4 lockstep through the items registering similar incorrect
5 responses on identical items, but two students were located
6 in the same testing module library, 436. I contacted the
7 proctor in that module to closely monitor the afternoon
8 session. The same outcome was observed in the LXR testing
9 data for the afternoon session. I am attaching the response
10 sheets for the two students for both the AM and PM sessions
11 for your review.

12 The reports are timestamped at the bottom of the page,
13 the response sheet. So all correct responses in the event
14 the response is incorrect and the incorrect responses
15 indicated in parentheses." And she says, "The scratch record
16 was collected to meet student at the end of the testing
17 period per the required procedure. This material and proctor
18 reports are secured by the testing site administrator in
19 Johnson and are available for your review."

20 Q. And did Dr. Hazen Martin send you the LXR printout
21 sheets from that test?

22 A. Yes.

23 Q. And did you review those?

24 A. I reviewed them in -- yes, I reviewed them.

25 Q. All right. And those sheets compare their answers

1 that they gave to all question on the examination at various
2 times and what the correct answers are.

3 A. Yeah, it was simply a list of numbers of the
4 questions and then letters after those numbers, with
5 parentheses for if it was incorrect.

6 Q. And why would Dr. Hazen Martin email them to you?

7 A. Because I was the point person for year two and so
8 if there were to be any -- if something needed to be
9 forwarded to the Honor Council, it was my responsibility to
10 do so.

11 Q. Okay. So what did you do when you received this
12 email?

13 A. I emailed Student Affairs in the College of
14 Medicine Dean's office and said that I'd received this email
15 from Dr. Hazen Martin and she told me that it was being --
16 that there were these -- the (inaudible) proctor report
17 available for my review and I needed her help to please
18 gather those so I could see them.

19 Q. Is it the email you sent to Student affairs?

20 A. Yes, it is.

21 Q. And who is Myra?

22 A. Myra is -- Myra Haney Singleton, who is the -- now
23 the Associate Dean for Student Affairs in -- at Medical
24 University of South Carolina.

25 Q. And what do you know of Myra Haney Singleton?

1 A. Student Affairs is the section of the Dean's office
2 that deals with any sensitive issues that have to do with
3 students so they can -- students can go to student affairs at
4 any time with personal issues and they will tell the faculty
5 members the student needs to be out for a while or whatever
6 and they -- we don't have to know why. Keeps it private.

7 Q. Again, the copy of email here on Exhibit 5, letter
8 by Myra Haney Singleton response to you?

9 A. Right. She replied to me that same day and she
10 says, "Dear Laura, thank you for the notification. As
11 requested, our office will assist in obtaining reports from
12 the proctors and provide this documentation due by Monday
13 morning. If the students were provided paper to write you on
14 during the exam, thus be reviewed as well. Would you like to
15 review them?"

16 Q. Okay. And did you in fact receive information?

17 A. Did I receive the ---

18 Q. Did you receive the proctor's notes?

19 A. I didn't receive them. I went to her office and I
20 viewed them in her office.

21 Q. Okay. And did you review the scratch paper for the
22 examination?

23 A. I did review the scratch paper, the proctor's
24 report and the LXR printouts in her office.

25 Q. And the proctor's report and scratch paper, did you

1 actually ever have that leave their office?

2 A. No, I viewed it there and left it there.

3 Q. Did you ever have a copy of that?

4 A. No. The original? No.

5 Q. Okay.

6 A. Since the lawsuit was filed, I have had a copy of
7 some of ---

8 Q. At the time, did you have a ---

9 A. At the time, no.

10 Q. --- proctor's notes, copy of those four scratch
11 paper?

12 A. No.

13 Q. (Inaudible) admitted this as Exhibit 12. Should
14 first pertaining to that (inaudible) does this have any
15 scratch of scratch papers you received?

16 A. That's one of them.

17 Q. Did you notice anything unusual thing about the
18 scratch paper?

19 A. Yes.

20 Q. What sorts of things did you notice?

21 A. Well, they were pretty different. It was
22 interesting, there were different styles between the two
23 students, how they used their scratch paper, but there were
24 two notes that jumped out at me and that I will remember
25 forever.

1 Q. Okay. What were those notes?

2 A. Toward the bottom of one. It said, I'm waiting.

3 Q. Is this that we're referring to here?

4 A. Yes, correct. I'm waiting.

5 Q. What does that stand out to you?

6 A. It's a very strange thing to say to yourself.

7 Q. And have you ever seen anything like that in your
8 review of any other scratch papers from students?

9 A. No.

10 Q. And when you saw that, did you get your idea that
11 that was a note to someone himself or to other person?

12 A. To me it appears to be a communication to someone
13 else. That's how I interpret it.

14 Q. I'm sorry.

15 A. I -- that's how I interpreted it.

16 Q. Okay. And what else in the scratch paper did you
17 observe was unusual?

18 A. There was one that said 108, B or C, question mark.
19 I think C. And the C was encircled.

20 Q. And is that what you're referring to?

21 A. That's it. Yes.

22 Q. And why was that unusual to you?

23 A. Again, it seems like a very unusual thing to write
24 to yourself.

25 Q. And did seeing those two things in the scratch

1 paper seem irregular?

2 A. Yes.

3 Q. And you also reviewed Dr. -- I'm sorry, Michelle
4 Friesinger's proctor notes?

5 A. Yes.

6 Q. You took a copy of those?

7 A. That's correct.

8 Q. And what kind of the things that jumped out to you
9 that were from Michelle Friesinger's proctor notes?

10 A. Well, to be honest, it was a little weird that
11 there was nothing from the morning, but flipping over on the
12 back, you know, the second page. Yeah. The part about
13 nodding, you know, through the exam seemed irregular and also
14 the part about the -- pushing the note over toward the other
15 and then taking it back. And although only that when she
16 puts it -- what she says here is, "Pushing the paper over a
17 bit. And then student 18013 was looking at the papers
18 direction, then directly following, looking back through the
19 questions. So it suggested, again, communication. She was
20 pushing the paper over with something on it. The person was
21 then acting on the information on the paper and going through
22 the questions."

23 Q. So was it your interpretation of Michelle
24 Friesinger's note that she was communicating -- that the
25 twins were communicating with each on during the exam?

1 A. I didn't know who they were, but the students ---

2 Q. Those two students?

3 A. Yes.

4 Q. And at that time, did you know who the students
5 were?

6 A. I did not.

7 Q. And once you reviewed the scratch paper, the
8 proctor notes and the LXR printouts of Dr. Hazen Martin's
9 email, what did you decide to do in action?

10 A. Well, they were -- we were getting ready to release
11 the grades to the whole class for block 12. And so it was my
12 duty then to send email to the Bingham's and let them know
13 that their grades are going to be withheld.

14 Q. And what you read in that paper led you to believe
15 that there were irregular areas that should be further
16 investigated?

17 A. Yes.

18 Q. And in that case what would you do to start the
19 process?

20 A. I needed to write a formal letter to the president
21 of the Honor Code.

22 Q. And in doing so, is it your position to make a
23 final determination as to whether there was violation of the
24 Honor Code?

25 A. Yes, that was my responsibilities as the year two

1 director.

2 Q. Was it to make upon determination or to send it to
3 the Honor Council?

4 A. It was my decision to make the determination to
5 send it.

6 Q. Okay.

7 A. Only.

8 Q. Who made the final determination that there was an
9 actual violation?

10 A. The Honor Council.

11 Q. At any time, did you participate in any way in
12 making that determination?

13 A. No.

14 Q. And at any time, did you ever publicly state any
15 determination to whether they committed an Honor Council
16 violation?

17 A. No.

18 Q. Any time did you ever write to the jury on Honor
19 Council violation?

20 A. No.

21 Q. Let me show you now what's been admitted into
22 evidence as Exhibit 7. You tell jury what this one?

23 A. This is my letter, yes.

24 Q. Okay. And who justified it?

25 A. He is the president of the Honor Council at that

1 time.

2 Q. And why would you submit this letter to them?

3 A. Because it was the procedure for the Honor policy
4 at that time.

5 Q. And when you wrote this letter, do you have any
6 expectation that it would be disclosed anywhere outside of
7 the Honor Council?

8 A. No.

9 Q. Did you have any expectation that it would ever be
10 reported to students or the media?

11 A. No.

12 Q. Was your intention that this would ever go beyond
13 Mr. Hazen and the Honor Council?

14 A. No.

15 Q. And why is that?

16 A. Because this is a highly sensitive issue. And
17 FERPA laws would forget -- forbid it, but just human decency
18 forbids it. Which is why it didn't include the student's
19 letters -- sorry, the student's names in this letter.

20 Q. That's my next question. And at this point, you
21 have not identified them in this letter?

22 A. No.

23 Q. Why not?

24 A. Because I wanted those -- I wanted the Honor
25 Council president or people he assigned to go look at the

1 same things I had looked at; the proctor's note, the LXR
2 printouts and the scratch paper, and make their own decision
3 about it before they would go forward any further.

4 Q. Okay. So what's your understanding of what Mr.
5 Martin's responsibility would be once he got this letter?

6 A. I assumed he would -- he personally or people he
7 would assign investigators would go look at the same
8 information in Myra's office. So proctor's notes LXR.

9 Q. To then determine whether or not to actually do a
10 full investigation in formal or not?

11 A. Yes.

12 Q. So at this point, it would be going from Dr. Hazen
13 Martin to you and you to testify ---

14 A. Correct.

15 Q. --- and the Honor Council would have a
16 determination of whether or not it should be (inaudible). Is
17 that correct?

18 A. Right.

19 Q. The first sentence of Exhibit 7 "It's a -- it is my
20 unfortunate responsibility to report a possible case of
21 academic dishonesty by two second year medical students."
22 Why do you use the word possible that sounds.

23 A. Because I didn't know if it was for sure.

24 Q. And was your attention in this letter to state that
25 anybody had actually case in cheating?

1 A. No. That would be making a determination. That
2 was not my role.

3 Q. I know that in this case, the plaintiffs of claim -
4 - plaintiff explains in this letter are troublesomes and then
5 one -- I'm going to hand you this exhibit. This is the
6 (inaudible). The second paragraph, the very last sentence
7 states, "Further investigation found from the students
8 receiving next to each other and were observed to be
9 signaling each other and passing notes via direct paper on
10 the desk between them." Were you singling in that sentence?
11 What do you mean?

12 A. I used signaling to mean communicating without
13 words.

14 Q. And do you believe that the proctor's notes
15 contained evidence of the signaling without words?

16 A. Yes.

17 Q. And read to the jurors the proctor's notes told
18 (inaudible).

19 A. Says, "I continued to watch them along with the
20 other students in the room. Another irregularity that I
21 noted was both students were detected were" -- it's cut off,
22 but, "were nodding their heads all through the exam. This
23 has not been regular behavior that I have noted while
24 proctoring previously."

25 Q. And in your view and in this correspondence that

1 suspicion of potential cheater?

2 A. Yes.

3 Q. At any time -- at any point in this letter, do you
4 say that the thing were actually achieved?

5 A. No.

6 Q. In fact, at any point you can mention the victim by
7 name?

8 A. No.

9 Q. You mentioned by any other identifier?

10 A. No.

11 Q. And where were you when you wrote this letter?

12 A. It -- I think I was in my office at anywhere.

13 Q. Okay. Did you have the proctor's notes with you at
14 the time?

15 A. No.

16 Q. Did you have the scratch paper with you?

17 A. No.

18 Q. So you're going off of your recollection once you
19 had seen in student affairs?

20 A. Yes. It was just my memory.

21 Q. And what information did you base this letter on?

22 A. That's all the information I had at that time.

23 Q. And that would be the Proctor's notes?

24 A. Proctor's notes, yes.

25 Q. And Dr. Hazen Martin's email.

1 A. Dr. Hazen Martin's email, yes. And I also
2 apparently knew that the other data had been sent out for
3 external analysis. So I had heard that from Student Affairs.

4 Q. Okay. Did you have any involvement with that?

5 A. I did not.

6 Q. Do you have any communications on that with Caveat?

7 A. No.

8 Q. Did you provide any information to Caveat?

9 A. No.

10 Q. Do you know what information was provided to
11 Caveat?

12 A. Sorry?

13 Q. Did you even know what information was provided to
14 Caveat officer?

15 A. No.

16 Q. So before you sent Defense Exhibit 7, did you have
17 anything else review your drive?

18 A. I did. I sent it to Myra Haney Singleton.

19 Q. And why did -- why do you have her review it?

20 A. Because she's, like I said, she's an advocate for
21 students. I didn't want it to be hurtful. I mean, I wasn't
22 trying to be vicious or anything. I wanted it to be fair.

23 Q. Did she have any concerns with (inaudible)?

24 A. She may have made a couple minor, I guess, but I
25 don't recall what they were. They were minor.

1 Q. Have any suggestions she made (inaudible)?

2 A. Yes, of course.

3 Q. And when you wrote this letter, did you have any
4 anticipation or expectation that someday a bunch of lawyers
5 be looking at it and coming over (inaudible) letter?

6 A. No.

7 Q. What was the purpose of this letter?

8 A. The purpose was to make a formal charge the Honor
9 Council, so that they could investigate further and see if
10 anything was warranted. Any further things were warranted.

11 Q. Did you say any (inaudible)?

12 A. No.

13 Q. So when did you first disclose the twins identities
14 to the Honor Council?

15 A. I received an email between -- I don't know exactl
16 dates, I don't have email. Between May 12th and May 16th, I
17 received an email from (inaudible) and Mark (inaudible) who
18 apparently were the investigators that Joseph Ivy assigned to
19 be the student investigators on this case. And they said,
20 would I please give them the names? They decided to move
21 forward. And I said, I had promised that I would not reveal
22 the names until they looked at the proctor's report and the
23 LXR printout and the scratch paper. I made their own
24 determination. They said, we have, we need to interview the
25 people involved now. Please give us the names. And at that

1 point, I gave them the names.

2 Q. So the accurate said that you did not disclose
3 their names until the decision in May. Please begin the
4 investigation by the Honor Council.

5 A. Yes.

6 Q. And was your attention letter to accurately recite
7 or reflect what was in the information you provided?

8 A. Yes.

9 Q. And did you want Joseph Ivey to accept your word or
10 send a letter or review the actual evidence and do a
11 determination?

12 A. I wanted them to do their own investigation.

13 Q. And did you do anything to encourage or sway Mr.
14 Ivey into doing an investigation in the memos?

15 A. No.

16 Q. Did you have any discussions with Mr. Ivey about
17 whether he pursued investigation at the memos?

18 A. No. All of our correspondence -- because all of
19 the all my correspondence with Honor Council were in
20 emails and thousand should be discoverable.

21 Q. And is actually, you do not testify at the audit
22 Honor Council hearing?

23 A. That's correct.

24 Q. And why was that?

25 A. The NIH grant that I had -- I was taking those

1 Q. You ever repeated any information about defendant,
2 anyone outside of the Honor Council?

3 A. Between -- no, I didn't have any information. But
4 you mean ---

5 Q. Any information was in the correspondence she sent
6 to justify, did you disclose that anywhere outside of Ms.
7 (inaudible)?

8 A. No, I did not.

9 Q. Have you ever heard anyone discussing defendant's
10 Honor Council proceeding outside of that pursuit?

11 A. No.

12 Q. You heard any student talking about twins prior
13 Honor Council proceeding?

14 A. No.

15 Q. You know, has any MUSC employee ever disclosed any
16 information about that?

17 A. Not to me.

18 Q. Have you ever spoken to any newspaper reporters or
19 other media reporters about the case?

20 A. No.

21 Q. Do you have anyone at MUSC ever spoken or
22 communicated with (inaudible) -- I'm sorry newspaper or
23 other media reporters?

24 A. No. We are directed to have anything like that.
25 It goes through Heather Woolwine was our, you know, our

1 public relations person.

2 Q. Okay. In fact, if someone were to contact
3 immediate, would that be a violation of MUSC policy?

4 A. Yes.

5 Q. And tell me about what does MUSC do to try to
6 maintain confidentiality of student record and student
7 possession?

8 A. We -- well, there's many different things that they
9 do. They have -- everything is kept behind password
10 protected files. There's anyone who -- if anyone did violate
11 that, we could go back and see who had opened those files and
12 who had access to them. All people, faculty and students are
13 trained in the FERPA law.

14 Q. And tell me a bit about the training.

15 A. Annually we have mandatory trainings in the system
16 computer modules, you have to take a test

17 Q. Every employee has to be trained annually?

18 A. Yes.

19 Q. And what about students?

20 A. Students also have training so they know their
21 rights.

22 Q. And as part of purpose, the students themselves
23 have rights in their educational records?

24 A. Yes.

25 Q. So in your teaching experience, have you been

1 Q. Everything you noticed what somebody told you.

2 A. Everything is what someone told me.

3 Q. And who told you they were signaling?

4 A. No one. It was my own wording after I -- from
5 interpreting the proctor's notes.

6 Q. And who told you they were passing notes?

7 A. It was my own wording of what I had seen in the
8 proctor's notes in combination with the scratch paper.

9 Q. Nobody told you.

10 A. Everything was -- everything that I had before me
11 was information from Dr. Hzen Martin's email, the LXR
12 printouts, the proctor's notes, and the scratch paper. And I
13 didn't have that in front of me when I wrote the letter, but
14 I wrote the letter interpreting what I had seen.

15 Q. Nobody told you they were passing notes or scratch,
16 right?

17 A. Not in those exact words. Correct.

18 Q. That was your words and your interpretation.

19 A. Yes.

20 Q. Even though you had no personal knowledge?

21 A. Correct.

22 Q. Now, you wrote to several people on the Honor
23 Council. Are you in the chain of emails by which you made
24 the accusation, correct? And the emails were from you to
25 Joseph Ivey, correct?

1 defendant accountable if there's no testimony to support that
2 they began with the defendants.

3 MR. PARKER: May I approach, Your Honor?

4 THE COURT: Yes, please.

5 MR. PARKER: This is Goodwin versus Kennedy. I would
6 like to (inaudible) and the proposition of this case is that
7 gossip, rumors, even if you don't have the names of those who
8 were saying the rumors is proof of reputational damage and a
9 defamation case. It's not hearsay. It's not being offered
10 for hearsay purposes. It's proof of reputational damage.
11 And to dovetail onto what you were just referring to, I think
12 what's happening here is they want to put a new rule on us,
13 which is not an evidentiary rule. The rule that they're
14 trying to place on this right now is that we cannot prove --
15 we can't put into evidence -- evidence of damages until we
16 make a prima facie showing of the first element or the second
17 element of our defamation claim. Essentially, what they want
18 to do is they want make us go through the elements of the
19 defamation claim, make a prima facie showing of each one of
20 them to you before we can progress to showing proof of
21 something further down. There's nothing the rules have to
22 do.

23 THE COURT: I don't think that's exactly right. What
24 they're saying is that after all the discovery that you've
25 done in this case for all these years, that there -- that

1 that element's missing -- that that link is missing. And so
2 that -- that shouldn't ever come in front of this jury unless
3 I'm misquoting it.

4 MR. PARKER: But Your Honor, they're -- they can -- I
5 think that's proper for a directive verdict, but they have to
6 let us put our case out first. And what they're doing is
7 just for like a simple car wreck case. If we're trying to
8 put in evidence of damages first, and they go, hey, you can't
9 do that yet. You have a proven liability.

10 THE COURT: But that has to be damages as a result of
11 something the defendant did, not just generally, they were
12 damaged in some way by some unknown entity. So if it's a car
13 wreck case and they had medical bills, they were injured, but
14 you couldn't tie it back to the defendant, those damages
15 would not come in. So let me take a look at your case real
16 quick.

17 MR. PARKER: And -- and I do understand that Your Honor,
18 and I would point to -- I know you've seen the -- the letter
19 we referred to from the dean referring to just information
20 that was out there and where it could possibly come from. I
21 think some more information like that will come in through
22 the -- the testimony that comes in further on in this case.
23 But I don't think that precludes us from talking directly to,
24 you know, the plaintiff about what our damages are, and that
25 entails reputational harm and -- and this type of -- of

1 information is not hearsay in that case. Thank you -- thank
2 you for letting me jump in.

3 MR. COOKE: As -- as I'm reading this case, it looks
4 like there was ample evidence that the accused minister made
5 the published the defamatory statements. And -- and that's
6 the problem that we have in this case, is that the -- there's
7 no -- no evidence that the alleged defamatory statements were
8 published outside the scope of the Honor Council.

9 THE COURT: Okay. I do think that this is fairly
10 different factually in that the -- the statements made by the
11 defendant in the Goodwin versus Kennedy case that you've
12 handed out or you've handed up to me were repeated in the
13 first instance in the reception area of the school in the
14 second instance, in the presence of about 15 people outside
15 of a school board meeting.

16 So I mean, the statements were made publicly. So the
17 Court did allow in evidence of general defamation or general
18 damages in terms of the students thereafter not responding to
19 disciplinary efforts by this principal. And they felt it was
20 a direct result of the name calling that had been publicly
21 made against him.

22 So first of all, let me say I do -- as to the Facebook
23 posts, I still have a hearsay problem with the Facebook posts
24 coming into evidence. I don't think at this point that you
25 have shown that there was any disclosure of the Honor Council

1 no publication.

2 Second, we have argued on numerous occasions that
3 absolute privilege applies in this case. Generally, there
4 are two circumstances where absolute privilege would apply.
5 The first is acts of state, and the second is to judicial
6 proceedings. We filed a pretty substantial trial brief on
7 this issue and we'll defer to that. But we will point out
8 that the evidence is shown beyond any doubt that this was an
9 act of state that, you know, all the alleged miss or
10 defamatory statements occurred in the context of performing
11 acts of state.

12 In addition, the Honor Council proceeding was a
13 quasi-judicial proceeding, which should be protected under
14 the absolute privilege besides of the Crow case, which a VFW
15 proceeding cited to a district court case where the court
16 found that it could apply to things such as arbitration.
17 Because essentially is a judicial process. And therefore we
18 would ask that the Court applies a matter of law absolute
19 privilege to the statements made by Dr. Kasman and Dr. Hazen
20 Martin.

21 If the Court does not apply absolute privilege, we would
22 move for directed verdict on qualified privilege. And I was
23 ruling in dispute at this point that the statements made by
24 Dr. Hazen Martin and Dr. Kasman are clearly subject to -- at
25 least a qualified privilege. They're made in the context of

1 beginning Honor Council proceedings, and there is no evidence
2 that those specific statements were ever distributed anywhere
3 outside of those Honor Council proceedings. No evidence of
4 any abuse of the qualified privilege.

5 And at this point is, you know, typically qualified
6 privilege is an issue for the jury. What the Court has said
7 in a Harris BT Tex International that although abuse of the
8 conditional privilege is generally an issue for the jury to
9 decide, in the absence of a controversy as to the facts, is
10 for the court to determine. And respectfully, in this case,
11 with regard to the only defamatory statements that would
12 issue in this case, there is no evidence at all to support
13 the -- that the privilege was abused in any way, shape or
14 form.

15 Additionally, with regard to qualify privilege, we note
16 that the plaintiffs have not pled malice in their complaint,
17 so that's not an exception they can use to try to get out of
18 the conditional privilege. If they are allowed to bring in
19 malice, we then assert the malice defense under the Court
20 Claims Act. Honestly, we've heard a lot of evidence and
21 testimony about republications in the form of rumors or
22 newspaper articles or any other form. At this point, none of
23 the republications at issue, number one, they cannot be
24 attributed to MUSC because first there's no evidence at all
25 establishing who made any of those republications, and second

1 to the extent anyone from MUSC and the employee of MUSC made
2 those statements. They were clearly outside the scope and
3 course of their employment with MUSC.

4 We've put on undisputed evidence that the federal law
5 and MUSC policy required that this information be kept
6 entirely confidential. And additionally, at the time of any
7 alleged leak would've occurred, would've been after, not only
8 the Honor Council proceeding was completed, but also the
9 appeal had been decided. So there's no official business or
10 official duty that any leak could have been associated with.
11 And therefore, any release of information outside of the
12 Honor Council cannot be attributed in any way to MUSC.

13 Additionally, we will move for a direct verdict on the
14 grounds of truth. With regard to Dr. Hazen Martin's
15 statements, her email has been very clear that she observed
16 irregularities that she monitored the LXR printouts and the
17 LXR computer screens. And there's been no evidence to the
18 contrary. The notice in support to be, in fact, they weren't
19 proceeding in lock staff or they weren't giving the same
20 answers. So it's undisputed that the statements she made in
21 her email to Dr. Kasman are absolutely true.

22 And with regard to Dr. Kasman's email, to her letter to
23 Joseph Ivy, the Honor Council, she makes a very quick first
24 sentence that she's reporting a possible case of academic
25 dishonesty. She's very clearly not stating there's any

1 cheating. The only use of the word cheating in that email is
2 followed by the cheating is suspect -- that suspect --
3 cheating was first suspected during the LXR monitoring. And,
4 you know, again, use the word suspected makes it clear that
5 she's not making any statement that in this email that
6 they're actually cheating.

7 With regard to the other statements that they've
8 complaint about in this email, first is that she uses the
9 term signaling and the evidence is clear that the note of the
10 proctor made very clear that she'd observed communicative
11 actions with nodding the head and, you know, other movements
12 that she interpreted as being communicative. The proctor
13 notes also indicated with regards to the other complaint,
14 which is the passing notes. The notes made clear, the
15 proctor's notes made clear that she observed writing on
16 paper, pushing toward the other, reading of the notes, and
17 then pushing back and raising and flipping over.

18 While, you know, thinks a hyper-technical interpretation
19 of Dr. Kasman's email said that she didn't, you know, that
20 what was within that she's not alleging the same thing that
21 are in the proctor's notes. Essentially, she's taking the,
22 you know, saying the exact same thing that Michelle
23 Friesinger said, and she's just using slightly different
24 words, but it's making this the same point. And you know, in
25 any event, you know, she is not, as all the other witnesses

1 have testified, Dr. Hazen Martin, Dr. Kasman, Michelle
2 Friesinger, none of them were required or had the
3 responsibility of making a determination of guilt or
4 innocence. They were just raising the issue. And I think
5 she makes it abundantly clear in that, that, you know, that's
6 all she's doing is the beginning of the process. And
7 everything she says in there is supported by the evidence
8 that she had, including the proctor's notes.

9 The plaintiffs have made reference to a negligence
10 claim, and first, we would move on the productive on the
11 grounds that the complaint does not assert a true negligence
12 claim. Negligence is used in a couple of paragraphs, but
13 it's clear that the thrust of this case is defamation and
14 there's no negligent defamation cause of action that would be
15 subsumed within defamation claim.

16 Furthermore, with regard to if there is a negligence
17 claim, there's no evidence support in the existence of a duty
18 of care to the plaintiffs some of these circumstances. There
19 is no legal basis for imputing a duty of care to a university
20 to -- and essentially in what they've -- in their complaint,
21 the only allegation that contains negligence is a reference
22 to not telling Caveat about the fact that the plaintiffs are
23 twins. And there's no legal duties under the facts of this
24 case. There's no evidence to the Court, to the imposition of
25 a duty to report that to caveat, a duty flown to the

1 plaintiffs.

2 Moreover, to the extent that there is a duty, there's no
3 evidence of causation. At this point, there is no evidence
4 that had Caveat been told that these girls were twins, it
5 would've materially changed their conclusions in any way.
6 You know, Dr. Segal has testified that got some, you know,
7 she's testified in general terms about the impact of
8 similarities, but there's nothing at this point in the record
9 that would suggest that had Caveat been told this
10 information, their response or their conclusion would've been
11 any different than it was, and certainly not that it would've
12 been so different that it would've changed the outcome of
13 anything that occurred in the Honor Council.

14 There's also a causation issue because there was a --
15 after the Honor Council proceeding, the appeal was
16 successful. And so essentially the, you know, the process
17 worked the way it was supposed to. Yeah, and additionally we
18 have the issue that the Caveat report postdated the alleged
19 defamatory statements by Dr. Hazen Martin and Dr. Kasman.

20 Finally, we would point out that if there is a
21 negligence claim under South Carolina Code Section 1578, 6025
22 that's on the Tort Claims Act, because this involve students
23 that gross negligence is a standard rather than negligence.
24 And as Your Honor is sure aware, the standard of gross
25 negligence requires not even the -- even slight care be

1 given. And I think the testimony in this case has shown
2 that, and I think without any dispute, that A, there were
3 policies that protected the confidentiality, the plaintiff's
4 information, that the -- they -- the university followed all
5 its policies and that there was at least some slight care
6 given if in the event that a duty of care did exist at the
7 plaintiff's.

8 And finally, the -- we would argue that because
9 there's no allegation of a bodily -- of a direct bodily
10 injury in this case this is not a perfect risk for
11 negligence. As Your Honor knows, the only circumstance in
12 which the courts of South Carolina recognize a claim for
13 negligent infliction of emotional distress is in the
14 bystander context. Generally a negligence claim requires
15 there be some physical injury directly caused by the
16 negligence.

17 In this case, any injury, any direct injury is
18 emotional, and to the extent that there's any physical
19 manifestation, it flows from the emotional injury. It's not,
20 you know, typically it's the other way around where you have
21 a car accident and you're physically injured and there's
22 emotional damages follow up. Here, the only injuries are
23 emotional. And therefore we're under these circumstances,
24 South Carolina, will not recognize (inaudible) negligence
25 cause of action. So, okay. I'm very sorry for reading that

1 so quickly, but I know we're in a -- we're trying to get
2 these jurors out for the holiday, so thank you. Thank you,
3 Your Honor.

4 THE COURT: Do you think that -- assuming there was case
5 law that says whether a qualified privilege exists is a legal
6 question and then whether there's an abuse of the qualified
7 privilege is a factual determination for the jury, is that?

8 MR. FLETCHER: Well, the -- yeah, the Harris BT Tex case
9 actually says that although abuse of a conditional privilege
10 is generally an issue for the jury to decide, in the absence
11 of controversy as to the facts is for the Court to determine
12 in this case --

13 THE COURT: Okay. And I agree with you there, but what
14 I'm saying is the existence of a qualified privilege, just
15 that issue is a legal determination that I make.

16 MR. FLETCHER: That's correct.

17 THE COURT: Is my understanding.

18 MR. FLETCHER: Okay.

19 THE COURT: Am I -- you think that I'm bound by -- first
20 of all, Judge Goodstein heard motions, denied a motion for
21 summary judgment and was part and parcel of her order. And I
22 read it at one point, but that seems like a long time ago.
23 Was that an absolute immunity did not apply in this case.
24 So, first of all is -- was that part of her holding? And
25 secondly, am I bound by that?

1 MR. FLETCHER: No. Part of Judge Goodstein's holding
2 was that the quasi-judicial issue in that case -- in that
3 motion was a little bit. In that case plaintiffs were
4 actually had filed a motion for summary judgment arguing that
5 the reversal of the Honor Council decision by Dr. Dubois
6 acted essentially as either race you to -- or collateral stop
7 in this case. So they were trying to prevent us from
8 asserting evidence of truth. And Judge Goodstein found for
9 purposes of preclusion a quasi-judicial hearing such as this
10 or such as the Honor Council is not enough to trigger that
11 preclusive effect over a circuit court.

12 However, I think she make, I think, was in a footnote
13 that she make clear that she would not make any ruling on
14 whether this was a -- whether absolute privilege could apply
15 in the context of a quasi-judicial proceeding. And when I
16 said -- when we cited numerous cases in which quasi-judicial
17 proceedings have been given the protection of an absolute
18 privilege.

19 MR. COOKE: And to answer the second part of your
20 question, no, it's not. So, even if she did hold that, it
21 was not finding, I can't give you the name of the case, but
22 I'll easily find with her cited recently that an order
23 denying summary judgment determines nothing. That's binding
24 on the trial court.

25 THE COURT: That's --

1 MR. FLETCHER: Sorry.

2 THE COURT: Okay. So let me tell you kind of the issues
3 that I'm struggling with, and I don't want to go too far into
4 it now because I do want us to move on with the testimony,
5 but, so you all can be thinking about this so we can address
6 it again at the end. So there's two issues with the
7 defamation. You've got the statements made by Dr. Hazen
8 Martin, Dr. Kasman and then you've got a possible disclosure
9 by an Honor Council member.

10 So I'm struggling with how the statements that these two
11 professors made to initiate an Honor Council proceeding can
12 be anything other than subject to a qualified privilege. And
13 I understand you have issues with the wording of that, but it
14 seems to me that's the exact reason we have a qualified
15 privilege because they have a legitimate need to protect the
16 integrity of not just the current students, of the Medical
17 student -- Medical University, but former students. Every
18 doctor who has graduated from the medical school, the
19 integrity of that program is of the utmost importance. And
20 so they shouldn't have to worry that something they say in
21 good faith to start a proceeding is now going to end up
22 exactly where we're now in a slander case.

23 So the second category would be disclosures by somebody
24 on the Honor Council. So I know we don't have direct
25 evidence of this, but my feeling at this point is that we can

1 prove murder by circumstantial evidence. I mean, a crime can
2 be proved by circumstantial evidence that requires proof
3 beyond a reasonable doubt. Then I do think that there should
4 be a case made that you could prove defamation by
5 circumstantial evidence. And again, if you can prove murder
6 by circumstantial evidence, you ought to be able to try to
7 prove defamation by circumstantial evidence. That's kind of
8 my feeling at this point.

9 So I'm going to need to hear from you all on the effect
10 of, if it is an Honor Council student who makes that
11 disclosure, who decides whether they were acting in the
12 course and scope, is that a legal determination? Is that a
13 factual determination? I feel like it's a legal
14 determination, but I'd rather that it's a factual
15 determination for the jury to decide. I do want to hear from
16 you all on that issue, but in particular, and on the
17 negligence cause of action, because it -- again, what you
18 have described in the negligence cause of action seems to be
19 a problem with the process of the Honor Council proceeding,
20 which seems to be protected to me under the immunity
21 provisions of the Tort Claims Act.

22 And the fact that had they disclosed it, and let's say
23 for sake of argument, had they disclosed that these were
24 identical twins but that -- let's say it did affect the
25 outcome, I mean, your -- one of your damages because it was

1 CONTINUATION OF PROCEEDINGS - NOVEMBER 18, 2022

2 COURT REPORTER: Charleston County, November 18, 2022.

3 Plaintiff's, defendant's. Judge's.

4 THE COURT: Okay. Let's start with directed verdict
5 motions, and also I have just emailed you each a draft of the
6 jury charges. But would it be helpful if we print that copy
7 -- a hard copy?

8 MR. COOKE: We've already done that.

9 THE COURT: Okay, great.

10 MR. PARKER: Your Honor, if I could get a hard copy, I'd
11 appreciate it.

12 THE COURT: Sure. Let me -- she's going to email you
13 the slightly updated version of what (crosstalk).

14 MR. FLETCHER: Is that the jury charge?

15 MR. COOKE: Oh, the jury charge, I'm sorry. I thought I
16 -- if we could get a hard copy of that as well.

17 MR. FLETCHER: Yeah, I thought your verdict form.

18 THE COURT: If you don't mind doing two.

19 MR. FLETCHER: Thank you.

20 THE COURT: Okay. We spoke kind of in a hurried fashion
21 at the end of the day yesterday about the defendant's motions
22 for a directed verdict, and kind of told you all some of the
23 issues that I was having. So I'm glad to hear from whoever
24 wants to go first.

25 MR. FLETCHER: Good morning, Your Honor. On behalf of

1 MUSC at this point, we would renew our motions for directed
2 verdict. And we have some additional issues that have not
3 come up in light of the -- our case in chief.

4 All -- the jury's been here working hard all week.
5 Unfortunately, at this point, both the law and the fact
6 dictate that the Court entered directed verdict for several
7 reasons. And we intend to raise and preserve any of the
8 issues that I've raised in my prior directed verdict motion.

9 First I'm going to address an issue that I think Your
10 Honor mentioned yesterday at the very end, something that you
11 had a concern about. And that's whether as the leaking of
12 information could be decided as a matter of law or as an
13 issue of fact for the jury. So may I approach?

14 THE COURT: Yes.

15 MR. FLETCHER: (Inaudible) unfortunate case from the
16 Court of Appeals know the Jasper -- Beaufort-Jasper Academy
17 for Career Excellence. Unfortunately, I'm not in a case that
18 directly says it's a matter of -- it's an issue of law at the
19 time, or a matter of fact all the time. This case is
20 essentially directly on point with the facts of our case. In
21 this case in which the trial court granted summary judgment
22 and was affirmed on appeal. So I run through it because the
23 facts are very similar.

24 In this case, the plaintiff complained, filed defamation
25 action concerning anonymous letters he alleged contained

1 false information about him. Letters were sent to his wife
2 and alleged he had an extramarital affair with the coworker.
3 The plaintiff testified that he had no idea who sent the
4 letter, but it had to have come from somebody who had access
5 to his personnel file.

6 So much like the -- our case is kind of based on a
7 presumption that the only person that could have produced
8 this information, someone acting on behalf of the academy.
9 So the Academy moved for summary judgment and the trial court
10 granted finding that the -- as a matter of law, would be
11 communication made outside the scope of -- course and scope
12 of employment.

13 The court said, "The course of someone's employment
14 requires some act in furtherance of the employer's business.
15 And that falls within the scope of the employee's employment
16 if it was reasonably necessary to accomplish the purpose of
17 the employee's employment. And it was done in furtherance of
18 the employee's -- the employer's business.

19 Conversely, if the employee asked for some independent
20 purpose of his own wholly disconnected with the furtherance
21 of his employer's business, his conduct falls outside the
22 scope of employment." And the courts there said that, as a
23 matter of law there was not a scintilla of evidence to
24 support that the communication made in the course and scope
25 of employment.

1 This Court said, "There is little doubt that the
2 publication of the defamatory letters was personally not
3 professionally motivated and wholly disconnected from the
4 academy's business." And if you can kind of change that
5 sentence to reflect our case. Here there is little doubt
6 that the leak was personally and not professionally motivated
7 and wholly disconnected from MUSC's business.

8 The undisputed evidence is that if the leak came from
9 someone on the Honor Council, it was not in furtherance of
10 any business of MUSC. It was because of personal animosity
11 or personal belief that the plaintiffs had used political or
12 other influence to obtain a reversal of the Honor Code
13 violation.

14 And it's important to note that in this case one of the
15 arguments that the plaintiff made was that, the trial court
16 had erred in refusing to grant them the opportunity to do
17 further discovery. And the Court of Appeals addressed that
18 saying, "Even granting appellant the benefit of every
19 reasonable inference that the assertions and letters are
20 untrue, that the letters came from an employee who had access
21 to the academy's personnel files, and using them to gather
22 information to create and publish the letters. Publishing
23 the letters would still not fall within the scope of the
24 employee's official duties." In this case, there's
25 absolutely no set of facts under which the jury could

1 possibly conclude that the leak of information from the Honor
2 Council is within the course and scope of the employment of
3 any MUSC employee or even any member of the Honor Council.

4 You know, as we presented evidence over and over again,
5 the Honor Code itself has numerous provisions that require
6 confidentiality. FERPA requires confidentiality. Every MUSC
7 employee has testified in detail about the steps they take to
8 protect student confidentiality, particularly in the context
9 of an Honor Council proceeding.

10 And the evidence, again, with all the Facebook postings,
11 it had nothing to do with MUSC's business. The testimony was
12 that it was an MUSC website, it was a student -- private
13 student website, and the tenor and tone of those posts all
14 suggested it was students who were angry about what they
15 perceived had happened with the plaintiffs. The -- any elite
16 that came out, came out for that reason not for any other
17 reason. And certainly not in the furtherance of MUSC's
18 business.

19 As we point out again through undisputed evidence, at
20 the time any of these leaks allegedly occurred, any
21 communications occurred, any postings occurred, the Honor
22 Council's business had been closed. The hearing had been
23 conducted, the appeal had been completed, and the -- and
24 there had been a reversal. So there's absolutely no possible
25 set of facts or possible evidence that the jury could rely

1 upon to conclude this was -- any leak would've been within
2 the scope and course of the employment of any employee of
3 MUSC.

4 And the case I've hand you is -- is particularly
5 important or particularly relevant because it's not only
6 decides that under the Tort Claims Act, but also under common
7 law. And essentially the Tort claims that we've cited
8 numerous times requires scope of official duties. But the
9 Court here actually concludes that this is outside the scope
10 of employment, which is even broader than the scope of -- of
11 official duties.

12 And so, you know, in this -- and with regard to any
13 allegation or any argument that any leak of information
14 supports a defamation claim it's just simply no juror for the
15 -- no evidence for the jury to rely upon to determine that
16 any of those disclosures was within this course and scope of
17 employment. And we've got some other -- I don't know if you
18 want to run through everything.

19 THE COURT: Sure.

20 MR. FLETCHER: Okay. And that would relate primarily.
21 I know, Your Honor, talked about conditional privilege, and
22 so I know that those disclosures relate in part to claims
23 that there made statements outside of conditional privilege.

24 Before we get done, I'll talk about absolute privilege.
25 And we've argued this several times in this case, but I think

1 it's important that we raise and focus upon it again. You
2 know, the cases that have been cited at this point, you know,
3 we've cited the Crow case, which is a case where the court,
4 although it didn't necessarily decide whether or not it's
5 supplied in the first place. It applied absolutely privilege
6 to a VFW hearing, a court martial hearing. It's
7 non-governmental, non-court related.

8 We've also cited to -- in the Crow case actually cited
9 to -- it was then District Judge Russell's opinion in Corbin
10 versus Washington Fire and Marine Insurance Company 278F Supp
11 393. And in that, read a scholarly opinion, Judge Russell
12 sets forth a history of cases in South Carolina that
13 interpret and apply absolute privilege. And I'm going to
14 read you a portion of that because I -- it's extremely
15 important and establishes why absolute privilege should apply
16 here.

17 Judge Russell wrote, "Privilege and liable or slander is
18 founded on sound considerations of public policy.
19 (Inaudible) has been some tendency in the decisions to narrow
20 the absolute privilege, restricting it generally to
21 legislative and judicial proceedings and acts of state. The
22 courts of South Carolina have recognized occasions other than
23 those comprising strictly legislative or judicial
24 proceedings. Where under considerations of public policy,
25 absolute privilege has been upheld."

1 He gave the example of Judge White in the Johnson versus
2 Independent Life case. Where he collected, again, a series
3 of past cases, and he determined that absent privilege to
4 apply to communications with the insurance commission,
5 including not -- not a court proceeding. And in fact, in the
6 Corbin case, Judge Russell applied absent privilege to a
7 private arbitration.

8 And this case you particularly given the important
9 nature of academic integrity proceedings in the medical
10 school context. There are very strong public policy
11 considerations that support applying an absolute privilege
12 here. You know, in a lot of ways this proceeding was very
13 quasi-judicial nature, and I will definitely I'll talk about
14 this in a second. But there's some question as to what
15 quasi-judicial means.

16 But there are, you know, there are procedural
17 protections. There is a determination of fact, there's right
18 to cross examine witnesses, there's a right to an appeal.
19 All these things suggest that, you know, the same public
20 policy considerations that apply in a VFW Court Martial or a
21 private arbitration certainly should apply in a medical
22 school academic integrity proceeding.

23 And yesterday, Your Honor, mentioned some concern about
24 Judge Christine's order. Now that may impact -- it may
25 impact this. I'm going to cite you a case that (inaudible)

1 are very familiar with. This is SkyWaves 1 Corporation
2 versus Branch -- Branch Banking & Trust 814 Southeast 2nd,
3 643, where the Court of Appeal said, "A denial of a motion
4 for summary judgment decides nothing about the merits of the
5 case, but simply decides the case should proceed to trial.
6 The denial of summary judgment does not establish the law of
7 the case. And the issues raised in the motion may be raised
8 again later in the proceedings by a motion to reconsider the
9 summary judgment motion or by a motion for directed verdict.
10 It's unnecessary to make findings of fact and conclusions of
11 law and denying summary judgment motions."

12 So it's very clear that irrespective of what Judge
13 Christine said in her order, all that order did was determine
14 there's enough evidence that the case should go to trial.
15 And there -- there's enough law case should go to trial and
16 should, you know, be considered by either directed verdict or
17 by the jury.

18 THE COURT: Let me ask you, so if there's absolute
19 privilege, then certainly anything within the confines of the
20 Honor Council proceeding would be absolutely privileged from
21 being actionable under definition.

22 MR. FLETCHER: Correct.

23 THE COURT: But it still wouldn't apply to statements
24 made outside of the Honor Council?

25 MR. FLETCHER: It would not apply to the -- potentially

1 to the leaks. But the two claims defamatory statements are -
2 - remember the Dr. Hazen-Martin, Dr. Kasman's emails and
3 letters. And the trial case makes very clear that absolute
4 privilege applies to the preliminary correspondence or
5 communications that give rise to the quasi-judicial
6 proceedings.

7 So if you know something that -- essentially these are
8 like the, you know, precaution to like a complaint and a
9 civil lawsuit, and those would be encompassed by the absolute
10 privilege. So to the extent that, you know, and we'll talk a
11 bit about the -- whether the alleged leaks have anything to
12 do with the defamation claim in a minute. But with regard to
13 their actual pled defamation claim, the absolute privilege
14 would essentially require directed verdict (inaudible) claim
15 that entirely.

16 THE COURT: I understand.

17 MR. FLETCHER: So additionally, if the court determines
18 that a absolute privilege doesn't apply, we would then argue
19 the qualify a privilege applies. I think Your Honor is made
20 pretty clear that, if there's ever a case where at least a
21 qualified or privilege applies, this is it. Again, there is
22 a very heavy public concern about maintaining an academic
23 integrity in medical schools. And professors and faculty in
24 medical schools should have the freedom to report potential
25 cases of academic dishonesty without fear of reprisal,

1 without, you know, we don't want to have a chilling effect on
2 the ability to enforce the Honor Code.

3 Because as I pointed in the opening, you know, whoever
4 graduates from MUSC is essentially, you know, we presume that
5 they're confident and ready to be doctors. And so in order
6 to accomplish that, MUSC needs to have the ability to --
7 without concern and without fear, be able to report potential
8 cases of academic dishonest.

9 So the issue I would presume from the plaintiff's side
10 will be that there was some abuse of the privilege. You
11 know, in the -- it has to be Lori Case, it's 817 Southeast,
12 2nd, 295, the Court of Appeals said that the privilege is
13 abused and loss leaving the speaker unprotected when after
14 the following situations occur. The statement is made in
15 good faith because beyond the scope, what is reasonable under
16 the duties and interests involved, or the statements made in
17 reckless disregard of the victim's rights.

18 And the it's AB Africa versus Austin Tobacco case, the
19 court said -- and that's 341 Southeastern 2nd, 622.
20 "Qualified privilege exists only when the publication has
21 occurred in a proper manner and the proper priorities only."
22 The undisputed evidence here is that Dr. Hazen-Martin and
23 Kasman sent their correspondence only to the people who
24 needed to receive them. Dr. Hazen-Martin sent her email to
25 Dr. Kasman because she was a second year corrective

1 curriculum director. She essentially was responsible for
2 ensuring the integrity -- academic integrity in the second
3 year course of studies.

4 Dr. Kasman sent her correspondence first to student
5 affairs, which is appropriate because student affairs is kind
6 of involved in all these proceedings, and they're essentially
7 there to protect the interests of the student. So to make
8 sure that she did things the right way, she went through
9 there first, but then sent the letter only to justified being
10 the President of the Honor Council.

11 There's no evidence that either Dr. Hazen-Martin or Dr.
12 Kasman ever sent their correspondence to anyone outside of
13 those two -- those recipients. No evidence that they sent it
14 to the media, no evidence sent to anybody, any other
15 students, or even other faculty who didn't have involvement
16 in these issues.

17 And they both testified that the purpose of making these
18 disclosures was not to say that the plaintiffs were cheating.
19 Not to say that actually engaged in any violations of the
20 Honor Code, but to begin the process and beginning the
21 investigation. And the ultimate determination of whether to
22 investigate was made by Joseph Ivy. And that was to be made
23 based upon the evidence provided. There was no evidence that
24 Mr. Ivy elected to go forward with an investigation because
25 of anything specifically that Dr. Kasman or Dr. Hazen-Martin

1 said in correspondence.

2 To the contrary, the only evidence is that any decision
3 made to go forward is based upon the LXR statements, the
4 proctor sheets and the scratch paper. And even that -- even
5 at that point, Joseph Ivy's determination wasn't even a
6 decision that there was cheating, it was a decision to go
7 forward. So there's no testimony, no evidence that any of
8 those two specific communications went anywhere beyond those
9 who needs to know.

10 And with regard to the substance of those
11 communications, there's no evidence that they were excessive
12 in any way that they contained reckless information. They
13 contained, you know, and you know, it's funny, they --
14 they're with regard to Dr. Kasman's email and letter, they
15 talk about the choices of specific words. But you heard her
16 testify yesterday that she did not even have the notes in
17 front of her at the time she wrote the letter.

18 So she used a recollection of the information she
19 provided and made disclosure to the appropriate person to
20 begin the process. And this point did no evidence that those
21 -- again, when I'm talking about republication in a moment,
22 there's no evidence that any of the leaks were actually of
23 those two correspondence, those two alleged defamatory
24 statements. If there was a leak, it was a leak of A, there
25 was an Honor Council proceeding. B, the Honor Council found

1 that the plaintiffs were found guilty of cheating or academic
2 dishonesty and C, that Dr. DuBois reversed that decision.
3 That all post stated the correspondence from Dr. Kasman and
4 Dr. Hazen-Martin.

5 So any republication of their statements could not have
6 led to the rumors. It had nothing to do with that. If there
7 was a leak of information, it was a leak of information about
8 the process itself, not of a defamatory statement. I think
9 that's extremely important because we've been kind of
10 throwing -- we're kind of mixing together these ideas of,
11 well, here's the alleged defamatory statements and here's a
12 bunch of Facebook posts to talk about the proceeding that
13 came from those statements.

14 But there's no evidence at all that any of the Facebook
15 posts or anything else has anything to do with those specific
16 correspondence. For example, none of them say that the
17 plaintiffs were, "signaling" or "passing notes." No evidence
18 that any reporter or anyone else ever had these
19 correspondence. So to the extent that information was leaked
20 has nothing to do with the defamation plans because there's
21 no leak of the actual defamatory statements, the alleged
22 defamatory statements.

23 In addition, as we discussed previously, if there was
24 any act and abuse of the privilege that would be outside the
25 scope and course of the employment of any MUSC employee.

1 Again, the Honor Code, FERPA, MUSC's policy in this culture,
2 all support maintaining the confidentiality of student
3 records and enforcing its Honor Code. And any action that
4 would've -- that would be in violation or in abuse of the
5 qualified privilege would be outside the scope. It wouldn't
6 be in furtherance of MUSC's business.

7 You know, how in the world would disclosing private
8 information about students further MUSC's purpose? I mean,
9 clearly if we saw from the evidence, it created turmoil with
10 MUSC. If anything, it was extremely detrimental to MUSC and
11 there's no way it could have been fragrance to MUSC's
12 business.

13 So talk a bit about the republication issue. As I said,
14 any alleged republication, nothing to do with the actual
15 defamatory statements that are pled in the complaint. The
16 alleged, "republications" were facts about the Honor Council
17 receiving, which even if Dr. Hazen-Martin and Dr. Kasman had
18 chosen different words in their correspondence, the facts
19 that were leaked would still be the same. Whether Dr. Kasman
20 said cheating or signaling or passing notes or pushing paper
21 up wouldn't have changed anything.

22 The facts would still be the same. That there was an
23 Honor Council proceeding, that there was an initially a
24 conviction and it was reversed, and that's what got in the
25 media. And then, the fourth thing that got -- that was in

1 the posting was that, the plaintiffs had allegedly or
2 perceived to have used their influence to get the reversal.
3 None of that has anything to do with the actual defendant --
4 the alleged defamatory statements.

5 And it is important to note that there's been no
6 allegation of a or no cause of action asserted for, you know,
7 invasion of privacy, you know, false light, any of the --
8 those torts that would support a claim against MUSC regarding
9 just a leak of information that hasn't been -- never been
10 asserted in this case. There's always been a defamation
11 case. And so, you know, any information about a general leak
12 of information about general, you know, alleged statements
13 about, you know, disclosure of what happened in the Honor
14 Council proceeding that's not part of defamation.

15 You know, if they have, if they had meant to assert a
16 breach of either a breach of confidentiality or a invasion of
17 privacy claim is what they should have done, and they didn't
18 do it here. Initially, you know, we agree, you know,
19 reassert that to the extent that there is any claim of
20 republications entirely speculation that, you know, to this
21 point, aside from a couple very speculative pieces of
22 evidence, they claim support a finding of republication,
23 there is absolutely nothing to show who from MUSC disclosed
24 anything, what they disclosed and to whom they disclosed it
25 and when.

1 Your Honor, I believe yesterday was talking about the
2 use of circumstantial evidence to prove a defamatory
3 statement. And I agree that in some cases you can prove a
4 defamatory statement potentially by circumstantial evidence,
5 but you can't prove the making of the statement by
6 circumstantial evidence. In other words, you have to have
7 actual evidence of an actual statement.

8 You can prove malice by circumstantial evidence. You
9 can prove even defamatory meaning by circumstantial evidence.
10 You know, that -- when, you know, an example here that when
11 the article says, twins with connections, you can use that
12 circumstantial evidence to prove that it relates to the
13 plaintiff's. But my research has uncovered zero cases where
14 a court literally did not have direct evidence of a
15 statement.

16 In every defamation case in South Carolina history
17 that's published, there was -- you knew who said it or at
18 least knew something (inaudible) said, even the case that I
19 handed up to you, the Doe versus Beaufort-Jasper case, there
20 was a letter. There's speculation about who wrote the
21 letter, but it was definitely a letter. And the only
22 speculation was about where it came from.

23 In this case, there's no such evidence, there's no, you
24 know, no one's come in and said that somebody from the Honor
25 Council said specifically this and this, you know, hand of

1 the document up said, "I got this, this is posted somewhere
2 from someone on the Honor Council we think." We have no
3 idea. You know, this is sheer speculation in this case.
4 There is not a shred of evidence. You've heard no students
5 come in and say that, someone from Honor Council told me
6 this. You had nobody come in.

7 And I understand you have that there are going to spend,
8 well, typically people don't admit to defamation. No. The
9 whole point of defamation is that, you're admitting
10 something, you're saying something publicly, and the word is
11 publication. So you're making a statement. There's no
12 evidence in this case of any republication of anything to the
13 extent there's any evidence. This is of some rumor and Your
14 Honor has found the Lancaster School District case, you know,
15 it's not enough to tie that to anyone at MUSC.

16 And again, even if it does, it's outside the course and
17 scope of their employment. You know, circumstantial evidence
18 would be, for example, the evidence that (inaudible) put up
19 yesterday of we're (inaudible) article. You know, there's
20 circumstantial evidence that Mr. Bingham communicate with the
21 author. So you could say there's circumstantial evidence
22 that he was somehow related to that article, that you've got
23 either phone information or testimony that I texted that
24 person or talked to that person.

25 Here, there's absolutely nothing. There's not a shred

1 of evidence that anyone from MUSC did anything. And
2 additionally, with regard to republication, we've mentioned
3 in our -- we filed a trial brief on republication issue. The
4 restatement requires for republication to be used to support
5 damages, even it's got to be reasonably expected from the
6 standpoint of the speaker.

7 So even if we assume that there's a republication of
8 this (inaudible) statements edition, rather than just general
9 information. Plaintiff will have to present evidence that
10 Dr. Hazen-Martin and Dr. Kasman had a reason to expect that
11 their communication will be passed on to someone else and
12 it'll will be republished. Absolutely no evidence that in
13 this case. In fact, the only evidence is that nobody
14 expected these statements to be pushed on because MUSC has
15 very stringent confidentiality requirements. They're bound by
16 FERPA; they're trained in FERPA.

17 So that to suggest that Dr. Hazen-Martin or Dr. Kasman
18 had any expectation that their correspondence be passed on to
19 anybody outside of the Honor Council, is just, again, sheer
20 speculation about any evidentiary support. In addition, we
21 argue that we're trying to directly work on the basis of
22 truth. We understand that we carry the burden of proof on
23 that, and it's typically difficult, but in this case, the
24 statements are all clearly facially true. Dr. Hazen-Martin
25 testified that what she said in her email about what she

1 observed during the LXR printouts was true. No one's
2 presented any evidence to the contrary.

3 There's no evidence that they weren't moving in lock
4 stop, no evidence that they didn't have somewhere else. In
5 fact, if you looked at the LXR reports, those are nearly
6 identical tests of 200 -- out of 307 questions, 296 are the
7 same answer. So clearly what Dr. Hazen-Martin said in her
8 email was true. And there's no evidence to the contrary. Dr.
9 Kasman, in her email accurately reported what she saw in
10 Michelle Fresinger's proctor notes. She didn't say that they
11 were cheating, you know, that they focus on that said that
12 cheating was first suspected.

13 It's clear that any reasonable reading of that letter
14 does not -- cannot possibly conclude that she's saying these
15 two were cheating with each other. She begins by saying,
16 "It's my unfortunate responsibility to report a possible case
17 of academic dishonesty." Then they focus on the use of word
18 signaling and passing notes. Again, there's a -- I don't
19 know if you watch this TV show, King of the Hill, but there's
20 an episode where he said, " (inaudible) playing lawyer Ball
21 Bobby." Where, you know, this is a hyper-technical reading
22 of those terms.

23 You know, signaling clearly encompasses communicating by
24 shaking heads or nodding heads, or any other physical
25 movement. Passing notes would clearly, you know, if I do

1 this, I'm clearly passing a note to Diana. I don't
2 necessarily have to relinquish custody of it to her in her
3 hands. And so we would contend that there is absolutely no
4 evidence to refute our evidence that the statements were all
5 true and we're entitled to direct verdict as a matter of law
6 and the defense of truth.

7 Finally, as to defamation we would note that the
8 defamatory statements are only published to agents of MUSC.
9 And I know that I understand the state of the law, but I do
10 want to preserve this issue for consideration that a
11 publication in this case is only to -- not only MUSC
12 employees, but those who are sworn to secrecy should not be
13 considered a publication.

14 So moving on to the negligence arguments. I note that
15 the only non-defamation allegation in the complaint is
16 paragraph 8. The court says that, "The defendant and its
17 employees sent the written examination to a testing facility
18 to determine the probability that 200 unrelated students
19 would answer the questions on the examination as the twins
20 answer the questions on the examination.

21 But -- and this is the important part, negligently and
22 grossly failed -- negligently and grossly negligently failed
23 to inform the testing entity that the students were identical
24 twins to a study together. So essentially, the only real
25 negligence allegation in the complaint, and there's no

1 separate cause of action for it, is that MUSC failed to tell
2 Caveon that the students were twins." So this really goes to
3 the process again.

4 And as Your Honor pointed out I think yesterday this
5 would subject this to the exceptions of the waiver of
6 immunity in 1578, 61, 25. None of those provisions, MUSC is
7 not liable for loss resulting from legislative, judicial or
8 quasi-judicial action or an action. Administrative action or
9 an action of a legislative, judicial, or quasi-judicial
10 nature.

11 And then, finally they're not responsible or cannot be
12 liable for the exercise of discretion or judgment by the
13 governmental employee or employee in the performance or the
14 performance or failure to perform of any accurate service,
15 which is in the discretion or judgment of the governmental
16 employer or employer. So again, clearly under Court Claims
17 Act, making the decision not to send this information to
18 Caveon as part of the process is within the exceptions of the
19 waiver immunity of those three provisions.

20 Additionally, there's a very serious causation. I think
21 more fundamentally it was a big causation issue. The
22 evidence from Dr. -- from Mr. Maine's testimony is absolutely
23 undisputed. Even if MUSC had given them the information
24 about the twins, they didn't want it. They wouldn't have
25 done anything with it. They didn't need it.

1 And in fact, you know, there's no evidence to suggest
2 that if, when MUSC gave the information to Caveon it said,
3 well, and by the way, two of these students were twins and
4 it's these two, the Caveon would've done anything differently
5 and there's no evidence, even through their own expert
6 testimony, no evidence showing that this specific information
7 would have statistically and mathematically made a
8 difference.

9 It would've substantially impacted whether or not the
10 Caveon report showed because the -- it's important to note
11 that the degree of certainty in that report is so
12 astronomical that even for a someone who deals in statistics,
13 the number's almost too big to even imagine. And so, even if
14 you assume for a second that they should have considered it,
15 there's no evidence that it would've affected that report to
16 such an extent that it would've changed anything that
17 happened here.

18 Moreover, even if Caveon was wrong it didn't affect
19 anything. There was a -- the process worked the way it
20 should have worked. There was a hearing, evidence was
21 presented, Caveon was one item of evidence. Keeps saying
22 there's only thing you can rely on. But Ms. Freisinger
23 testified, Debrah Hazen-Martin testified, there's numerous
24 documentary pieces of evidence that provided to the Honor
25 Council.

1 So the Honor Council made a decision and no suggestion
2 that the decision wasn't made in good and faith, but
3 ultimately, Dr. DuBois reversed the decision. They got what
4 they wanted. You know, because there's nothing would suggest
5 that had the Caveon report been any different, that the
6 charges wouldn't have been brought in the first place. In
7 fact, the Caveon report, I believe, was sought after the
8 decision was made to begin investigating us.

9 So in order to establish any damages for negligence,
10 there has to be some evidence approximate cause, and there's
11 absolutely none. I know that -- and again, I know normally
12 approximate cause is an issue for the jury, I understand
13 that. But here there is simply zero evidence. And the fact
14 the evidence is absolutely contrary, that no matter what they
15 disclosed to Caveon, nothing would've changed. Because
16 again, even if Caveon was wrong and shouldn't have considered
17 it, Caveon didn't think so.

18 And so Caveon wasn't, you know, Caveon would've said,
19 okay, thank you, and slapped it off and done their work.
20 There's simply evidence to support any causation on the
21 negligence way. Additionally, as I mentioned yesterday under
22 1578, 60, 25, because this involves students, the standards
23 not actually negligence would be gross negligence. And
24 again, that's the failure to exercise even slight care. Now,
25 we've got two experts who've testified in this case, one of

1 whom is a -- an expert in statistical analysis of
2 examinations.

3 The guy who does this for a living who's examined 50
4 million test -- plus test records. And he didn't think that
5 this was information he needed to have. How in the world is
6 it gross negligence from MUSC not to provide the expert with
7 information the expert himself didn't think he needed? So in
8 additionally, we would point out that there's no separate
9 cause of action or no specific pleading of a negligence plan
10 in the complaint.

11 And that, to the extent, you know, really, I mean, all
12 the claims focus on defamation, there is no cause of acts for
13 negligent defamation any defamation claim be subsume within
14 the actual defamation claim itself. So if Your Honor does
15 not have any further questions ---

16 UNKNOWN MALE: No, that's good.

17 MR. FLETCHER: Okay. I think that's all we have.

18 THE COURT: Okay. Thank you.

19 MR. FLETCHER: Thank you.

20 THE COURT: Yes. And if you wouldn't mind addressing
21 the negligence claim first, and we'll go from there.

22 MR. PARKER: Sure, Your Honor. Of course, you know, I
23 don't think I have to argue or convince you that a university
24 has a duty to use a reasonable care towards the students.
25 And I don't think that they're disputing that there is such a

1 duty. I think he's saying that there's just no evidence at
2 all that they breached such a duty. And if they did, how did
3 it cause any kind of damages?

4 To start with Mr. Maynes (ph) in the Caveon report.
5 Mr. Maynes testified here in court that if he had information
6 about the fact that they're identical twins, that that would
7 in fact change the outcome of his study, of the odds that his
8 methodology created. And he did that in a very cursory
9 manner by looking at only one study.

10 THE COURT: Well, I mean, the problem that you've got
11 though, is it -- let's say he had totally changed the study.
12 I mean, the issue that I'm having is that the damages don't
13 seem to flow from any negligence. The damages that you're
14 asking the jury to award are from the leak from this getting
15 out into the community.

16 MR. PARKER: Well ---

17 THE COURT: --- and you've got the president
18 overturning the Honor Council decision. And I guess I'm
19 really struggling with like the body of law that says, courts
20 and judges should not go into the academic setting and second
21 guess how they run their institution that that's an -- that's
22 a proceeding that we need to let them handle.

23 And you've got a -- what naturally flows from there is
24 the president or the dean overturns it. So their damages are
25 not from what the Honor Council did in that meeting. You

1 know, absent the leak they go on about their business and,
2 you know, no damages.

3 MR. PARKER: I mean, I think that is a approximate cause
4 issue that's for the jury as to whether or not it's
5 foreseeable that by doing such a thing by creating this, you
6 know, big incident that occurred with the Honor Council,
7 whether or not that's something that flows from that.

8 THE COURT: But it -- the big incident wasn't what
9 happened within the confidential Honor Council proceedings.
10 And the big incident was everybody getting so mad that the
11 dean overturned the Honor Council is what I think all the
12 testimony has been.

13 MR. PARKER: Right. But I mean, I do think that's a,
14 you know, but for the fact that this would've happened, would
15 there ever have been anything to overturn. Would he have
16 seen it as being unfair if they actually had, you know, gone
17 in to the proctor and not called them out by name and
18 specifically identified them if, you know, you used some
19 reasonable care and making sure there was no confirmation
20 bias.

21 If they were to use some reasonable care and making sure
22 and saying, "Hey, Caveon, this is a very unusual circumstance
23 to which we have identical twins. Can you all do any
24 research and look into this before we go into the whole
25 process of starting this Honor Council investigation." And I

1 think the fact that they didn't do that sets up this chain of
2 events that does end up causing them some kind of damage.

3 And, you know, it doesn't have to be physical damage.
4 Our case law is very clear that any kind of physical
5 manifestation of symptoms from emotional harm is something
6 that you can recover for in negligence. And there's very
7 clear testimony in this case that they've suffered panic
8 attacks, loss of sleep, there were several other things that
9 they gave an example of that would be something you can get
10 in negligence.

11 And so I think that the causation issue as to how they
12 were damaged by this is something that's for the jury. I
13 don't think that we're at a place where a directed verdict
14 would be appropriate right now, because there are some
15 reasonable inferences that possibly could be made by the jury
16 in favor of the plaintiffs.

17 THE COURT: Okay. You can go on after this. Thank you.
18

19 MR. PARKER: Okay. You made some specific questions at
20 the end of yesterday that I'll address first because I think
21 those were the things that you most wanted to hear about.
22 One, whether or not something is in the scope of an agent's
23 official duties, is that a jury issue or is that a question
24 of law? That is very clearly a jury issue. The way that
25 they are bringing it as an affirmative defense is through

1 actually an exception to the Tort Claims Act.

2 A case that I handed up to you several days ago, and I
3 don't know how to pronounce the name, it's Steinke (ph),
4 maybe I've heard people pronounce several different names,
5 different ways. That case, basically you have to read
6 through some of the dictum at the end, but they're discussing
7 the Tort Claims exceptions that were advanced in that case,
8 and how those were jury issues, basically determine whether
9 or not there's acceptance applied.

10 Something that I raised earlier, and then I will raise
11 again, is that Tort Claims exceptions are affirmative
12 defenses that have to be raised and the pleadings are their
13 waived. This exception, which is subsection 17 of that
14 statute that's got all the exceptions in it. They didn't
15 specifically plead this in their answer. It's not in there.

16 THE COURT: I'm showing that they pled section 1, 2, 4,
17 5, 20, 23 and 25.

18 MR. PARKER: That's correct. And there's -- 17s not
19 found in that list. So to that extent, I would say that
20 there -- the argument that we have to analyze this under a
21 scope of official duties, standard has been waived and we're
22 left with looking at this from a general common law agency
23 under this (crosstalk).

24 THE COURT: But that official scope found in several
25 places within the Tort Claims Act. I mean even like the

1 definition of employee carries with it a person acting on
2 behalf and service of a governmental entity in the scope of
3 official duties. And that's in the definition of employee in
4 the definition section 15,78,30.

5 MR. PARKER: Well, Your Honor, even if we consider that
6 it, you know, again, if they're allowed to plead that and use
7 that language again, it's a jury issue. Law speaks to it and
8 says that these exceptions are, if the jury issues, if
9 there's any kind of facts supporting -- reasonably supporting
10 you know, what we're trying to make out of this. And so just
11 to address a couple things with that, I think that Mr.
12 Fletcher has said that there's no way this could have been in
13 the scope of official duties, because the Honor Council
14 proceeding was over as far as the leak is concerned.

15 But it was over, whatever they did after that had to
16 have been their own personal business. Well, we got
17 testimony in the last couple of days that the Honor Council
18 doesn't just dissolve at the end of an Honor Council hearing.
19 That several of these people on the Honor Council are there
20 for years at a time, including student's members.

21 So the notion that Kellie and Kayla's hearing and their
22 proceeding ended and suddenly the Honor Council just
23 disappeared that's not supported by the evidence. And the
24 case that Mr. Fletcher cited to in support of his argument
25 that, you know, there's no way that the leaks could have been

1 in the official scope of official duties as this Doe versus
2 Beaufort-Jasper Academy for Career Excellence case.

3 I actually got involved in this case at the very end, so
4 I'm very familiar with what the facts of this case are. The
5 defamatory statements that were made in this case were these
6 very profane letters that were sent to the plaintiff's home
7 and to his wife and to his dad that were accusing him of
8 having an affair with a teacher at the school. That is
9 factually not analogous to this case whatsoever as far as the
10 activity that occurred in this case.

11 The content of these letters that were sent in this case
12 under -- and I can make this argument now and I kind of got
13 dragged it on the tail end of this case and didn't really
14 work that much on it, but the content of his letters had
15 nothing to do with the duty of running a school. It was a
16 totally personal matter where likely someone who worked at
17 the school was making personal attacks on another teacher for
18 just because he didn't like them. That's not what we have
19 here.

20 As we've argued before, you know, if we look at the type
21 of information that was leaked, how it was leaked to the Post
22 and Courier the petitions were made to the school afterwards
23 to -- because there was this angst about the fact that Dean
24 DuBois had overturned the Honors Council decision. There's
25 several ways that the jury could interpret that information.

1 And a very reasonable interpretation of that is what I
2 discussed with you earlier, which is a whistleblower
3 scenario.

4 You know, an Honor Council member who is still within
5 the scope of their still has their authority because they're
6 still under their appointment to the Honor Council after this
7 happened, was acting what they thought to be in the interest
8 of MUSC. They saw something being done that they thought was
9 improper, and those Honor Council member are charged with
10 preserving the academic integrity of MUSC.

11 So there is a very just as reasonable interpretation
12 from how this unfolded and why that Council would've leaked
13 the information in opposed to what John has said which is
14 that, well, then they just did it for final reason. Why
15 would you ever do that? Well that's a very reasonable
16 expedition for why you do it. Because you think that the
17 dean did something wrong to the Medical University and to the
18 academic community there, and that they were trying to do the
19 right thing by calling the public's attention to this. So
20 certainly there is reasonable inference that could be made as
21 to whether this is the scope of an agent's official duty.
22 And it's a jury issue. So I think that's the first question
23 that you had for us yesterday.

24 I think you had another one, which was concerning the
25 qualified privilege. And I think you asked me yesterday, why

1 wouldn't a qualified privilege just protect what Dr. Kasman
2 was doing, you know, in sending this letter and stating the
3 things that she stated in that letter. And we're actually --
4 we're not trying to say that the qualified privilege doesn't
5 attach to, you know, these kind of communications that occur
6 with an Honor Council proceeding or even before the Honor
7 Council proceeding. But that qualified privilege can be
8 overcome in several ways.

9 One way that they repeatedly harped on is, well, you can
10 show actual malice. And I think there's a reason they keep
11 saying that, and we'll go into that later, but we don't have
12 to show actual malice to overcome the qualified privilege.
13 There's several different ways you can overcome the qualified
14 privilege. And the way that we intend to do that is by
15 showing that these statements were made in an improper
16 manner.

17 And I'd cite to Fountain versus First Reliance Bank, 730
18 SE2D305, for the proposition that the qualified privilege can
19 be abused, not only if it's made to improper persons, but
20 also if it's made in an improper manner or if it's made in
21 reckless disregard, you know, the person's rights who's being
22 discussed. Both Dr. Hazen-Martin and Ms. Freisinger
23 testified that the job duties in this chain of going from an
24 incident happening with students up to the accuser formally
25 accusing them to the Honor Council, there's a way that this

1 information is supposed to be conveyed.

2 They both testified that the information is not supposed
3 to be made in a conclusory manner. It's not the duty of the
4 accuser or anyone before them to state that the person was
5 cheating. It's merely to report the objective basic facts up
6 to the Honor Council. Both Dr. Hazen-Martin and Ms.
7 Fresinger said, "And if someone did not do that, one, that
8 would be basically breaking protocol. That's not how we're
9 supposed to do it. But two, they both acknowledged that it
10 would be in violation of the student's rights to a
11 presumption of innocence if someone were to do that.

12 THE COURT: So I guess, how was it not objective when
13 they say, we suspect this person of academic dishonesty, we
14 suspect this person of cheating. I mean, because if there
15 wasn't a suspicion of cheating, you wouldn't convene the
16 Honor Council. I mean, there's got to be a suspicion of
17 wrongdoing, before you convene the Honor Council.

18 MR. PARKER: Will you just report that there's testing
19 irregularities, which is what they repeatedly have all said.
20 It's testing irregularities. It's not cheating. We barely
21 report testing irregularities.

22 THE COURT: Now, aren't we really going behind the whole
23 qualified privilege if we start policing, they can't say
24 suspected cheating. They can only say testing irregularity.
25 I mean, don't we want these professors to be able to address

1 legitimate issues within the academic community without
2 fearing that exactly what's happening right now is happening?
3 That we are parsing every word that they've said, and they
4 said, well, the suspected cheating rather than the cheating
5 was first suspected. I mean, we're really parsing every word
6 in that letter. Isn't that exactly what the privilege is
7 designed to prevent?

8 MR. PARKER: Well, you can't, well, I -- if I get I'll
9 give you that, that's something where you can look at, I
10 think the jury should be allowed to determine that. But even
11 without that, she also says there were single concern in
12 capacity is, and that's definitely a subjective
13 interpretation of something that she took from those
14 proctor's notes that was not in there. She did not have to
15 do that.

16 THE COURT: Well, I mean, in all fairness (crosstalk).

17 MR. PARKER: And I think is why this is the jury
18 (crosstalk).

19 THE COURT: The purpose of the irregularities is not to
20 report irregularities, is not to say, well, you know, it was
21 loud outside, so we need to bring this to the Honor Council.
22 Or, you know, the student banged a pencil. And so that needs
23 to be brought to the Honor Council. I mean, isn't the whole
24 ideas that the irregularity is tied to something that the
25 student has done that needs to be examined by the Honor

1 Council.

2 I mean, just a testing irregularity that has nothing to
3 do with their performance on the exam would never be brought
4 to the Honor Council. And the very fact that something is
5 being brought before the Honor Council means that there is
6 some suspicion that the Honor Council now needs to
7 investigate. And I don't know how you get to requesting the
8 Honor Council to intervene without some suspicion.

9 MR. PARKER: Well, what if ---

10 THE COURT: If you did then, I think then you'd be
11 saying, well, this is completely wrong to have brought this
12 to the Honor Council because, you know, the -- these were
13 just these actions out here that had no basis or no effect on
14 their performance.

15 MR. PARKER: Well, I think that what both Dr.
16 Hazen-Martin and Ms. Freisinger testified to is that, what is
17 to be done is that you gather the proctor's notes, you gather
18 the test results that Dr. Hazen-Martin (inaudible). Now, the
19 accuser writes a letter to the Honor Council saying, it is my
20 unfortunate, you know, responsibility to inform you that
21 there have been testing irregularities observed in the
22 classroom. We think that this merits in our capital
23 investigation here are the proctor's notes of what the
24 proctor observed. Here is the printouts that the test
25 monitor read out.

1 There, it's on the table for you to make your decision.
2 Let's just forget about the fact that even if that letter
3 said suspect cheating, cheating was first suspected. It also
4 said that there was signaling and passing notes, which are
5 things that were not in those proctor's notes. And I
6 understand where you're coming from, Your Honor, and I want
7 to be respectful about it, but both of the witnesses
8 testified that you are not supposed to deal with Dr.
9 Hazen-Martin. They both said that.

10 And that's what makes this a -- an issue for jury
11 determination and qualified privilege. Whether or not
12 something exceeds the scope of that privilege is, and
13 released through the case law is a quintessential jury issue.
14 If there are any facts in the record indicating that the
15 publication was made in some sort of a conflict manner. And
16 both of those witnesses gave us testimony that it was made in
17 a conflict manner because they must've said, I wouldn't do
18 that, that would be wrong.

19 I cannot make those conclusions. It would be wrong when
20 we gave this conclusions. Well, Dr. Kasman did make this
21 conclusion, but she told us that letter. And that's -- that
22 is what makes this determination. And that's our position on
23 that. You have any other questions for me, Your Honor?

24 THE COURT: No, I think you've covered it. Thank you.

25 MR. PARKER: I'll just address that you didn't ask me

1 about the absolute privilege issue, so I'll just address that
2 very briefly. I think this is a third go around that we've
3 had in this case about whether or not an Honor Council
4 proceeding is a (inaudible) proceeding supported either the
5 absolute privilege or some other things that we tried to
6 argue earlier. We tried to argue that it would have a
7 conclusive effect on this trial.

8 And every time that the court's been presented with this
9 opportunity, the opportunity to look at this and say that for
10 various reasons. And obviously, you know, the summary
11 judgment orders aren't binding on you but I think the
12 reasoning is really persuasive. And the most important thing
13 I think, and this came out in the last order that was on
14 this, is that the reason that an Honor Council proceeding
15 doesn't have either a preclusive effect on any subsequent
16 litigation and also not according to absolute privilege, is
17 because it is not what South Carolina law considers to be a
18 quasi-judicial procedure.

19 South Carolina law, especially administrative law, is
20 very clear, and this is where the term quasi-judicial is on
21 always used in reference to under -- to tribunal, consider
22 brought out under the Administrative Procedures Act. So
23 basically to be a quasi-judicial proceeding in South
24 Carolina, as far as South Carolina presidential laws
25 concerned, it looks at what's called administrative

1 (inaudible). And those are things that we all know about that
2 come from, you know, grievance forms and things such as that.

3 And what the law says is that to be considered a
4 quasi-judicial administrative tribunal it has to be
5 authorized by a state law. The General Assembly has to have
6 bestowed some authority on that body to act in a
7 quasi-judicial capacity. There is absolutely no statute
8 authorizing any (inaudible) Honor Council proceeding. I
9 believe there is a bill hanging out there somewhere where
10 they're trying to -- this -- the General Assembly is trying
11 to get some kind of authority to public universities in the
12 state to have these types of proceedings, it's not law yet.

13 And so for a very simple reason why the absolute
14 privilege doesn't apply to this case is because simply
15 because the, Honor Council proceeding isn't a quasi-judicial
16 administrator tribunal, which wouldn't get the benefit --
17 ostensibly could get the benefit of such a privilege. But,
18 you know, we've briefed this a lot in this case. The public
19 policy considerations behind that. So the privilege really
20 are claimed here.

21 This is a very specific judicial -- not even a judicial
22 body, but a body that can make determinations that it doesn't
23 affect the public at large. It only involves MUSC. I guess
24 John would probably make some policy go against that. But
25 the main factor is that the absolute privilege has never been

1 extended by South Carolina Public Court does something like
2 this.

3 He cited to this I guess you perhaps the crow or parole
4 case where they've tried to make a sergeant a couple of times
5 that South Carolina has extended the absolute privilege to
6 the (inaudible) court martial. If you read that case the
7 issue of whether or not the VFW was a court martial, was a
8 quasi-judicial proceeding was never before the court. The
9 trial court had determined already that, not that it was a
10 quasi-judicial proceeding, but the -- a VFW court martial was
11 a judicial proceeding and no one appealed that. So ---

12 THE COURT: But the more problematic cases, the
13 insurance, the letter to the insurance commissioner case.

14 MR. PARKER: Right. So I mean, there's a lot of --
15 there's -- this absolute privilege has never been extended to
16 any kind of body like this. There's no binding South
17 Carolina authority that says that it should be. It's -- it
18 has very much so been traditionally been confined to judicial
19 proceedings unless exclusively it's some very minor
20 exceptions. And again, I think that that's a question, that
21 the court authority would advance two or three times before
22 or not. So I'll just leave it that.

23 Did you have any questions about -- I mean, I think that
24 yesterday you made pretty clear how you felt about the fact
25 that the circumstantial evidence supports whether or not it

1 supports, you know, whether there was a leak, a jury issue,
2 and that we submitted to the evidence of that. Obviously
3 Exhibit 34 which is the letters from the dean and faculty
4 advisors where first concern this specifically came from
5 somebody at MUSC in conjunction with the fact there specific
6 details in the leaks as far as the vote count.

7 Whether right or wrong I believe that either Kayla or
8 Kellie would testify because we had no idea what that number
9 would be. Honestly, that could possibly from us. Are there
10 other questions that you have as far as any of the direct
11 verdict, Your Honor?

12 THE COURT: I don't think so. As I think you can tell
13 from my proposed verdict form kind of how I'm going on this.
14 I am granting a direct verdict because of the negligence
15 claim. I do find that any damages that have been alleged
16 from defamation and not from negligence, that I mean the
17 causation would be assuming that your argument holds water
18 would be that the Honor Council would not have found that
19 they were guilty of cheating. And of course, that was
20 overturned by the dean.

21 So I find that there's a causation issue, there's also a
22 damages issue. And I do find that there's also a strong
23 public policy and body of case law that says that we can't
24 micromanage how academic institutions handle their internal
25 affairs exactly like this. So for those reasons, I'm granting

1 a directive verdict as to the negligence claim. I do think
2 that -- and I do hold as a matter of law, but there's a
3 qualified privilege that attaches to any instituting of Honor
4 Council proceedings, investigation of Honor Council
5 proceedings, or conducting an Honor Council proceeding. And I
6 think there's a strong public policy reason to support that.

7 So I think it's going to be a jury question as to
8 whether there was any abuse of the qualified privilege by
9 either faculty or Honor Council students and that the issue
10 of whether any breach was in the scope of official duties
11 will be a jury question. I think you all have very ably
12 covered all aspects of that in your arguments. You have in
13 front of you a proposed jury verdict form and a proposed jury
14 charges. Have you had a chance -- I know it's throwing a lot
15 of pages at you here, but let me hear any objections, first
16 of all, to the jury charges or any proposed additions?

17 MR. FLETCHER: Can you give me a couple minutes, Your
18 Honor?

19 THE COURT: Sure.

20 MR. COOKE: Your Honor, while they're looking at that,
21 this one question. How does Your Honor normally treat the
22 cap issue? My experience generally is that the jury's not
23 told about the cap and that the court -- it would be up to
24 the court to reform the verdict. Is that the way Your Honor
25 would proceed?

1 THE COURT: That would be my preference, yes. Mr.
2 Parker?

3 MR. PARKER: I'm sorry, I -- you were talking about the
4 cap?

5 THE COURT: Yes. So well, I guess let's talk about jury
6 charges first, and then we'll address the cap and we go it to
7 the verdict forms.

8 MR. PARKER: We'd like ---

9 THE COURT: I am going to step out for just a minute
10 while I'm giving out a minute to look at those items.

11 MR. PARKER: Thank you, Your Honor.

12 THE COURT: Okay. Any additions or exceptions from the
13 plaintiff?

14 MR. PARKER: Thank you, Your Honor. The defamation
15 liable and slander charge, the sentence that says the focus
16 of defamation is not on the hurt to the plaintiff's party's
17 feelings, but on the injury to her reputation. I recognize
18 this as dictum from I can't remember exactly which case it
19 is, but ---

20 THE COURT: It's from, I think Anderson's request to
21 charge.

22 MR. PARKER: Okay. But the issue with that is -- that I
23 have with that is that, general damages include hurt to
24 feelings, wounded feelings, and I think it's could be
25 possibly confusing to the jury that they're not supposed to

1 consider hurt feelings or wounded feelings. And then, but
2 then general damages allow for recovering for hurt feelings.
3 So I think it's possibly confusing and contradictory.

4 THE COURT: I do include in the damages portion that
5 hurt feelings are recoverable as damages.

6 MR. PARKER: Uh-huh.

7 THE COURT: Again, I took that straight from Anderson's.
8 I don't have any problem saying the focus on defamation is on
9 the injury reputation.

10 MR. PARKER: That -- thank you, Your Honor. And then,
11 just the general, you know, I don't want to over complicate
12 this, but you know, since this is a private figure defamation
13 case that's not involved any constitutional concerns, there
14 are a bunch of presumptions that are in our favor that the
15 law provides. And, you know, under the declaration for
16 liable slander, we're on the same page at the bottom where it
17 says, in order to recover, in this case ---

18 MR. FLETCHER: I'm sorry, you -- what page are you on?

19 MR. PARKER: It doesn't have a page number, but it says,
20 defamation liable and slander. It says, in order to recover,
21 in this case, the plaintiffs must establish by preponderance
22 of the evidence that there was -- and it lists the elements
23 of the defamation claim. But since this is a private figure,
24 a private matter case not involving the First Amendment,
25 several of these elements are actually -- there's a

1 presumption that they did occur, and the defendant has to
2 rebut that.

3 So the burden of proof is actually on the defendant and
4 not on the plaintiff on several of these elements. And later
5 on in the charge, you do go into some of it, but basically a
6 false and defamatory statement by the defendant MUSC,
7 concerning the plaintiffs. It's presumed under the common
8 law in this type of case, especially where it's slander perse
9 and liable, it's presumed that the statement was false.

10 So in fact, the defendant has to prove that the
11 statement was true, and they have also asserted that as an
12 affirmative defense. So that's their burden. So I'm afraid
13 that where -- my worry is that where it says the plaintiffs
14 must establish this, what the law actually instructs is that
15 no, the defendant must establish the opposite by
16 preponderance of evidence. And I worry that's not an actual
17 correct charge.

18 THE COURT: So we're at the top of the next page, I
19 think it is, it says, you know, it talks about the statement
20 must be false, and then, even if the defendant made the
21 statement, no, your purpose, et cetera, at the end of that,
22 it says, the defamatory statement were changed. Now, I don't
23 know what it said. What I just changed it to is the
24 defamatory statement is presumed to be true. Defendant has
25 the burden of proving that this is -- that the statement --

1 I'm sorry. The defamatory statement is presumed to be false.

2 MR. PARKER: And you do later on say that the defendant
3 must prove that it was true. So I think ---

4 THE COURT: I have added to the bottom of their
5 defendant has the burden of proving that the statement was
6 substantially true.

7 MR. PARKER: Okay. Thank you, Your Honor. And then,
8 the fault -- element fault on the defendant's part in
9 publishing the statement again in this type of case is
10 presumed that the statement was made with common law malice,
11 and it's actually their burden to demonstrate that it was not
12 made with common law malice. And I'm not sure that that's
13 stated anywhere in the charge.

14 THE COURT: Do you have a charge in your proposed
15 charges that (crosstalk).

16 MR. PARKER: I do. Coming right up, Your Honor. I'm
17 sorry.

18 MR. FLETCHER: Number 10?

19 MR. PARKER: Yeah.

20 THE COURT: I've got ears in front of me. I just --
21 (crosstalk) number 10?

22 MR. PARKER: Yes, Your Honor.

23 THE COURT: (Inaudible) looked of everyone, but 10, let's
24 see. Here we go. Do you all have any objection to 10?

25 MR. COOKE: Your Honor, I think our problem with that is

1 that the way malice comes up in this case is as a exception
2 to qualified immunity, and that's actual malice, I think it
3 would be. And then, it is the plaintiff's burden to prove
4 actual malice to avoid the qualified privilege. I just think
5 it's going to be -- the jury doesn't even need to consider
6 implied common law malice because you're not even telling
7 them that that's an element that the plaintiffs have to
8 prove. So that's a matter of law, not a matter for the jury.

9 But where malice comes into this case is the plaintiff's
10 burden to prove actual malice in order to defeat qualified
11 privilege. And I think they'd be hopelessly confused if you
12 tried to charge them about common law malice, which is not
13 even for their consideration, and also try to explain actual
14 malice, which is the plaintiff's burden.

15 MR. PARKER: That's conflating two totally separate
16 issues. We certainly do have to prove fault. As a
17 plaintiff, you certainly have to prove false. What fault is
18 in a defamation case involving private figures is common law
19 malice. The term actual malice is used obviously in
20 defamations in two separate instances. One, in
21 Constitutional First Amendment cases where you have some kind
22 of public controversy in newspapers and all, and two, it's
23 used in overcoming the qualified privilege.

24 We are not -- we don't think that -- actual the term
25 actual malice should be used in these jury charges at all.

1 One, because it, it's going to conflate things and it is
2 going to confuse them. Two, that's not how we are overcoming
3 the privilege. We're not trying to show that actual malice
4 in the sense of the term actual malice was used in this case.

5 THE COURT: You're using reckless disregard language?

6 MR. PARKER: Correct, Your Honor. So I think that we
7 can dispose of the actual malice language throughout the
8 entire jury charges for that. That's one reason. I want to
9 get to the other one in a minute. But the main thing is that
10 we -- that fault has to be discussed by the jury, and the
11 proper standard of fault in this case is common law malice.
12 And there is a presumption that the defendants acted with
13 common law malice because these statements, one, were --
14 there was a liable. Two, their statement sort that the jury
15 could consider to be slanders per se.

16 So by not charging the jury that there is actually a
17 presumption that the defendant active in common law malice
18 and charging the jury that it's our burden of proof fault,
19 we've kind of flipped the tables and I think the law struck
20 that it's actually there, the burden's on them in this case.

21 THE COURT: Well, I mean, when there is a qualified
22 privilege, it does flip that, does it not?

23 MR. PARKER: But that has to do with a separate element
24 that has nothing to do with -- that has nothing to do with
25 the full element. And we're strictly on number three right

1 now. The fault element.

2 MR. FLETCHER: Yes. How about on your number 10? Just
3 end (inaudible) says, "When of defamatory communications
4 written liable, the defendants presumed that with fault."
5 And just end the sentence there, so you don't mention implied
6 malice or actual malice. And then, the next sentence, "When
7 defendants Anderson charges the plaintiff with unfitness in
8 one's business or profession, defense (inaudible) acted
9 fault." Does that work for you?

10 MR. PARKER: Uh-huh.

11 THE COURT: Okay. Well, I cover the -- okay, I got you.

12 MR. FLETCHER: That way, there's -- you -- what the
13 confusion on the jury with the malice reference.

14 MR. PARKER: Yeah, I mean it's the way the defamation
15 law obviously very confusing all stuff. Anyway, lawyers, so
16 ---

17 MR. FLETCHER: I -- I've this -- I've had numerous of
18 these defamation cases and I still ---

19 MR. PARKER: So is the Supreme Court.

20 THE COURT: Let me just highlight this and then we can
21 continue. Okay.

22 MR. PARKER: The last one would be the fourth element
23 special harm or damages. Again, this is something where the
24 burden's actually on, since we have a liable and we have and
25 arguably slanderous per se statement, which would be action

1 per se. The presumption is that general damages were caused
2 to the plaintiff. And we don't have to prove special
3 damages.

4 And it's defendant's burden to prove that plaintiff's
5 the fact were not caused general damages. So again, kind of
6 having up there -- up front plaintiff was prove this stuff is
7 contradictory to what the law actually specifies has to be
8 done in cases like this as far as damages. So that's the
9 fourth element of that.

10 THE COURT: And so tell me what you are proposing.

11 MR. PARKER: I mean, I think that, you know, the way
12 that it's worded saying that, the plaintiffs must establish
13 by preponderance of evidence 1, 2, 3, 4, when in fact the
14 plaintiff only has to -- the defendant has -- it's kind of
15 like, I don't know how to word it the best way, but I think
16 that ---

17 THE COURT: I mean, the way it's worded in Anderson, and
18 I think in the case law is either actionability of the
19 statement irrespective of special harm or the existence of
20 special harm to the plaintiff's caused by the publication.
21 Now whether a jury can actually understand what that means or
22 not is ---

23 MR. PARKER: I know, and that's where you kind of
24 started to get in the weeds on this, and I don't want to make
25 it overly complicated, but I want to make sure that the jury

1 understands that it's not plaintiff's burden to prove special
2 damage -- to prove general damages in this case, and we don't
3 have to prove special damages.

4 MR. FLETCHER: Well, but with regards to number four,
5 it's still the plaintiff's burden to prove that there was a
6 -- the type of statement where the -- there is a presumption,
7 say number four is accurate. I don't think it's number
8 confusing really.

9 THE COURT: The very next section is slander per se.

10 MR. PARKER: Right.

11 THE COURT: Which does say that injury is presumed and
12 the plaintiff does not have to prove any special damages if
13 it's slander per se. And that's in the very next section.

14 MR. PARKER: I mean, I guess basically what I'm asking
15 for is and maybe we've dealt enough with this little part
16 that we're in with the elements. But what I'm asking for is
17 maybe if we skip back to right before that slander per se
18 section where it's -- it discusses finally the plaintiffs
19 must prove that their reputation was damaged by the
20 defamatory statement. The plaintiffs must prove that the
21 damages, you know, I'm not going to read the whole paragraph,
22 but maybe if we have in there, basically we have this
23 requested charge number 13 which is an accurate statement of
24 what the law says, that general damages and a defamation
25 action and may -- hold on, I grabbed the wrong one, I'm

1 sorry. Number 12 in which it says, the plaintiff is presumed
2 to have -- I mean, you do have the slander per se charge, I
3 think, which is accurate.

4 MR. FLETCHER: That's not my number 12.

5 MR. PARKER: On charge number 12? It says that --

6 THE COURT: 12 is when a defamatory communication is
7 written liable. Is that the one you're referring to?

8 MR. PARKER: Yes, Your Honor.

9 MR. FLETCHER: With regard number 12, I would just ask
10 if we can delete and does not have to prove special damage.
11 I don't believe that's in the case. And you still -- if
12 you're going to publish special damage, you do need to prove
13 them.

14 MR. PARKER: Say that again?

15 MR. FLETCHER: I said that removing the part about
16 special damages in there because number one, the case law
17 doesn't have that language in it. And second, you still need
18 to prove your special damages. So if you have a presumption,
19 it's general.

20 MR. PARKER: But we're not -- Okay, that's fine.
21 Sure.

22 MR. FLETCHER: Yeah, because the way it's written, it
23 says you presume there's separate general damages and does
24 not have to prove special damage. It can confuse the jury -
25 could confuse the jury thinking that they can presume

1 special damages as well. So ---

2 MR. PARKER: Okay. I guess I'm -- I was more concerned
3 that the end of that section right before slander per se,
4 where it says, the plaintiffs must also prove any special
5 damages resulting from the defamatory statement, (inaudible)
6 that implies that we have to prove special damages, which --

7 MR. FLETCHER: (Cross talk) if you want to recover them.

8 MR. PARKER: We do.

9 MR. FLETCHER: Right.

10 MR. PARKER: But we don't lose just because we don't
11 prove them and we haven't even ---

12 MR. FLETCHER: No, I think that's accurate.

13 MR. PARKER: That's -- my concern is that ---

14 MR. FLETCHER: Yeah.

15 THE COURT: So you proposing we delete the plaintiff's
16 also proven special damages resulting from the defamatory?

17 MR. PARKER: I think you -- we could put the plaintiff's
18 may also recover for special damages. Special damages are
19 proven by X. I think that eliminates the appearance that is
20 some kind of requirement that we have to fulfill.

21 MR. FLETCHER: As long as it is clear that the
22 plaintiff's spread the burden of proving their special
23 damages, I'm fine.

24 THE COURT: Okay.

25 MR. PARKER: Getting there, the qualified privilege

1 charge.

2 THE COURT: Yes, sir.

3 MR. PARKER: It states that the defendant may still be
4 liable. Basically it describes how you can -- how we can
5 overcome the qualified privilege. And it says by exceeding
6 the scope of the privilege and publicizing to a person --
7 basically to a person who didn't need to hear it. Or two, by
8 making the statements with actual malice. I'm concerned
9 about, again, injecting the term actual malice in here
10 because it's being used several times in the charges, in ways
11 that mean different things. I think that our charge which is
12 basically the paraphrase, says that the qualified privilege
13 (crosstalk).

14 MR. FLETCHER: I'm sorry, what number is that?

15 MR. PARKER: Which charge for us? I'm trying to file it
16 right now.

17 THE COURT: So what if I just say by making the
18 statement with knowledge that the statement was false or with
19 reckless disregard whether it was true or false?

20 MR. PARKER: Yes, Your Honor. And then, I think that
21 also there are additional ways to overcome the privilege,
22 which is, exceeding the scope of the privilege by making it
23 in a proper manner. I think that the way that this is
24 listed, it tells the jury that to -- basically to abuse the
25 privilege you either have to make it to the wrong person or

1 you have to make it knowing that it was wrong, that you were
2 saying something that wasn't right.

3 But you can also abuse the privilege by -- which is the
4 main way that we are attacking by making the statement in
5 improper manner. And that's a separate way of fulfilling
6 that requirement of overcoming that's not really described by
7 these two.

8 MR. FLETCHER: Will you propose Mr. Parker?

9 THE COURT: I'm looking, I think it's number eight,
10 proposed charge number eight. I guess what I was thinking is
11 that the case law goes on to say improper manner means that
12 you told it to people who didn't have any business knowing
13 it.

14 MR. FLETCHER: Right.

15 MR. COOKE: I actually don't believe the (inaudible)
16 used the term made in a proper manner. I don't think that's
17 part of the language.

18 MR. PARKER: I mean, I think the ---

19 THE COURT: I think because I've already determined that
20 a qualified privilege exists. And I think this is straight
21 out of Anderson's.

22 MR. PARKER: Your Honor, I've got -- I'm -- I've just
23 got to find it. There's a several cases site, basically
24 these different matters and it's a kind of commonly cited
25 list that you can use to overcome the qualified privilege.

1 And it's got -- it's a list of like four things. And it
2 lists them separately.

3 THE COURT: Is that the one defendant acted in good
4 faith, scheduled the statements properly limited, sent only
5 to the proper parties, and went beyond the occasion with the
6 occasion was required and was unnecessarily defamatory?

7 MR. PARKER: Yes, Your Honor.

8 THE COURT: That's part -- that's on your page 14 of
9 your proposed charges. (Inaudible) so I'm fine to add that
10 in.

11 MR. PARKER: Thank you.

12 THE COURT: Basically just part when determining if the
13 privilege was abused, you should consider these four factors.

14 MR. PARKER: Yes, Your Honor. Thank you.

15 MR. FLETCHER: Which number was that?

16 THE COURT: That is at the bottom of your page 14 under
17 condition qualified privilege.

18 MR. FLETCHER: On your instruction, Your Honor?

19 THE COURT: In your proposed -- defendant's proposed
20 jury instructions filed on page 14.

21 MR. FLETCHER: Okay.

22 THE COURT: Okay.

23 MR. PARKER: And then, the last one, Your Honor, will be
24 under the Tort Claims Act charge. It states that when the
25 plaintiff's approved by the burden of service of the conduct

1 of MUSC employees was within the scope of their official
2 duties and debt. It did not constitute actual fraud, actual
3 valid intent to harm.

4 As we were talking about earlier with the exception
5 being an affirmative defense that wasn't pled and you
6 indicated, well, whether -- let's say that it is waived. The
7 Tort Claims Act still under definitions requires that someone
8 have -- has acted in the scope of their official duties.
9 That definition doesn't include that last language about
10 actual fraud, actual malice intent to harm that language
11 comes from the exception.

12 MR. FLETCHER: I'm fine with that taken out of that the
13 provision there, because it's covered below and you're right,
14 it is not your burden of proof.

15 MR. PARKER: Right.

16 MR. FLETCHER: Those things. I understand that.

17 MR. PARKER: And the thing with the crown moral
18 turpitude that's again, comes up again at the end of the
19 paragraph, when you define what scope of official duties
20 means. If we could just strike all that language out. And
21 then I believe that the exceptions that are listed last, you
22 were raising those as to the negligence cause of action;
23 correct?

24 MR. FLETCHER: No, it's all cause of action.

25 MR. PARKER: Hmm?

1 MR. FLETCHER: We raised those as all cause of action.

2 MR. PARKER: All of those exceptions.

3 MR. FLETCHER: Yeah.

4 MR. PARKER: Your Honor, I don't think it would be
5 appropriate to charge the jury on all of these. The first
6 two, you know, was this legislative judicial, or
7 quasi-judicial action or inaction? These have already been
8 determined I think. The fact that there is not absolute
9 immunity for this case for any defamatory statements that
10 were made. You know, the nature of this Honor Council
11 proceeding is not a legislative judicial or quasi-judicial
12 body in any sense. And where there's no evidence that that's
13 the case and the law says that's not the case.

14 I think then turning around and charging the jury on
15 this and putting it in their hands, what is something that --
16 let's be honest, they haven't been presented evidence on
17 these things and they don't -- as lay people don't have the
18 knowledge of what any of that means. I think that puts a
19 question to them that they haven't been fairly prepared to
20 answer. And there's no evidence in the record of one way or
21 the other of what the nature of this Honor Council body is.
22 So how can they possibly make a determination on that. I
23 don't think that those exceptions properly apply to the
24 factual circumstances of this case and are definitely going

1 to have them scratching their head and saying, what does this
2
3 mean by there?

4 MR. FLETCHER: I think we've presented evidence that --
5 and the fact that there's been a determination that's not
6 quasi-judicial. In fact, there are going to be that absent
7 purpose doesn't apply to quasi-judicial proceedings. So it's
8 certainly consistent with even if you find that there's no
9 absolute privilege, it could be quasi-judicial. And you
10 know, the communications are all in that context. We think
11 that it's certainly within the scope of these exceptions to
12 the waiver of immunity.

13 THE COURT: I'm deleting one and two because I do think
14 if I found that it was quasi-judicial in nature that would,
15 the absolute immunity would attach and that would be an issue
16 of law for me. So I have deleted one and two and I've
17 deleted everything again using that actual malice or crime of
18 moral turpitude language.

19 MR. PARKER: Your Honor, as to subsection four.

20 THE COURT: Uh-huh.

21 MR. PARKER: My guess is that they're trying to say that
22 somehow what's happened in this case is some kind of failure
23 of -- in the sense that it could be a failure of MUSC to
24 properly enforced its Honor Code against its employees and
25 agents. And that that's somehow how the facts of this case

1 come under that exception number four. I mean, that's the
2 way that I can interpret that under the argument that, you
3 know, this Honor Code basically requires them to remain
4 confidential and that MUSC can't be held liable for some kind
5 of breach of that confidentiality.

6 Basically, we're not suing for breach of
7 confidentiality, we're suing for defamation. And you know,
8 the Honor Code, it doesn't have any language in it
9 prohibiting anyone from spreading false information. It
10 basically prohibits it's members from spreading what the
11 contents of this proceedings were. And we're simply suing
12 them for -- it's a separate cause of action. It has nothing
13 to do with the written policy of the Honor Council, the basis
14 of the cause of action and to try to provide support for what
15 I'm saying, there's a case, it's called Clark versus South
16 Carolina Department of Public Safety 353 SC 291.

17 But basically what that case stands for is the fact that
18 when you're suing for a cause of action that is not directly
19 predicated on what the policy directives are or the
20 considerations behind the policy, you're not -- it's a
21 totally separate thing. It's whether or not they failed to
22 enforce a written policy isn't what is an issue in this case.
23 That's not what their liability is predicated on.

24 Their liability is predicated on the simple fact that
25 someone published a statement that was -- that we alleged was

1 false. And it's a -- it is really an apples and oranges
2 thing. And again, I think that's going to be just another
3 thing that's going to go back there before the jury. There's
4 been no evidence elicited from any witnesses or documents
5 about, you know, what this means. I think it's just the
6 potential for causing confusion to them and for them to look
7 at that and just go, well, what does this mean? I don't
8 think that that's an issue that's been properly put before
9 the jury.

10 THE COURT: Yes, sir.

11 MR. FLETCHER: Respectfully, much of their claim in this
12 case has been with regard to alleged leaks from the Honor
13 Council, which is indirect violation of policy from the Honor
14 Council. And clearly this exception could apply to this case
15 and the juror should be able to consider it.

16 THE COURT: Okay. I'm going to leave in for -- I didn't
17 draft this. This was straight from the legislature.

18 MR. PARKER: Five you know, this is clearly not a case
19 where discretionary immunity applies. You know, authentic
20 ---

21 THE COURT: Well, I guess you've made a lot of arguments
22 here today that I think would -- discretionary immunity would
23 apply. You know, you've gone to great lengths to talk about
24 what language Dr. Kasman used and what exactly was in the

1 letter. So I think you've brought in the issue of
2 discretionary actions on the part of the professors.

3 MR. PARKER: Well, I mean, just Your Honor, if I could
4 just -- my understanding of discretionary immunity is that,
5 you know, there has to be some kind of conscious choice
6 between competing policy considerations as to why you're
7 engaging in some such activity. And like you just said,
8 maybe arguably that could be made for Dr. Kasman. I
9 certainly don't think that can be made for whoever leaked
10 this information. But again, I don't think that this is a
11 thing that was from the get go. We have not, you know,
12 gotten the type of evidence in that you would use to either
13 prove or disprove this.

14 We haven't -- no one's spoken about what the policy
15 considerations are behind how to do this from an official
16 standpoint. You know, the case law indicates that it's
17 about, you know, are there accepted professional standards
18 for very specific types of governmental decisions? And you
19 know, high level type decisions, policy consideration type
20 decisions. I don't think that those kind of, you know,
21 circumstances are implicated by what we've had before the
22 jury.

23 THE COURT: I'm going to respectfully disagree with you
24 on that one. I think that is a proper charge given the
25 testimony that we've heard so far.

1 MR. PARKER: Okay. And I guess you already said that 17
2 we're going to cross down.

3 THE COURT: I deleted all that actual malice and crime
4 of moral turpitude language.

5 MR. PARKER: Thank you. And then, the only last thing
6 that concerns me is 20, it says that an accurate omission of
7 a person other than an employee I think this could imply to
8 the jury that it has to be an employee. Therefore, if a
9 student member of the Honor Council, you know, was an agent
10 which the Tort Claims Act defines employees as including
11 agents, that they couldn't be liable. And I think it just
12 needs to, maybe the clearer thing would be to say an act or
13 mission of a person other than an employee or agent of MUSC.

14 MR. FLETCHER: (Crosstalk) what it says?

15 MR. PARKER: It just says employee.

16 THE COURT: I've changed it to employee or agent of
17 MUSC.

18 MR. PARKER: Thank you, Your Honor.

19 MR. FLETCHER: Well Judge, just note for the record our
20 objection, because the Tor Claims Act definition only refers
21 to employees, doesn't refer to agents in ---

22 THE COURT: Well, the Tort Claims Act definition says
23 employee includes agent and persons acting on behalf or in
24 service of the governmental entity.

1 MR. FLETCHER: Correct. And that's want the jury to be
2 confused because we've defined employee above. So we have
3 definition of employee, and then we're now saying employee
4 agent doesn't want think there's something different from
5 what's in the definition. So it's -- if we can note our
6 objection also to the exclusion of one, two, and in 17, I
7 think it's proper there. But if I agree with deleting the
8 actual malice language above, because it's not their burden
9 of proof. I think should be remaining there. So if we just
10 note our exceptions and objections to the exclusion of one,
11 two, and 17.

12 THE COURT: I've put 17 in, I've just deleted the actual
13 malice language.

14 MR. FLETCHER: Okay. That's great. Thank you so much.

15 THE COURT: Okay. How about the verdict? Well, first
16 of all, any additions or exclusions of yours that we need to
17 go?

18 MR. FLETCHER: We have nothing.

19 THE COURT: How about the verdict?

20 MR. FLETCHER: We're fine with it, Your Honor.

21 MR. PARKER: Just one thing, Your Honor.

22 THE COURT: Uh-huh.

23 MR. PARKER: Where it says false and defamatory for
24 number one. Again, I think that this might lead the jury to
25 believe that plaintiffs have to prove by a preponderance of

1 MR. FLETCHER: Correct. And that's want the jury to be
2 confused because we've defined employee above. So we have
3 definition of employee, and then we're now saying employee
4 agent doesn't want think there's something different from
5 what's in the definition. So it's -- if we can note our
6 objection also to the exclusion of one, two, and in 17, I
7 think it's proper there. But if I agree with deleting the
8 actual malice language above, because it's not their burden
9 of proof. I think should be remaining there. So if we just
10 note our exceptions and objections to the exclusion of one,
11 two, and 17.

12 THE COURT: I've put 17 in, I've just deleted the actual
13 malice language.

14 MR. FLETCHER: Okay. That's great. Thank you so much.

15 THE COURT: Okay. How about the verdict? Well, first
16 of all, any additions or exclusions of yours that we need to
17 go?

18 MR. FLETCHER: We have nothing.

19 THE COURT: How about the verdict?

20 MR. FLETCHER: We're fine with it, Your Honor.

21 MR. PARKER: Just one thing, Your Honor.

22 THE COURT: Uh-huh.

23 MR. PARKER: Where it says false and defamatory for
24 number one. Again, I think that this might lead the jury to
25 believe that plaintiffs have to prove by a preponderance of

1 evidence that the statement was false. Because it says you
2 didn't actually find by preponderance of it's that defendant
3 made a false, I think that the actual burden, I mean it is
4 probably equivalent over it, but if we could just delete the
5 word false and just say, made a defamatory statement.

6 THE COURT: I mean, that's not what the law says. It's
7 got to be defamatory first of all, and then it's got to also
8 be false.

9 MR. PARKER: But I think the definition of the
10 defamatory statement is that it is -- that it's a false
11 statement.

12 MR. FLETCHER: Well, we -- we've raised truth as a
13 defense and it doesn't say that you have the burden of
14 proving.

15 THE COURT: Because then we'd have to add a number two,
16 if you say yes, it was defamatory, then we'd have to add a
17 number two that says was the statement ---

18 MR. FLETCHER: True?

19 THE COURT: --- false?

20 MR. PARKER: Okay, Your Honor.

21 MR. FLETCHER: We're fine. If you want to do it that
22 way, Your Honor, we're fine with that too.

23 THE COURT: I mean, we can separate it out.

24 MR. PARKER: I'd rather it stay simple like it is, Your
25 Honor. So we'll drop that. Thank you.

1 THE COURT: Okay. We're going to stick with the verdict
2 form as is. Let's go over order of closing. So plaintiff's
3 going to start, defendant's going to go second reply. I
4 would just say needs to be true. Apply not bringing up new
5 matters, but replying to what has been raised by the
6 defendants.

7 MR. PARKER: Thank you, Your Honor.

8 THE COURT: All right, I think we're ready for the jury.

9

10 (Jury entering.)

11 THE COURT: Thank you. Please have a seat. Okay.
12 Ladies and gentlemen, thank you for your patience with us
13 this morning. I promise we have been in here diligently
14 working, not just reading the paper and keeping back and
15 drinking coffee. So I do appreciate your patience with us.
16 We are going to move in now to closing arguments. Mr.
17 Parker.

18 MR. PARKER: Thank you, Your Honor. First and foremost,
19 ladies and gentlemen of the jury, first sincerely thank all
20 of you for the time of being here with us to go over this
21 case, which unfortunately is very tragic for
22 Kayla and Kellie, ashamed that this ever happened, that it
23 happened. And we appreciate that we live in a place where
24 when you've been wronged, you can come before jurors like

1 yourself and ask for the wrong to be rented. And that's what
2 we're asking here.

3 The only thing that caused us to be here, right? Is the
4 fact that they are identical twins. That the DNA is 99.99%
5 the same, and they have historically over long periods of
6 time scored (inaudible) test. And we are here today because
7 MUSC, surprisingly, that people with doctorates didn't know
8 that identical twins would (inaudible) test. Which I found,
9 right unbelievable.

10 But that in fact is the testimony. And we are here
11 because they falsely accused in Exhibit 15 making false
12 statements. If we put up Exhibit 15. Let's go with those
13 first. I'm sorry, I got ahead of myself. Exhibit 56, I said
14 that they had always tested same, but if you would blow that
15 up, if you look through high school, Hermon, MUSC, law
16 School, SAT, MCAT and LSAT, all extremely similar. And
17 that's understandable and I think Dr. Segal covered that very
18 well as provided that happens. And knowing that they do this
19 and they scored this way, and that MUSC weren't aware that
20 identical twins scored this way is somewhat surprising to me.
21 And it led to what happened.

22 Let's go to the next Exhibit 15. Exhibit 15 is the
23 letter from Dr. Kasman to Judge (inaudible) of the Honor
24 Council. And at the end of this Exhibit 15, Dr. Kasman and
25 (inaudible) admitted that what she put in there was not

1 accurate. She in this accuses them of cheating and said it
2 was first suspected during the routine audit. Approximately
3 two hours into the exam, all it showed that two students had
4 both completed exactly 107 out of 153 questions and shows
5 nearly answers point prior to the investigation the students
6 were seated next to each other, were observed to be signaling
7 each other and passing notes via scratch paper on the desk
8 between them. Never happened. No evidence of that. She had
9 no evidence of that.

10 She decided to put that in there for whatever reason to
11 falsely accuse them of doing that. And what this -- what led
12 to this, if that had been taken out and she hadn't been told
13 that we wouldn't be here today. She did that by doing that
14 liable. She defamed them by putting in, writing false
15 statements about that. That is what defamation is. It is a
16 false statement and lying. There was a written false
17 statement. And she in fact did that, done this. This is
18 absolutely -- she absolutely, there is no evidence that she
19 observed them sitting to each other and passing notes on
20 scratch paper. That was not there.

21 Now, the only evidence in this case that accuses them
22 really of anything is Ms. Fresinger who changed her
23 testimony. She testified before the Honors Council that she
24 did not see them doing anything wrong. She only noticed
25 testing irregulatiess. You'll hear her testimony

1 (inaudible). And in that she did not notice that they did
2 any cheating, that she did not notice that they were
3 signaling each other. She did not notice that they were
4 passing notes.

5 She only said that they nod their head and they looked
6 at each other and one of them pushed the paper over somehow.
7 And that was what she noticed as testing irregularities. And
8 from that, Ms. Kasman obviously accused them of cheating and
9 she brought this whole thing to light. They went before the
10 Honor Council. They went there, presented that evidence and
11 said they didn't do it. The plaintiff said they didn't do
12 it. And the Honor Council said they did do it, found it
13 there had been cheating and why did they do that? And they
14 did that because the Medical University decided to send their
15 test information of those both students to this app called
16 Caveon.

17 You heard Ms. Freisingers's testimony here, they sent it
18 to (inaudible). Yes. What they didn't do, they didn't do
19 (inaudible), they didn't look at their performance. Which
20 was they buy the pieces of information and they said they
21 didn't do it because they didn't know that identical twins
22 scored so similar. And they -- they're scientists. They had
23 to know that identical twins, in this case, a 99.9%, sent the
24 same DNA and they've been doing similarly all our lives. And
25 they said, well, we didn't understand that to be the case,

1 which is really concerning that people in academia who have
2 been falsely accusing people of cheating don't know this.
3 And that's what they claimed.

4 And they sent the information out that without telling
5 them that, and they had analyzed this. And so a report came
6 back to the Honor Council that said that there was one and 10
7 to the 38th hours that they were coordinating. They didn't
8 say cheating, but they were collaborating on this now.
9 Absolutely. That is absolutely not the case. If you recall
10 the testimony of Mr. Maynes, he unfortunately made an error
11 because Mr. Cooke asked you a question. I thought he
12 misunderstood. He had to (inaudible) doing.

13 But when he was advised that they were twins, he went to
14 a study of identical twins at the time. He came up and said,
15 well, maybe I'm wrong. And maybe that should have been
16 included that. And Mr. Cooke said, what would that have done
17 to it? And he said, Mr. Cooke asked him, he said that it
18 would make the figures two and 10 to 35. That was totally
19 wrong. It wouldn't make it two and 10 to the 35, it would
20 make it one and 10 to the 98 to the 98th, or one half of
21 (inaudible).

22 And I'm going put up a chart there that looks at this
23 and what it does. So let's blow that up (inaudible). If you
24 -- the first part of the first -- we've got the Caveon
25 statement on likelihood of tests taken independently,

1 identical twins matureate prevent general foundation
2 likelihood of test taking based on identical twins. And if
3 you say that it is twice as likely, which is erroneously used
4 this day about the performance of identical twins, and he
5 said it would be the opposite of this, but what it would do,
6 of course and half it would be 10 to the 19th power.

7 Well, and going down, you say, well, it's three times
8 more likely, and it's one times 10 to the 12.7 and four
9 times. And you go right on down the document and the
10 testimony from Dr. Segal is that twins are eight to nine
11 times as likely to score same on these tests. And if you
12 take that evidence, then you're down to one. If you say
13 nine, one in 16, 595.

14 And if you recall Mr. Mayne's testimony, he said if it
15 got down to where the statistics showed that it was one in a
16 million, it would prove they did not collaborate. And if he
17 had appropriately done this, and if they had given the
18 correct information to him, he would've found that they did
19 what could not achieve because the likelihood would've been
20 one in 16,000. He said, if you're going up, it (inaudible) h
21 it seven times, then it gets of a million. And he said,
22 would prove that they did not cheat.

23 So by giving him the wrong information and him not
24 considering the twins, he came out with a total bogus
25 statistic. And, you know, I -- I'm reminded of Maynes claims

1 state of that statistics and what he said was his lies down
2 lies and then the statistics. And so what we have here and
3 why the statistics are look dangerous is because they seem so
4 (inaudible), well, my God, look at this. They had to be
5 guilty.

6 The guy's saying, he looked at the statistics and the
7 statistic proved them cheating? And that is absolutely
8 false. And to say that's absolutely false. Then let's look
9 at what Dr. DuBois said. It started as we looked at it
10 (inaudible) I said what he was testifying that he admitted
11 this and he didn't think it was fair, the hearing and you
12 didn't think that they got a fair shake of Honors Council.
13 That's correct. I just didn't think it was fair. I mean,
14 there were certain things that happened, you know, that
15 probably shouldn't have happened in one of those types of
16 events.

17 So they did not get a fair shake in this case and
18 falsely accused because the -- they -- Caveon wasn't given
19 the appropriate information. And Caveon didn't know that --
20 actually admitted that he didn't know that twins scored
21 similarly. But after he was confronted with it, he went and
22 got statistics in any clip study that was in the library
23 because it included (inaudible) identical twins and used
24 that. And by doing that, those statistics made it look very
25 poor for the twins because if you take that and you take it,

1 look at it and you take that evidence, oh Lord, look at
2 that's 110, 10 to 38th power likelihood that they (inaudible)
3 and they proved they looked terrible.

4 But you heard testimony that grades have been that way
5 since -- and we put that up that the grades have been that
6 way since they got in school. They have scored very
7 similarly, made the exact same thing on the SAT, 13-7. And
8 if you look at times, they might have scored a little bit
9 differently and that would be true. There's no question that
10 overall there's nothing surprising about that. And that was
11 really the sole evidence against them about which they made
12 the defamatory state that accused them of signaling to each
13 other and passing notes on scratch paper, which never
14 happened.

15 And that very well admit doesn't never happen, that this
16 is false. Now, making a false statement about somebody is a
17 defamatory and it's a defamation. And what a defamation is -
18 - and you put it up, is a statement that has a defamatory
19 aim, that is published with actual and implied balance is
20 false. It was published by the defendant concerning the
21 plaintiff, and it (inaudible) illegal presume damages of
22 special damages to the complainant. There's no question that
23 we approved of elements.

24 Next slide. Defamatory statement is one's injury to the
25 reputation (inaudible) which produced in perceptible injury

1 to the reputation of being falsely accused of cheating when
2 you didn't do it. Clearly is absolutely devastating and was
3 devastating in this case. Had they not been falsely accused,
4 we wouldn't be today. Hopefully they would have (inaudible)
5 graduated from medical school and they would've been the
6 happy people that they were before this aftermath. Both of
7 them were extremely active persons and they loved what they
8 were doing.

9 Life was good. And all of a sudden a false accusation
10 turned down their life upside down. It is very sad for me to
11 see what happened to them because they were falsely accused.
12 They were, on one hand they were blessed, having been blessed
13 with having a wonderful family, nice dad, wonderful mother,
14 granddad. And they were blessed with that. But they were
15 also cursed with it because that is one of the reasons that
16 of course, they ended up in such a terminal when it was
17 leaked at the Honor Council. So that had to be Exhibit 34.
18 That the MUSC pretty well concluded that it had to be
19 somebody to have knowledge of the Honor Council proceeding to
20 leak the study.

21 Once this got leaked, everything went haywire. They
22 became the targets of terrible Facebook post, of shunts of
23 being really just absolutely became outcast. The student
24 body at MUSC said, you know, that they -- this had to have
25 happened because their dad was in the house representative,

1 that granddad was on the board that was fixed for them
2 (inaudible). Dr. DuBois didn't even know any business when
3 he overturned what Honor Council did. He did the right
4 thing, but the wrong thing happened when the people on the
5 Honor Council or the park administration allowed this
6 information to get out to the student body when it was by law
7 confidential. It should have been (inaudible).

8 And the dissemination of it just is what really has
9 impacted the lives. Many lives pretty well all time. Maybe
10 you heard testimony that rather than being outgoing,
11 friendly, interacting with their friends, they pretty well
12 stay home. They lended themselves to a few friends. Their
13 two and their closest friends still are and they enjoy them,
14 but they pretty well have become pretty well reclusive
15 because of the fact that they feel like this was all over the
16 newspapers, all over social media, all -- everything that
17 they had in fact cheated at the Medical University, which was
18 false.

19 And they have had delivered this since then. They blew
20 with in a way that they can get out with it. You heard Dr.
21 Hamin's (ph) testimony about the anxiety, the attacks, and
22 that what has happened to them was resolved above medication
23 for the anxiety for what this has done that would be attack
24 it for the foreseeable future that this has impacted them.
25 It's really just pretty well, I don't know a good way that I

1 can sum it up. But the way they summed it up, of course is
2 something that they think about very frequently.

3 That doesn't mean that they know happening, but in some
4 way where they can enjoy life. That's not so that it has
5 taken a real toll on Kayla and Kellie, the father, mother
6 told you about that. You've had the damage to us too. Now
7 that's one, talk about the damages from defamation. General
8 damages of defamation act include injury, the reputation of
9 suffering or feeling above the somewhat type of injuries
10 which are not capable of definite monetary evaluation.

11 Special damages, on the other hand are tangible
12 (inaudible) of entry claims trying business, occupation,
13 which you're capable of being assessed (inaudible) and which
14 result from the defamation. The damages to them in this case
15 is that this resulted in them leaving the Medical University
16 and going to Florida. And left behind their medical dreams
17 and thankfully became lawyers are now of course graduates
18 from law school. Hopefully they will enjoy a wonderful
19 profession, but it was the second choice for it. They ended
20 up leaving medical school, going to law school. And I'm
21 thankful that maybe they'll be able to help somebody who has
22 been a victim of wrong doing like them.

23 They can stand for a jury at some point in job plead
24 some innocent victims case. I think personally -- I think
25 it's very worthy (inaudible) of the 50 years. I found it

1 very rewarding to take on cases on this, because they were
2 without recourse. They were running out of town. I can't
3 imagine the community that belonged to the university,
4 student body essentially castigated to the point that they
5 had to leave town.

6 That is great suffering to the (inaudible). That is
7 very devastating. And I put Exhibit 41 there. Beforehand
8 (inaudible) this is a picture that was at the party, of how
9 happy they were at the Medical University of that friend.
10 After this happened, their friend shunned them. They were --
11 if I would say that they got scarlet left. They were branded
12 and they were branded as cheaters. Nobody likes the
13 cheaters. Nobody liked it. Nobody dropped them in the hall.
14 Friends wouldn't talk to them (inaudible).

15 When things get so bad, you got to leave your County,
16 leave your estate and leave everything you've worked your
17 life off and go and have and hide in Florida because you
18 can't stand to be faced with this stuff on a daily basis,
19 with words all over the newspapers, all over the social media
20 and it was devastating to them. Now, actual damages is
21 something that you'll have to decide. If you find that they
22 have done a thing that we've proved the elements that are
23 charge with and we proved that they were falsely accused of
24 cheating, that it would be your duty to assess the damages of
25 this case and come up with a verdict, which is unanimous to

1 my knowledge, is have to determine what -- how to place them
2 as best you can back in the possession they would've been
3 prior to the defamation.

4 To restore their reputation, you can't do. The only
5 thing you can do is award their damages, both the damage to
6 their reputation and the damages to their mental suffering.
7 And I'm telling you, you heard testimony about the degree of
8 suffering that is involved in this case. And I -- I'll be
9 honest with you, I thought back, I that's -- I've seen some
10 bad things out, but to get run out town all life, because you
11 can't live with the false things being said about you, that's
12 hurtful, then granted the cheating being told you're not
13 worth of it.

14 You have all your life work is for nothing because
15 you're nothing but a cheater. You -- I don't know, that's a
16 hard deal. Unfortunately, Medical University put them
17 through this because if they had not made these defamatory
18 statements about them in Exhibit 15, we wouldn't be here. If
19 they had told the truth and put what the truth was, we
20 wouldn't have be here. They would be none of this. They
21 would not have gone to new schools, they would not have had
22 to change their professions.

23 They would have gone on with their lives and clearly
24 just got out. And all of this occurred because in Medical
25 University -- if you look at Exhibit 34, Medical University

1 knew that someone privy to the Honors Council had
2 disseminated public to this information. And that's Exhibit
3 34. Doctor looked at it and made that determination. Dr.
4 DuBois said (inaudible) on we gotten out. Now they made a
5 lot of accusations during the closing arguments and said that
6 well the girls must have done it. They must have come on.
7 Yeah, I'm going to go up that (inaudible) that Medical
8 University found achieve. I'm going to go spread that
9 around.

10 That's ridiculous. But it's about a ridiculous of them
11 being here today. And during trial they have continued to
12 falsely accuse you. And I'll be honest with you, adding to
13 it, they've taken the stiff position that in fact it's true
14 and it's not. And they have attempted to further damage the
15 (inaudible). They continuing what they know and what Dr. Du
16 Bois on behalf of the (inaudible) said was not true. And
17 they continue to claim that these fine young ladies are
18 cheaters. And I'm telling you, I'm glad the media, there's
19 not lot people, I don't think any of the people talked
20 before, because if the media had heard this, it'd be out
21 there again, it would be more damage.

22 Now and thinking about this and how do you arrive at
23 damages. What the damages are and you can consider all these
24 things we've talked about and you can consider that this is
25 going to go on in the future. How long in the future? Okay,

1 beyond young people, late 20s got a long time to live with
2 it. I'm sure all the time that we (inaudible), but for many
3 years they'll live with this. I hope they don't live with it
4 for the rest of their lives, but for many years following
5 they a little bit and you can look at it and you can award
6 the damages that and for that suffering for the future so
7 much for a year.

8 How many years you think that this may go on for
9 (inaudible). So I think that the damage to their reputation,
10 work, you can (inaudible) say it's worth \$2.5 million a piece
11 and you add that 5 million total verdict, whatever you think
12 is appropriate, it is totally up to you to determine the
13 damages. It's (inaudible) all's providence. And in closing,
14 I just want to thank you all for the service here and I hope
15 that nobody else has to go through this.

16 MR. COOKE: Thank you, Your Honor.

17 THE COURT: Mr. Cooke.

18 MR. COOKE: Good morning, everybody. I'm Dawes Cooke.
19 We've met several times this week. Actually you've been
20 sitting with us and helping us throughout the week. I joined
21 Mr. Parker in thanking you for your service and for your
22 attention which you watched the jury from time to time
23 watching other things and you guys have been very attentive.
24 I appreciate that. Your work will be done. And you're going
25 to reach a verdict by the end of the day presumably.

1 I'm going to spend a few minutes talking about the
2 question that Mr. Parker spent most of his time talking
3 about. And that is whether the evidence shows that Kayla and
4 Kellie communicated with each other during their block 12
5 exam on May 5, 2016. And he said he complains that we are
6 only aggravated things by continuing to bring that up. But
7 it's here in the room and all you have heard of this week is
8 evidence and sworn testimony and it's for you to consider.

9 I'm going to spend some time on that because they have
10 spent a lot of time. But that's not a question that you're
11 going to have to decide in today. What you're going to have
12 to decide is whether Medical University staff and employees
13 defamed and slandered them or lied to them because Debra
14 Hazen-Martin reported a testing irregularity to Laura Kasman,
15 who then reported a possible case of academic dishonesty to
16 the Honor Council.

17 We're going to actually look at the plaintiff's
18 complaint in a few minutes. And that's what they alleged.
19 That's what this case is about. Those are made defamatory
20 false statements that were made. The only reason that you
21 would have to decide whether they did help each other on the
22 exam would be if you found that those statements did accuse
23 them of cheating, then you'd have to decide whether that is
24 true or false. I'm going to explain in a little while why
25 you'll never have to pick that at all. But first, since it's

1 part of the case, we're going to talk about the story that
2 the evidence we contend to support.

3 And let's start at the beginning. Did Kayla and Kellie
4 help each other on this examination? The evidence is
5 disputed on that question. I don't think it's going to be
6 disputed on the question that you're going to have to decide.
7 It's disputed on that question. They say they did not help
8 each other in any way, shape, or form, that it's all the
9 misunderstanding. That the data is wrong because of
10 identical twins and identical twins answer questions the same
11 way. Mr. Parker's mistaken when he said that the Medical
12 University was not aware of that, and the witness who
13 testified, said, we know we haven't done statistical
14 analysis. We've had trends at Medical University, we've seen
15 how they perform.

16 What we saw here is something we have never seen from
17 twins or from anybody else. They were calling it like they
18 saw it. And here's what we have occurred. Dr. DuBois
19 accepted, gave them the benefit of doubt and accepted their
20 thesis that you can't consider any of this other evidence.
21 What you're seeing is misleading because we're friends. But
22 what you have heard this week is the rest of the story.
23 Kayla and Kellie are the stars in an all star family.

24 We met Jenny first. That was the mom, wonderful person,
25 a dedicated mother, bright, attractive. She's devoted her

1 life to being a nurse. A nurse with a school, which you
2 can't think of a higher calling. Kenny is a successful
3 businessman. Very articulate, very passionate. He's a
4 public servant, powerful legislator. He earned an honorary
5 degree from the Medical University, rightly so for his
6 advocacy for medical education of all things in the general
7 assembly. His father, Vice Chairman of the MUSC Board of
8 Trustees, which is highly esteemed honored to have a
9 responsibility.

10 Most strikingly about Kenny though, is that he is, like,
11 I hope I'm with my kids. That passionate devoted father, he
12 really is. His children could do no wrong. They hadn't done
13 no wrong in his eyes. Kaylee and -- Kellie and Kayla were
14 the stars of the family. And you heard it, but we didn't
15 dispute anything that you heard about the way they grew up.
16 They're stars of soccer teams, stars of school. They were
17 top of the class and everything. They had never experienced
18 failure in their lives.

19 And that became a problem because dealing with failure
20 is -- it's an acquired life skill and not everybody learns at
21 the same time. How you deal with failure can often define
22 how you bounce back and move forward in life. The first year
23 of medical school, they did well. I'm going to put up a
24 couple of exhibits. If we go here, excuse me, for standing

1 over here. This is Defendant's Exhibit 14. You'll have all
2 these exhibits around where you can actually read them.

3 But what you'll see is that they did really well in the
4 first year of medical school. They had on the block one exam
5 it had 83.41, 81.52. Block two, 83.93, 83.04. Those are
6 really good grades for the first time in their life, it's not
7 the best grades in the class, but they're good. 74.89,
8 80.85, 87.03, 86.48, 89.87. That's really good. 85.25,
9 86.18. And then there's a year one synthesis exam. That's
10 sort of the summary of the year. And again, very good, 83.33
11 and 82.41. Student A is Kayla. Student B is Kellie.

12 Second year, they started out, well again, 83.21, 81.75.
13 But then something happened that had never happened to them
14 in their entire lives. They hit a wall. They got to a point
15 where they struggled to succeed. Something they've never had
16 to deal with before. Now, there's no shame in that
17 whatsoever. Medical school is hard. You heard testimony
18 that the second year in particular is intended to be hard as
19 cruel as it may seem. Part of the reason for that is to
20 filter out people don't have the particular skill sets that
21 it takes to be a doctor. And, you know, most of you have
22 been lifelong enough, but you know that there are brilliant
23 people out there who are good at one thing, but not
24 necessarily good at other things. Some people are more

1 artistic than others. Some are better at math. Some are
2 better at memorizing things.

3 (Inaudible) I think I'm pretty good lawyer. At least
4 I've enough to be doing it for a long time. But I can barely
5 remember a phone number from the time that I find the phone
6 book, the time I have to dial it. It's just not a skillset I
7 have. And that's the way medical school works a lot. Some
8 people just are not cut out. They have to memorize a big
9 stack of material like this. And so they hit the wall. You
10 see that the block eight exam 72.92, 73.61. Block nine
11 68.14. The block 10 exam Kellie passed with a 73.68, but
12 Kayla fell -- failed for a second time with a 63.82.

13 They both did well on block 11, 79.05 and a 80.25. But
14 there was a big problem. We heard the testimony about this
15 as well. Kayla was still failing one of the themes of her
16 examination, let me show you this. This is Defendant's
17 Exhibit 13, which is in evidence. This is the -- it's called
18 the individual mastery report. This is the one that takes
19 every one of the block tests and breaks it down into detail.
20 And here we saw on this block nine exam to MD. That means
21 not pass. Did not -- this is Kayla, she did not pass that.

22 And you see that top theme ASF, and she has down that
23 bar is in the arrow there, which means fail. And then,
24 again, on the block 10 exam, she's also still in the failing.
25 The block 11 exam to still in the failing range on the ASF.

1 So you heard the testimony that going into the block 12 exam,
2 she was going to have to score better on that ASF theme than
3 she had scored since the very first exam that year.

4 And they had studied as hard as they could study on all
5 the other exams. And there's a real question as to whether
6 she was going to make it. And if she didn't make it, she was
7 going to have to go into a remediation. She -- you've had
8 the testimony; she would've been given one other chance to
9 take a test. She could get 70, she could move on, and she
10 didn't get 70, there would be a total question to whether she
11 could proceed with that. I'd like to think they made it on
12 their own, but they have no way of knowing whether they could
13 or not.

14 So the question is, what decision might somebody make in
15 that situation? You've had about the affinity that identical
16 twins have for each other? Good people, honest people
17 sometimes do things that they're not supposed to do. You
18 heard Kellie say that I've never ever once cheated in my
19 entire life. I just ask you to compare that to your own
20 experiences in your life. And I wonder if there's anybody
21 who really can say that honestly. But being honest with
22 yourselves, I'm being honest with everybody else, but when
23 you're faced with what's -- from their point of view, almost
24 a life or death situation from the person that's closest to

1 you in life, might you do something to help them even knowing
2 that you're not supposed to do it.

3 So they did very well on the block 12 exam. Kayla got
4 an 80.46. Kellie got an 81.11 on the ASF theme. The one
5 that Kayla had a problem with, they both got exactly the same
6 thing, 85.59, much higher than Kayla had ever gotten on that
7 on that theme, any exam before that. At 3:58 p.m. on
8 Tuesday, May 3, 2016, Dr. Hazen-Martin's office sent out the
9 seating assignments for the block for May 5, block 12 exam.
10 And at that moment, Kellie and Kayla (inaudible) they were
11 assigned to different rooms, different buildings. Kellie was
12 assigned to the library. Kayla was assigned to the
13 auditorium.

14 12 minutes later, 4:10 -- you'll see this, it's in the
15 exhibits. We have emails. Kayla emailed, Myra Singleton and
16 asked if there's any way she could move to the library to cut
17 down on the excess commotion, she said in her email. Now,
18 she told us this week that the reason she had had problems on
19 the prior exam was that somebody had had a computer
20 malfunction in front of her and that had caused a
21 distraction. She didn't say it was because of the commotion,
22 no commotion or a need to be in a more quiet room. She said
23 it was a particular incident that had distracted her and
24 caused her to (inaudible). But that's not what she told Ms.
25 Singleton.

1 She said that the general commotion is less, and I'll do
2 better in a quieter room, which happens to be the library,
3 which happens to be where Kellie was assigned. Does this
4 prove cheating? No, it doesn't. But we do know that they
5 knew that if they could be in the same library room together
6 they could sit together if they came in at the same time,
7 which they did. They made a point to be there the first ones
8 in line, the first ones to walk in, and they walked in
9 together and they pile all the way down to the end and sat
10 next to each other. How far apart did they sit? But we saw
11 pictures that Kellie and (inaudible) took with the tape
12 measure.

13 And the centers of the screens were 39 inches apart,
14 which means, of course, the edges of the screens were a few
15 inches apart, and that they were sitting about three feet
16 apart, very closely for them. They could -- you could reach
17 out and touch the other one on the shoulder very easily from
18 that distance. Does that mean they're cheating? No, but
19 it's just one more little brick in the wall. Kellie asked
20 for a pencil with an eraser. Is that proof of cheating? No.
21 That's not proof of cheating. Lots of people use eraser that
22 did erasers to everybody.

23 But the fact that she asked for, it's just one more
24 thing. Michelle Freisinger, who was the proctor, found that
25 unusual. She had not had people ask specifically for eraser.

1 There's not a particular need for eraser. If you get all the
2 paper that you want and it takes time to erase, yeah. Would
3 you ever convict somebody of cheating for that? No, of
4 course not. Could they have collaborated before on other
5 exams? Evidence doesn't prove that you remember claim that
6 they were never charged with collaborating on other exams.

7 That Exhibit 14 that was up there, shows if you're
8 interested, that the degree of agreement between their scores
9 on other tests, they were generally pretty similar. There's
10 another column that shows the percent correlation. It
11 doesn't focus on wrong answers that are the same. It's just
12 how many answers did they get in common? And we don't know
13 whether there's a correlation or not, because when in the
14 library, all it says is that they're in the library. It
15 doesn't say which seat they're in. We don't know whether
16 they sat together or not.

17 But what you can tell from that sheet is that when we
18 know they are seated apart, and you can know because it will
19 have a seat number their correlation must with it, doesn't
20 mean anything. The Honor Council looked at it, they were
21 worried about it, but I wouldn't convict anybody of cheating
22 based on that. It's one more little piece of evidence that
23 you have to consider -- that they have to consider. Dr.
24 Hazen-Martin was not looking for trouble that morning. She
25 was sitting in her office like she had done for any other

1 test, and she was watching the screen, the LXR program
2 running.

3 Why? So that she can make sure that everybody's
4 entering their data because sometimes people have computer
5 problems. She's -- but as she's looking at it, she notices
6 something that she's never seen before. Now she's monitored
7 the test with twins before, she's monitored twin test with
8 them before but she saw something she had never seen before.
9 Two people, every time she sorted it, she sorted it by how
10 many answers have you given so far? They would come up right
11 next to each other. They sorted it alphabetically. They
12 would come up right next to each other. No matter how you
13 sorted the spreadsheet, they were right next to each other.

14 So she started checking and looking. And what she saw
15 was that they were answering the same questions at the same
16 time. She caught enough about that, that she did two things.
17 First thing she did was she went over to the testing room to
18 see that the two students were together and to tell the
19 afternoon proctor Michelle Friesinger to pay close attention
20 and follow the proctor rules which she did. The other thing
21 she did was she took a snapshot of the afternoon session to
22 demonstrate the similarity. And she found the same thing
23 happen again.

24 And these are two exhibits. I'm not going to put them
25 up right now, just as in the interest of time. I just want

1 to show them to you so you recognize them. This is
2 Plaintiff's Exhibit 4, which is called part B afternoon at
3 about two hours. And then Plaintiff's Exhibit 7 is another
4 part B. It says that on the second page at about two hours.
5 And each one of them, you can tell that each one of them has
6 answered almost every question exactly the same, whether they
7 got up right or wrong. And each of -- and both of them had
8 stopped at question 107 -- had to stop. They only gotten as
9 far as 107.

10 So after almost two hours, they were on exactly the same
11 question that they've been on before. Is that prove
12 cheating? No, it doesn't. But it was enough to worry her
13 that she thought that, that needed to be documented and that
14 needed to be reported to the department. So what are the
15 proctor notes? Michelle Fresinger, you heard her. She's a
16 highly professional person. She's been trained and trained
17 in proctoring specifically to constructive, that you don't
18 disrupt the text. You don't go up and bother somebody and
19 say, stop and see your papers or anything like that. All you
20 do is observe and take notes.

21 Her notes say that one hour into the exam, "One student
22 was pushed back away from the desk more than others in the
23 room and kept glancing over at the other student's
24 direction." She was cross-examined on that issue, both at
25 the Honor Council and in our deposition and here before you.

1 And she was absolutely certain that what she saw was not just
2 a casual leaning back, it was somebody leaning back more than
3 she ever seen before. Those students were -- and looking at
4 -- and looking over in the other student's direction.

5 And as we know from the photograph of the room, if
6 you're looking anywhere other than absolutely straight ahead,
7 you're looking at the other person's work, either the paper
8 up in front of them or the computer screen in front of them.
9 She also wrote, "Both students were nodding their heads all
10 through the exam." And she explained that that meant both
11 nodding this way and nodding this way throughout the exam.
12 Does that prove communication? No. But in her judgment, it
13 was communication. She's used to proctor many exams and seen
14 many people. And what she saw appeared to be communication.

15 Near the end of the exam, Kayla, who is student number
16 18014, "Was writing something on the corner of her scratch
17 paper and pushing it over a bit." And Kellie's, and she goes
18 by the student number 18013 was looking in the paper's
19 direction and directly following, looking back through the
20 questions. Kayla then proceeded to erase her paper and
21 flipping her paper over. She noted this three times. Among
22 the notes that we found were the description that says, "I'm
23 waiting, I think of C or I think C." We saw locks where
24 question numbers were written along the margin of the page.
25 And then, her answer would appear to be an answer letter next

1 to it. Can we prove that they were passing those notes to
2 each other for some illicit purpose? No, but it is one more
3 piece of information that the proctor found to be disturbing,
4 that the people who have review those notes found to be
5 disturbing and concerning the behavior of asking, pushing
6 something over the other person, looking at it and looking up
7 at her screen and pulling it back and erasing what was there
8 and flipping the paper.

9 But now we're getting closer to something that looks
10 like it could be a problem. What do you do about that? You
11 have to report it, and you have to refer it to the Honor
12 Council. All of those circumstances together were certainly
13 enough to warrant making a report and letting the Honor
14 Council make its own decision. Medical University is not
15 looking for trouble. They would love to find out that all of
16 this was a misunderstanding. They've got a tremendous amount
17 of this invested decent students. They want them to be
18 successful.

19 So they send -- when they -- when this level of
20 suspicion arose, they sent the papers out to the Caveon
21 company. I'm not going to spend a lot of time the technical
22 part of it. If you just heard it yesterday, and you probably
23 remembered better than I do at this point. But Mr. Maynes
24 isn't somebody that the Medical University just hired to try
25 to do the case. He happened to be the Chief Scientific

1 Officer for Caveon, which is probably the premier company in
2 the country that does statistical analysis of integrity, of
3 testing multiple choice tests. And he's retired, but he was
4 good enough to come out here so he could explain to you what
5 he didn't have the opportunity to explain that Honor Council
6 or to the Dean was, which is that the -- this examination --
7 this type of analysis that we did is extremely reliable.

8 And we don't ask people whether they're twin. We don't
9 ask them whether they're black or white or male or female, or
10 related or not related or sick or anything. We want to
11 objectively, analyze this data and see what the numbers tell
12 us. And what he found was that after doing all the analysis
13 where you weigh the likelihood of anybody selecting any one
14 of those answers, the likelihood of getting all those long
15 answers the same was one and 10th to the 38th power.

16 Now, Mr. Parker, evidently is no better of a
17 mathematician than I am. Because he's just dead wrong. He
18 put that chart up, which I think he made or somebody in his
19 office may tries to say that if twins are twice as likely to
20 get the same answers, then you got from 10 to the 38th power
21 to 10 to 90th power. That's not right. That's Mr. -- we
22 asked Mr. Maynes that questions specifically. I said, if
23 twins are twice as likely as regular people or random people
24 to get the same answers, then what does that do to your
25 formula? He says that would move from one to 10, one and 10

1 to 38th power to two in 10 to 38th power. Still a beyond
2 astronomical numbers.

3 And then, I asked the plaintiff's expert when she came
4 back up on rebuttal, I said, is that right? She said, "Well,
5 I'm not a statistician, but yes, if you go from somebody
6 who's twice as likely, and you apply that it would be two and
7 10 to the 38th power." That's 10 with 38 zeros. (Inaudible)
8 And, you know, within power law, four times the row, however
9 you want, now that it's just beyond human comprehension. Mr.
10 Maynes was pretty soft spoken and low key. And I think he
11 really makes it -- has made his likelihood, but out of not
12 being passionate about the numbers and just let in the
13 numbers speak for themselves.

14 But I submit those to you. Dr. Frankel, plaintiff's
15 expert, she's an advocate. She's the kind of person that
16 goes on talk shows and writes books about erratic, noble
17 experiences with twins. And she's very scholarly and she's
18 got all the credentials in the world to talk about twins.
19 But she said that she gives the same opinion, same report to
20 every client that comes to her and hires her saying that
21 they've been accused of cheating. She doesn't do any
22 analysis to find out whether they actually did cheat or not.
23 She never even spoke to them.

24 She issued that report and just said, oh, the claims are
25 often falsely accused. How do you know they're falsely

1 accused? Well, because they tell me that they were falsely
2 accused and they -- and we get -- and we accept that
3 everybody at the Medical University who testified acknowledge
4 that identical twins or any twins for that matter, are very
5 similar in many ways. I think we've proven over and over
6 again through the course of this trial that they are similar,
7 but they're different also. There are many differences.

8 But even if I -- even if one of you took, answered the
9 same 307 questions twice, it's very unlikely that you would
10 select the same wrong answer as many times as the victims
11 did. And when you go back in the jury room, you can feel
12 free to debate that as much as you want to. But these are
13 complicated questions. They're not questions where there's
14 one obvious right answer. Some of them there is only one
15 right answer, but others, you have to make several decisions
16 to get to the right answer. It's not just like, you know,
17 what are phones made of calcium or something else. It's what
18 would you do if somebody came into the room with this symptom
19 and this symptom.

20 And so you've got to make multiple decisions. So for
21 them to have made all of those multiple decisions exactly the
22 same on every single one, except for I think, four questions
23 out of that whole exam, it's just beyond comprehension. Plan
24 or no claim. I mean, really plan or no claim. But then when
25 you add to it the other circumstantial evidence, it's the

1 situation that they have found themselves in, the following,
2 the lockstep, which wasn't even considered by Caveon. In
3 their analysis of the papers, the notes that have no apparent
4 explanation.

5 It's just hard to explain. But good news is you don't
6 have to decide that because the Honor Council was done. Dean
7 DuBois's decision is final. They are not guilty of violating
8 the Honor Code. Nothing that happens here today is going to
9 change that can possibly change. That's not the question
10 you're here to decide. You're here to decide whether Dr.
11 Hazen-Martin or Dr. Kasman defamed them by what they wrote.
12 So let's take a look at what they did, right?

13 I'm going to show -- you're going to see that the --
14 this is called the complaint. I'm going to put it up on the
15 screen here. This is what starts the lawsuit complaint. And
16 it is what the -- it lays out what the plaintiff's claim is
17 their case. And you don't have to try to read it from there.
18 Because I'm going to read the parts that are important. Says
19 the defendants, and normally they don't read these, but
20 they're usually like pages and pages long, but this one's
21 pretty short.

22 The defendant is a government entity. It is, that's
23 true. The defendant employed Debrah Hazen-Martin PhD
24 (inaudible) and pursuant to the Court Claims Act as
25 responsible for the courses acts of these individuals

1 committed within scope of employment. That's true. They
2 were absolutely employed to their positions. Plaintiffs are
3 identical twins. On May 5, 2016, they were second year
4 students at Medical University. That's true. On that date,
5 they were taking an examination which was being monitored by
6 Debrah Hazen-Martin. That's true.

7 Debrah Hazen-Martin, PhD, after the examination falsely
8 reported to Laura Kasman, MD, that the plaintiffs had cheated
9 during the examination she was monitoring. She also falsely
10 stated to Kasman that the plaintiffs had been observed
11 signaling to each other and passing notes by scratch paper
12 between them. These statements were false and defamatory.
13 So let's take a look at that statement.

14 Exhibit 10. Okay. All right. So notice that this is
15 written to from Dr. Hazen-Martin to Laura Kasman. Dear
16 Laura, I'm sorry to notify you of a testing irregularity
17 noted during the COM year two block exam on Thursday, May
18 5th. During administration of the online exam, I routinely
19 monitor LXR real time to ensure that all students are locked
20 in and that responses have been registered at the close of
21 the session. I entered the exam several times during each
22 testing period, during the AM testing period. I noted that
23 two students were progressing lockstep through the items
24 registering similar incorrect responses on identical items.

1 The two students were located in the same testing
2 module. I contacted the proctor that after -- in that
3 module, to closely monitore during the afternoon session.
4 The same outcome was observed in the LXR testing data for the
5 afternoon session. I'm attaching the response sheets for the
6 two students for both the AM and PM sessions for your review.
7 The reports are timestamped at the bottom of the page. The
8 response sheets show all responses. At the event the
9 responses incorrect, the correct responses indicated in
10 parenthesis.

11 Scratch paper was collected from each student at the end
12 of the testing period per the required procedure. This
13 material and proctor reports are secured by the testing site
14 administrator Linda Johnson, and are available for review.
15 Debrah Hazen-Martin. Compare that to what the complaint
16 says. Debrah Hazen-Martin, after the examination falsely
17 reported to Laura Kasman that the plaintiffs had cheated
18 during the examination she was monitoring.

19 She also stated to Dr. Kasman that the plaintiffs had
20 been observed signaling to each other and passing notes by
21 scratch paper between them. Not true. She said that two
22 students were progressing lockstep, similar incorrect
23 responses and identical items. True. Located in the same
24 room. True. She contacted the proctor. True. Same data
25 appeared in the afternoon. True. Scrap paper was collected,

1 true. The Bingham's are not even identified in that letter.
2 So that allegation in the complaint is false.

3 The next allegation says, on May 11, 2016, Dr. Kasman
4 falsely wrote to Joseph Ivy that the plaintiffs were
5 suspected of cheating on an examination and proceeding next
6 to each other. And we observed signaling each other and
7 passing notes by scratch paper on the desk between them. The
8 statements were false and defamatory, these statements were
9 false and the defamatory. So let's look at that. So this is
10 the letter that she wrote that day, Mr. Ivy -- Dear Mr. Ivy,
11 it is my unfortunate responsibility to report a possible case
12 of academic dishonesty to by two second year medical
13 students.

14 Again, doesn't mention their names. She says it is a
15 possible case of academic dishonesty. The incident occurred
16 during the block 12 exam on May 5, 2016. The cheating was
17 first suspected during a routine audit of the LXR testing
18 data. Approximately two hours into the exam, the audit
19 showed that two students had both completed exactly 107 out
20 of 153 questions. And it shows nearly identical answers up
21 that point. That's true. It shows you the report that says
22 exactly that.

23 Further investigation found that the students proceeded
24 next to each other, correct. And were observed to be
25 signaling each other and passing notes by a scratch paper on

1 the desk to clean them. Does not say handing notes to them.
2 Does not say that they were talking to each other on the
3 radio or whispering to each other and said they were
4 signaling each other, which is exactly what the proctor
5 reported in her in her report. LXR data for the entire class
6 has been sent out for an objective external analysis, which
7 should provide an estimate of the probability of such similar
8 responses occurring by chance.

9 The original LXR data to the two students of scratch
10 paper on the proctor's report are stored in the sealed
11 envelope for you and the dean's office. If I can be of any
12 assistance in this matter, do not hesitate to contact me.
13 I'll be out of town, May 15, 2016, but will be reachable by
14 email. That's the case. Those are the two defamatory
15 statements that plaintiffs have brought this lawsuit over.
16 Neither of those is defamatory. Neither of those is false.

17 And you're going to hear the (inaudible) judge is going
18 to instruct you on law, but what you're going to hear is that
19 you have to take to determine whether something is
20 defamatory, you have to take words in their ordinary,
21 commonly understood meanings. You're not supposed to take
22 things out of context. You're supposed to consider them
23 along with all the other words that are being used and what
24 is trying to be conveyed. And I -- I'm going to ask you to
25 consider this question too. This is about a circumstances,

1 as you could imagine, trying to initiate an investigation
2 about an Honor Council. What else could they say? You're
3 supposed to write and say, I can't tell you why, but I think
4 you guys ought to go conduct an investigation. Nothing
5 really happened, but we think this warrants your attention.

6 That's not helpful to anybody. That's not how you
7 initiate an investigation. She used exactly the words that
8 she needed to use, and they were the exact truthful rendition
9 of the information that she had, which was required to
10 initiate that investigation. Let's talk about publication.
11 That's one of the elements that you have to prove the
12 defamation. If you -- if the plaintiffs can prove that the
13 statement is defamatory, if it's not true. If it's not
14 substantially true, at least, then you go on to the question
15 of, well, did they publish that to anybody? To publish means
16 simply say in some way.

17 But it has to be somebody other than the plaintiff or
18 the defendant. If I repeat a statement to myself, that's not
19 publishing. If I say to just the plaintiff, that's not
20 publishing. Well, in this case, what happened was, a person
21 with responsibility from the Medical University, Dr. Kasman
22 and Dr. Hazen-Martin communicated this information solely
23 within the Medical University and solely within the Honor
24 Council and the Dean's office, which is exactly where that
25 information is supposed to go.

1 Did you hear any evidence or testimony whatsoever that
2 either this statement by Dr. Kasman or the statement by Dr.
3 Hazen-Martin was ever disseminated outside of the Medical
4 University? Do you remember all those Facebook postings that
5 we saw? What did they all say? Did you see any one of them
6 that said the students were seeing passing notes back and
7 forth? The students were seen nodding their heads, the
8 students had identical answers. No, what it said was they
9 were convicted of an honor violation and recommended to be
10 expelled from school, and then the dean threw it out.

11 Which is wrong, by the way. But nevertheless, that's
12 not this information. This information never went beyond
13 exactly where it's supposed to go within the four walls of
14 Medical University of South Carolina.

15 Let's talk a little bit about the leak. The plaintiffs
16 alleged that somebody associated with the -- it's not in the
17 complaint exactly, but they're going to -- they've argue to
18 that you should find complainant, because somebody who had to
19 have been associated with the Medical University disseminated
20 this information to either students or to the media or what
21 have you. That is absolutely not true. There's no evidence
22 whatsoever that anybody who had any responsibility from the
23 Medical University ever did that. In fact, the only evidence
24 we have is exactly the opposite.

1 What we saw was that a news reporter or Laura sent an
2 email to a member of the Honor Council who said, I got an
3 anonymous tip that somebody was kicked out of school or was
4 found guilty and was caught cheating. And was recommended to
5 be expelled but the Dean overturned. I need somebody from
6 the Honor Council to on the record or off the record, confirm
7 this. Which means she doesn't have somebody from the Honor
8 Council to confirm this because she said, I need somebody.
9 Well, what did he do? Did he answer? No, he sent it right
10 up to his faculty advisor who sent it up to the Dean. And
11 that's exactly what was supposed to happen.

12 That information was never -- no information was ever
13 disseminated to the media, but somebody did. It could have
14 been anybody. It could have been Trey, it could have been
15 Melly. It could have been somebody that overheard a
16 conversation somewhere. It could have been somebody that the
17 attorneys knew, it could have been anybody. But let's just
18 say for the sake of argument that it was a disgruntled member
19 of the Honor Council.

20 And he was so angry that they had done all this work and
21 had all the moves on the pens, and then the Dean comes in and
22 just gratuitously throws it out. Let's just say that that's
23 what happened. That person is not acting when he violates
24 not only federal law FERPA, but the Honor Code itself and his
25 written oath that he took to be part of the Honor Council.

1 When he disseminates that information, he is not acting in
2 scope of his official capacity at the Medical University.

3 And what the Judge is going to tell you at the end of
4 the day is that the only way you can hold the Medical
5 University or any other governmental agency responsible is
6 from the acts of one of their agents or employees done in the
7 scope of their official duties. This was the opposite of
8 anybody's official duties. It was absolutely forbidden by
9 Medical University. And I think that, I think the Dean
10 DuBois was very candid that he would be -- he was aghast that
11 anybody was even talking about this information outside the
12 four walls of the Honor Council.

13 And if he found out who it was, if it was a faculty
14 member that he was fired, if it was if it was a student,
15 there'd be serious consequences. So there is no evidence
16 whatsoever that anybody disseminated any of that false
17 information. And there in the scope of their official duties
18 of Medical University. Now you're saying, what if I find all
19 these things? What if I find that statement was false in
20 some way because I don't really believe that they were
21 sliding the scratch paper. They didn't really remember doing
22 it. So I think that's a false statement.

23 And so I guess according to what Mr. Cooke says, I've
24 got to go to the next step. And I think maybe somehow the
25 leak may have incorporated that information or whatever. So

1 I think I've identify, find new claims, I got to award damage
2 against the Medical University, but that just doesn't seem
3 right, does it? And how are you going to have a honor system
4 or a Honor Code if -- and the Honor Code actually requires
5 anybody that sees anything or suspects anything to report it
6 to an Honor Council.

7 That just doesn't seem right. Does it? That if you do
8 that and the person ends up beating the rap, so to speak, and
9 gets off, you're going to be sued or you going to cause
10 Medical University to be sued for standard. There's got to
11 be some margin for error there, right? There is, it's called
12 qualified privilege. And in this case judge is going to
13 instruct you that she's determined that qualified privilege
14 applies in this case. Qualified privilege means that if you
15 make a statement and it's within the context of something
16 that you have business talking about to somebody that has
17 business hearing about it even if you make a mistake and the
18 statement is defamatory, you're not liable for that.

19 It's qualified -- it's called a qualified privilege.
20 The reason it is qualified privilege, is because you could
21 abuse that privilege. If you abuse that privilege, you can
22 still be sued for it. And how do you abuse that privilege?
23 Well, one would be if you act with malice. You can't use the
24 fact that I had a reason to talk about this, to go slander
25 somebody gratuitously because I've got some personal

1 privilege.

2 And the other is if you exceed the scope of your
3 responsibilities or of the privilege, for example let's say
4 that Dr. Hazen-Martin, that said, you know, I think this is
5 pretty outrageous. I -- I've got to report this to Honor
6 Council, but I'm going to send it to the newspaper too.
7 Because I just think that something ought be done about these
8 students. Wrong, that takes you out -- that will take you
9 outside of the qualified privilege. That's why it's called a
10 qualified.

11 So if you exceed the scope of the privilege, then you
12 can get sued for it. Well, there's been no evidence
13 whatsoever that anybody see in the scope of the privilege
14 that either Dr. Kasman or Dr. Hazen-Martin sent these to
15 anybody other than the people that they were required to send
16 them to, or that these documents ever went beyond where they
17 were supposed to go.

18 So even if you were to get through all those other steps
19 and find those against Medical University, you would have to
20 honor this margin for error that the law recognizes and say
21 that, okay, even if you did jump to conclusion, even if you
22 did make a false statement somewhere in there, you did it in
23 the scope of your responsibilities as the Dean and as the
24 director of the second year curriculum within the
25 requirements of Honor Council. And so it's privilege, and

1 therefore you would find in favor of the of the Medical
2 University.

3 One thing that I would like you to consider also is
4 everybody that was involved in this process from the
5 beginning to the end was respectful so to speak. You notice
6 that they avoided even using the Bingham's names. They
7 didn't refer to them as (inaudible). They did refer to them
8 as connected people. Even the -- you saw, or even the notes
9 from the proctor, they scratched out the identifying
10 information just put in the as student number.

11 All of that is because of the dedication of the Medical
12 University to try to protect these folks from unfairly being
13 accused. They don't send any personal information about the
14 students to Caveon. Even -- all they give is a bunch of
15 numbers as identifiers. All of that is because this is so
16 important to everybody involved. It's important to
17 Bingham's, it's important to other students. It's important
18 to everybody that the Honor Committee Council being allowed
19 to do its work without prejudging people, without them being
20 harmed or (inaudible) the work.

21 I can't stop without at least addressing briefly the
22 question of damages in this case. Much has been made about
23 being doctors, being the dreams of the Bingham's and rightly
24 so. I respect that. I hope that, that many kids would grow
25 up dreaming of being doctors, involved somehow in the medical

1 field helping other people. But it -- the evidence that you
2 got in front of you is going to show that was probably not
3 going to be the cards for them.

4 Defendants 17. (Inaudible) this was a national exam that
5 was given by the National Board of Medical Examiners. And
6 you'll recognize it when you see it. But this is the cover
7 page here. You might recognize this to Dr. Hazen-Martin
8 talked about, but this is an exam that's given at the end of
9 the second year. It doesn't count. It's basically a
10 practice exam or what then would later be the step one, which
11 is the national accrediting exam that everybody has to pass
12 in order to proceed to the clinical part of their medical
13 education, which is beyond the second year.

14 And so what they do to help prepare the students for
15 this and to assess their strengths and weaknesses is that
16 they give them this test. So this one was taken on -- so it
17 happens on May 9, 2015. If you remember the testimony was
18 that, that was the same day that the twins were informed that
19 there was an irregularity, that their grades were going to be
20 held up and that they should see the counselor. But they
21 took care to not release that information until after this
22 exam was taken.

23 Everybody in the class was taking this exam. They
24 didn't want any of them to be worried about their test scores
25 from the block 12 exam. So they waited until the afternoon

1 and after this test was completed to do that information. So
2 when Kayla and Kellie took this exam, they had no idea that
3 there was anything amiss about their grades, but they did not
4 do well on this. That's a 49, and that's a 53 for Kellie 49.
5 And there's a sheet here that shows you how to compare that
6 score to what your likely score is going to be on the step
7 one exam.

8 And there's a column right here. So if you had a 53,
9 that would put you right here between 155 and 160. And if
10 you had a 49, that would put you right there between the 145
11 and the 150. And the testimony that you heard was that if
12 you had more than a 160, there was a reasonable chance that
13 you could pull your grades up enough and pass. That's not
14 passing, but there's a reasonable chance that you could pull
15 your grades up to pass to step one.

16 So it could be that they had panic attacks and couldn't
17 pass step one, the first, second, third, or fourth tries.
18 But the only objective evidence we have in consideration is
19 that they were not on track to pass that test even before any
20 of this trauma took place. The rest of the testimony about
21 damages and how's affected their life, I'm not going to say a
22 word about that because that's your promise. There's nothing
23 that I, as a lawyer can tell you that's going to help you in
24 any way evaluate credibility witnesses or the likelihood that
25 somebody would still be suffering PTSD this long after what

1 they've been through.

2 I hope you don't have to get the damages. Honestly, I
3 hope that you just decide the case that it's not a case of
4 liability. So I've taken a lot of your time and I'm not
5 going to take much more time. Mr. Parker gets the last
6 words, but I ask that you listen respectfully to him, but be
7 (inaudible) try to, we hear him talk, think what would Mr.
8 Cooke have to say in response to that.

9 But I do want to say a couple things in conclusion. I'm
10 going to ask you, in everything we've heard so far in this
11 case, from the through the eyes of the Bingham family which
12 is perfectly molested the plaintiff in the case of going to
13 the court. But when you're suing somebody for detaining you,
14 you have to look at things from the perspective of the person
15 that's accused of defamation. What I hope you have picked up
16 from all witnesses that came from Medical University is that
17 these are professionals who are not out to get anybody.

18 They are dedicated to providing the very best medical
19 education that they can to training young people to become
20 doctors. And that's something that we all have an interest
21 in. Because we all go to doctors and we all want doctors to
22 be accomplished.

23 We're going to ask you to consider all the testimony and
24 take as much time as you need. And I'm going to sit down for
25 (inaudible) so you can get started sooner rather than later.

1 But I submit to you that the thing that the Bingham's were
2 locked in their position as of the afternoon of May 9, 2016,
3 when they got word that they were being accused of honor
4 violation.

5 First thing they did was call the parents. First thing
6 they did -- that their dad did was call the President of the
7 Medical University. From that moment forward, there was no
8 turning back for those girls. They -- their narrative for
9 the rest of their lives has to be, we weren't guilty, we were
10 falsely accused. They -- there's no way after that, that
11 they could go back. They were the stars, the apples in their
12 parents' eyes, as they will should be. But they have never
13 learned to deal with failure before. And they didn't deal
14 with it rightly at this time. They weren't able to just say,
15 I think we may have made a mistake here.

16 Instead, they have had to continue this narrative up to
17 this moment saying, "We were falsely accused and it was all
18 malicious." And you saw testify there, brilliant people,
19 that they had an answer for everything. They could not bring
20 themselves to admit to you, even though they admitted it
21 before that what they did looked pretty bad, sitting right
22 next to each other, writing notes, nodding, whatever it was,
23 having the exact same scores, they had to admit that, that
24 would be bad. They -- but they won't (inaudible) because
25 that kills their case.

1 I'm going to ask you to return a verdict for the
2 defendant to respect the institution of honor within the
3 Medical University, the importance of people doing their
4 jobs. If you return a verdict for the plaintiffs in this
5 case, I asked the question, could anybody in good conscience
6 of Dr. Hazen-Martin or Dr. Kasman or anybody, if they see
7 something, it's going to be much easier next time just to
8 say, you know, it's not my problem. I'm just going to let
9 this go. That's not good for anybody.

10 Medical school is supposed to be hard. The tests are
11 supposed to be hard. People are under pressure. People that
12 have been successful, people do cheat in medical school.
13 They cheat everywhere. Some people cheat everywhere. And
14 you have to have a mechanism in place, to try to address it.
15 Sometimes -- and that process, despite how careful they are,
16 somebody gets charged with it and it turns out that they're
17 not guilty. For whatever reason, no matter how bad the
18 evidence looked against them, they might have been innocent.
19 And -- but the law provides for that. That's what qualified
20 privilege does for us.

21 That's what qualified privilege gives the right to
22 people like Dr. Hazen-Martin and Dr. Kasman and the Honor
23 Council to do what they have to do even as hard as it may be,
24 even though it may cause damage to people in order to
25 maintain the integrity of our medical profession. So with

1 that, I thank you for your attention and we'll be here as
2 long as long as you need to deliberate. Thank you.

3 MR. PARKER: Your Honor, can we take about five
4 minutes?

5 THE COURT: Sure. (Crosstalk) Ladies and gentlemen,
6 we're going to take a short break. Please don't begin
7 discussing the case.

8 (Jury exiting.)

9 (A brief recess was taken.)

10 THE COURT: Thank you and please have a seat. Thank
11 you. Mr. Parker ---

12 MR. PARKER: Thank you, Your Honor.

13 THE COURT: --- reply?

14 MR. PARKER: I'll take this a few minutes to talk a
15 little bit about what Mr. Cooke brought up. And I want you
16 all to get back in the Exhibit 1 and Exhibit 2, which are the
17 notes that they made during this exam. And each got five to
18 six pages, extremely detailed. (Inaudible) under 53 very
19 complex questions. Look at the exhibits that the examine
20 should have (inaudible) complex exhibits and that testimony
21 was that they were looking at the screen, they weren't each
22 other and they would write back and they were writing notes.

23 And there's no way possible that employees and what they
24 say that they were collaborating, doing 153 questions and one
25 answer the others and so forth. That is just absolutely

1 false. And, you know, we -- they made an issue of that. We
2 alleged in the complaint that Dr. Hazen-Martin told the story
3 to Kasman and that's where she got it from. Well, we knew
4 Hazen-Martin talked to Kasman. We didn't have these rackets.
5 Now this was the start.

6 We have asked that because I couldn't imagine that
7 Kasman would've made that up because now we know she did that
8 there was signaling and passing notes because it was in
9 nothing. She had to have made it up and making up all
10 statements about something that is reckless disregard for
11 their rights. And that is what we have to prove in this case
12 to overcome the qualified privilege. I agree with Mr. Cooke
13 that in academia you have to have leeway to investigate
14 things and you have to have leeway to do it truthfully.

15 What you don't have leeway to do is do it intentionally
16 and recklessly, falsely. And that was what was done in this
17 case. It was reckless disregard for their rights. I totally
18 agree -- disagree with another thing Mr. Cooke said.
19 Everybody cheats. I don't believe that. Maybe I'm
20 (inaudible) but I sure hope that we don't. I hope that's
21 false because I don't believe everybody cheat. And I know
22 they didn't cheat. And how did this occur that they got
23 accused of this because they were answering according to Dr.
24 Hazen-Martin at about the same page, but she didn't look at
25 it. She said maybe every 20 minutes. So she doesn't really

1 know that.

2 She doesn't know that they were on the exact same page.

3 She knows that they may have been when she looked at it.

4 That may be true and -- but it proves nothing. In fact, if

5 they were -- they had none of the twin same DNA. You don't

6 have the so long to answer the question. If you answer 153

7 questions in testimony was three hours, you got to move

8 pretty damn quickly. You all read those questions and say

9 how long it just takes you to read the question for less to

10 come up with the answer.

11 And another thing that Mr. Cooke talked about, he said,

12 well, he was right that Mr. Maynes was right about the fact

13 that if he said testified that had he considered there were

14 twins, he would've reduced his vagueness about that by half.

15 The chart I put up there shows you what you'd get it two

16 times 10 to 38 is not putting it in half. This doesn't, and

17 that was an error on that part.

18 But what all of those, that chart was put up as proof

19 under the testimony about Dr. Segal. If in fact this -- they

20 are 80 to 90 percent alike such that one in the same could be

21 tested in the exam, then the statistic showed if you reduce

22 it down by that and that chart, did you just take it each one

23 of them, it was one down 10 to 38th and you take half of it

24 is one to 10 to the 19th. That's some mathematics. And if

25 you do that down, the statistics that they used to study on

1 twins would've shown they didn't cheat.

2 And the other thing I want to talk about is the
3 qualified privilege. And it is qualified privilege I totally
4 agree. Universities have to have the right to investigate
5 things. What they don't have a right to do is falsely
6 accuse. They have an absolute right to investigate. They
7 wanted to investigate this. It would've been entirely
8 appropriate to do it in an honest, non-false way. What they
9 don't have a right to do is falsely do it. And that's what
10 they did. Now they published this thing around to the
11 evidence will show up.

12 Exhibit 14 shows that it was transmitted the false
13 information to the three people, Dr. Hazen-Martin, Dr. Kasman
14 and to (inaudible). So there were three different
15 publications in that way. And if they had not falsely done
16 that this thing would've never gone the way it is now.

17 The other thing I'd like to talk about is the
18 confirmation bias. And in this case, rather than Dr.
19 Hazen-Martin, if she had gone to the proctor and wanted to do
20 it fairly, what she had said, I want you to watch -- closely
21 watch everybody in the room, therefore you wouldn't have
22 confirmation bias, she didn't do that. She said, pointed
23 them out by name that they deleted from the notes. Pointed
24 them out by name and said, watch them. And she watched. And
25 she on her notes did not say they did one thing wrong. They

1 said, well, I saw one of them nod their head, and I saw one
2 of them pushing back.

3 And Nancy testified contrary to that. Why did she do
4 that? Is it trying to protect her employer? Absolutely.
5 What happened? And telling on that is she testified that the
6 room that they took measurements then within days of exam,
7 which Kellie pointed out, she said that wasn't room. So her
8 memory is not real good. Her memory is awful, and her memory
9 is such that she decided and where did it come from that
10 she's going to change her testimony if she remembers
11 something after six years that she didn't remember a few
12 days, a month afterwards, not even a month. So it -- it's
13 pretty telling about the case that they have this type of
14 testimony indicates.

15 And, you know, Dr. (inaudible) also testified about that
16 he had been contacted by other twins about this same issue
17 not just them that this was involved in, but others and
18 testimony was they didn't have had any problem with twins.
19 But Dr. DuBois's testimony of course kind of contradicted
20 that evidence. But I think that when you get back there, if
21 you look through these exhibits, consider all the testimony
22 do fairly to everyone. I think that it proves that case that
23 they were falsely accused of cheating when they did not cheat
24 at all. Not on any question and you couldn't -- this idea
25 that they were looking around in the whole exam communicating

1 with each other.

2 You look at the complexity of those question and the
3 length of that note what they wrote down that and you will
4 not see one iota of evidence that they were doing anything
5 wrong. And we think that when you view all the evidence,
6 you'll find the verdict (inaudible). Thank you.

7 THE COURT: Okay. Ladies and gentlemen, if you will turn
8 your attention to me. You all have heard all the testimony
9 evidence in this case and it's now my duty to instruct you on
10 the law that applies. I remind you that during the trial you
11 and I have certain duties to perform. As a trial judge, it's
12 my responsibility to preside over the trial of this case and
13 I also have the duty to rule on the admissibility of evidence
14 offered during this trial.

15 You are to consider only the evidence before you. You
16 are to consider only the testimony which has been presented
17 from the witness stand and any exhibits which have been made
18 part of the record in this case. I remind you that the
19 statements of the attorneys, while important are not
20 evidence. I have the additional duty to charge you the law
21 that applies to this case. It is your duty as jurors to
22 accept and apply the law as I now stated to you. If you
23 think that you have any idea as to what the law is or what
24 the law ought to be and it does not agree with what I now
25 tell you the law is, you must forget that previous idea

1 because you're sworn to accept the law and apply the law as I
2 stated to you now.

3 In every case tried in this court before a jury, the
4 jury becomes the sole and exclusive judges of the facts. A
5 trial judge cannot comment on or make any statement about the
6 facts in a case. Since you are the sole judges of the facts,
7 please don't think by anything that I've said during the
8 course of this trial that I have any opinion about the facts
9 in the case. The law does not allow me to have an opinion
10 about the facts.

11 The burden of proof in this case is by a preponderance
12 of the evidence. A preponderance of the evidence simply
13 means the greater weight of the evidence. It is evidence
14 which as a whole shows that the facts sought to be proved is
15 more likely true than not true. And this can be illustrated
16 by imagining a set of scales. When the case begins, the
17 scales are even. After all of the evidence has been
18 presented, if the scales remain even or if they tip even
19 slightly in favor of the defendant, then the plaintiffs have
20 failed to meet the burden of proof and you should return a
21 verdict for the defendant.

22 If on the other hand the scales tip even slightly in
23 favor of the plaintiffs, the plaintiffs will have met the
24 burden of proof and you should return a verdict for the
25 plaintiffs. The preponderance of the evidence is not

1 determined by counting up the number of witnesses for each
2 side. Instead it must be determined by the greater weight of
3 all of the evidence. There are two types of evidence
4 generally presented during a trial. There's direct evidence
5 and circumstantial evidence. Direct evidence is the
6 testimony of a person who claims to have actual knowledge of
7 a fact, such as an eyewitness. It is evidence which
8 immediately establishes the main fact to be proved.

9 Circumstantial evidence is proof of a chain of facts and
10 circumstances indicating the existence of a fact. It is
11 evidence which immediately establishes collateral facts from
12 which the main fact may be inferred. Circumstantial evidence
13 is based on inference and not on personal knowledge or
14 observation. For circumstantial evidence to be sufficient to
15 warrant the finding of a fact, the circumstances must lead to
16 that fact with reasonable certainty. The facts and
17 circumstances should be considered in light of ordinary
18 experience and common sense. The existence of a fact cannot
19 be based on speculation, surmise or conjecture.

20 The law makes absolutely no distinction between the
21 weight or value to be given to either direct or
22 circumstantial evidence. Nor is a greater degree of
23 certainty required circumstantial evidence than a direct
24 evidence. You should weigh all of the evidence in the case.
25 Unnecessarily, you must determine the credibility of

1 witnesses who have testified in this case and credibility
2 simply means believability. It becomes your duty as jurors
3 to evaluate the evidence and determine which evidence
4 convinces you that it is true. In determining the
5 believability of witnesses who have testified in this case,
6 you may believe several witnesses over one or one over
7 several.

8 You may believe a part of the testimony of a witness and
9 reject the remaining part of the testimony of the same
10 witness. You may believe the testimony of a witness in its
11 entirety, or you may reject the testimony of a witness in its
12 entirety. You may consider whether the witness has an
13 interest in the results of the trial, whether the witness is
14 prejudice toward either the plaintiffs or the defendant. The
15 opportunity that the witness had to see and hear the things
16 that the witness is testifying about and the way the witness
17 acts. What is their demeanor while on the witness stand.

18 You have a right to consider anything that's in the
19 record that will help you evaluate the testimony of the
20 witnesses. Now the rules of evidence ordinarily do not
21 permit witnesses to testify to opinions or conclusions. An
22 exception to this rule exists for witnesses that we call
23 expert witnesses. A witness who by education and experience
24 in some particular art or science has become an expert, may
25 give an opinion as to the subject matter the witness claims

1 to be an expert in and may also give the reasons for the
2 opinion.

3 In this case, you've heard from two witnesses who are
4 qualified by the court as expert witnesses and therefore
5 we're allowed to give opinion testimony. You should consider
6 any expert opinion given by a witness and like any other
7 evidence give it the weight you think it deserves. If you
8 decide that an expert witness's opinion is not based on
9 sufficient education and experience, or if you decide that
10 the reasons given in support of the opinion are not sound or
11 that the opinion is outweighed by other evidence, you may
12 disregard the opinion entirely.

13 An expert witness's testimony is to be given no greater
14 weight than that of other witnesses simply because the
15 witness is an expert and you do not have to accept an
16 expert's opinion even though it may be un-contradicted. Now
17 the plaintiff's claim that the defendant communicated a
18 defamatory statement about the plaintiff's to another person.
19 The tort of defamation allows the plaintiff to recover for
20 injury to her reputation as a result of the defendant's
21 communication to others of a false message about the
22 plaintiffs.

23 The focus of defamation is on the injury to reputation.
24 Defamation may too take two forms, libel or slander. Libel
25 is a written defamation while slander is a spoken defamatory

1 statement. Defamatory language is language that tends to
2 injure or adversely affect the plaintiff's reputation. In
3 order to recover in this case, the plaintiffs must establish
4 by a preponderance of the evidence that there was a false and
5 defamatory statement by the defendant MUSC concerning the
6 plaintiff's and unprivileged publication by the defendant to
7 a third party, fault on the defendant's part in publishing
8 the statement and that the publication of the statement cause
9 special harm or damages to the plaintiff or the publication
10 of a type of statement where the law presumes harm to the
11 plaintiffs.

12 Plaintiffs must first prove that defamatory language was
13 communicated by the defendant about the plaintiffs. A
14 defamatory statement is one which tends to attack the
15 honesty, integrity, virtue, or reputation of a person and
16 exposes the person to disgrace public hatred, avoidance,
17 contempt, or ridicule. In deciding whether the statement was
18 defamatory, you must give the words used their ordinary and
19 popular meaning. The intent and meaning of the words must be
20 determined from the words themselves and the context in which
21 they were used.

22 All parts of the statement must be considered together
23 to determine the statements true meaning. Individual words
24 should not be singled out as defamatory. In addition, the
25 statement must be considered in light of the facts known to

Jury Charges

1000

1 the persons to whom the statement was made and not in light
2 of the facts known to the parties.

3 The defamatory statement must be false. One who
4 publishes a defamatory statement of fact is not liable for
5 defamation if the statement is substantially true. If the --
6 even if the defendant made the statement for no good purpose
7 was inspired by ill will toward the plaintiffs and made the
8 statement solely for the purpose of harming the plaintiffs.
9 If the statement is true, the plaintiffs cannot recover for
10 defamation. The -- excuse me, the defamatory statement is
11 presumed to be false. Defendant has the burden of proving
12 that the statement was substantially true.

13 Next, the plaintiffs must prove that the statement was
14 communicated to someone other than the plaintiffs. It is not
15 enough that the statement was made within the hearing of
16 another person. The plaintiffs must prove that the statement
17 was heard by another person who understood that the statement
18 referred to the plaintiffs. The plaintiffs must also prove
19 that the defendant made the statement knowing or reasonably
20 expecting it to reach a third person.

21 Additionally, the alleged defamatory statement must be
22 published by the defendant. As a general rule where a person
23 communicates a defamatory statement only to the person
24 defamed, and the defamed person then repeats the statement to
25 others. Publication of the statement by the person defamed,

1 or what we call self-publication, will not support a
2 defamation action against the originator of the statements.
3 If the plaintiff's repeat the statement to a third party, the
4 defendant is not responsible for any damages caused by
5 plaintiffs communicating the statement.

6 The third element of defamation is fault on the part of
7 the publisher. When a defamatory communication is written
8 liable, the defendant is presumed to have acted with fault.
9 When a defamatory statement is slanderous and charges the
10 plaintiff with unfitness in one's business or profession, the
11 defendant is presumed to have acted with fault.

12 Finally, the plaintiffs must prove that their reputation
13 was damaged by the defamatory statement. The plaintiffs must
14 prove that the damages naturally and approximately resulted
15 from the defendant's statement. Actual damages are damages
16 which compensate the plaintiff for the injury and put the
17 plaintiffs in the same position they were in prior to the
18 defamatory statement as much as possible. General damages
19 include humiliation, hurt, feelings, mental suffering, injury
20 to reputation, and other types of injuries on which you
21 cannot place a monetary value.

22 The plaintiffs may also recover for any special damages
23 resulting from the defamatory statement. Special damages are
24 monetary damages with respect to the property, business,
25 profession, or occupation of the plaintiffs, such as the loss

1 of a job, the loss of customers, or the loss of a business
2 relationship as a result of the injury to the plaintiff's
3 reputation. Any verdict in this case must be based on the
4 competent evidence before you and may not be based on
5 sympathy, passion, prejudice, or emotion, or some other
6 consideration not found in evidence.

7 Certain statements are considered to be what we call
8 slander per se. If a statement is slanders per se, injury to
9 the plaintiffs is presumed and the plaintiffs do not have to
10 prove any special damages. Statements which charged the
11 plaintiffs with commission of a crime of moral turpitude,
12 contraction of a sexually transmitted disease, adultery,
13 unchastity or unfitness in the person's business or
14 profession are slanderous per se. If you find that the
15 statement was slanders per se, and you return a verdict for
16 the plaintiff, then you must award the plaintiff's at least
17 nominal damages.

18 Nominal damages may be only a small or trivial sum.
19 Nominal damages are required because the law presumes that
20 some actual damage to the plaintiff's reputation in character
21 directly and approximately resulted from the defendant's
22 defamatory statement. Even if you find that the defendant's
23 statement was defamatory, the defendant claims that it was
24 made under a qualified privilege. Not all defamatory
25 statements published to a third party are actionable.

Jury Charges

1003

1 The law recognizes that certain types of statements and
2 communications on certain subjects are privileged and be --
3 may be made regardless of their truth or falsity. A
4 privilege is an immunity granted to some person or group of
5 persons which is not enjoyed by others. As the term is used
6 in this case, a privileged communication is one which is made
7 on such an occasion that the speaker or publisher will not be
8 held responsible in an action for libel or slander.

9 A qualified privilege exists where the communication is
10 made in good faith on any subject matter in which the person
11 communicating has an interest or duty and is made to another
12 person with a corresponding interest or duty. I have found
13 as a matter of law in this case that a qualified privilege
14 does exist. I have found and so instruct you that any
15 communication by MUSC employees or agents made in good faith
16 to initiate or investigate a suspicion of academic dishonesty
17 and any statements made during the course of Honor Council
18 proceedings to determine whether academic honesty -- excuse
19 me, academic dishonesty occurred, are subject to a qualified
20 privilege.

21 While I have determined as a matter of law that the
22 qualified privilege exists in this case, it's your duty to
23 determine, as a matter of fact, whether the defendant abused
24 the privilege. Even if a privilege exists, a defendant may
25 still be liable for defamation if he abuses the privilege by

1 exceeding the scope of the privilege and publicizing the
2 defamatory statement to persons who do not need it -- excuse
3 me, who do not need to have it in order to further the
4 interest protected by the privilege or by making the
5 statement with knowledge that the statement was false or with
6 reckless disregard of whether it was true or false.

7 When determining if the privilege was abused, you should
8 consider whether the defendant acted in good faith in making
9 the statement, whether the scope of the statement was
10 properly limited, whether the statement was sent only to the
11 proper parties, and whether the publication went beyond what
12 the occasion required and was unnecessarily defamatory. The
13 plaintiffs had the burden of proving that the qualified
14 privilege was abused.

15 Under the South Carolina Tort Claims Act. You may only
16 return a verdict against MUSC if you find that plaintiffs
17 have proven by a preponderance of the evidence that the
18 conduct of MUSC's employees was within the scope of their
19 official duties. An employee includes an agent and a person
20 acting on behalf of or in service of a governmental entity in
21 the scope of official duties.

22 Scope of official duties, means acting in and about the
23 official business of a governmental entity and performing
24 official duties. An act falls within the scope of employment
25 if it was reasonably necessary to accomplish the employment

1 and was done in furtherance of the employer's business.
2 Conversely, if the employee or agent acts for some
3 independent purpose of his own wholly disconnected with the
4 furtherance of the employer's business, his conduct falls
5 outside the scope of his employment. If you find that
6 plaintiffs have proven conduct that was not within the scope
7 of official duties, you must return a verdict in favor of
8 defendants on this claim.

9 Under the South Carolina Tort Claims Act. MUSC may not
10 be held liable for an injury that was caused by adoption,
11 enforcement or compliance with any law or failure to adopt or
12 enforce any law, whether valid or invalid, including, but not
13 limited to any charter provision, ordinance, resolution, rule
14 regulation or written policy. The statute also provides an
15 MUSC or any other governmental entity may not be held liable
16 for the exercise of discretion or judgment by the
17 governmental entity or employee or the performance or failure
18 to perform any act or service, which is in the discretion or
19 judgment of the governmental entity or employee.

20 MUSC may not be held liable for employee conduct outside
21 the scope of official duties. And finally, under the Court
22 Claims Act, MUSC may not be held liable for an act or
23 omission of a person other than an employee or agent MUSC,
24 including but not limited to the criminal actions of third
25 persons. We're going to send you back to the jury room with

Jury Charges

1006

1 the verdict form that has three questions and you'll see at
2 the top of the form is the caption of the case. And the
3 first question asks, do you the jury unanimously find by a
4 preponderance of the evidence that defendant Medical
5 University of South Carolina made a false and defamatory
6 statement about plaintiff Kellie and Kayla Bingham? You have
7 two options, yes or no. Please don't read anything into the
8 order in which these options appear. One's got to come first
9 and one's got to come second.

10 If you answer yes, then you'll continue to question two.
11 If you answer no by placing a check next to the line, then
12 you'll stop deliberating and you will not go into question
13 two. If you go to question two, it states, do you the jury
14 unanimously find by a preponderance of the evidence that the
15 defamatory statement exceeded the scope of defendant's
16 qualified privilege? Again, you'll either answer yes or no.
17 If you answer yes, the form prompts you to continue to
18 question three. If you answer no, the form prompts you to
19 stop deliberating.

20 The third question is, what is the amount of damages, if
21 any, sustained by the plaintiffs? There is a line for Kayla
22 Bingham and there's a line for Kellie Bingham in which you
23 will write the amount of damages that you are awarding. Your
24 verdict must be unanimous. Every juror must agree on the
25 verdict. When the foreperson writes the verdict and signs

1 his name, that assures the court that the verdict is
2 unanimous. So there's a line at the bottom for the
3 foreperson to write the name and the date.

4 And then once you reach the unanimous verdict, if you'll
5 please knock on the door and let the bailiffs know that
6 you've reached a verdict. Before I dismiss you, any
7 exceptions or additions from the plaintiff?

8 MR. PARKER: No, Your Honor.

9 MR. FLETCHER: No, Your Honor.

10 THE COURT: Okay. I'm going to excuse you. We do have
11 your lunch present. You're welcome to start eating. Please
12 don't begin deliberating until we bring you the exhibits and
13 the verdict form.

14 (Jury exiting).

15 (A brief recess was taken.)

16 THE COURT: Okay. First of all, thank you both.
17 Excellent job. If I can get you all to please go through the
18 exhibits, make sure we have them all together, that we need
19 to have together and nothing going back that we shouldn't
20 have. Appreciate it.

21 MR. FLETCHER: And Your Honor, one thing for the record
22 we have the original scratch paper that we've agreed we'll
23 submit to the jury and I think it's in the front pocket of
24 our exhibit binder. And I think we've been through their
25 exhibit binder and we are in agreement.

1 for the service.

2 THE COURT: All right, ladies and gentlemen, we thank
3 you very much for your service this entire week. I know that
4 it's been a long week. This is an exemption that's good for
5 three years. So if you do get a juror summons within the
6 next three years, you are -- all you've got to do is let the
7 clerk's office know. When the juror summons go out, the
8 clerk's office starts probably getting a lot of phone calls
9 from people who are trying to come up with ways that they
10 don't want to come down here and serve. And then, the rest
11 of the people just go about changing their entire lives,
12 schedules, family obligations in order to be here and you all
13 fall within that category. So we do thank you very much for
14 being here. And you're excused me enjoy your weekend.

15 (Jury exiting.)

16 THE COURT: I am sure that you all have things you want
17 to say.

18 MR. COOKE: We would ask for 10 days to do post-trial
19 motions.

20 THE COURT: Sure.

21 MR. COOKE: And also I don't -- I think we can include
22 this post-trial motion, but obviously to reduce the verdicts
23 to the statutory cap.

24 THE COURT: Anything that you all want to put on the
25 record before we adjourn?

1 MR. PARKER: No, Your Honor, I have -- Mr. Cook
2 (inaudible) verdict needs to be reduced, but we'll say that
3 (inaudible) as to the number of occurrence.

4 PROSPECTIVE JUROR: What I would say is if you will
5 include that in your post-trial motions as to, you know, your
6 request to amend the verdict to reflect the caps, and then
7 you all can do a written response to that as well. And then
8 we'll determine at that point if we need to have like a WebEx
9 hearing on post-trial motions or something to that effect.

10 MR. COOKE: Right. We'll include all the post-trial
11 motions in one, if that's okay.

12 THE COURT: Sure.

13 MR. COOKE: Thank you.

14 THE COURT: All right. Thank you all. Appreciate very
15 much your ---

16 MR. PARKER: We appreciate you.

17 MR. COOKE: Thank you, Your Honor. Thank you.

18 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED AT
19 4:11 p.m.)
20
21
22
23
24
25

843-792-1672 - office
843-792-4262 - fax

From: Bingham, Kayla
Sent: Tuesday, May 03, 2016 4:10 PM
To: Singleton, Myra Haney
Subject: FW: Block 12 Exam Instructions and Seating Assignments
Importance: High

Ms. Singleton,

I wanted to email you to see if there was ANY way I could be scheduled to take my exam in the library as opposed to BioEngineering. I understand if it is not possible, but I know when we spoke earlier this semester one of our strategies for me was to help me cut down some of the excess commotion during exams, and in the past the library has been more successful for me.

I do fully understand that a lot of work goes into scheduling and making this change may not be possible, but I did want to ask.

Thank you again so much for helping me this semester!

Sincerely,

Kayla Bingham

College of Medicine Class of 2018
Medical University of South Carolina
Phone: (803) 361-6083
Email: binghak@musc.edu

From: owner-com-2vr@musc.edu [owner-com-2vr@musc.edu] on behalf of Hazen Martin, Debra J. [hazenmad@musc.edu]
Sent: Tuesday, May 03, 2016 3:58 PM
To: com-2vr@musc.edu
Cc: Martin, Madeline; Kasman, Laura
Subject: Block 12 Exam Instructions and Seating Assignments

WHERE AND WHEN: The College of Medicine YR-2 Block 12 written examination will take place on Thursday, May 6th at the Drug Discovery Auditorium (DDB110), Bioengineering Building (BE 112), and the testing modules on the 4th floor of the Colbert Library and Education Center (Rooms 436, 437, and 438). Please refer to the attached room assignment documents to find your seating assignment. You will complete the exam in two sessions: AM (8:30 – 12:05 pm) and PM (1:00 – 4:33 pm).

Please arrive at the assigned testing site by 8:15 am and 12:50 pm for the morning and afternoon sessions respectively. If you are late, please report to a testing proctor as you will not be permitted to take your regularly assigned seat once the testing has started. You will report to the same testing site for both parts of the exam. If you are in the DDB or BE testing site – You must have your laptop computer and power adapter!

PROCEDURE: When you arrive at the testing site, you will find a 3 X 5 at the door of the testing room. The card will display your testing ID number, name

Musc Prod. 0589



other test takers that day as soon as possible Monday morning. Hopefully it will then be clear if the similarities are a coincidence, one copied from the other, or the two students were working together in some way.

We will need to make a determination whether to post the grades of these students with the others, as well. We had planned to post them between 12:30 and 1 pm Monday.

I'm sorry to have to have to ask your office to do this extra work at this busy time of year.

Sincerely,
 Laura Kasman, PhD.
 Year 2 Curriculum Leader

From: "Hazen Martin, Debra J." <hazenmad@musc.edu>
Date: May 6, 2016 at 6:05:11 PM EDT
To: "Kasman, Laura" <kasmanl@musc.edu>
Subject: Testing Irregularity

Dear Laura,

I am sorry to notify you of a testing irregularity noted during the COM Year 2 Block Exam on Thursday, May 5th. During administration of the online exam, I routinely monitor LXR real-time to ensure that all students are logged in and that responses have been registered at the close of the session. I enter the exam several times during each testing period. During the AM testing period I noted that two students were progressing lock-step through the items, registering similar incorrect responses on identical items. The two students were located in the same testing module (LIB 436). I contacted the proctor in that module to closely monitor during the afternoon session. The same outcome was observed in the LXR testing data for the afternoon session. I am attaching the response sheets for the two students for both the AM and PM sessions for your review. The reports are time stamped at the bottom of the page. The response sheets show all responses and in the event the response is incorrect, the correct response is indicated in parenthesis. Scratch paper was collected from each student at the end of the testing period, per the required procedure. This material and proctor reports are secured by the testing site administrator, Inda Johnson, and are available for your review.

Debra Hazen-Martin

Debra Hazen-Martin, PhD
 Associate Dean for Curriculum, Basic Sciences
 College of Medicine
 Professor of Pathology and Laboratory Medicine
 Walton Research Building , Room 811
 Medical University of SC
 office - 843-792-2906
 cell - 843-276-3539



Hazen Martin, Debra J.

From: Singleton, Myra Haney
 Sent: Saturday, May 07, 2016 7:40 PM
 To: Kasman, Laura
 Cc: Hazen Martin, Debra J.
 Subject: Re: Testing Irregularity

Follow Up Flag: Flag for follow up
 Flag Status: Flagged

Dear Laura

Thank you for the notification. As requested our office will assist in obtaining reports from the proctors and will provide this documentation to you by Monday morning. If the students were provided paper to write on during the exam, those should be reviewed as well. Would you like to review them?

As a testing irregularity has been noted I think it's best to communicate to the student (s) that there will be a delay in the posting of their grades because of this issue. Should they inquire I think they should be informed that a review process must be completed before grades can be released.

I will follow up with you on Monday and provide the requested documents.

I'm so sorry that this issue occurred but it is imperative to thoroughly investigate this matter.

Please know that our office will do our best to assist you in every way we can.

Myra Haney Singleton

Sent from my iPhone

On May 7, 2016, at 5:53 PM, Kasman, Laura <kasmanl@musc.edu> wrote:

Dear Myra,

I have unfortunately been notified of a possible testing irregularity during the year 2 block 12 exam on Thursday, May 5, which was detected in testing room LIB 436. So far all I have seen are LXR printouts of the answers given by two students, identified by numbers 18013 and 18014, which show a pattern of nearly identical answers and timing in both the morning and afternoon. While not proof of misconduct, it is very suspicious and I would like to request help from Student affairs to obtain more information, such as the proctors reports and comparisons with



other test takers that day as soon as possible Monday morning. Hopefully it will then be clear if the similarities are a coincidence, one copied from the other, or the two students were working together in some way.

We will need to make a determination whether to post the grades of these students with the others, as well. We had planned to post them between 12:30 and 1 pm Monday.

I'm sorry to have to have to ask your office to do this extra work at this busy time of year.

Sincerely,
Laura Kasman, PhD.
Year 2 Curriculum Leader

From: "Hazen Martin, Debra J." <hazenmad@musc.edu>
Date: May 6, 2016 at 6:05:11 PM EDT
To: "Kasman, Laura" <kasmanl@musc.edu>
Subject: Testing Irregularity

Dear Laura,

I am sorry to notify you of a testing irregularity noted during the COM Year 2 Block Exam on Thursday, May 5th. During administration of the online exam, I routinely monitor LXR real-time to ensure that all students are logged in and that responses have been registered at the close of the session. I enter the exam several times during each testing period. During the AM testing period I noted that two students were progressing lock-step through the items, registering similar incorrect responses on identical items. The two students were located in the same testing module (LIB 436). I contacted the proctor in that module to closely monitor during the afternoon session. The same outcome was observed in the LXR testing data for the afternoon session. I am attaching the response sheets for the two students for both the AM and PM sessions for your review. The reports are time stamped at the bottom of the page. The response sheets show all responses and in the event the response is incorrect, the correct response is indicated in parenthesis. Scratch paper was collected from each student at the end of the testing period, per the required procedure. This material and proctor reports are secured by the testing site administrator, Inda Johnson, and are available for your review.

Debra Hazen-Martin

Debra Hazen-Martin, PhD
Associate Dean for Curriculum, Basic Sciences
College of Medicine
Professor of Pathology and Laboratory Medicine
Walton Research Building , Room 811
Medical University of SC
office - 843-792-2906
cell - 843-276-3539

From: Ivey, Joseph
To: Kasman, Laura
Subject: RE: Honor Council Notification
Date: Thursday, May 12, 2016 5:21:43 PM

Dr. Kasman,

At this point, the honor council appoints two members as investigators that interview the accused, the accuser, and witnesses of the incident to help determine if there is enough evidence to take the case to a formal hearing. The next step after the investigators gather evidence and interview all involved is a notification hearing, where the investigators and the student president vote to decide if the case will proceed to a formal hearing. But at this point, we need the students' names so that the investigators can interview them.

Thanks,

Alexander Ivey
College of Medicine, Class of 2017
Medical University of South Carolina
iveja@musc.edu
843-543-1161

From: Kasman, Laura
Sent: Thursday, May 12, 2016 4:51 PM
To: Ivey, Joseph
Cc: Singleton, Myra Haney
Subject: RE: Honor Council Notification

Dear Joseph,

I told the students that I would only reveal their names if the evidence was sufficient to bring charges. Is that the case?

Laura Kasman

Laura Kasman, PhD
Associate Professor of Microbiology and Immunology
Medical University of South Carolina
Office: BSB 208F
173 Ashley Ave, MSC 504
Charleston SC 29425
(843) 792-8117

From: Ivey, Joseph
Sent: Thursday, May 12, 2016 3:26 PM
To: Kasman, Laura
Cc: Singleton, Myra Haney
Subject: RE: Honor Council Notification

Hi Dr. Kasman and Myra,

Thank you both for your emails. I collected the envelope of evidence from the Dean's office this afternoon and went over it with Dr. Batalls just now. At this point, the one crucial bit of information we need is the actual names of the accused. Can you please send me the names of the students, and which one is student ID 18013 and 18014? We need to know to move forward in the investigation and to

contact the accused students.

Best,

Alexander Ivey
College of Medicine, Class of 2017
Medical University of South Carolina
iveja@musc.edu
843-543-1161

From: Kasman, Laura
Sent: Thursday, May 12, 2016 8:48 AM
To: Ivey, Joseph
Cc: Singleton, Myra Haney
Subject: Honor Council Notification

11 May 2016

Mr. Joseph Ivey
President, Honor Council
MUSC College of Medicine

Dear Mr. Ivey,

It is my unfortunate responsibility to report a possible case of academic dishonesty by two second year medical students.

The incident occurred during the Block 12 exam on May 5, 2016. The cheating was first suspected during a routine audit of the LXR testing data, approximately two hours into the exam. The audit showed that two students had both completed exactly 107 out of 153 questions and had chosen nearly identical answers up to that point. Further investigation found that the students were seated next to each other, and were observed to be signaling each other and passing notes via scratch paper on the desk between them.

LXR data for the entire class has been sent out for an objective external analysis which should provide an estimate of the probability of such similar responses occurring by chance. The original LXR data for the two students, their scratch paper, and the proctors report are waiting in a sealed envelope for you in the Dean's office at the front desk.

If I can be of any assistance in this matter, do not hesitate to contact me. I will be out of town from May 15-19, but will be reachable by email.

Sincerely,

Laura Kasman, Ph.D.
Year 2 Curriculum Director
College of Medicine

MUSC_00484
BWPH 1.657

ROA 0802



Laura Kasman, Ph.D.
Associate Professor
Year 2 Curriculum Leader
Department of Microbiology and Immunology,
College of Medicine
173 Ashley Ave
MSC 504
Charleston, SC 29425-0504
Voice: 843-792-8117
Fax: 843-792-2464
kasmanl@musc.edu

**PLAINTIFF'S
TRIAL EXHIBIT**
U.S. District Court CV-95-7425
15

Musc Prod. 0218

11 May 2016

Mr. Joseph Ivey
President, Honor Council
MUSC College of Medicine

Dear Mr. Ivey,

It is my unfortunate responsibility to report a possible case of academic dishonesty by two second year medical students.

The incident occurred during the Block 12 exam on May 5, 2016. The cheating was first suspected during a routine audit of the LXR testing data, approximately two hours into the exam. The audit showed that two students had both completed exactly 107 out of 153 questions and had chosen nearly identical answers up to that point. Further investigation found that the students were seated next to each other, and were observed to be signaling each other and passing notes via scratch paper on the desk between them.

LXR data for the entire class has been sent out for an objective external analysis which should provide an estimate of the probability of such similar responses occurring by chance. The original LXR data for the two students, their scratch paper, and the proctors report are stored in a sealed envelope for you in the Dean's office.

If I can be of any assistance in this matter, do not hesitate to contact me. I will be out of town from May 15-19, but will be reachable by email.

Sincerely,

Laura Kasman, Ph.D.
Year 2 Curriculum Director
College of Medicine

ROA0803

Library Room 436

Proctor Name: Michele Triesinger

Time of Session: 1:00 pm 5/5/16 afternoon session

Documentation of testing irregularities (document computer station number as indicated on computers):

Prior to the afternoon session of Block 12 of Year 2 Dr. Hazen-Martin pulled me out of the testing room to inform me of a testing irregularity during the PMT session in the room I am proctoring. She informed me that two students in the room had the same answers that were sitting next to one another in the testing site. At that time she informed me.

Co-signature/witness:



Any issues call:

Linda Johnson- 843-425-7690 (cell)

at the various times and
proctoring guidelines. Stating to not interrupt the testing
sit of process if I noted any irregularities. Before
the exam started one of these 2 students requested
a pencil with a better eraser. Another student that
said she did not need an eraser switched pencils
with her. About an hour into the exam I noticed 1 of
those students in question was pushed back away
from the desk more than others in the room and
kept glancing over at the other students' direction. This
caught my eye while proctoring so I continued to watch
her along with the other students in the room. Another
irregularity that I noted was both students that were
seated oddly were nodding their heads all through the exam.
This has not been regular behavior that I have noted while
proctoring previously. Near the end of the exam around 3:40pm
noticed that student 18014 was writing something on the
corner of her scratch paper and pushing it over a bit and
student 18013 was looking in the papers direction and directly
following looking back through the questions. 18014 then
proceeded to erase her paper and flipping her page over I noted
this act a total of 3 times. Both students took the entire
length of the exam until the timer ran out and then they
turned in their scrap paper together and left the testing
room at the same time. After the exam I made sure
I collected all of their scratch paper.

Musc Prod. 0221

Contact Phone 803-361-6083

Email kaylabingham@mac.com
kelliebingham@mac.com

May 31, 2016

Dr. Raymond DuBois
Dean of the College of Medicine
96 Jonathan Lucas Street
Suite 601 - MSC 617
Charleston, SC 29425

RE: Notice of Intent to Appeal Honor Counsel Decision

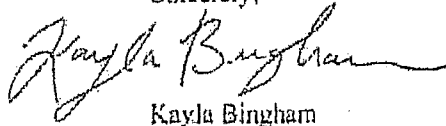
Dear Dr. DuBois,

Please allow this letter to serve as an official Notice of Intent to Appeal the Honor Council's egregious decision of guilt and their unfathomable sanctions imposed upon us from a hearing that took place this past Thursday, May 26, 2016. In accordance with the Honor Code's Appeal Process, we are submitting in writing an appeal within 10 working days from May 26, 2016; however, due to the severity of this situation and the number of discrepancies committed by this Honor Council, we will be submitting a more thorough appeal with the hearing's transcript, exhibits and evidence that was presented, yet ignored by the Council, as well as additional findings and reports outlining the unconstitutional taking of our rights afforded to each of us under the right of due process.

Undoubtedly, we will be asking you to vacate the decision by this Honor Council in its entirety and find for our proven innocence. We will be sending in an official appeal packet for your consideration and ask you to review the evidence presented at that time before making your decision. We also believe the severity of this situation warrants a meeting with you and any of those listed below and would like to request that meeting take place at your convenience. Please do not hesitate to contact us if you have any questions, and we thank you for allowing us this process to clear our names so we can move forward with our studies.

With kind regards, we are

Sincerely,


Kayla Bingham

Sincerely,


Kellie Bingham

cc: Dr. David J. Cole, President
Dr. Mark S. Sothmann, VP/Provost
Ms. Annette Drachman, Esq.

Musc Prod. 0608



Raymond N. DuBois, MD, PhD
Dean, College of Medicine

96 Jonathan Lucas Street, Suite 601
MSC 617
Charleston, SC 29425
duboisr@musc.edu

June 14, 2016

Kayla and Kellie Bingham
MUSC College of Medicine

Dear Kayla and Kellie,

I have reviewed all of the information and transcripts from the proceedings provided to me from your recent Honor Council hearing. It has taken me some time to carefully examine all of the information you have provided with the appeal packet. The investigators presented strong circumstantial evidence supporting the charges against you, including statistical evidence, that you did not complete the examination independently. It also included corroborating evidence that you arranged to take the examination next to each other, that you were observed looking in one another's direction and making unusual head gestures during the examination, and that you made notes that appear to communicate information about specific exam questions.

You acknowledged during the hearing that these circumstances created the appearance that you were improperly collaborating on the examination. The Honor Council was fully justified in reaching the conclusion that it did. I also find that you were accorded due process in all respects.

Nevertheless, as the appellate authority, I am charged with the responsibility to weigh the evidence independently. In my opinion, the evidence presented against you does not rise to the level of proving guilt by the preponderance of evidence. I find that the evidence was circumstantial and that you provided plausible explanations for those circumstances. I hereby overturn the ruling of the Honor Council.

I want to thank the Honor Council for the work they have done and the time they have spent considering all of the issues in this case. The record is clear that all members of the Honor Council and their faculty advisors carried out a careful, unbiased investigation, hearing and deliberation. I know that this process has taken considerable time and has caused everyone involved some concern and anxiety. I have spent countless hours reviewing all of the testimony and evidence that was presented for the appeal and have spent several days considering all the information provided. My ruling will be final.

At the hearing, you stated that you were aware of the importance of avoiding the appearance of impropriety and would no longer sit near one another when you take your exams in the future. I strongly encourage you to follow through with this commitment.

I hope that we can now put this behind us and that you both go on to successfully complete your medical school curriculum here at MUSC.

Sincerely,

R. N. DuBois

Raymond N. DuBois, M.D., Ph.D.
Dean, College of Medicine

"An equal opportunity employer, promoting workplace diversity"

Musc Prod. 0625

From: Batalis, Nicholas I.
To: Kern, Donna; DuBois, Raymond N.
Subject: Re: Bingham
Date: Friday, August 12, 2016 7:54:55 AM

Understood on all accounts. I'm heading to kindergarten orientation now but hope to be on campus by 9 and can be available to meet whenever is most convenient for you. Nick

Sent from my Android phone using TouchDown (www.nitrodesk.com)

-----Original Message-----

From: DuBois, Raymond N. [duboisrn@musc.edu]
Received: Friday, 12 Aug 2016, 6:41AM
To: Batalis, Nicholas I. [batalini@musc.edu]; Kern, Donna [kerndh@musc.edu]
Subject: Re: Bingham

Nick,

Needless to say, this case is complicated. However, the information regarding the case and the action taken by MUSC is confidential and protected by the Family Educational Rights and Privacy Act. This is a Federal regulation that was enacted some time ago to protect information about students, including any disciplinary action or information related to accusations about cheating or other performance issues. It is clear from our contact with this reporter that someone from MUSC with very detailed information about the case released the information to the press. If the information is ultimately published, there will likely be a Federal investigation into the matter resulting in fines and/or other penalties. Apparently, the reporter does know the person at MUSC who provided her with this information. She has not revealed her source to us at this point.

We probably need to let everyone know the implications of releasing this type of information to the public. I really do hope that someone from the Honor Council is not responsible for this breach of confidentiality as this will result in very serious consequences.

I am trying to get a time today that you and I along with Donna can discuss.

Ray

From: "Batalis, Nicholas I." <batalini@musc.edu>
Date: Thursday, August 11, 2016 at 5:39 PM
To: Raymond Dubois <duboisrn@musc.edu>, "Kern, Donna" <kerndh@musc.edu>
Subject: FW: Bingham

Hello, I'm passing along a disturbing email that was sent today to one of our honor council members, Ken Kennedy. I talked to Ken and he has no previous relationship with the reporter. He is not sure

how she obtained his information or even how she knew he is on the honor council. Ken knows not to release any information whatsoever to the reporter and I've already contacted the rest of the honor council to make sure everybody is on the same page in the event they receive something similar (we are hoping to get together in the near future once everybody is back on campus).

While off on a couple of the details (exact vote and recommending expulsion) the reporter does seem to have been tipped off by someone with some knowledge of the case and Ken confirmed that he's heard some angst amongst his classmates regarding the case. While I know there was a great deal of frustration amongst many honor council members with how things unfolded, our folks understand the importance of confidentiality in the honor code process and I can't imagine any of them breaching that confidentiality.

I'm not sure what else there is to do at this point but I wanted to pass this along so that you know what is going on.

Nick

Nick Batalis, MD
Department of Pathology and Laboratory Medicine
Medical University of South Carolina
Charleston, SC

From: Kennedy, Kendrick
Sent: Thursday, August 11, 2016 3:16 PM
To: Batalis, Nicholas I. <batalini@musc.edu>
Subject: FW: Bingham

Hi Dr. Batalis,

I hope you're doing well. I just wanted to make you aware that I received an email from a reporter that represents The Post and Courier inquiring about the Honor Council's case involving Kayla and Kellie Bingham. I have not replied to the email as of yet and I wanted to get some direction as to how I should proceed with this issue. Please see the email below for further details.

Thank you,

Ken Kennedy

Kendrick Kennedy
Medical University of South Carolina
M.D. Candidate, Class of 2018
email: kennedyk@musc.edu
phone: 803.354.0584

From: Sausser, Lauren [lsausser@postandcourier.com]
Sent: Thursday, August 11, 2016 11:36 AM
To: Kennedy, Kendrick

Subject: Bingham

CAUTION: External

Ken,

I received an anonymous news tip today that the Bingham twins were sanctioned for cheating during exams by the MUSC Honor Council, but were not expelled from the school, despite the recommendation of the council.

I need a student rep from the council to confirm off-the-record that these proceedings took place. Apparently people are very angry that the twins will be able to stay at the school because of their political connections.

I understand that the council voted 8-2 to dismiss them, but Dean Dubois decided to let them stay. Can you confirm these details and give me an idea when this took place?

I will keep your name totally anonymous.

Lauren

Lauren Sausser
Health Editor and Reporter
The Post and Courier
134 Columbus St.
Charleston, SC 29403
843-937-5598
www.postandcourier.com
[@laurenmsausser](https://twitter.com/laurenmsausser) on Twitter

••••• AT&T LTE

11:01 AM

37% 

< Requests

Lauren McCallister Sausser
Facebook

Deep,

I received an anonymous news tip today that the Bingham twins were sanctioned for cheating during exams by the MUSC Honor Council, but were not expelled from the school, despite the recommendation of the council.

I need a student rep from the council to confirm off-the-record that these proceedings took place. Apparently people are very angry that the twins will be able to stay at the school because of their political connections.

I understand that the council voted 8-2 to dismiss them, but Dean Dubois decided to let them stay. Can you confirm these details and give me an idea when this took place?

I will keep your name totally anonymous.

Lauren 

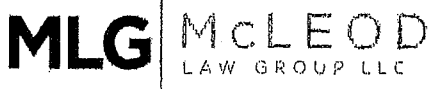
Lauren Sausser

Health Editor and Reporter

Ignore

Accept

17-0015 Bingham 005



Office Dial: 843-277-6655

Email: ellis@mcleod-lawgroup.com

September 16, 2016

Annette R. Drachman
General Counsel
Medical University of South Carolina
274 Calhoun Street, MSC 204
Charleston, SC 29425

RE: MUSC Statement of 9/15/16

Dear Annette,

Yesterday I left work optimistically after having, what I thought, was a good conversation with Dawes Cooke in discussing the current situation involving my clients.

One, I indicated, and Dawes agreed, that my clients had not approved a statement at this time because the Post and Courier had last written a story on Friday/Saturday and after Monday, had not contacted my clients for any comment and so therefore it would be best to hold off furthering this story.

Two, Dawes stated, and I wholeheartedly agreed, that the absolute "worst case scenario" in this situation would be to have a story written naming my clients. A) They did not do anything wrong; and B) this would negatively affect their standing amongst their peers and faculty at MUSC and more importantly, would have a profound negative impact on their application and acceptance process regarding future residency.

Three, I indicated that any release of a statement or information at this time, when the story has been silent for almost a week now, would 100% reopen any interest in this matter thus running the risk of the "worst case scenario" actually taking place and as Dawes stated, "sometimes it's best to let sleeping dogs lie", and I agreed and again reaffirmed that my clients did not want any statement released at this time from MUSC. Dawes confirmed that we (myself and my clients) were on the same page as MUSC, and included that meant MUSC's PR department.

I relayed my conversation to my clients yesterday afternoon so you can imagine the shock when no more than two hours later my clients received an email from MUSC "to all MUSC students" about this situation and indicating this was sent to the Post and Courier. This, on so many different levels, is an absolute atrocity. This statement was sent out without my clients suggested language; it was done without the approval of my clients; and it was done in reckless disregard to my clients intentions which were expressed two hours beforehand by me to your outside counsel.

For the record, my clients were wrongfully accused and never once did they commit an honor code violation; they were never afforded presumption of innocence and they were convicted by an honor

3 Morris Street, Suite A, Charleston, SC 29403
phone: 843.277.6655 • fax: 843.277.6660 • www.mcleod-lawgroup.com

council who never proved guilt by a preponderance of evidence. They were brought in front of a bias honor council under lack of conviction by their own accuser: "Dr. Kasman wrote a letter to the Honor Council informing the Honor Council of a "possible case of academic dishonesty" and accused the two students of "signaling" each other and "passing notes" during the exam, none of which had ever been reported by the afternoon proctor to Dr. Kasman and were refuted in the proctor's testimony." Dr. Hazen-Martin wrongfully pulled the proctor out of a testing site to inform her to keep a watch on my clients during an exam and then refused to answer questions on the record with regards to the "data" she used to indicate my clients had cheated. All the while, the proctor testified "I have not noted cheating at all" with regards to my clients.

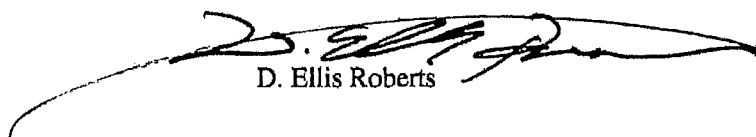
Yet, there they were- sitting in front of a council made up primarily of students they shared classes with and under the cloak of "confidentiality" and a "presumption of innocence" having every right afforded to them by their own honor code being violated. We now know honor council members, especially the president, faculty advisor and the two investigators, violated multiple sections of procedures and due process and we now know that honor council members themselves have leaked confidential information to fellow classmates and most likely to the media which is a direct violation in and of itself.

Yet, every step of the way, MUSC has failed two innocent students whose life's work has been to get them to where they are today. The institution that set out to protect them seems to be concerned with protecting themselves. There has never been an acknowledgement that what my clients have been through is, and was atrocious, and no one has ever thought an apology was necessary. Instead, the university seems hell bent on furthering this infringement against these two.

Currently, in the words of my clients, the "entire school knows about this and everyone is talking about it." You have students who are confronting these two innocent individuals on a daily basis and I do not think anyone at the university has comprehended the amount of effort it takes each day for my clients to show their face on campus; to keep their head down and focus on their academics and to try to muster strength to move forward. The emotional toll is beyond belief.

This has been handled poorly, and sometimes flat out wrongfully, since the beginning. And this latest complete disregard by MUSC to my clients is abhorrent and there should be internal consequences to the faculty members and members of the honor council who have perpetrated this situation and who have committed code violations; as well as to the "Office of Communication and Marketing" for propagating unnecessary information that is causing irreparable harm to two innocent students. It is long overdue that MUSC fight to protect these two and right an egregious wrong.

Sincerely,



D. Ellis Roberts

Sent from my iPhone

Begin forwarded message:

PLAINTIFF'S
TRIAL EXHIBIT
U.S. District Court CV-95-7425
37

From: "Information, Student" <stuinfo@musc.edu>

Date: September 15, 2016 at 6:06:26 PM EDT

To: "all-musc-students@musc.edu" <all-musc-students@musc.edu>

Subject: FERPA: Letter submission to the Post and Courier

Please be advised that the below letter is being submitted to the Post and Courier for publication.

Thank you for your attention,

The Office of Communication & Marketing

Laws Protect Student Records

A recent article in the Post and Courier implied that MUSC officials have been wrongfully withholding information about our students' records. In fact, we are both professionally and legally obligated to protect the privacy rights of all our students when it comes to their academic performance. A federal law, the Family Educational Rights and Privacy Act (FERPA, enacted in 1974), protects the privacy of student education records, including grades and most disciplinary procedures. FERPA demands that institutions of higher education not disclose certain information about student disciplinary proceedings without the consent of the student- with the rare exception of disciplinary action involving criminal allegations. All matters that pertain to the MUSC Honor Code and Honor Council are confidential segments of a student's academic record under FERPA. In addition, at the state level, South Carolina specifically exempts scholastic records from public records that must be produced under the Freedom of Information Act. Therefore, an individual's educational performance information, similar to an individual's medical information, is intended to be private and cannot be petitioned for disclosure under state law.

MUSC believes in the reliability and fairness of its Honor Code and Honor Council process. We apply the rules of this process equally to every student in every college and program. We also believe in the inherent value of FERPA as a necessary security measure to ensure students' rights as they matriculate through a system of higher education.

While MUSC respects the media's responsibility to ask questions, we must weigh that issue against our mandatory, legal obligation to adhere to state and federal rules that protect the privacy of every student's academic record. Abiding by the law and protecting our students will always supersede the media's putative right to access internal reports.

Lisa K. Saladin, PT, Ph.D., Vice President, Academic Affairs and Interim Provost

Raymond N. DuBois, M.D., Ph.D., College of Medicine Dean

Medical University of South Carolina

Subject: Fwd: President and Provost's Message: Don't Rush to Judgment
Date: Friday, September 30, 2016 at 4:13:33 PM Eastern Daylight Time
From: Trey Bingham
To: Kenny Bingham



William H. Bingham III, M.D.
Department of Psychiatry & Behavioral Sciences
Medical University of South Carolina

Begin forwarded message:

From: Office of Communications and Marketing <communications@musc.edu>
Date: September 30, 2016 at 4:04:40 PM EDT
To: Undisclosed recipients;
Subject: President and Provost's Message: Don't Rush to Judgment

MUSC Students, Faculty and Staff,

Following is copy for a guest column submitted to The Post & Courier earlier today. We hope you will make the time to review it. Thank you.

Communications & Marketing

Don't Rush to Judgment

In light of inaccurate statements made in a September 30 article in the Post & Courier, we feel compelled to identify errors that are being presented as facts. This newspaper stated "...that two medical students were caught cheating on several tests and were referred to the MUSC Honor Council. That group voted to expel the students..." Review of the disclosable MUSC Honor Council records shows that over the past 12 months, no student who was accused of cheating has been recommended for expulsion by any of MUSC's six Honor Councils. This fact has been repeatedly misrepresented. Two basic tenets of justice, which form the underpinnings of the U.S. judicial system, are that an individual is innocent until proven guilty, and that, once accused, everyone is entitled to the appropriate administration of due process.

It is naturally tempting to play judge in the court of public opinion based on "common knowledge." However, the facts of all Honor Council cases must remain confidential to protect the privacy of any accused student and in order to comply with the Family Educational Rights and Privacy Act (FERPA, enacted in 1974). FERPA was created by the federal government to protect the privacy of student education records, including grades and most disciplinary procedures. That means any information gleaned during MUSC Honor Council sessions is federally and legally protected from disclosure. Thus, without the consent of the student, MUSC is legally and professionally bound not to disclose any information about student academic or behavioral performance. To put this in perspective, FERPA is the

educational equivalent of HIPAA – the federal law that requires health care workers to safeguard a patient's private medical records. Everyone would be outraged if a patient who was in the hospital had his or her private health information leaked. Additionally, failure to comply with FERPA could result in the university losing its eligibility for federal funding, which is obviously critical to all the students and to the operation of this institution. So it isn't simply a matter of complying with federal regulations for the sake of complying, but rather it is also the potentially dire and devastating financial consequences of knowingly not complying with these regulations.

With FERPA limitations clearly defined, we would like to address the petition ostensibly posted by a few MUSC medical students, requesting an independent, external review of a specific Honor Council case. The student petition writers may be well-intentioned, however, the privacy rights of students must be balanced against the benefits of such a review. An external review, even done in a de-identified manner, would have no purpose but to reopen a matter that has been finalized in compliance with the MUSC Honor Code.

Of equal importance, since we are restricted from releasing any information regarding any Honor Council cases, we respectfully request that the accused students referred to in previous articles and Raymond DuBois, M.D., dean of the MUSC College of Medicine, not be "tried" in the court of public opinion. It is most unfortunate that what should have remained private is being publicly shared in an unbalanced and unfair manner. Second guessing the process, the decisions made, and ultimately the guilt or innocence of accused parties without knowing all the facts is folly. We urge everyone to use caution and not make assumptions based on speculative and incomplete information.

We also feel it is critical that we publicly affirm our unmitigated support for Dr. DuBois, who arrived to serve as the MUSC College of Medicine dean in March 2016. Dean DuBois is an internationally renowned expert for his more than 25 years of work in cancer research and academic medicine. His work is positively impacting the lives of citizens in the United States and people around the world. During his long career at some of the most prestigious academic and research institutions in this country, he has established an impeccable reputation, earning the admiration, confidence and support of peers throughout the country as well as internationally. His accomplishments speak volumes about the talent, honesty, integrity and heart he brings to his role as dean. MUSC is fortunate indeed to have engaged such a collaborative, forward-thinking and empathetic leader. We stand firmly with Dean DuBois in exercising his rights and responsibilities as the leader of our largest college.

As we work through this period of public scrutiny, we want to stress that MUSC is a family and while family members sometimes have serious disagreements, it is important to find common ground where we can respectfully agree to disagree and move forward. MUSC is also a values-based institution with one of those values being respect. We ask every member of our MUSC family and those who support our mission to show respect for the judgment of the dean of the College of Medicine; respect for the state and federal laws that mandate the confidentiality of student records; and respect for our student body, which is comprised of compassionate men and women dedicated to serving others.

Rest assured that the integrity of this institution remains intact. We are proud of our diligent and committed students, alumni, faculty and staff. We will continue to hold members of the MUSC family to the highest ethical standards in order to educate and train exemplary health care professionals, prepared to give their best to the communities where they live, work and learn.

David J. Cole, M.D., FACS, President
Lisa K. Saladin, PT, Ph.D., Interim Provost
Medical University of South Carolina

Subject: Fwd: Honor Code Issue
Date: Tuesday, October 18, 2016 at 8:35:15 AM Eastern Daylight Time
From: Bingham, Kellie
To: Kenny Bingham, Jennie Bingham

This message was sent securely by MUSC

Sent from my iPhone

Begin forwarded message:

From: "Cook, Joel" <cookjw@musc.edu>
Date: October 18, 2016 at 7:33:14 AM CDT
To: "Bingham, Kayla" <binghak@musc.edu>, "Bingham, Kellie" <binghamk@musc.edu>
Subject: Honor Code Issue

Ms. Bingham,

Please find below a copy of an email that I sent to the Dean and the University President. I have spoken to Dr. Cole at length about your situation. Having had been through something similar (though it was no where near the issue you find yourself in), I just wanted to reach out and give you my support. People have a hard time understanding identical twins. It is my hope that you can get past this and on with your careers.

Warmest regards,

Joel Cook, M.D.
Professor of Dermatology and Dermatologic Surgery
Section Head, Dermatologic Surgery
Medical University of South Carolina
135 Rutledge Avenue
Charleston, SC 29425

Tele: 843 792-5858
Fax: 843 792-9157

From: Cook, Joel
Sent: Tuesday, October 11, 2016 7:03 AM
To: DuBois, Raymond N.
Cc: coledj@musc.edu
Subject: Honor Code Issue

Dr. Dubois,

I don't think that we have met, but I wanted to share a story with you in regards to the recent Honor Code turmoil.

First and foremost, I have only knowledge of this issue from the press that I have read (Post and Courier and quorumcolumbia.org). I have no other source of information (nor do I feel that I am entitled to such). I fully understand the biased sources of this information.

Based on the information I have gained, I salute your decision and know that you are getting a lot of criticism from the choice that you made. I thought that if perhaps I shared my story, you may gain additional insight.

I too am an identical twin. My brother (head of Derm Surgery at Duke and a career identical to mine) and I went to the College of Charleston. He graduated summa cum laude and valedictorian (class of '88). I was magna cum laude and just behind him (a fraternity perhaps to blame for not being salutatorian).

Layton McCurdy took us on early acceptance into the college of Medicine at the end of our first semester of undergraduate studies. We continued our academic success in college despite this no GPA requirement early admission.

We matriculated the college of Medicine early June 1988 full of excitement and in pursuit of our life long goal of becoming a physician. Because we were very financially challenged and self funding our own education, we lived together our first year of medical school (we had to share a car). We lived together, studied together and did most things together as do many identical twins. During our first year of studies, we too were accused of cheating on examinations when our scores were higher than the rest of the bell curve and the few questions that we missed were identical. We too were "sent to the principal's office" after being embarrassed by a medicine faculty member and being falsely accused of cheating. Fortunately, Dr. McCurdy had know us for years and quickly and quietly put the issue to rest and told us to carry on and excel. We graduated first and second in our class a few years later and were never again (nor since) rumored to have cheated in any manner.

Identical twins are puzzling to many. I find it not implausible at all that test scores or irregularities may suggest deception or cheating when it doesn't exist. This is compounded when twins share similar academic backgrounds and especially if they study or live together.

I am sorry to hear all of these issues played out in the press for both the University and these students. I know well the shame and anxiety they face and salute the process for protecting their chance for education despite "evidence" that suggests fraud.

I can only hope this issue is resolved in a manner fair to all and hope this story provides some insight.

Warmest regards,

Joel Cook, M.D.
Professor of Dermatology and Dermatologic Surgery
Medical University of South Carolina
135 Rutledge Avenue
Charleston, SC 29425

Tele: 843 792-5858
Fax: 843 792-9157

This message was secured via TLS by MUSC.

Verizon

7:00 PM

5



Search



3 hours ago · Like · 3 · Reply



Cody Gathers

"You mean the scandal where two people cheated, got a conviction overturned because their daddy and granddaddy got money and involved in politics and now I have to sit here and come up with a response for someone else's fuck up that is supposedly not influenced by politics or money? Yeah, that scandal.....never heard of it"

3 hours ago · Like · 9 · Reply



Michael Abercrombie

Wait you didn't tell them "this happens at 50% of undergraduate schools" and remind them that "this hasn't broken regional headlines"??

1 hour ago · Like · 4 · Reply



Cody Gathers

Nah...I figured they could just call my Dean. He said he'll vouch for me and all of my medical school success even though the schools have no way of knowing whether or not it was me who actually cheated.

1 hour ago · Like · 2 · Reply



Write a reply...

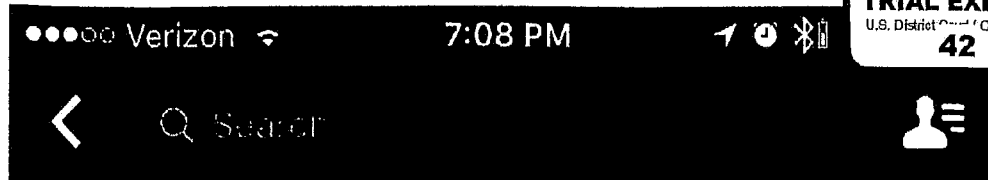


Hav Le Smith



Write a comment...





Daniel Torrelío

TL:DR is the way you should have started your post

Saturday at 11:48 AM • Like • 1 • Reply



Dani Avocado

Nah, people should read this and know about what happened...

I feel the way MUSC addressed this problem undermines my education. the people involved got away without repercussions and the school lost respect and trust from its students

Saturday at 5:57 PM • Like • 2 • Reply



Daniel Torrelío

ya ni la proxima semana se van a acordar del plage.....son huevadas.

See Translation

Saturday at 6:43 PM • Like • Reply



Write a reply...



Tanner Pritchett

Was just reading this in the paper this morning. They wont allow the press any information or to do any investigation. They said it would cost the P&C \$275,000 and take months to perform the investigation. I couldnt believe what I was reading.



Write a comment...





Write a reply...



Tanner Pritchett

Was just reading this in the paper this morning. They wont allow the press any information or to do any investigation. They said it would cost the P&C \$275,000 and take months to perform the investigation. I couldnt believe what I was reading.

Saturday at 12:50 PM • Like • 1 • Reply



Dani Avocado

In all honestly it would take them probably 5 minutes, and 4 of those is waiting for the pc to turn on

Saturday at 12:59 PM • Like • 4 • Reply



Tanner Pritchett

I assume as much. Not a good look.

Saturday at 12:59 PM • Like • Reply



Write a reply...



Frack Shary

Wait so you're saying that wealthy white people receive special treatment because they are white and wealthy? And in the South, of all places.

Sunday at 9:20 PM • Edited • Like • 2 • Reply



Write a comment...





Scott Landreth

I almost copied and pasted the preamble to the honor code, but figured what's the point. Glad I've gotten to the stage of acceptance that "what's the point" is my gut reaction now.

Friday at 9:51 PM • Like • 4 • Reply



Dani Avochado

Like the saying goes: cheaters sometimes prosper

Friday at 11:11 PM • Like • 3 • Reply



Christen Chaconas

Especially when they have a power family and a tiny brain....

Saturday at 7:44 AM • Like • Reply



Write a reply...



Justin Silverman

My understanding is that they began rotations without having taken Step1... any truth to this?

Saturday at 10:45 AM • Like • Reply



Dani Avochado

It doesnt matter

Saturday at 11:47 AM • Like • 1 • Reply



Tony Jamison

What does?



Write a comment...





Dani Avochado
It doesnt matter

Saturday at 11:47 AM • Like • 1 • Reply



Tony Jamison
What does?

Saturday at 11:47 AM • Like • Reply



Dani Avochado
Nothing anymore apparently, anarchy in the US #trump2016

Saturday at 11:48 AM • Like • 6 • Reply



Clinton Magill
#Harambe

Saturday at 1:41 PM • Like • 1 • Reply



Write a reply...



Daniel Torrelío
TL:DR is the way you should have started your post

Saturday at 11:48 AM • Like • 1 • Reply



Dani Avochado
Nah, people should read this and know about what happened...
I feel the way MUSC addressed this problem undermines my education. the people involved got away without repercussions and the school lost



Write a comment...



Verizon

7:08 PM

26°



Search



Andra Oh and 14 others

View previous comments...



Christen Chaconas

Also the school needs to release those names because I don't want a residency program looking at me.. MUSC com 2018.. like I'm potentially a cheating lying dirty no good immoral.. Well you get the point..:

Friday at 8:14 PM • Like • 3 • Reply



Christen Chaconas

Can I submit this for ethics next block?
#askingforafriend

Friday at 8:15 PM • Like • 2 • Reply



Jay Rah Benson

Already did for this block

Saturday at 12:19 AM • Like • 4 • Reply



Write a reply...



Mario Verde

I actually like that letter. Purely from a residency application standpoint, shes all like, "dont fuchs with our students 'ability to get accepted anywhere." Obviously the students shes concerned about are the ones that are



Write a comment...





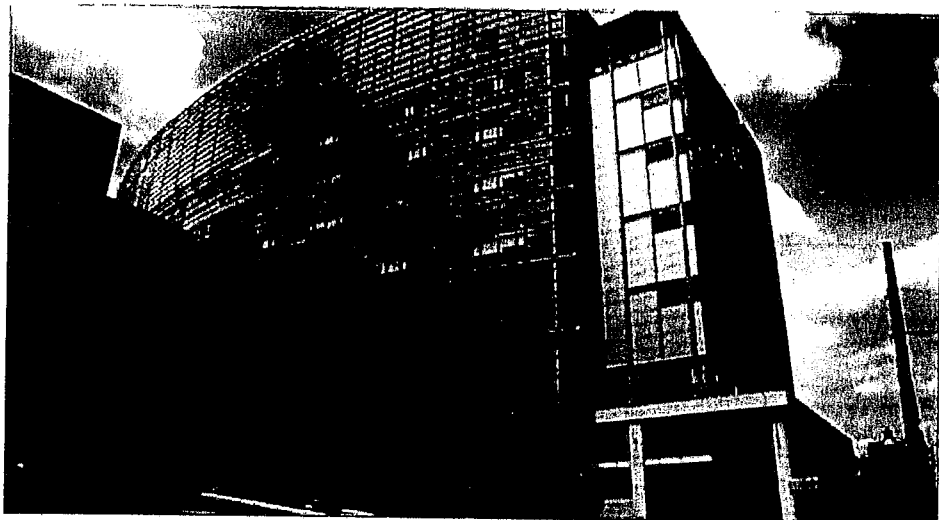
Dani Avochado

Friday at 4:30 PM · 11

If you are too lazy to read
In summary:

Two students cheated, honor council recommended
expulsion, the students know the right people aka
"high ranking public officials." = they didnt get
expelled

Post and Courier asked MUSC for info and MUSC
said: "Naaaah, chill P&C. Heard of FERPA?"



**MUSC fights paper over information involving
alleged cheating scandal**

postandcourier.com



Like



Comment



Share



Write a comment...



5

Verizon LTE

9:07 PM

6



Search



Kurren Elizabeth and 9 others



Jonathan Turner

This is getting good.

4 hours ago · Like · 9 · Reply



Christen Chaconas

Oh. My. Gawd. #changingwhatspossible

3 hours ago · Edited · Like · 4 · Reply



Christen Chaconas

They only need to see the Dr. Dubois email
not an entire database... Just sayin...

2 hours ago · Like · Reply



Dani Avocado

I just want to know that my school is being fair
to all the students...

Not playing favorites because of how
"powerful" your parents are

1 hour ago · Like · 2 · Reply



Christen Chaconas

Also the school needs to release those names
because I don't want a residency program
looking at me.. MUSC com 2018.. like I'm
potentially a cheating lying dirty no good
immoral.. Well you get the point..:



Write a comment...



**PLAINTIFF'S
TRIAL EXHIBIT**
U.S. District Court CV-95-7425
49

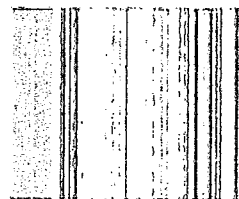
Cody Gathers commented on this.



Cody Gathers

Yesterday at 7:27 PM · 11

Some recent events have transpired at MUSC that have left my fellow students and myself distrustful of the current MUSC administration. In summary, two students were convicted of cheating on exams by our school Honor Council. The conviction was recently unilaterally overturned by the Dean of the College of Medicine. We believe his decision was based on political influences, rather than the establishment of innocence, given the fact that family members of the accused are heavily involved in South Carolina politics and the Board of Trustees of MUSC. The Dean then held a forum for students that provided little to no answers in the reasoning behind his decision, citing FERPA laws as his rationale. As a result, some of my classmates and I have drafted a petition that expresses our concerns and goals that I encourage all of my Facebook friends to sign. As a side note, some of my Facebook friends who live in the Charleston area may have seen this story talked about in the Post and Courier in the past few weeks. Please click on the link below to read and sign the full petition. Thank you everyone!



049 / 1

Verizon LTE

7:47 AM



Search in School that shall not b...



write something...



Kyle Kelly

10 mins

So, the cat is out of the bag in the form of a rebuttal to the P&C. Includes an interesting conspiracy theory too.



SOURCE: Post & Courier Defamed Legislator's Daughters - Quorum Columbia

quorumcolumbia.org



Like



Comment



Share



Cammie Wheeler

Yesterday at 11:33 AM · Charleston

Like · Comment · Share





Kay Tea

September 26 at 3:00pm

First day on an away rotation and went to lunch with the other visiting students. Their first question was about the "scandal at MUSC". So be ready with a response guys. 😊



Like



Comment



Michael Abercrombie, Cody Gathers and 6 others



Gena Steele

Like · Reply · 4 · September 26 at 3:01pm



Kurren Elizabeth boooo

Like · Reply · 3 · September 26 at 3:01pm



Cody Gathers "You mean the scandal where two people cheated, got a conviction overturned because their daddy and granddaddy got money and involved in politics and now I have to sit here and come up with a response for someone else's fuck up that is supposedly not influenced by politics or money? Yeah, that scandal.....never heard of it"

Like · Reply · 13 · September 26 at 3:37pm



Michael Abercrombie Wait you didn't tell them "this happens at 50% of undergraduate schools" and remind them that "this hasn't broken regional headlines"??

Like · Reply · 6 · September 26 at 5:06pm



Cody Gathers Nah...I figured they could just call my Dean. He said he'll vouch for me and all of my medical school success even though the schools have no way of knowing whether or not it was me who actually cheated.

Like · Reply · 4 · September 26 at 5:45pm



Hay Le Smith This is at Palmetto though, right? My aways don't even know where MUSC is. (Not saying this isn't a big deal. Just maybe localized to the state.)

Like · Reply · 2 · September 26 at 6:25pm · Edited



Kay Tea replied · 1 Reply



Cody Gathers

September 29 at 7:27pm · 🌐

Some recent events have transpired at MUSC that have left my fellow students and myself distrustful of the current MUSC administration. In summary, two students were convicted of cheating on exams by our school Honor Council. The conviction was recently unilaterally overturned by the Dean of the College of Medicine. We believe his decision was based on political influences, rather than the establishment of innocence, given the fact that family members of the accused are heavily involved in South Carolina politics and the Board of Trustees of MUSC. The Dean then held a forum for students that provided little to no answers in the reasoning behind his decision, citing FERPA laws as his rationale. As a result, some of my classmates and I have drafted a petition that expresses our concerns and goals that I encourage all of my Facebook friends to sign. As a side note, some of my Facebook friends who live in the Charleston area may have seen this story talked about in the Post and Courier in the past few weeks. Please click on the link below to read and sign the full petition. Thank you everyone!

Medical University of South Carolina: Investigate the actions of the Dean of the College of Medicine at MUSC

The recent events regarding the unilateral overturning of a Medical University of South Carolina (MUSC) College of Medicine Honor Council recommendation has...

CHANGE.ORG

 Ollie Jabez also, none of the associate deans joined dubois at the front of the room, and he said he was not influenced by "political or outside forces," and apparently the twins' grandfather was sitting next to Rahoul Ahuja?

Like · Reply ·  7 · September 19 at 8:39pm · Edited

 Danl Avocado U mean one of the board members was in attendance...

Like · Reply ·  5 · September 19 at 8:41pm

 Alex Myles That they didn't stand with him down front speaks volumes imo.

Like · Reply ·  5 · September 19 at 8:42pm

 Ollie Jabez lol DHM and McD were sitting down the row from me and they looked v v v concerned 😬

Like · Reply · September 19 at 8:43pm

 Justin Costello DHM had the best line of the whole thing yo

Like · Reply ·  3 · September 19 at 8:56pm

 Ollie Jabez what did she say???!?!?!?

Like · Reply · September 19 at 8:57pm

 Christen Chaconas "It will not be on the deans letter. I'm not saying I'm for or against. You all know me very well"

Audience: hahahahah lololol word DHM we feel you

Like · Reply ·  3 · September 19 at 9:34pm

 Cel Ine Dijon Christen Chaconas are you kidding me?? That doesn't even go on their deans letter???? So what they're saying is that for all the people who had to repeat a year, they could have just cheated and come out ahead?

Like · Reply ·  2 · September 20 at 12:49am

 Christen Chaconas Cel Ine Dijon yes. That's exactly what they're saying. So long as they do not get caught. Or have connections.

Like · Reply · September 20 at 5:45am

 Ollie Jabez apparently it wasnt their grandfather, just an elderly physician?

Like · Reply ·  2 · September 20 at 8:50pm

Medical University of South Carolina: Investigate the actions of the Dean of the College of Medicine at MUSC

The recent events regarding the unilateral overturning of a Medical University of South Carolina (MUSC) College of Medicine Honor Council recommendation has...

CHANGE.ORG

 Like  Comment  Share

 Cody Gathers, Kyle Kelly and 13 others

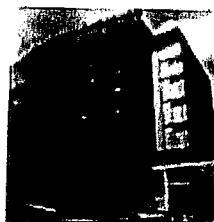
 Janet Carter I went to the link, but it doesn't really give a background about what happened. I've heard things, but how can I learn more? Also, I don't know what FERPA is.

Like · Reply ·  1 · September 29 at 7:55pm

 Laura Haselden Excellent questions! Here are a few links from the Post and Courier. I believe they explain FERPA as well.

<http://www.postandcourier.com/.../musc-fights-newspaper...>

<http://www.postandcourier.com/.../musc-students-livid...>



MUSC fights newspaper over information involving alleged...

POSTANDCOURIER.COM

Like · Reply · September 29 at 8:00pm

 Laura Haselden There are also stories on far less reputable papers in the state, if you chose to google "MUSC cheating". They're pretty scuzzy news sources, so I don't want to recommend them per se, but if you want further reading material, there are options!

Like · Reply · September 29 at 8:02pm

 Janet Carter Thanks!

Like · Reply · September 29 at 8:05pm



DNA Test Report

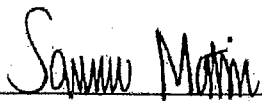
20

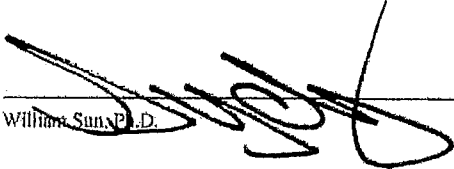
DDC is accredited/certified by AABB, CAP, ISO/IEC 17025 by ANAB, CLIA & NYSDOH.

Case 8399059 Name		Alleged Twin One Kellie N. Bingham		Alleged Twin Two Kayla M. Bingham	
Race		Caucasian		Caucasian	
Date Collected		10/11/2016		10/11/2016	
Test No.		8399059-20		8399059-21	
Locus	RI	Allele Sizes		Allele Sizes	
D3S1358	2.43	15	16	15	16
VWA	2.73	16		16	
D16S539	3.21	9		9	
CSF1PO	2.79	12	13	12	13
TPOX	2.48	8	12	8	12
D8S1179	2.41	13	14	13	14
D21S11	2.69	28	30	28	30
D18S51	2.99	14	16	14	16
D19S433	3.67	12	16.2	12	16.2
TH01	2.88	7	9	7	9
FGA	3.01	23	24	23	24
D22S1045	2.94	13	16	13	16
D5S818	2.00	11	12	11	12
D13S317	2.30	11	12	11	12
D7S820	2.93	8	9	8	9
SE33	3.61	21.2	28.2	21.2	28.2
D1S1656	3.54	10	17.3	10	17.3
D2S1338	3.19	19	24	19	24
Amelogenin		X		X	
Interpretation: RN: 1826994 Combined Index: 147,379,068 Probability of Monozygosity: 99.999999% The tested individuals are not excluded as identical twins. Based on testing results obtained from the DNA loci listed, the probability of twin monozygosity is 99.999999% (assumes prior probability equals 0.50). The likelihood that they are identical twins is 147,379,068 to 1.					

Subscribed and sworn before me on October 17, 2016

I, the undersigned Laboratory Director, verify that the interpretation of the results is correct as reported on 10/17/2016.


Savanna Martin
Notary Public, State of Ohio
My Commission Expires May 9, 2021


William Sun, Ph.D.



	KAYLA	KELLIE	% CORRELATION	KAYLA VS. KELLIE
HIGH SCHOOL GPA	95.860	96.610	99.22%	0.99
FURMAN GPA	3.740	3.813	98.09%	0.98
MUSC MED SCHOOL	78.580	79.920	98.32%	0.98
USC LAW SCHOOL	3.553	3.500	98.51%	1.02
SAT	1370	1370	100.00%	1.00
MCAT	29	28	96.55%	1.04
LSAT	161	159	98.76%	1.01
TOTAL				1.00

Kayla Bingham | ADAMS AND REES, LLP
Government Relations Advisor
1501 Main Street, 5th Floor | Columbia, SC 29201

ROA 0836

PLAINTIFF'S
TRIAL EXHIBIT

065

EXHIBIT

3

Library Room 436

Proctor Name:

E'keia Simpson Hobbs

Time of Session:

8:15 am

Documentation of testing irregularities (document computer station number as indicated on computers):

no problems.

Co-signature/witness:

Any issues call:

Inda Johnson- 843-425-7690 (cell)

ELECTRONICALLY FILED - 2020 Apr 30 1:16 PM - CHARLESTON - COMMON PLEAS - CASE#2017CP1005699

MUSC_00278
BWPH 1.657

ROA 0837

PLAINTIFF'S
TRIAL EXHIBIT

66

Segal, N.L.

p. 1

Nancy L. Segal, Ph.D.

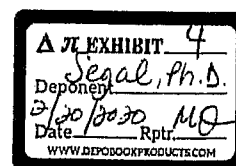
Department of Psychology, California State University, Fullerton, CA 92834 USA

657-278-2142

657-278-4843 (fax)

nsegal@fullerton.edu

May 30, 2016



I am writing on behalf of Kayla and Kellie Bingham who have been accused of collaborating on portions of an exam at MUJC. I have had an opportunity to discuss this case with their attorneys and to review some materials relevant to this case.

As a professor of psychology and specialist in twins and twin research, I can assure you that an overwhelming number of scientific studies demonstrate that identical twins are highly matched in their general and special intellectual skills, information-processing abilities, personality traits and interests (Bouchard et al., 1990a; Bouchard et al. 1990b; Segal, 2000, 2012; Segal & Johnson, 2009). Furthermore, identical twins and triplets generally enjoy a closer social and working relationship with one another than do most fraternal twins and non-twin siblings (Segal, 2000). Thus, it is not surprising—it *is even expected*--that the twins (and other genetically identical sisters and brothers) would produce the same solutions to questions and problems, even the same text and errors. The samples of work that have been provided to me in the past from other pairs are not surprising at all, given my experiences and background in twin studies. In fact, I would be surprised if this were not the case! I state this emphatically and refer you to a series of papers from the peer-reviewed scientific literature that demonstrates this; please refer to the attached list. Note, especially, a paper on the intellectual similarities of identical twins reared apart from birth who never knew one another until adulthood—such individuals are highly similar, more so than fraternal twins or adoptive siblings reared together. How else can we explain such consistent behavioral patterns without reference to the twins' and triplets' matched, genetically-based characteristics?

Findings from twin research are widely cited in the academic and non-academic literature, so it is perplexing that an institution of the high caliber of medical school would not seriously consider these findings in assessing the situation involving the Bingham twin sisters. The conclusion that they must have collaborated in order to produce their similar work simply does not follow from what we know from the wealth of twin research that has been compiled over the last several decades. It must be understood—especially by university faculty—that similar work between two unrelated students and between two identical twins may have *very different underlying causes*. Given the dramatic increase in twinning rates, society is going to have to take a closer look at the unique developmental features associated with twinship. Several of those ~~unique features include similar thought processes, academic interests and behavioral~~ styles. I have served as a consultant in a number of other cases involving twins' alleged collaboration at the university level—in these cases there was a lack of awareness of twins' unique behavioral parallels, something I sense here and hope to rectify.

Also of particular relevance to this case is the fourth chapter from my recent book *Entwined Lives: Twins and What They Tell Us About Human Behavior* (2000, NY: Plume). I begin the chapter with reference to a case involving identical twin male college students accused of cheating on an assignment, a charge that was later dropped by the university (they had produced the same unusual error in a computer programming assignment). Unfortunately, research-based information on twins' matched abilities does not seem to be broadly known by university faculty. I have, in fact, provided counsel to a

number of families with identical twins whose professors charged them with dishonesty and collaboration, based on little more than the finding that they produced similar answers to questions while working independently. These twins were in very similar situations to the one that Kayla and Kellie now find themselves. In one of these cases, the twins purposefully avoided discussion of ideas and concepts until the work was completed, but still produced similar examples and arguments. I also list below a revealing quotation from one of the Bedser twins, famous for achievements in cricket in the UK:

Hill, A. (2001), *The Bedders: Twinning Triumphs*. UK: Mainstream Publishing

"The consistency of their results prompted one teacher misguidedly to accuse them of cheating in class. He sought to rectify the matter by separating them. 'We still came up with the same answers, or made the same mistakes so we proved him wrong,' say Alec and Eric." p. 17.

Also, consider the following quotation from identical twin, Ethel Jones, from her 1987 book *My Twin and I*:

"In school we often had to change our answers on our homework, because when we compared them, we had the same original sentences to show the meaning of our spelling words. We did not want our teacher to think we had copied each other's sentences; so we took turn changing them." p. 17.

Another comment from an identical twin is also highly relevant:

"Our IQ is within a few points of each other . . . we scored the exact same SAT score of 1470."

I recently completed an analysis of tacit coordination, comparing identical twins, fraternal twins and same-age unrelated (adoptive) siblings (Segal, et al., 2008). Tacit coordination is basically non-negotiated consensus. Participants are asked to answer 20 questions (e.g., name an article of clothing; name a book). They then complete the same 20 questions with the instruction to answer in a way that they and their twin/sibling would produce the same answer. That is, they are asked to imagine discussing the answer with their twin sibling in order to arrive at an agreed upon solution. Identical twins showed significantly greater match on this exercise, relative to fraternal twins who, in turn, outperformed unrelated siblings. This pattern of results is completely consistent with the degree of genetic relatedness between these different twin and sibling pairs (100%, 50% and 0%, respectively). Results from this study have substantial bearing upon the accusations raised against the Bingham sisters. Specifically, I have shown that identical twins think alike even when they are not even asked to do so.

I am currently working with families from around the United States, eager to pass state legislation allowing parents of young twins to be placed in the same classroom upon school entry. (Minnesota was the first state to pass such legislation, in spring 2005; see

www.twinslegislation.com). The reasoning is that separation from the twin (mandated by many school districts, albeit without a research basis) is harmful to the academic and social progress of young children. I fully support this view. It occurs to me, however, that unless educators understand that identical twins are very likely to show the same talents and abilities, choose the same friends and activities, and submit similar test answers, errors and assignments then some pairs may ultimately be subjected to unfair comparison and accusation. In my estimation, it is unfair to keep twins and triplets apart for fear of the appearance of collaboration.

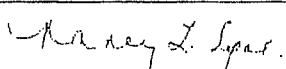
It occurs to me that most people are fascinated with the matched performances of identical twin athletes. There is a rich literature showing highly matched running times, swimming times, rowing times, etc. (Segal, 2000; Segal, 2007). These similar performances have, however, been celebrated, rather than dismissed by accusations of cheating, yet they also reflect identical twins' shared genetically influenced abilities, this time in the area of physical performance and stamina. It is no different for intellectual activities.

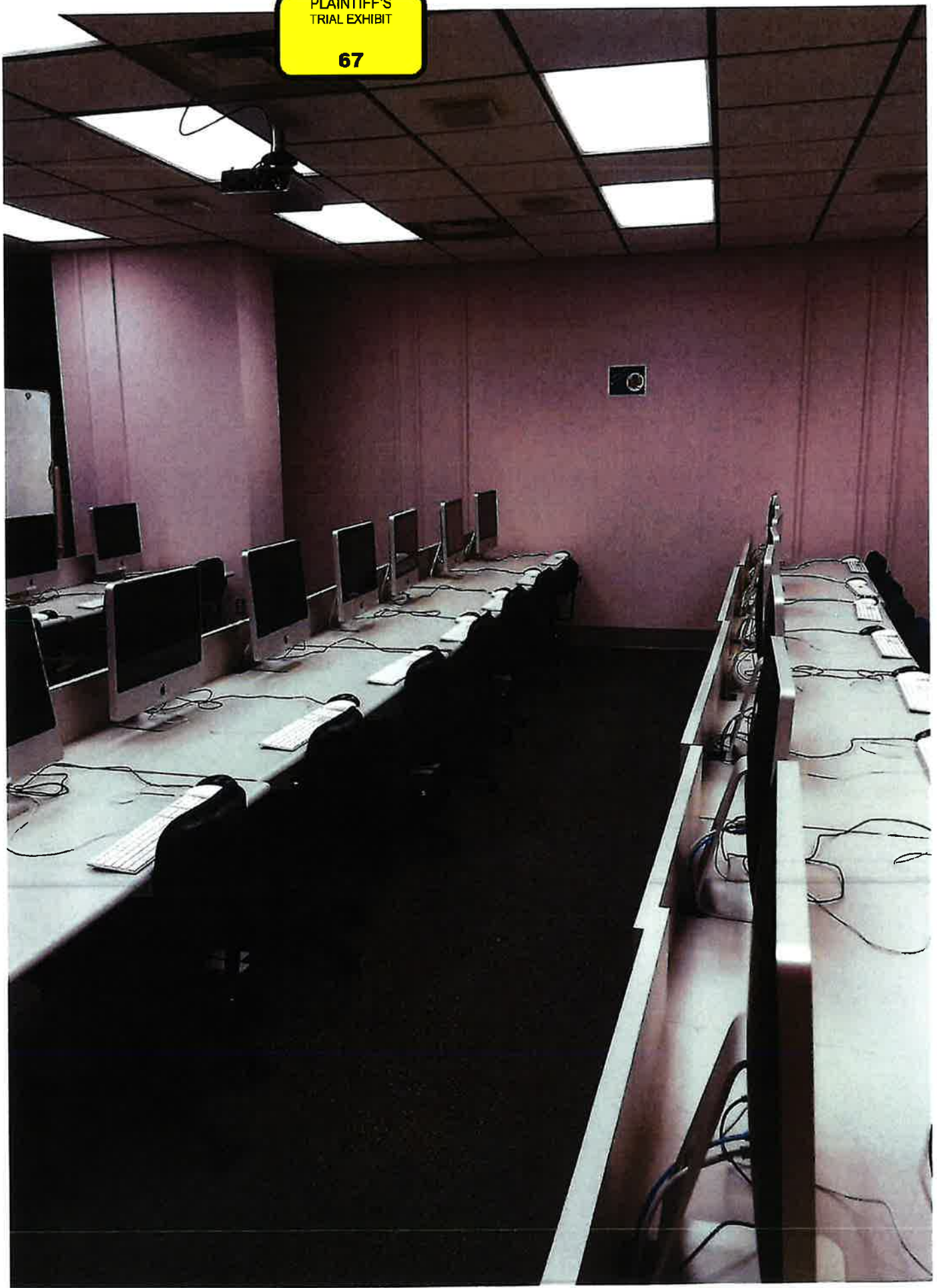
As a university faculty member myself I am very concerned with dishonest performance on the part of my students. I am, however, surprised and dismayed by the number of university cases involving twins and cheating I have encountered in recent years. As indicated above, I believe that in every case with which I have worked the accusations were unfounded and easily explainable in other ways, i.e., with reference to the twins' matched, genetically based proclivities. The present case involving Kayla and Kellie is no exception. I have addressed this issue in my capacity as Associate Editor for *Twin Research and Human Genetics*, the official journal of the *International Society for Twin Research*, but I now believe that this problem needs to be presented more broadly. I anticipate taking a much stronger stand, in a more public way, in the near future. Please note that the national media has shown interest in the causes and consequences of twins falsely accused of cheating, a topic I am interested in pursuing with them. Accusations of cheating unfairly and severely damage the self-esteem and career goals of the individuals involved.

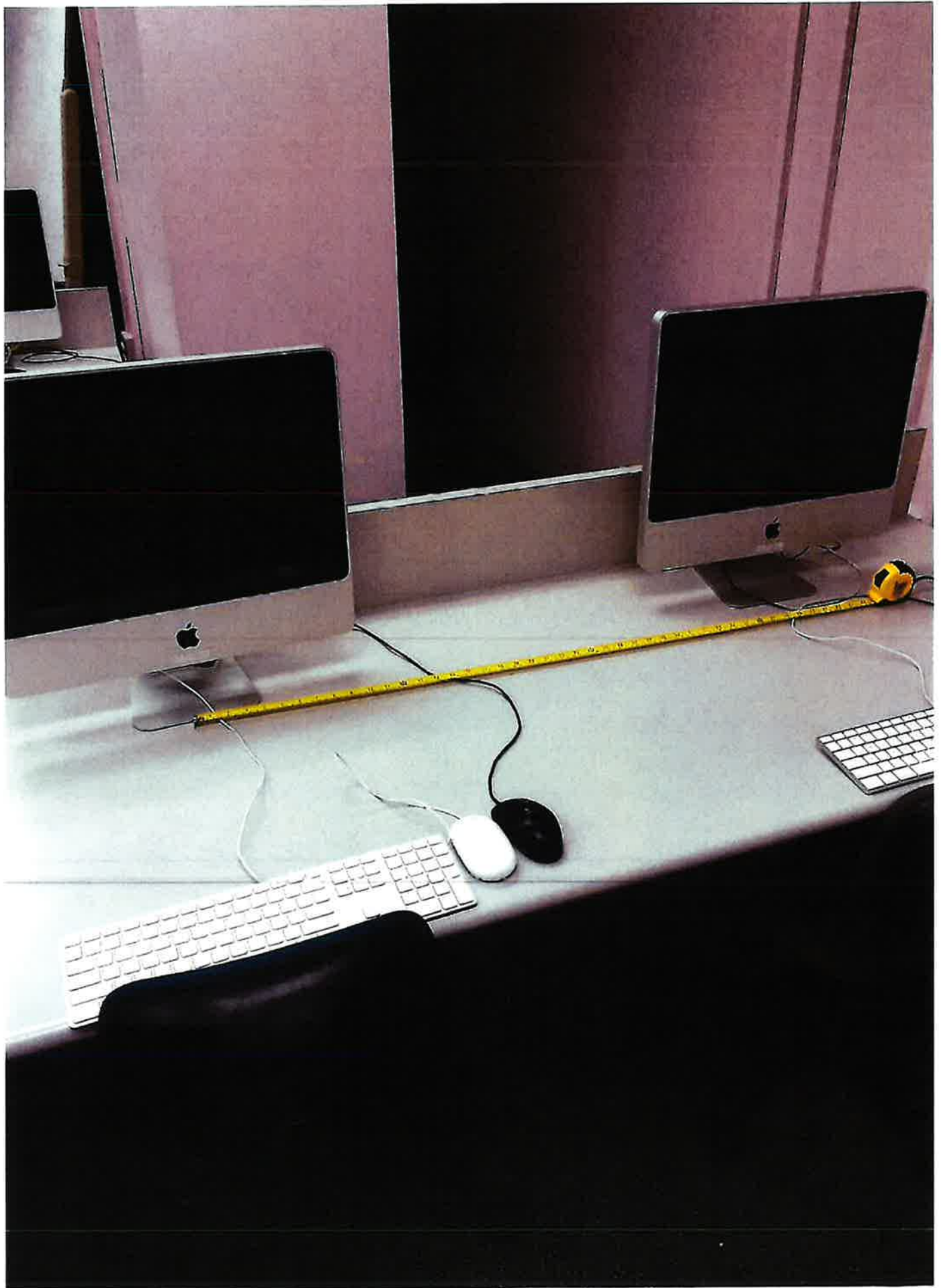
I am happy to be contacted by representatives of your medical school in the event that I may be of assistance.

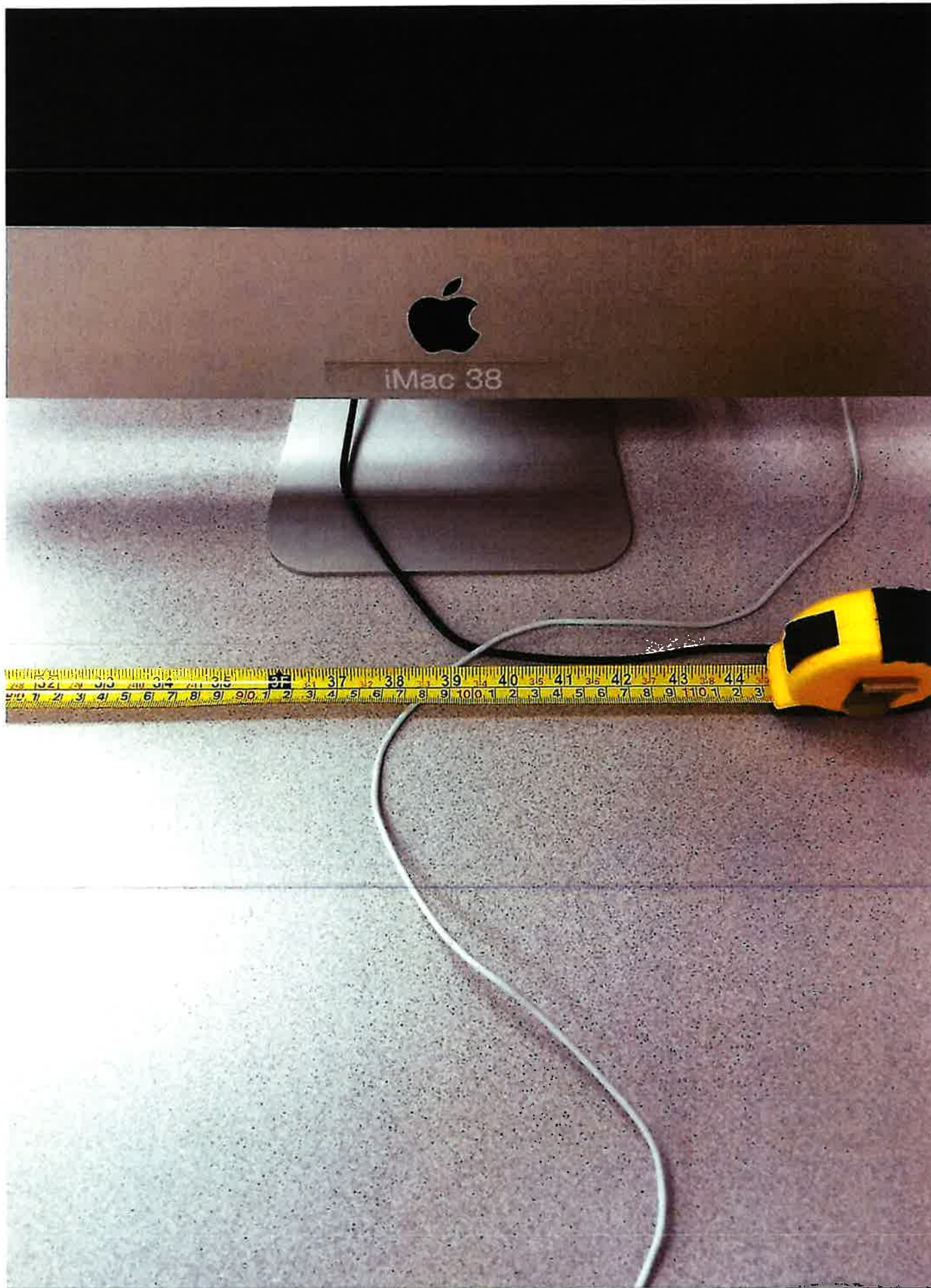
Sincerely,

Nancy L. Segal, Ph.D.
Professor of Psychology and Director
Twin Studies Center

	Date: May 30, 2016











Subject: Fwd: Block 12 Exam Instructions and Seating Assignments
Date: Saturday, May 21, 2016 at 11:17:54 AM Eastern Daylight Time
From: Kayla Bingham
To: Kenny Bingham

Begin forwarded message:

From: "Bingham, Kayla" <binghak@musc.edu>
Subject: FW: Block 12 Exam Instructions and Seating Assignments
Date: May 19, 2016 at 9:34:04 AM EDT
To: Kayla Bingham <kaylabingham@mac.com>

Kayla Bingham

College of Medicine Class of 2018
Medical University of South Carolina
Phone: (803) 361-6083
Email: binghak@musc.edu

From: Humes, Inda
Sent: Wednesday, May 04, 2016 8:32 AM
To: Singleton, Myra Haney; Bingham, Kayla
Cci Hazen Martin, Debra J.
Subject: RE: Block 12 Exam Instructions and Seating Assignments

Kayla,

Please report to library room 436 tomorrow to take your exam.

Inda

From: Singleton, Myra Haney
Sent: Tuesday, May 03, 2016 4:12 PM
To: Bingham, Kayla <binghak@musc.edu>
Subject: RE: Block 12 Exam Instructions and Seating Assignments

Good afternoon Kayla

Thank you for your email. I will review your request with the curriculum leaders and will follow

up as soon as I can.

I hope your studies are going well.

Take care

Myra Haney Singleton, M.Ed.
Assistant Dean for Student Affairs
College of Medicine Dean's Office
Medical University of South Carolina
96 Jonathan Lucas Street - Suite 601
Charleston, SC 29425

843-792-1672 - office
843-792-4262 - fax

From: Bingham, Kayla
Sent: Tuesday, May 03, 2016 4:10 PM
To: Singleton, Myra Haney
Subject: FW: Block 12 Exam Instructions and Seating Assignments
Importance: High

(Ms. Singleton)

I wanted to email you to see if there was ANY way I could be scheduled to take my exam in the library as opposed to BioEngineering. I understand if it is not possible, but I know when we spoke earlier this semester, one of our strategies for me was to help me cut down some of the excess commotion during exams, and in the past the library has been more successful for me.

I do fully understand that a lot of work goes into scheduling and making this change may not be possible, but I did want to ask.

Thank you again so much for helping me this semester!

Sincerely,

Kayla Bingham

College of Medicine Class of 2018
Medical University of South Carolina
Phone: (803) 361-6083
Email: binghak@musc.edu

From: owner-com-2yr@musc.edu [owner-com-2yr@musc.edu] on behalf of Hazen Martin, Debra J. [hazenmad@musc.edu]
Sent: Tuesday, May 03, 2016 3:58 PM
To: com-2yr@musc.edu
Cc: Martin, Madeline; Kasman, Laura
Subject: Block 12 Exam Instructions and Seating Assignments

WHERE AND WHEN: The College of Medicine YR-2 Block 12 written examination will take place on Thursday, May 6th at the Drug Discovery Auditorium (DDB110), Bioengineering Building (BE 112), and the testing modules on the 4th floor of the Colbert Library and Education Center (Rooms 436, 437, and 438). Please refer to the attached room assignment documents to find your seating assignment. You will complete the exam in two sessions: AM (8:30 – 12:05 pm) and PM (1:00 – 4:33 pm). Please arrive at the assigned testing site by 8:15 am and 12:50 pm for the morning and afternoon sessions respectively. If you are late, please report to a testing proctor as you will not be permitted to take your regularly assigned seat once the testing has started. You will report to the same testing site for both parts of the exam. If you are in the DDB or BE testing site – You must have your laptop computer and power adapter!

PROCEDURE: When you arrive at the testing site, you will find a 3' X 5' at the door of the testing room. The card will display your testing ID number, name and unique password for both parts of this exam. You will also receive the honor code/comment sheet with attached scratch paper and Ethernet cable. You may then enter and take your assigned seat. There is no talking after you enter the testing room.

If you require a restroom break, you will sign out and in with the proctor. Use the restrooms located on the same floor of the building. You are not permitted to leave the floor or building during the session. You are not permitted to use a cell phone or any other electronic device during a restroom break.

When you finish the morning session of the exam please leave your computer, card, and scratch paper at your seat. Please remember to be extremely quiet as you enter or leave the exam area. During the lunch break your computer will be secure as a proctor will remain in the room at all times. You must not discuss the exam with any member of your class during your breaks or after you complete a session. At the end of the afternoon session you will return all items to the proctor as you leave the examination room.

THE EXAM: The examination will consist of ~307 multiple choice questions (Part A – 154 questions and Part B – 153 questions) from all of the 4 themes. You will be allowed ~3 hours and 35 minutes for each part of the exam. You must log in when the proctor indicates the exam will start. Points will be assigned to the various themes in a manner that reflects the distribution of lecture hours and other activities within the block. I would advise you to study all elements of this block evenly.

THE FOLLOWING RULES AND PROCEDURES APPLY:

- Place your backpacks / book bags / purses at the side or back of the rooms in the library and BE Building.
- You may use ear plugs during the exam. We cannot allow any other sound quieting devices or headsets.
- Do not bring or have access to your wrist devices, cell phones, pagers, iPod, etc. in the exam room. If these devices are in your backpack or purse please be aware they must be deactivated and cannot be accessed during the exam session or restroom breaks.
- Do not wear caps, hats or hooded jackets to the exam room.
- Food and beverages (opened or unopened) are not permitted in the examination rooms. (Food and drinks are not allowed when you take Step 1.)
- The monitor will allow only one student to enter the restroom at any given time.

Follow up: Grades will be posted on Moodle following faculty review of the exam and not before Monday at noon. Semester theme grades and Block Honors will be finalized the following week. Study hard and good luck!

~~Debra Hazen Martin, PhD~~

Associate Dean for Curriculum, Basic Sciences
College of Medicine
Professor of Pathology and Laboratory Medicine
Walton Research Building, Room 811
Medical University of SC
office - 843-792-2906
cell - 843-276-3539
hazenmad@musc.edu

COM2 Block 12 Exam Seating DDB 110 May 5th, 2016

1	Seat: A28
2	Seat: A22
3	Seat: A16
4	Seat: C34
5	Seat: C28
6	Seat: C22
7	Seat: E34
8	Seat: E28
9	Seat: E22
10	Seat: G34
11	Seat: G28
12	Seat: G22
13	Seat: J34
14	Seat: J28
15	Seat: J22
16	Seat: L34
17	Seat: L28
18	Seat: L22
19	Seat: A34
20	Seat: N34
21	Seat: N28
22	Seat: N22
23	Seat: N1
24	Seat: N7
25	Seat: L1
26	Seat: L7
27	Seat: J1
28	Seat: J7
29	Seat: G1
30	Seat: G7
31	Seat: E1
32	Seat: E7
33	Seat: C1
34	Seat: C7
35	Seat: A1
36	Seat: L8
37	Seat: J8
38	Seat: G8
39	Seat: E8
40	Seat: C8
41	Seat: C11
42	Seat: L11
43	Seat: J11
44	Seat: L4
45	Seat: J4

46		Seat: G4
47		Seat: E4
48		Seat: C4
49		Seat: A4
50		Seat: N16
51		Seat: M8
52		Seat: M12
53		Seat: M34

COM2 Block 12 Exam Seating BE 112 May 5th, 2016

1	Bingham Kayla	Seat: BE C4
2		Seat: BE C5
3		Seat: BE C6
4		Seat: BE C7
5		Seat: BE C8
6		Seat: BE D1
7		Seat: BE D2
8		Seat: BE D3
9		Seat: BE D4
10		Seat: BE D5
11		Seat: BE D6
12		Seat: BE D7
13		Seat: BE D8
14		Seat: BE E1
15		Seat: BE E3
16		Seat: BE E5
17		Seat: BE E8
18		Seat: BE F5
19		Seat: BE A7
20		Seat: BE E6
21		Seat: BE E4
22		Seat: BE E7
23		Seat: BE A1
24		Seat: BE E2
25		Seat: BE A2
26		Seat: BE A3
27		Seat: BE A4
28		Seat: BE A5
29		Seat: BE A6
30		Seat: BE A8
31		Seat: BE B1
32		Seat: BE B2
33		Seat: BE B3
34		Seat: BE B4
35		Seat: BE B5
36		Seat: BE B6
37		Seat: BE B7
38		Seat: BE B8
39		Seat: BE C1
40		Seat: BE C2
41		Seat: BE C3

COM2 Block 12 Exam Seating Library Room 436 May 5th, 2016

1		Seat: LIB 436
2		Seat: LIB 436
3		Seat: LIB 436
4		Seat: LIB 436
5		Seat: LIB 436
6		Seat: LIB 436
7		Seat: LIB 436
8		Seat: LIB 436
9		Seat: LIB 436
10		Seat: LIB 436
11		Seat: LIB 436
12	Bingham, Kellie	Seat: LIB 436
13		Seat: LIB 436
14		Seat: LIB 436
15		Seat: LIB 436
16		Seat: LIB 436
17		Seat: LIB 436
18		Seat: LIB 436
19		Seat: LIB 436

COM2 Block 12 Exam Seating Library Room 437 May 5th, 2016

1	Seat: LIB 437
2	Seat: LIB 437
3	Seat: LIB 437
4	Seat: LIB 437
5	Seat: LIB 437
6	Seat: LIB 437
7	Seat: LIB 437
8	Seat: LIB 437
9	Seat: LIB 437
10	Seat: LIB 437
11	Seat: LIB 437
12	Seat: LIB 437
13	Seat: LIB 437
14	Seat: LIB 437
15	Seat: LIB 437
16	Seat: LIB 437
17	Seat: LIB 437
18	Seat: LIB 437
19	Seat: LIB 437
20	Seat: LIB 437
21	Seat: LIB 437
22	Seat: LIB 437
23	Seat: LIB 437

COM2 Block 12 Exam Seating Library Room 438 May 5th, 2016

1		Seat: LIB 438
2		Seat: LIB 438
3		Seat: LIB 438
4		Seat: LIB 438
5		Seat: LIB 438
6		Seat: LIB 438
7		Seat: LIB 438
8		Seat: LIB 438
9		Seat: LIB 438
10		Seat: LIB 438
11		Seat: LIB 438
12		Seat: LIB 438
13		Seat: LIB 438
14		Seat: LIB 438
15		Seat: LIB 438
16		Seat: LIB 438
17		Seat: LIB 438
18		Seat: LIB 438
19		Seat: LIB 438
20		Seat: LIB 438
21		Seat: LIB 438
22		Seat: LIB 438
23		Seat: LIB 438
24		Seat: LIB 438
25		Seat: LIB 438
26		Seat: LIB 438
27		Seat: LIB 438
28		Seat: LIB 438

From: "Bingham, Kayla" <binghak@musc.edu>
Date: May 3, 2016 at 6:16:40 PM EDT
To: "Singleton, Myra Haney" <haneymk@musc.edu>
Subject: RE: Block 12 Exam Instructions and Seating Assignments

Ms. Singleton,

Thank you so much! I can not express my gratitude enough!

Have a wonderful Tuesday!

Sincerely,

Kayla Bingham

College of Medicine Class of 2018
Medical University of South Carolina
Phone: (803) 361-6083
Email: binghak@musc.edu

From: Singleton, Myra Haney
Sent: Tuesday, May 03, 2016 5:14 PM
To: Bingham, Kayla
Subject: RE: Block 12 Exam Instructions and Seating Assignments

Hi Kayla

The curriculum leaders are working on accommodating your request to move. Tomorrow, Ms. Inda Johnson will follow up with you via email regarding a space in the library.

Take care

Myra Haney Singleton, M.Ed.
Assistant Dean for Student Affairs

College of Medicine Dean's Office
Medical University of South Carolina
96 Jonathan Lucas Street - Suite 601
Charleston, SC 29425

843-792-1672 - office
843-792-4262 - fax

From: Bingham, Kayla
Sent: Tuesday, May 03, 2016 4:10 PM
To: Singleton, Myra Haney
Subject: FW: Block 12 Exam Instructions and Seating Assignments
Importance: High

Ms. Singleton,

I wanted to email you to see if there was ANY way I could be scheduled to take my exam in the library as opposed to BioEngineering. I understand if it is not possible, but I know when we spoke earlier this semester one of our strategies for me was to help me cut down some of the excess commotion during exams, and in the past the library has been more successful for me.

I do fully understand that a lot of work goes into scheduling and making this change may not be possible, but I did want to ask.

Thank you again so much for helping me this semester!

Sincerely,

Kayla Bingham

College of Medicine Class of 2018
Medical University of South Carolina
Phone: (803) 361-6083
Email: binghak@musc.edu

From: owner-com-2yr@musc.edu [owner-com-2yr@musc.edu] on behalf of Hazen Martin, Debra J. [hazenmad@musc.edu]
Sent: Tuesday, May 03, 2016 3:58 PM
To: com-2yr@musc.edu
Cc: Martin, Madeline; Kasman, Laura
Subject: Block 12 Exam Instructions and Seating Assignments

WHERE AND WHEN: The College of Medicine YR-2 Block 12 written examination will take place on Thursday, May 5th at the Drug Discovery Auditorium (DDB110), Bioengineering Building (BE 112), and the testing modules on the 4th floor of the Colbert Library and Education Center (Rooms 436, 437, and 438). Please refer to the attached room assignment documents to find your seating assignment. You will complete the exam in two sessions: AM (8:30 – 12:05 pm) and PM (1:00 – 4:33 pm). Please arrive at the assigned testing site by 8:15 am and 12:50 pm for the morning and afternoon sessions respectively. If you are late, please report to a testing proctor as you will not be permitted to take your regularly assigned seat once the testing has started. You will report to the same testing site for both parts of the exam. If you are in the DDB or BE testing site – You must have your laptop computer and power adapter!

PROCEDURE: When you arrive at the testing site, you will find a 3 X 5 at the door of the testing room. The card will display your testing ID number, name and unique password for both parts of this exam. You will also receive the honor code/comment sheet with attached scratch paper and Ethernet cable. You may then enter and take your assigned seat. There is no talking after you enter the testing room.

If you require a restroom break, you will sign out and in with the proctor. Use the restrooms located on the same floor of the building. You are not permitted to leave the floor or building during the session. You are not permitted to use a cell phone or any other electronic device during a restroom break.

When you finish the morning session of the exam please leave your computer, card, and scratch paper at your seat. Please remember to be extremely quiet as you enter or leave the exam area. During the lunch break your computer will be secure as a proctor will remain in the room at all times. You must not discuss the exam with any member of your class during your breaks or after you complete a session. At the end of the afternoon session you will return all items to the proctor as you leave the examination room.

THE EXAM: The examination will consist of ~307 multiple choice questions (Part A – 154 questions and Part B – 153 questions) from all of the 4 themes. You will be allowed ~3 hours and 35 minutes for each part of the exam. You must log in when the proctor indicates the exam will start. Points will be assigned to the various themes in a manner that reflects the distribution of lecture hours and other activities within the block. I would advise you to study all elements of this block evenly.

THE FOLLOWING RULES AND PROCEDURES APPLY:

- Place your backpacks / book bags / purses at the side or back of the rooms in the library and BE Building.
- You may use ear plugs during the exam. We cannot allow any other sound quieting devices or headsets.
- Do not bring or have access to your wrist devices, cell phones, pagers, iPod, etc. in the exam room. If these devices are in your backpack or purse please be aware they must be deactivated and cannot be accessed during the exam session or restroom breaks.
- Do not wear caps, hats or hooded jackets to the exam room.
- Food and beverages (opened or unopened) are not permitted in the examination rooms. (Food and drinks are not allowed when you take Step 1.)
- The monitor will allow only one student to enter the restroom at any given time.

Follow up: Grades will be posted on Moodle following faculty review of the exam and not before Monday at noon. Semester theme grades and Block Honors will be finalized the following week. Study hard and good luck!

Debra Hazen-Martin, PhD
Associate Dean for Curriculum, Basic Sciences
College of Medicine
Professor of Pathology and Laboratory Medicine
Walton Research Building, Room 811
Medical University of SC
office - 843-792-2906
cell - 843-276-3539
hazenmad@musc.edu

Library Room 436

Proctor Name: Michele Triesinger

Time of Session: 1:00 pm 5/5/16 afternoon session

Documentation of testing irregularities (document computer station number as indicated on computers):

Prior to the afternoon session of Block 12 of Year 2 De. Hazen-Martin pulled me out of the testing room to inform me of a testing irregularity during the PMT session in the room I am proctoring. She informed me that two students in the room had the same answers and were sitting next to one another in the testing site. At that time she informed me.

Co-signature/witness:



Any issues call:

Linda Johnson- 843-425-7690 (cell)

at the students' writing and proctoring guidelines. Storing to not interrupt the testing
sit of process if I noted any irregularities. Before
the exam started one of these 2 students requested
a pencil with a better eraser. Another student that
said she did not need an eraser switched pencils
with her. About an hour into the exam I noticed lot
those students in question was pushed back away
from the desk more than others in the room and
kept glancing over at the other students' direction. This
caught my eye while proctoring so I continued to watch
them along with the other students in the room. Another
irregularity that I noted was both students that were
seated oddly were nodding their heads all through the exam.
This has not been regular behavior that I have noticed while
proctoring previously. Near the end of the exam around 3:40pm
noticed that student 18014, was writing something on the
corner of her scratch paper and pushing it over a bit and
student 18013 was looking in the papers direction and directly
following looking back through the questions. 18014 then
proceeded to erase her paper and flipping her page over. I noted
this act a total of 3 times. Both students took the entire
length of the exam until the timer ran out and then they
turned in their scrap paper together and left the testing
room at the same time. After the exam I made sure
I collected all of their scratch paper.

Hazen Martin, Debra J.

From: Singleton, Myra Haney
Sent: Saturday, May 07, 2016 7:40 PM
To: Kasman, Laura
Cc: Hazen Martin, Debra J.
Subject: Re: Testing Irregularity



Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Laura

Thank you for the notification. As requested our office will assist in obtaining reports from the proctors and will provide this documentation to you by Monday morning. If the students were provided paper to write on during the exam, those should be reviewed as well. Would you like to review them?

As a testing irregularity has been noted I think it's best to communicate to the student (s) that there will be a delay in the posting of their grades because of this issue. Should they inquire I think they should be informed that a review process must be completed before grades can be released.

I will follow up with you on Monday and provide the requested documents.

I'm so sorry that this issue occurred but it is imperative to thoroughly investigate this matter.

Please know that our office will do our best to assist you in every way we can.

Myra Haney Singleton

Sent from my iPhone

On May 7, 2016, at 5:53 PM, Kasman, Laura <kasmanl@musc.edu> wrote:

Dear Myra,

I have unfortunately been notified of a possible testing irregularity during the year 2 block 12 exam on Thursday, May 5, which was detected in testing room LIB 436. So far all I have seen are LXR printouts of the answers given by two students, identified by numbers 18013 and 18014, which show a pattern of nearly identical answers and timing in both the morning and afternoon. While not proof of misconduct, it is very suspicious and I would like to request help from Student affairs to obtain more information, such as the proctors reports and comparisons with

other test takers that day as soon as possible Monday morning. Hopefully it will then be clear if the similarities are a coincidence, one copied from the other, or the two students were working together in some way.

We will need to make a determination whether to post the grades of these students with the others, as well. We had planned to post them between 12:30 and 1 pm Monday.

I'm sorry to have to have to ask your office to do this extra work at this busy time of year.

Sincerely,
Laura Kasman, PHD.
Year 2 Curriculum Leader

From: "Hazen Martin, Debra J." <hazenmad@musc.edu>
Date: May 6, 2016 at 6:05:11 PM EDT
To: "Kasman, Laura" <kasmanl@musc.edu>
Subject: Testing Irregularity

Dear Laura,

I am sorry to notify you of a testing irregularity noted during the COM Year 2 Block Exam on Thursday, May 5th. During administration of the online exam, I routinely monitor LXR real-time to ensure that all students are logged in and that responses have been registered at the close of the session. I enter the exam several times during each testing period. During the AM testing period I noted that two students were progressing lock-step through the items, registering similar incorrect responses on identical items. The two students were located in the same testing module (LIB 436). I contacted the proctor in that module to closely monitor during the afternoon session. The same outcome was observed in the LXR testing data for the afternoon session. I am attaching the response sheets for the two students for both the AM and PM sessions for your review. The reports are time stamped at the bottom of the page. The response sheets show all responses and in the event the response is incorrect, the correct response is indicated in parenthesis. Scratch paper was collected from each student at the end of the testing period, per the required procedure. This material and proctor reports are secured by the testing site administrator, Inda Johnson, and are available for your review.

Debra Hazen-Martin

Debra Hazen-Martin, PhD
Associate Dean for Curriculum, Basic Sciences
College of Medicine
Professor of Pathology and Laboratory Medicine
Walton Research Building , Room 811
Medical University of SC
office - 843-792-2906
cell - 843-276-3539

hazenmad@musc.edu

<Part B at 2 hours.d.pdf>

<Completed Part B.d.pdf>

<Completed Part A.d.pdf>



From: Ivey, Joseph
To: Kasman, Laura
Subject: RE: Honor Council Notification
Date: Thursday, May 12, 2016 5:21:43 PM

Dr. Kasman,

At this point, the honor council appoints two members as investigators that interview the accused, the accuser, and witnesses of the incident to help determine if there is enough evidence to take the case to a formal hearing. The next step after the investigators gather evidence and interview all involved is a notification hearing, where the investigators and the student president vote to decide if the case will proceed to a formal hearing. But at this point, we need the students' names so that the investigators can interview them.

Thanks,

Alexander Ivey
College of Medicine, Class of 2017
Medical University of South Carolina
iveja@musc.edu
843-543-1161

From: Kasman, Laura
Sent: Thursday, May 12, 2016 4:51 PM
To: Ivey, Joseph
Cc: Singleton, Myra Haney
Subject: RE: Honor Council Notification

Dear Joseph,

I told the students that I would only reveal their names if the evidence was sufficient to bring charges. Is that the case?

Laura Kasman

Laura Kasman, PhD
Associate Professor of Microbiology and Immunology
Medical University of South Carolina
Office: BSB 208F
173 Ashley Ave, MSC 504
Charleston SC 29425
(843) 792-8117

From: Ivey, Joseph
Sent: Thursday, May 12, 2016 3:26 PM
To: Kasman, Laura
Cc: Singleton, Myra Haney
Subject: RE: Honor Council Notification

Hi Dr. Kasman and Myra,

Thank you both for your emails. I collected the envelope of evidence from the Dean's office this afternoon and went over it with Dr. Batalls just now. At this point, the one crucial bit of information we need is the actual names of the accused. Can you please send me the names of the students, and which one is student ID 18013 and 18014? We need to know to move forward in the investigation and to

contact the accused students.

Best,

Alexander Ivey
College of Medicine, Class of 2017
Medical University of South Carolina
iveja@musc.edu
843-543-1161

From: Kasman, Laura
Sent: Thursday, May 12, 2016 8:48 AM
To: Ivey, Joseph
Cc: Singleton, Myra Haney
Subject: Honor Council Notification

11 May 2016

Mr. Joseph Ivey
President, Honor Council
MUSC College of Medicine

Dear Mr. Ivey,

It is my unfortunate responsibility to report a possible case of academic dishonesty by two second year medical students.

The incident occurred during the Block 12 exam on May 5, 2016. The cheating was first suspected during a routine audit of the LXR testing data, approximately two hours into the exam. The audit showed that two students had both completed exactly 107 out of 153 questions and had chosen nearly identical answers up to that point. Further investigation found that the students were seated next to each other, and were observed to be signaling each other and passing notes via scratch paper on the desk between them.

LXR data for the entire class has been sent out for an objective external analysis which should provide an estimate of the probability of such similar responses occurring by chance. The original LXR data for the two students, their scratch paper, and the proctors report are waiting in a sealed envelope for you in the Dean's office at the front desk.

If I can be of any assistance in this matter, do not hesitate to contact me. I will be out of town from May 15-19, but will be reachable by email.

Sincerely,

Laura Kasman, Ph.D.
Year 2 Curriculum Director
College of Medicine



Laura Kasman, Ph.D.
Associate Professor
Year 2 Curriculum Leader
Department of Microbiology and Immunology,
College of Medicine
173 Ashley Ave
MUSC 504
Charleston, SC 29425-0504
Voice: 843-792-8117
Fax: 843-792-2464
kasmanl@musc.edu



Musc Prod. 0218

11 May 2016

Mr. Joseph Ivey
President, Honor Council
MUSC College of Medicine

Dear Mr. Ivey,

It is my unfortunate responsibility to report a possible case of academic dishonesty by two second year medical students.

The incident occurred during the Block 12 exam on May 5, 2016. The cheating was first suspected during a routine audit of the LXR testing data, approximately two hours into the exam. The audit showed that two students had both completed exactly 107 out of 153 questions and had chosen nearly identical answers up to that point. Further investigation found that the students were seated next to each other, and were observed to be signaling each other and passing notes via scratch paper on the desk between them.

LXR data for the entire class has been sent out for an objective external analysis which should provide an estimate of the probability of such similar responses occurring by chance. The original LXR data for the two students, their scratch paper, and the proctors report are stored in a sealed envelope for you in the Dean's office.

If I can be of any assistance in this matter, do not hesitate to contact me. I will be out of town from May 15-19, but will be reachable by email.

Sincerely,

Laura Kasman, Ph.D.
Year 2 Curriculum Director
College of Medicine

ROA 0865



Caveon Data Forensics™ Analysis and Interpretation of Similar Tests

Dennis Maynes, Chief Scientist
Marcus Scott, Data Forensics Scientist
May 13, 2016

The analysis of test result data for an exam administered by the Medical University of South Carolina (MUSC) detected two pairs of extremely similar test instances. At the request of MUSC, this report provides the analysis and interpretation of the extremely similar test results for Examinees 18013 and 18014. Extreme similarity is indicated when the observed number of similar response choices between two test takers is greater than would be expected under the following assumptions:

1. The tests were taken independently and
2. The Nominal Response Model (NRM) is an appropriate model for describing the test result data.

These models have been used and studied extensively by Caveon. They have been verified to be highly accurate through simulation.

Examinees 18013 and 18014 took the exam on May 5, 2016 at the MUSC campus. The data supporting the analysis and interpretation in this report are found in the workbook:

'MUSC_DF_exam.cluster.2_2016-May-11.xlsx'

Similarity Overview

The information in this section is found in the 'Summary' tab of the workbook referenced above. Examinees 18013 and 18014 had matching responses on 296 of the 307 items, with 242 correct matches and 54 incorrect matches. They were expected to have 204 matching correct answers, 12 matching incorrect answers, and 91 non-matching answers. Figure 1 shows the match counts for all other test instances with the test instance for Examinee 18013. Similarly, Figure 2 shows the match counts for all other test instances with the test instance for Examinee 18014.

Figure 1: Match Counts with the Test Instance for Examinee 18013

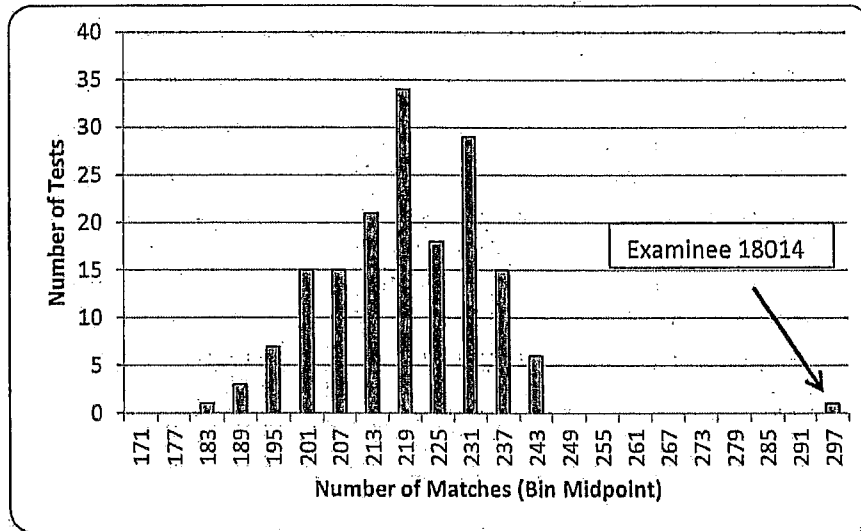
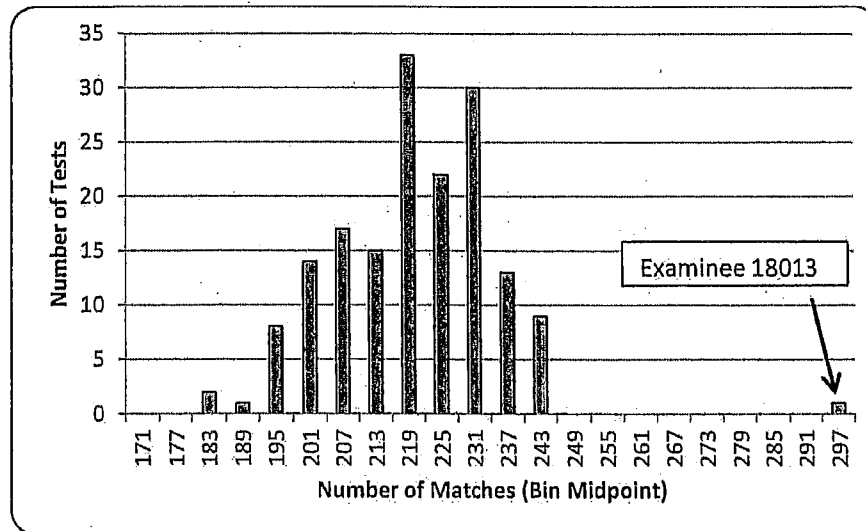


Figure 2: Match Counts with the Test Instance for Examinee 18014



The probability of the observed number of matching responses between Examinees 18013 and 18014, assuming they worked independently, was extremely small (less than 1 in 10^{38}). This value is represented in the spreadsheet as an "index" value (probability = $10^{-\text{index}}$). Large index values correspond to small probabilities. The index value of the observed agreement, assuming the tests were taken independently, is 38.0, which corresponds to a probability that is

approximately 1 in 100 undecillion¹. This probability is less than that of a person winning four consecutive Power Ball drawings². *Therefore, these tests were not taken independently.* 7

Performance Analysis

The purpose of this section is to analyze the examinees' performance on the items with matching responses and the items with non-matching responses to obtain evidence as to which examinee was the likely copier (assuming one examinee copied answers from the other). It should be noted that when answer-copying occurs, the "source" (i.e., the person whose answers were copied) should have consistent performance for all items on the exam. However, differences are expected due to natural variability. On the other hand, the "copier's" performance depends on the ability of the source. If the source was more knowledgeable than the copier, the copier will have higher performance for the copied responses than the other responses. Conversely, if the source was less knowledgeable than the copier, the copier's performance for the copied responses is likely to be lower than the non-copied responses. The information in this section is found in the 'Examinees' tab of the workbook referenced above.

Examinee 18013 received a score of 0.80 (245 out of 307) on the exam. For the items with matching responses, Examinee 18013 received a score of 0.82 (242 out of 296). For the items with non-matching responses, Examinee 18013 received a score of 0.27 (3 out of 11).

Examinee 18014 received a score of 0.80 (246 out of 307) on the exam. For the items with matching responses, Examinee 18014 received a score of 0.82 (242 out of 296). For the items with non-matching responses, Examinee 18014 received a score of 0.36 (4 out of 11).

The examinees' performance on the items with non-matching responses differed by only one correct response. Because both examinees had better performance on the items where they chose the same answers, it is possible that they were working together, as opposed to one examinee copying from the other. *Therefore, these data do not provide clear evidence that either examinee copied from the other.*

Source-Copier Analysis

This section extends the results of the previous section by analyzing performance differences where one test taker was assumed to be the source and the other was presumed to be the copier. The information in this section is found in the 'Source-Copier' tab of the workbook referenced above.

The Copier Index value expresses the odds in support of the proposition that the given examinee was the copier (as a power of 10). For these two test takers, the statistical model suggested that the odds were 10 to 1 in favor of Examinee 18013 being the copier, as evidenced by the Copier Index value of 1.1. Because the statistical models are subject to variability, Caveon usually takes the position that the odds must exceed 9,999 to 1 before using

¹ An undecillion is 10^{36} .

² The odds of winning at Power Ball are approximately 1 in 175 million.

the statistical data to identify the answer copier. *Thus, the results of the Source-Copier Analysis are not strong enough to infer that either examinee was the copier.*

Summary

The data are quite conclusive in asserting that the tests were not taken independently (i.e., at least one test taker did not do his or her own work). However, there was no strong evidence to indicate that one examinee copied from the other. It appears that they may have been working together to improve their scores.

Spreadsheet Overview	
	This spreadsheet consists of 5 worksheets. This spreadsheet contains information documenting a potential instance of collusion. Identifying data are provided in the worksheet 'Summary' and the statistical data are provided in the remaining worksheets.
Explanation of Column Headers	This is the name of the spreadsheet that you are reading. It provides definitions and explanations concerning the statistics that are provided in the other worksheets.
Examinees	This worksheet provides identifying information about the tests that were taken.
Summary	This worksheet provides the overall summary statistics and charts and plots that illustrate the statistical evidence for the potential collusion instance.
Alignment	This worksheet provides the selected responses (ordered by item identifier) with highlights showing the similarity between the exams.
Source-Copier	This data provides data from the Source-Copier Analysis which gives evidence indicating which individual is likely the person who has committed the test fraud in cases where collusion clusters consist of only two persons.
Contour Data	These data provide the data values for generating the probability contour plot.

Explanation of security risk measures	
Collusion	This is measured when test responses are extremely similar. The similarity increases when identical incorrect answers are provided between two tests.

Index Interpretation	The report provides many index values. An index, as used by Caveon Data Forensics, is a value that encodes the probability of the test statistic. The probability interpretation of the index is 1 chance in 10 to the power of the index value.

Description of the Examinees Worksheet	
	The Examinees worksheet lists every test within the detected collusion cluster under analysis. The purpose of this data is to provide information about the examinees and the tests that is relevant for understanding the individuals involved and the time period when the collusion may have occurred.
Columns used in the Examinees Worksheet	
Caveon ID	An identifier assigned by Caveon that allows the test result to be accessed and analyzed.
Candidate ID	A value that identifies the test taker.
Test Site	The site (location) where the test was taken.
Test Name	The name or title of the test that was taken.
Test Date	The date when the test was taken.
Test Score	The score that was earned or awarded to this test.
Pass	A binary value of 0 or 1, indicating whether the test score for this test is a passing score.
Overall Index	A statistical value that combines all the security index values into a single value that is suitable for interpretation and sorting.
Overall Flag	A binary value of 0 or 1, indicating whether the overall index is extremely anomalous.
Response Aberrance Flag	A binary value of 0 or 1, indicating whether the response aberrance index is extremely anomalous.
Score Aberrance Flag	A binary value of 0 or 1, indicating whether the score aberrance index is extremely anomalous.
M4 Similarity Index	A probability value (expressed as a logarithm) that measures whether the number of identical incorrect and correct answers shared by this test and the test with the greatest agreement is anomalous or not.

M4 Similarity Flag	A binary value of 0 or 1, indicating if the M4 Similarity Index exceeded the extreme threshold of the statistic.
M4 Similarity Cluster	A computer generated value that is assigned for all tests that are in the same similarity group or cluster (as computed by the M4 Similarity statistic).
M4 Count Index	A probability value (expressed as a logarithm) that measures whether the rate of M4 Count detections is anomalous or not.
M4 Count Flag	A binary value of 0 or 1, indicating if the M4 Count Index exceeded the extreme threshold of the statistic.
M4 Count Set	The number of tests that were used in the M4 Similarity comparison calculations.
M4 Count Hits	The number of M4 Similarity comparisons that exceeded the marginal threshold.
Identical Index	A statistical value that assesses whether the mean scores for tests that were identical is higher than the mean scores for tests that were not identical or whether the proportion of tests that were identical for this group is greater than the proportion of tests that were not identical.
Identical Flag	A binary value of 0 or 1, indicating if this test has an identical set of responses with another test.
Identical Cluster	This value is used to group tests which were found to be identical together.
Perfect Flag	A binary value of 0 or 1, indicating whether all item responses were awarded the maximum score.
Dominant Difference Index	A statistical value that assesses whether the dominant score difference is anomalous or not.
Dominant Score Difference	The difference between the scores for the dominant items and the non-dominant items. This is the Dominant Items Score minus the Non-Dominant Items Score.
Dominant Items Score	A score calculated using only the dominant items (i.e., the items for which 80% of the cluster members recorded identical responses).
Non-Dominant Items Score	A score calculated using only the non-dominant items.

Description of the Summary Worksheet	
The Summary worksheet provides the collusion index value computed for this group of tests. The worksheet typically provides a comparative analysis of observed and expected similarity, along with a probability contour plot indicating the extremeness of the observed similarity.	
Columns used in the Summary Worksheet	
Index	The collusion index value. The probability of the observed similarity is derived from the index value using the following mathematical relation: $p = 1 \text{ over } 10^{\text{index}}$. As an example, if the index value is an 8, the probability is 1 over 10 to the 8th power.
Dominant Incorrect	The number of items where more than half the test takers (or other dominant proportion - see Alignment worksheet) provided the same incorrect answer.
Dominant Correct	The number of items where more than half the test takers (or other dominant proportion - see Alignment worksheet) provided the same correct answer.
Non-dominant	The number of items where half or fewer of the test takers (or other dominant proportion - see Alignment worksheet) provided the same answer. This is the count where the test takers disagreed between their responses.
Expected Incorrect	The expected number of items where more than half the test takers (or other dominant proportion - see Alignment worksheet) should provide the same incorrect answer.

Expected Correct	The expected number of items where more than half the test takers (or other dominant proportion - see Alignment worksheet) should provide the same correct answer.
Expected Non-dominant	The expected number of items where half or fewer of the test takers (or other dominant proportion - see Alignment worksheet) should provide the same answer. This is the count where the test takers are expected to disagree between their responses.

Description of the Alignment Worksheet	
	The Alignment worksheet lists every item that was answered along with probabilities of dominant correct and dominant incorrect responses. The actual responses are provided and dominant responses are highlighted with tan if they are correct and gold if they are incorrect.
Dominant Proportion	This value is generally hidden in row #1 of the worksheet. The value is between .5 and 1 and is the proportion of tests that must agree for a response to be called "dominant."
Columns used in the Alignment Worksheet	
Item ID	Item identifier for the answered item
Dominant Response	The response that was dominant (selected by more than half the test takers - or other dominant proportion - see above). If none of the responses was dominant, then the value "<none->" is displayed.
Dominant Score	The score of the dominant response.
Dominant Correct Prob	The probability that this group of test takers (using theta estimates from the IRT model) will have a dominant correct response.
Dominant Incorrect Prob	The probability that this group of test takers (using theta estimates from the IRT model) will have a dominant incorrect response.
<Test Identifier #1>	The Caveon Test identifier for the first test in this group under analysis.
<Test Identifier #2>	The Caveon Test identifier for the second test in this group under analysis.
<Repeats as needed>	The Caveon Test identifier for additional tests in this group under analysis.
Legend of Highlighted Values on the Alignment Worksheet	
Test Identifier	The test identifier value is highlighted in gold if the value is equal to the dominant value and incorrect.
Test Identifier	The test identifier value is highlighted in tan if the value is equal to the dominant value and correct

Description of the Source-Copier Worksheet	
	The Source-Copier worksheet provides some statistical evidence which helps to determine if one examinee copied from another.
Columns used in the Source-Copier Worksheet	
Source-Copier analysis	Examinee numbers for the pair of examinee's who's test results were analyzed for evidence of copying.
Copier Index	Index value indicating the likelihood that the examinee copied from the other.
Probability	Probability statistic for having copied from the other examinee
Theta (Source)	The theta value for the test taker assuming this person is the source (the person being copied from). This value is computed from all the responses on the test.
Theta (Copier)	The theta value for the test taker assuming this person is the copier (computed using only the responses that are different).

Ln Likelihood	The logarithm of the likelihood function, assuming that this person is the copier. Larger values of the likelihood function (i.e., less negative) provide greater evidence that this person is the copier.

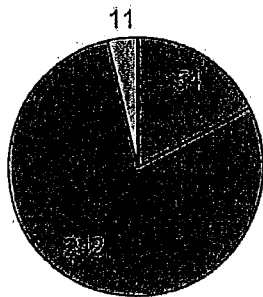
Description of the Contour Data Worksheet	
	The Contour Data worksheet provides the data that are plotted in the probability contour plot. Like many contour plots, this is a three-dimensional plot shown in two dimensions. The contour lines indicate the heights of the bivariate probability distribution function (as converted into logarithms base 10).
Columns used in the Contour Data Worksheet	
Dominant Correct	This is the number of dominant correct responses and is the value of the x- or horizontal axis.
Bound 2	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the second power or 1 over 100.
Bound 4	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the fourth power or 1 over 10,00.
Bound 6	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the sixth power or 1 over 1 million.
Bound 8	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the eighth power or 1 over 100 million.
Bound 10	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the tenth power or 1 over 10 billion.
Bound 12	This is the value of the contour plot in the y-direction (dominant incorrect response count) for probabilities at 10 to the twelfth power or 1 over one trillion.
Upper Bound	This value is the line $y=n-x$, where n is the number of items, x is the dominant correct count, and y is the dominant incorrect count. This bound defines the absolute physical limit for the values of the two counts.

Caveon ID	Candidate ID	Test Site	Test Name	Test Date	Test Score	Pass	Overall Index	Overall Flag	Response Aberrance Flag	Score Aberrance Flag	M4 Similarity Index	M4 Similarity Flag
12	18013	musc campus	2016 Block 12 exam.LXRTest	5/5/2016	0.79805		43.4485	1	0	0	44.0506	1
13	18014	musc campus	2016 Block 12 exam.LXRTest	5/5/2016	0.8013		43.4485	1	0	0	44.0506	1

Caveon ID	Candidate ID	M4 Similarity Cluster	M4 Count Index	M4 Count Flag	M4 Count Set	M4 Count Hits	Identical Index	Identical Flag	Identical Cluster	Perfect Flag	Dominant Difference Index	Dominant Score Difference	Dominant Items Score	Non-Dominant Items Score
12	18013	_c0e712fb	0.988	0	165	1		0		0	2.8706	0.5448	0.8176	0.2727
13	18014	_c0e712fb	0.988	0	165	1		0		0	2.0697	0.4539	0.8176	0.3636

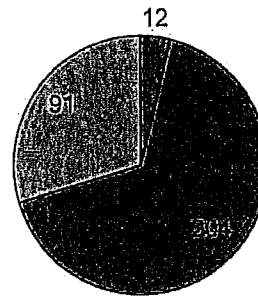
Index	Dominant Incorrect	Dominant Correct	Non-dominant	Expected Incorrect	Expected Correct	Expected Non-dominant
	38.0	54	242	11	12.0	204.0
						91.0

Observed Agreement



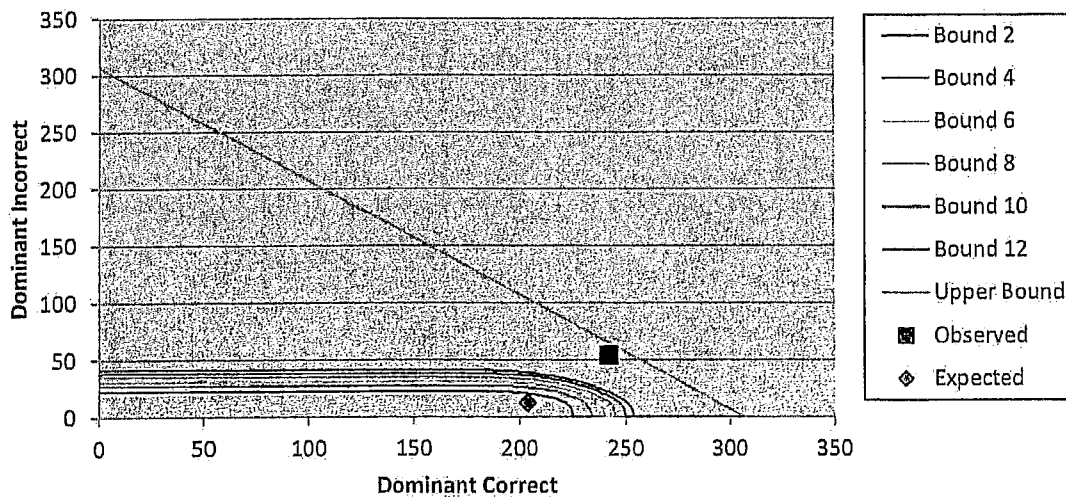
■ Dominant Incorrect
 ■ Dominant Correct
 ■ Non-dominant

Expected Agreement



■ Expected Incorrect
 ■ Expected Correct
 ■ Expected Non-dominant

Probability Contours



M4Report		Dominant Definition		0.8			
Item ID	Dominant Response	Dominant Score	Dominant Correct Prob	Dominant Incorrect Prob	12	13	
R1	B	0	0.25	0.20	B	B	
R10	C	1	0.97	0.00	C	C	
R100	B	1	0.59	0.05	B	B	
R101	E	0	0.28	0.12	E	E	
R102	A	1	1.00	0.00	A	A	
R103	E	1	0.67	0.02	E	E	
R104	C	1	0.89	0.00	C	C	
R105	D	0	0.18	0.16	D	D	
R106	C	1	0.73	0.01	C	C	
R107	E	0	0.78	0.01	E	E	
R108	C	1	0.73	0.01	C	C	
R109	A	1	0.80	0.01	A	A	
R11	A	0	0.62	0.02	A	A	
R110	D	0	0.09	0.15	D	D	
R111	D	1	0.93	0.00	D	D	
R112	A	1	0.85	0.00	A	A	
R113	C	0	0.82	0.01	C	C	
R114	A	1	1.00	0.00	A	A	
R115	C	1	0.66	0.01	C	C	
R116	B	0	0.92	0.00	B	B	
R117	D	0	0.10	0.19	D	D	
R118	C	1	0.25	0.08	C	C	
R119	B	1	0.64	0.01	B	B	
R12	B	1	0.95	0.00	B	B	
R120	B	1	0.62	0.02	B	B	
R121	C	1	0.85	0.00	C	C	
R122	B	1	0.70	0.01	B	B	
R123	A	0	0.44	0.06	A	A	
R124	D	1	0.88	0.00	D	D	
R125	B	0	0.45	0.09	B	B	
R126	C	0	0.36	0.07	C	C	
R127	D	1	0.68	0.01	D	D	
R128	D	1	0.89	0.00	D	D	
R129	C	1	0.74	0.02	C	C	

18013

18014

R10	C	1	0.97	0.00	C	G
R13	B	1	0.93	0.00	B	B
R130	D	1	0.82	0.01	D	D
R131	C	1	0.66	0.02	G	G
R132	C	1	0.67	0.02	G	C
R133	C	1	0.26	0.08	G	G
R134	A	0	0.79	0.01	A	A
R135	A	0	0.85	0.00	A	A
R136	B	1	0.28	0.08	B	B
R137	E	1	0.82	0.00	E	E
R138	D	1	0.35	0.16	D	D
R139	C	0	0.75	0.01	C	C
R14	B	1	0.23	0.12	B	B
R140	<-none->		0.68	0.01	A	C
R141	B	1	0.94	0.00	B	B
R142	D	1	0.81	0.01	D	D
R143	D	1	0.40	0.07	D	D
R144	E	1	0.70	0.01	E	E
R145	C	1	0.92	0.00	C	C
R146	B	1	0.72	0.01	B	B
R147	C	1	0.59	0.03	G	G
R148	E	1	0.82	0.00	E	E
R149	A	1	0.20	0.09	A	A
R15	E	1	0.94	0.00	E	E
R150	D	0	0.40	0.06	D	D
R151	B	0	0.70	0.01	B	B
R152	B	1	0.87	0.00	B	B
R153	<-none->		0.76	0.01	D	C
R154	B	1	0.58	0.02	B	B
R155	C	1	0.37	0.08	C	C
R156	B	0	0.07	0.19	B	B
R157	E	1	0.92	0.00	E	E
R158	C	1	0.46	0.06	G	G
R159	C	0	0.68	0.01	C	C
R16	E	1	0.74	0.01	E	E
R160	A	0	0.38	0.09	A	A
R161	D	0	0.26	0.08	D	D
R162	C	1	0.73	0.01	C	C
R163	C	1	0.32	0.18	C	C
R164	C	1	0.78	0.01	G	C
R165	E	1	0.64	0.01	E	E
R166	D	1	0.95	0.00	D	D
R167	E	1	0.85	0.00	E	E
R168	B	1	0.81	0.01	B	B
R169	C	1	0.19	0.17	G	C
R17	A	1	0.45	0.10	A	A
R170	E	1	1.00	0.00	E	E
R171	E	1	0.60	0.03	E	E
R172	E	1	0.31	0.10	E	E
R173	B	0	0.43	0.08	B	B
R174	E	1	0.49	0.04	E	E

R10	C	1	0.97	0.00	C	C
R175	D	1	0.71	0.02	D	D
R176	D	1	0.98	0.00	D	D
R177	D	1	0.26	0.11	D	D
R178	B	1	0.94	0.00	B	B
R179	D	1	0.43	0.06	D	D
R18	B	1	0.87	0.00	B	B
R180	C	0	0.63	0.03	C	C
R181	E	1	0.59	0.04	E	E
R182	D	1	1.00	0.00	D	D
R183	A	1	0.80	0.00	A	A
R184	D	1	0.56	0.03	D	D
R185	C	1	0.83	0.00	C	C
R186	D	0	0.22	0.12	D	D
R187	B	1	0.57	0.02	B	B
R188	E	1	0.16	0.18	E	E
R189	E	0	0.24	0.19	E	E
R19	D	0	0.61	0.02	D	D
R190	B	1	0.94	0.00	B	B
R191	C	0	0.49	0.04	C	C
R192	A	1	0.75	0.01	A	A
R193	A	1	0.96	0.00	A	A
R194	A	1	0.56	0.03	A	A
R195	C	1	0.79	0.01	C	C
R196	B	1	0.87	0.00	B	B
R197	C	1	0.07	0.36	C	C
R198	D	1	0.88	0.00	D	D
R199	B	0	0.42	0.05	B	B
R2	B	1	0.54	0.05	B	B
R20	C	1	0.79	0.00	C	C
R200	C	1	0.37	0.06	C	C
R201	E	1	0.92	0.00	E	E
R202	B	1	0.48	0.03	B	B
R203	C	1	0.55	0.02	C	C
R204	B	1	0.16	0.19	B	B
R205	A	1	0.60	0.04	A	A
R206	B	1	0.78	0.01	B	B
R207	A	0	0.59	0.02	A	A
R208	E	0	0.10	0.19	E	E
R209	C	1	0.46	0.04	C	C
R21	C	0	0.76	0.01	C	C
R210	D	1	0.42	0.04	D	D
R211	B	1	0.23	0.15	B	B
R212	E	0	0.35	0.12	E	E
R213	C	1	0.70	0.01	C	C
R214	D	1	0.79	0.01	D	D
R215	C	1	0.63	0.03	C	C
R216	B	0	0.87	0.00	B	B
R217	<-none->	0.22	0.10		E	C
R218	E	1	0.93	0.00	E	E
R219	D	1	0.86	0.00	D	D

R10	C	1	0.97	0.00	C	G
R22	B	1	0.93	0.00	B	B
R220	A	1	0.63	0.02	A	A
R221	B	1	0.85	0.00	B	B
R222	C	1	0.37	0.07	C	C
R223	B	0	0.05	0.48	B	B
R224	C	1	0.97	0.00	C	C
R225	C	1	0.81	0.01	C	C
R226	C	1	0.92	0.00	C	C
R227	C	1	0.89	0.00	C	C
R228	D	1	0.94	0.00	D	D
R229	D	1	0.67	0.02	D	D
R23	D	1	0.94	0.00	D	D
R230	D	1	0.74	0.02	D	D
R231	A	1	0.99	0.00	A	A
R232	C	1	0.97	0.00	C	C
R233	E	1	0.63	0.03	E	E
R234	A	1	0.94	0.00	A	A
R235	C	1	0.18	0.19	C	C
R236	A	1	0.84	0.00	A	A
R237	C	1	0.97	0.00	C	C
R238	C	1	0.92	0.00	C	C
R239	B	1	0.54	0.03	B	B
R24	A	1	0.83	0.00	A	A
R240	C	1	0.52	0.04	C	C
R241	B	1	0.90	0.00	B	B
R242	D	1	0.73	0.01	D	D
R243	C	1	0.99	0.00	C	C
R244	B	0	0.84	0.00	B	B
R245	C	1	0.73	0.02	C	C
R246	<-none->		0.28	0.09	D	A
R247	C	1	0.68	0.01	C	C
R248	E	1	0.70	0.01	E	E
R249	D	0	0.44	0.09	D	D
R25	D	1	0.65	0.02	D	D
R250	E	1	0.97	0.00	E	E
R251	C	1	0.61	0.02	C	C
R252	A	1	0.99	0.00	A	A
R253	A	0	0.57	0.03	A	A
R254	C	1	0.86	0.00	C	C
R255	<-none->		0.68	0.01	C	B
R256	D	1	0.91	0.00	D	D
R257	<-none->		0.54	0.03	E	A
R258	B	1	0.83	0.00	B	B
R259	D	1	0.99	0.00	D	D
R26	B	1	0.52	0.04	B	B
R260	D	1	0.95	0.00	D	D
R261	E	1	0.89	0.00	E	E
R262	<-none->		0.54	0.03	B	C
R263	D	1	0.59	0.02	D	D
R264	B	1	0.58	0.03	B	B

R10	C	1	0.97	0.00	C	C
R265	B	1	0.84	0.00	B	B
R266	E	1	0.90	0.00	E	E
R267	D	1	0.22	0.09	D	D
R268	A	1	0.93	0.00	A	A
R269	A	1	0.87	0.00	A	A
R27	D	1	0.91	0.00	D	D
R270	B	1	0.83	0.00	B	B
R271	C	1	0.97	0.00	C	C
R272	D	1	0.64	0.03	D	D
R273	E	1	0.86	0.00	E	E
R274	A	1	0.98	0.00	A	A
R275	A	1	0.98	0.00	A	A
R276	C	1	0.41	0.04	C	C
R277	E	1	0.98	0.00	E	E
R278	C	1	0.34	0.08	C	C
R279	E	1	0.98	0.00	E	E
R28	E	1	0.41	0.04	E	E
R280	E	1	0.85	0.00	E	E
R281	C	0	0.53	0.04	C	C
R282	A	1	0.14	0.17	A	A
R283	A	1	0.94	0.00	A	A
R284	E	0	0.78	0.00	E	E
R285	C	1	0.83	0.00	C	C
R286	A	1	0.29	0.09	A	A
R287	B	1	0.55	0.03	B	B
R288	D	1	0.86	0.00	D	D
R289	A	1	0.59	0.05	A	A
R29	C	1	0.81	0.00	C	C
R290	C	1	0.74	0.01	C	C
R291	B	0	0.05	0.35	B	B
R292	B	0	0.80	0.00	B	B
R293	B	0	0.40	0.12	B	B
R294	D	1	0.94	0.00	D	D
R295	D	1	0.92	0.00	D	D
R296	D	0	0.13	0.14	D	D
R297	D	1	0.25	0.10	D	D
R298	<-none->		0.34	0.11	A	D
R299	A	1	0.58	0.02	A	A
R3	A	1	0.89	0.00	A	A
R30	A	1	0.97	0.00	A	A
R300	E	0	0.50	0.05	E	E
R301	C	1	0.72	0.01	C	C
R302	<-none->		0.40	0.11	D	E
R303	A	1	0.95	0.00	A	A
R304	D	1	0.97	0.00	D	D
R305	B	1	0.90	0.00	B	B
R306	B	1	0.76	0.01	B	B
R307	D	1	0.41	0.08	D	D
R31	B	1	0.74	0.01	B	B
R32	A	0	0.47	0.05	A	A

R10	C	1	0.97	0.00	C	C
R33	B	1	0.76	0.01	B	B
R34	D	1	0.90	0.00	D	D
R35	E	1	0.72	0.01	E	E
R36	C	1	0.62	0.02	C	C
R37	E	0	0.02	0.35	E	E
R38	D	1	0.36	0.13	D	D
R39	B	1	0.90	0.00	B	B
R4	D	1	0.89	0.00	D	D
R40	B	1	0.43	0.04	B	B
R41	B	1	0.73	0.01	B	B
R42	C	1	0.97	0.00	C	C
R43	B	1	0.59	0.02	B	B
R44	A	1	0.28	0.17	A	A
R45	C	1	0.76	0.01	C	C
R46	B	1	0.71	0.01	B	B
R47	D	1	0.63	0.03	D	D
R48	B	1	0.55	0.05	B	B
R49	<-none->		0.77	0.00	E	A
R5	A	1	0.82	0.00	A	A
R50	B	1	0.95	0.00	B	B
R51	B	1	1.00	0.00	B	B
R52	A	1	0.86	0.00	A	A
R53	A	1	0.97	0.00	A	A
R54	A	1	0.72	0.01	A	A
R55	E	1	0.65	0.01	E	E
R56	B	0	0.71	0.01	B	B
R57	A	0	0.45	0.03	A	A
R58	A	1	0.71	0.01	A	A
R59	<-none->		0.56	0.04	B	A
R6	B	1	0.47	0.04	B	B
R60	C	1	0.85	0.00	C	C
R61	B	1	0.51	0.08	B	B
R62	A	1	0.94	0.00	A	A
R63	A	1	0.78	0.00	A	A
R64	A	1	0.85	0.00	A	A
R65	B	1	0.44	0.05	B	B
R66	B	1	0.33	0.10	B	B
R67	A	1	0.49	0.04	A	A
R68	B	1	0.94	0.00	B	B
R69	A	0	0.32	0.10	A	A
R7	C	1	0.71	0.01	C	C
R70	D	1	0.72	0.01	D	D
R71	E	1	0.88	0.00	E	E
R72	B	1	0.46	0.03	B	B
R73	E	1	0.87	0.00	E	E
R74	A	1	1.00	0.00	A	A
R75	C	1	0.95	0.00	C	C
R76	A	1	0.74	0.01	A	A
R77	B	1	0.47	0.04	B	B
R78	A	1	1.00	0.00	A	A

R10	C	1	0.97	0.00	C	C
R79	C	0	0.50	0.03	C	C
R8	A	0	0.45	0.05	A	A
R80	C	1	0.91	0.00	C	C
R81	B	1	0.59	0.04	B	B
R82	D	1	0.57	0.03	D	D
R83	C	1	0.31	0.07	C	C
R84	C	1	0.97	0.00	C	C
R85	B	1	0.94	0.00	B	B
R86	D	1	0.94	0.00	D	D
R87	C	1	0.79	0.01	C	C
R88	D	1	0.43	0.06	D	D
R89	E	1	0.24	0.10	E	E
R9	C	1	0.99	0.00	C	C
R90	C	1	0.52	0.02	C	C
R91	D	0	0.29	0.21	D	D
R92	B	1	0.89	0.00	B	B
R93	E	1	0.48	0.06	E	E
R94	B	1	0.13	0.33	B	B
R95	D	0	0.44	0.05	D	D
R96	E	1	0.57	0.02	E	E
R97	C	1	0.95	0.00	C	C
R98	D	1	0.90	0.00	D	D
R99	D	0	0.71	0.02	D	D

Source-Copier analysis	Copier Index	Probability	Theta(Source)	Theta(Copier)	Ln Likelihood
P(Copier=12)	1.1	0.92	1.31	-0.31	-203.24
P(Copier=13)	0.0	0.08	1.34	0.19	-205.62

Dominant Correct	Bound 2	Bound 4	Bound 6	Bound 8	Bound 10	Bound 12	Upper Bound
0	22	27	31	35	38	41	307
1	22	27	31	35	38	41	306
2	22	27	31	35	38	41	305
3	22	27	31	35	38	41	304
4	22	27	31	35	38	41	303
5	22	27	31	35	38	41	302
6	22	27	31	35	38	41	301
7	22	27	31	35	38	41	300
8	22	27	31	35	38	41	299
9	22	27	31	35	38	41	298
10	22	27	31	35	38	41	297
11	22	27	31	35	38	41	296
12	22	27	31	35	38	41	295
13	22	27	31	35	38	41	294
14	22	27	31	35	38	41	293
15	22	27	31	35	38	41	292
16	22	27	31	35	38	41	291
17	22	27	31	35	38	41	290
18	22	27	31	35	38	41	289
19	22	27	31	35	38	41	288
20	22	27	31	35	38	41	287
21	22	27	31	35	38	41	286
22	22	27	31	35	38	41	285
23	22	27	31	35	38	41	284
24	22	27	31	35	38	41	283
25	22	27	31	35	38	41	282
26	22	27	31	35	38	41	281
27	22	27	31	35	38	41	280
28	22	27	31	35	38	41	279
29	22	27	31	35	38	41	278
30	22	27	31	35	38	41	277
31	22	27	31	35	38	41	276
32	22	27	31	35	38	41	275
33	22	27	31	35	38	41	274
34	22	27	31	35	38	41	273
35	22	27	31	35	38	41	272
36	22	27	31	35	38	41	271
37	22	27	31	35	38	41	270
38	22	27	31	35	38	41	269
39	22	27	31	35	38	41	268
40	22	27	31	35	38	41	267
41	22	27	31	35	38	41	266
42	22	27	31	35	38	41	265
43	22	27	31	35	38	41	264
44	22	27	31	35	38	41	263

45	22	27	31	35	38	41	262
46	22	27	31	35	38	41	261
47	22	27	31	35	38	41	260
48	22	27	31	35	38	41	259
49	22	27	31	35	38	41	258
50	22	27	31	35	38	41	257
51	22	27	31	35	38	41	256
52	22	27	31	35	38	41	255
53	22	27	31	35	38	41	254
54	22	27	31	35	38	41	253
55	22	27	31	35	38	41	252
56	22	27	31	35	38	41	251
57	22	27	31	35	38	41	250
58	22	27	31	35	38	41	249
59	22	27	31	35	38	41	248
60	22	27	31	35	38	41	247
61	22	27	31	35	38	41	246
62	22	27	31	35	38	41	245
63	22	27	31	35	38	41	244
64	22	27	31	35	38	41	243
65	22	27	31	35	38	41	242
66	22	27	31	35	38	41	241
67	22	27	31	35	38	41	240
68	22	27	31	35	38	41	239
69	22	27	31	35	38	41	238
70	22	27	31	35	38	41	237
71	22	27	31	35	38	41	236
72	22	27	31	35	38	41	235
73	22	27	31	35	38	41	234
74	22	27	31	35	38	41	233
75	22	27	31	35	38	41	232
76	22	27	31	35	38	41	231
77	22	27	31	35	38	41	230
78	22	27	31	35	38	41	229
79	22	27	31	35	38	41	228
80	22	27	31	35	38	41	227
81	22	27	31	35	38	41	226
82	22	27	31	35	38	41	225
83	22	27	31	35	38	41	224
84	22	27	31	35	38	41	223
85	22	27	31	35	38	41	222
86	22	27	31	35	38	41	221
87	22	27	31	35	38	41	220
88	22	27	31	35	38	41	219
89	22	27	31	35	38	41	218
90	22	27	31	35	38	41	217
91	22	27	31	35	38	41	216
92	22	27	31	35	38	41	215
93	22	27	31	35	38	41	214
94	22	27	31	35	38	41	213
95	22	27	31	35	38	41	212

96	22	27	31	35	38	41	211
97	22	27	31	35	38	41	210
98	22	27	31	35	38	41	209
99	22	27	31	35	38	41	208
100	22	27	31	35	38	41	207
101	22	27	31	35	38	41	206
102	22	27	31	35	38	41	205
103	22	27	31	35	38	41	204
104	22	27	31	35	38	41	203
105	22	27	31	35	38	41	202
106	22	27	31	35	38	41	201
107	22	27	31	35	38	41	200
108	22	27	31	35	38	41	199
109	22	27	31	35	38	41	198
110	22	27	31	35	38	41	197
111	22	27	31	35	38	41	196
112	22	27	31	35	38	41	195
113	22	27	31	35	38	41	194
114	22	27	31	35	38	41	193
115	22	27	31	35	38	41	192
116	22	27	31	35	38	41	191
117	22	27	31	35	38	41	190
118	22	27	31	35	38	41	189
119	22	27	31	35	38	41	188
120	22	27	31	35	38	41	187
121	22	27	31	35	38	41	186
122	22	27	31	35	38	41	185
123	22	27	31	35	38	41	184
124	22	27	31	35	38	41	183
125	22	27	31	35	38	41	182
126	22	27	31	35	38	41	181
127	22	27	31	35	38	41	180
128	22	27	31	35	38	41	179
129	22	27	31	35	38	41	178
130	22	27	31	35	38	41	177
131	22	27	31	35	38	41	176
132	22	27	31	35	38	41	175
133	22	27	31	35	38	41	174
134	22	27	31	35	38	41	173
135	22	27	31	35	38	41	172
136	22	27	31	35	38	41	171
137	22	27	31	35	38	41	170
138	22	27	31	35	38	41	169
139	22	27	31	35	38	41	168
140	22	27	31	35	38	41	167
141	22	27	31	35	38	41	166
142	22	27	31	35	38	41	165
143	22	27	31	35	38	41	164
144	22	27	31	35	38	41	163
145	22	27	31	35	38	41	162
146	22	27	31	35	38	41	161

147	22	27	31	35	38	41	160
148	22	27	31	35	38	41	159
149	22	27	31	35	38	41	158
150	22	27	31	35	38	41	157
151	22	27	31	35	38	41	156
152	22	27	31	35	38	41	155
153	22	27	31	35	38	41	154
154	22	27	31	35	38	41	153
155	22	27	31	35	38	41	152
156	22	27	31	35	38	41	151
157	22	27	31	35	38	41	150
158	22	27	31	35	38	41	149
159	22	27	31	35	38	41	148
160	22	27	31	35	38	41	147
161	22	27	31	35	38	41	146
162	22	27	31	35	38	41	145
163	22	27	31	35	38	41	144
164	22	27	31	35	38	41	143
165	22	27	31	35	38	41	142
166	22	27	31	35	38	41	141
167	22	27	31	35	38	41	140
168	22	27	31	35	38	41	139
169	22	27	31	35	38	41	138
170	22	27	31	35	38	41	137
171	22	27	31	35	38	41	136
172	22	27	31	35	38	41	135
173	22	27	31	35	38	41	134
174	22	27	31	35	38	41	133
175	22	27	31	35	38	41	132
176	22	27	31	35	38	41	131
177	22	27	31	35	38	41	130
178	22	27	31	35	38	41	129
179	22	27	31	35	38	41	128
180	22	27	31	35	38	41	127
181	22	27	31	35	38	41	126
182	22	27	31	35	38	41	125
183	22	27	31	35	38	41	124
184	22	27	31	35	38	41	123
185	22	27	31	35	38	41	122
186	22	27	31	35	38	41	121
187	22	27	31	35	38	41	120
188	22	27	31	34	38	40	119
189	22	27	31	34	38	40	118
190	22	27	31	34	37	40	117
191	22	27	31	34	37	40	116
192	22	27	31	34	37	40	115
193	22	27	31	34	37	40	114
194	22	27	31	34	37	40	113
195	22	27	31	34	37	40	112
196	22	27	31	34	37	40	111
197	21	27	30	34	37	40	110

198	21	26	30	34	37	40	109
199	21	26	30	34	37	40	108
200	21	26	30	34	37	39	107
201	21	26	30	33	36	39	106
202	21	26	30	33	36	39	105
203	21	26	30	33	36	39	104
204	20	26	29	33	36	39	103
205	20	25	29	33	36	39	102
206	20	25	29	33	36	38	101
207	20	25	29	32	35	38	100
208	19	25	29	32	35	38	99
209	19	24	28	32	35	38	98
210	19	24	28	32	35	37	97
211	18	24	28	31	34	37	96
212	18	23	28	31	34	37	95
213	18	23	27	31	34	36	94
214	17	23	27	30	33	36	93
215	17	22	27	30	33	36	92
216	16	22	26	30	33	36	91
217	16	22	26	29	32	35	90
218	15	21	25	29	32	35	89
219	14	21	25	29	32	34	88
220	13	20	25	28	31	34	87
221	13	20	24	28	31	34	86
222	11	19	24	27	30	33	85
223	10	18	23	27	30	33	84
224	8	18	23	26	30	32	83
225	0	17	22	26	29	32	82
226	0	16	22	25	29	32	81
227	0	16	21	25	28	31	80
228	0	15	20	24	28	31	79
229	0	14	20	24	27	30	78
230	0	13	19	23	27	30	77
231	0	11	18	22	26	29	76
232	0	9	17	22	25	28	75
233	0	6	16	21	25	28	74
234	0	0	16	20	24	27	73
235	0	0	15	20	23	27	72
236	0	0	13	19	23	26	71
237	0	0	12	18	22	25	70
238	0	0	10	17	21	25	69
239	0	0	8	16	20	24	68
240	0	0	0	15	20	23	67
241	0	0	0	14	19	22	66
242	0	0	0	13	18	22	65
243	0	0	0	11	17	21	64
244	0	0	0	9	16	20	63
245	0	0	0	0	15	19	62
246	0	0	0	0	13	18	61
247	0	0	0	0	12	17	60
248	0	0	0	0	10	16	59

249	0	0	0	0	7	15	58
250	0	0	0	0	0	13	57
251	0	0	0	0	0	12	56
252	0	0	0	0	0	10	55
253	0	0	0	0	0	8	54
254	0	0	0	0	0	0	53
255	0	0	0	0	0	0	52
256	0	0	0	0	0	0	51
257	0	0	0	0	0	0	50
258	0	0	0	0	0	0	49
259	0	0	0	0	0	0	48
260	0	0	0	0	0	0	47
261	0	0	0	0	0	0	46
262	0	0	0	0	0	0	45
263	0	0	0	0	0	0	44
264	0	0	0	0	0	0	43
265	0	0	0	0	0	0	42
266	0	0	0	0	0	0	41
267	0	0	0	0	0	0	40
268	0	0	0	0	0	0	39
269	0	0	0	0	0	0	38
270	0	0	0	0	0	0	37
271	0	0	0	0	0	0	36
272	0	0	0	0	0	0	35
273	0	0	0	0	0	0	34
274	0	0	0	0	0	0	33
275	0	0	0	0	0	0	32
276	0	0	0	0	0	0	31
277	0	0	0	0	0	0	30
278	0	0	0	0	0	0	29
279	0	0	0	0	0	0	28
280	0	0	0	0	0	0	27
281	0	0	0	0	0	0	26
282	0	0	0	0	0	0	25
283	0	0	0	0	0	0	24
284	0	0	0	0	0	0	23
285	0	0	0	0	0	0	22
286	0	0	0	0	0	0	21
287	0	0	0	0	0	0	20
288	0	0	0	0	0	0	19
289	0	0	0	0	0	0	18
290	0	0	0	0	0	0	17
291	0	0	0	0	0	0	16
292	0	0	0	0	0	0	15
293	0	0	0	0	0	0	14
294	0	0	0	0	0	0	13
295	0	0	0	0	0	0	12
296	0	0	0	0	0	0	11
297	0	0	0	0	0	0	10
298	0	0	0	0	0	0	9
299	0	0	0	0	0	0	8

300	0	0	0	0	0	0	7
301	0	0	0	0	0	0	6
302	0	0	0	0	0	0	5
303	0	0	0	0	0	0	4
304	0	0	0	0	0	0	3
305	0	0	0	0	0	0	2
306	0	0	0	0	0	0	1
307	0	0	0	0	0	0	0



INDIVIDUAL SCORES REPORT
for 18013

part A
morning
complete

Test: 2016 Block 12 Exam
Grade: B-
Score: 79.87% (123.00 of 154.00)

Item	Response [Correct Answer]
1. PHD 176	B [D]
2. PHD 16	B
3. FPC 19	A
4. PHD 29	D
5. ASF 88	A
6. PTN 8	B
7. ASF 63	C
8. PHD 33	A [C]
9. PHD 10	C
10. PTN 5	C
11. FPC 66	A [B]
12. ASF 185	B
13. PHD 118	B
14. FPC 26	B
15. PTN 4	E
16. ASF 5	E
17. FPC 46	A
18. ASF 86	B
19. FPC 6	D [B]
20. PHD 178	C
21. PHD 179	C [A]
22. FPC 64	B
23. FPC 27	D
24. ASF 181	A
25. ASF 97	D
26. PTN 57	B
27. PTN 35	D
28. PTN 16	E
29. ASF 150	C
30. FPC 41	A
31. ASF 58	B
32. PTN 104	A [B]
33. ASF 133	B
34. FPC 10	D
35. PHD 58	E
36. ASF 113	C
37. PHD 9	E [D]
38. PHD 12	D
39. ASF 177	B
40. PHD 159	B
41. PHD 173	B
42. ASF 49	C
43. PTN 45	B
44. PTN 46	A



Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT for 18013

Item	Response [Correct Answer]
45. ASF 102	C
46. ASF 75	B
47. PHD 31	D
48. PTN 53	B
49. PHD 63	E
50. ASF 61	B
51. FPC 3	B
52. ASF 54	A
53. ASF 19	A
54. PHD 120	A
55. PTN 10	E
56. ASF 146	B [D]
57. ASF 147	A [D]
58. PTN 50	A
59. PTN 33	B
60. ASF 183	C
61. FPC 62	B
62. ASF 27	A
63. PTN 117	A
64. ASF 96	A
65. ASF 71	B
66. PTN 55	B
67. ASF 79	A
68. FPC 5	B
69. PHD 55	A [C]
70. PHD 87	D
71. ASF 15	E
72. PTN 23	B
73. ASF 70	E
74. FPC 30	A
75. PTN 102	C
76. ASF 129	A
77. PTN 11	B
78. ASF 149	A
79. FPC 2	C [B]
80. ASF 65	C
81. PHD 4	B
82. FPC 34	D
83. PHD 11	C
84. PTN 24	C
85. ASF 69	B
86. PTN 31	D
87. FPC 4	C
88. ASF 78	D
89. PTN 125	E
90. PHD 122	C
91. ASF 144	D [A]
92. ASF 145	B
93. PTN 19	E

Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT for 18013

Item	Response [Correct Answer]
94. PTN 6	B
95. ASF 178	D [B]
96. PHD 170	E
97. PHD 124	C
98. ASF 64	D
99. ASF 21	D [A]
100. PHD 45	B
101. ASF 66	E [B]
102. PTN 118	A
103. FPC 17	E
104. FPC 18	C
105. PTN 14	D [C]
106. PTN 54	C
107. PHD 128	E [B]
108. ASF 179	C
109. ASF 67	A
110. PHD 28	D [A]
111. PHD 99	D
112. ASF 36	A
113. PTN 103	C [A]
114. FPC 9	A
115. PHD 3	C
116. FPC 49	B [A]
117. PTN 124	D [A]
118. PHD 48	C
119. ASF 83	B
120. PTN 58	B
121. ASF 17	C
122. ASF 4	B
123. PTN 36	A [D]
124. ASF 8	D
125. FPC 51	B [A]
126. PHD 57	C [E]
127. ASF 10	D
128. PTN 56	D
129. PHD 40	C
130. ASF 89	D
131. FPC 23	C
132. FPC 24	C
133. ASF 175	C
134. ASF 92	A [E]
135. PHD 21	A [B]
136. PHD 32	B
137. ASF 135	E
138. ASF 136	D
139. PHD 15	C [E]
140. PHD 25	A [E]
141. FPC 29	B
142. PTN 114	D

Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT
for 18013

Item	Response [Correct Answer]
143. FPC 52	D
144. PHD 36	E
145. PTN 13	C
146. PHD 43	B
147. PTN 12	C
148. ASF 22	E
149. ASF 176	A
150. PHD 103	D [B]
151. PHD 104	B [D]
152. PHD 115	B
153. PHD 116	D [C]
154. ASF 182	B

Thursday, May 05, 2016 2:55:55 PM

4

ROA 0895

INDIVIDUAL SCORES REPORT
for 18013

part B
afternoon
at 2 hrs

Test: 2016 Block 12 Exam

Grade: D

Score: 54.25% (83.00 of 153.00)

Item	Response [Correct Answer]
1. ASF 180	C
2. PHD 160	B [E]
3. PHD 108	E
4. ASF 62	C
5. PHD 38	E [B]
6. FPC 14	A [D]
7. ASF 103	A
8. PHD 169	C
9. PHD 26	C
10. ASF 87	C
11. ASF 93	E
12. PHD 18	D
13. PHD 106	E
14. FPC 42	B
15. PHD 35	C
16. ASF 141	E
17. ASF 104	E
18. PHD 14	E
19. PTN 20	B [A]
20. ASF 18	E
21. ASF 184	D
22. ASF 84	D
23. PHD 96	D
24. PHD 97	B
25. ASF 100	D
26. ASF 60	C [E]
27. FPC 39	E
28. ASF 95	D
29. ASF 57	A
30. PHD 121	D
31. ASF 98	C
32. PHD 24	D [B]
33. ASF 94	B
34. PHD 17	E
35. ASF 82	E [C]
36. ASF 13	B
37. FPC 33	C [D]
38. PHD 27	A
39. ASF 16	A
40. PTN 116	A
41. PHD 8	C
42. ASF 24	B
43. FPC 12	C
44. ASF 107	D

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT for 18013

Item	Response [Correct Answer]
45. ASF 134	B [E]
46. PTN 112	C
47. ASF 6	E
48. PHD 93	B
49. PHD 94	C
50. ASF 20	B
51. ASF 85	A
52. FPC 38	B
53. PHD 172	A [B]
54. ASF 14	E [D]
55. PTN 9	C
56. ASF 11	D
57. PHD 22	B
58. ASF 108	E [B]
59. ASF 110	C
60. PTN 51	D
61. PHD 44	C
62. PHD 41	B [D]
63. ASF 59	E [D]
64. FPC 28	E
65. PTN 130	D
66. PHD 19	A
67. ASF 55	B
68. PHD 174	C
69. PHD 30	B [E]
70. FPC 43	C
71. PTN 126	C
72. ASF 91	C
73. FPC 7	C
74. PHD 82	D
75. PHD 47	D
76. PHD 126	D
77. ASF 101	A
78. FPC 16	C
79. FPC 65	E
80. FPC 15	A
81. PTN 25	C
82. ASF 137	A
83. FPC 36	C
84. FPC 50	C
85. ASF 50	B
86. ASF 68	E [C]
87. PTN 135	B
88. PTN 52	D
89. PHD 7	C
90. ASF 81	B [A]
91. PTN 34	C
92. PTN 48	D [A]
93. ASF 111	C

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT for 18013

Item	Response [Correct Answer]
94. ASF 112	E
95. PTN 41	D [E]
96. PHD 90	E
97. FPC 8	C
98. PTN 13	A
99. FPC 40	A [B]
100. PHD 42	E [C]
101. PTN 49	C [E]
102. FPC 22	D
103. PHD 79	E [A]
104. ASF 23	B
105. PHD 78	D
106. ASF 7	D
107. PHD 111	B [E]
108. PHD 39	[A]
109. ASF 48	[D]
110. ASF 74	[B]
111. FPC 44	[B]
112. ASF 116	[E]
113. ASF 77	[D]
114. PHD 117	[A]
115. ASF 1	[A]
116. FPC 63	[B]
117. PTN 111	[C]
118. PHD 34	[D]
119. PTN 22	[E]
120. ASF 140	[A]
121. ASF 2	[A]
122. PHD 177	[C]
123. PHD 53	[E]
124. FPC 32	[C]
125. PHD 6	[E]
126. ASF 143	[E]
127. FPC 13	[A]
128. ASF 26	[A]
129. PTN 113	[A]
130. ASF 99	[A]
131. PHD 129	[C]
132. PHD 46	[A]
133. PTN 7	[B]
134. ASF 90	[D]
135. ASF 31	[A]
136. PHD 69	[C]
137. PHD 23	[C]
138. PTN 17	[D]
139. FPC 54	[A]
140. PHD 167	[D]
141. FPC 35	[D]
142. PHD 171	[C]

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT

for 18013

Item	Response (Correct Answer)
143. FPC 53	[D]
144. PHD 2	[D]
145. PHD 125	[A]
146. ASF 52	[B]
147. ASF 53	[C]
148. PHD 37	[D]
149. PHD 162	[A]
150. PHD 5	[D]
151. ASF 51	[B]
152. ASF 73	[B]
153. FPC 31	[D]

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT
for 18013

*part B
afternoon
complete*

Test: 2016 Block 12 Exam
Grade: B-
Score: 79.74% (122.00 of 153.00)

Item	Response [Correct Answer]
1. ASF 180	C
2. PHD 160	B [E]
3. PHD 108	E
4. ASF 62	C
5. PHD 38	C [B]
6. FPC 14	A [D]
7. ASF 103	D [A]
8. PHD 169	C
9. PHD 26	C
10. ASF 87	C
11. ASF 93	E
12. PHD 18	D
13. PHD 106	E
14. FPC 42	B
15. PHD 35	C
16. ASF 141	E
17. ASF 104	E
18. PHD 14	E
19. PTN 20	B [A]
20. ASF 18	E
21. ASF 184	D
22. ASF 84	D
23. PHD 96	D
24. PHD 97	B
25. ASF 100	D
26. ASF 60	C [E]
27. FPC 39	E
28. ASF 95	D
29. ASF 57	A
30. PHD 121	D
31. ASF 98	C
32. PHD 24	D [B]
33. ASF 94	B
34. PHD 17	E
35. ASF 82	E [C]
36. ASF 13	B
37. FPC 33	C [D]
38. PHD 27	A
39. ASF 16	A
40. PTN 116	A
41. PHD 8	C
42. ASF 24	B
43. FPC 12	C
44. ASF 107	D

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT for 18013

Item	Response [Correct Answer]
45. ASF 134	B [E]
46. PTN 112	C
47. ASF 6	E
48. PHD 93	B
49. PHD 94	C
50. ASF 20	B
51. ASF 85	A
52. FPC 38	B
53. PHD 172	A [B]
54. ASF 14	E [D]
55. PTN 9	C
56. ASF 11	D
57. PHD 22	B
58. ASF 108	E [B]
59. ASF 110	C
60. PTN 51	D
61. PHD 44	C
62. PHD 41	B [D]
63. ASF 59	E [D]
64. FPC 28	E
65. PTN 130	D
66. PHD 19	A
67. ASF 55	B
68. PHD 174	C
69. PHD 30	B [E]
70. FPC 43	C
71. PTN 126	C
72. ASF 91	C
73. FPC 7	C
74. PHD 82	D
75. PHD 47	D
76. PHD 126	D
77. ASF 101	A
78. FPC 16	C
79. FPC 65	E
80. FPC 15	A
81. PTN 25	C
82. ASF 137	A
83. FPC 36	C
84. FPC 50	C
85. ASF 50	B
86. ASF 68	C
87. PTN 135	B
88. PTN 52	D
89. PHD 7	C
90. ASF 81	B [A]
91. PTN 34	C
92. PTN 48	D [A]
93. ASF 111	C

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT

for 18013

Item

Response [Correct Answer]

94. ASF 112	E
95. PTN 41	D [E]
96. PHD 90	E
97. FPC 8	C
98. PTN 15	A
99. FPC 40	A [B]
100. PHD 42	C
101. PTN 49	C [E]
102. FPC 22	D
103. PHD 79	E [A]
104. ASF 23	B
105. PHD 78	D
106. ASF 7	D
107. PHD 111	E
108. PHD 39	B [A]
109. ASF 48	D
110. ASF 74	B
111. FPC 44	B
112. ASF 116	E
113. ASF 77	D
114. PHD 117	A
115. ASF 1	A
116. FPC 63	B
117. PTN 111	C
118. PHD 34	D
119. PTN 22	E
120. ASF 140	A
121. ASF 2	A
122. PHD 177	C
123. PHD 53	E
124. FPC 32	C
125. PHD 6	E
126. ASF 143	E
127. FPC 13	C [A]
128. ASF 26	A
129. PTN 113	A
130. ASF 99	E [A]
131. PHD 129	C
132. PHD 46	A
133. PTN 7	B
134. ASF 90	D
135. ASF 31	A
136. PHD 69	C
137. PHD 23	B [C]
138. PTN 17	B [D]
139. FPC 54	B [A]
140. PHD 167	D
141. FPC 35	D
142. PHD 171	D [C]

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT
for 18013

Item	Response [Correct Answer]
143. FPC 53	D
144. PHD 2	A [D]
145. PHD 125	A
146. ASF 52	E [B]
147. ASF 53	C
148. PHD 37	D
149. PHD 162	A
150. PHD 5	D
151. ASF 51	B
152. ASF 73	B
153. FPC 31	D

Thursday, May 05, 2016 5:48:13 PM

4

ROA 0903



INDIVIDUAL SCORES REPORT
for 18014

part A
morning
complete

Test: 2016 Block 12 Exam
Grade: B-
Score: 79.22% (122.00 of 154.00)

Item	Response [Correct Answer]
1. PHD 176	B (D)
2. PHD 16	B
3. FPC 19	A
4. PHD 29	D
5. ASF 88	A
6. PTN 8	B
7. ASF 63	C
8. PHD 33	A (C)
9. PHD 10	C
10. PTN 5	C
11. FPC 66	A (B)
12. ASF 185	B
13. PHD 118	B
14. FPC 26	B
15. PTN 4	E
16. ASF 5	E
17. FPC 46	A
18. ASF 86	B
19. FPC 6	D (B)
20. PHD 178	C
21. PHD 179	C (A)
22. FPC 64	B
23. FPC 27	D
24. ASF 181	A
25. ASF 97	D
26. PTN 57	B
27. PTN 35	D
28. PTN 16	E
29. ASF 150	C
30. FPC 41	A
31. ASF 58	B
32. PTN 104	A (B)
33. ASF 133	B
34. FPC 10	D
35. PHD 58	E
36. ASF 113	C
37. PHD 9	E (D)
38. PHD 12	D
39. ASF 177	B
40. PHD 159	B
41. PHD 173	B
42. ASF 49	C
43. PTN 45	B
44. PTN 46	A



Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT for 18014

Item	Response [Correct Answer]
45. ASF 102	C
46. ASF 75	B
47. PHD 31	D
48. PTN 53	B
49. PHD 63	A [E]
50. ASF 61	B
51. FPC 3	B
52. ASF 54	A
53. ASF 19	A
54. PHD 120	A
55. PTN 10	E
56. ASF 146	B [D]
57. ASF 147	A [D]
58. PTN 50	A
59. PTN 33	A [B]
60. ASF 183	C
61. FPC 62	B
62. ASF 27	A
63. PTN 117	A
64. ASF 96	A
65. ASF 71	B
66. PTN 55	B
67. ASF 79	A
68. FPC 5	B
69. PHD 55	A [C]
70. PHD 87	D
71. ASF 15	E
72. PTN 23	B
73. ASF 70	E
74. FPC 30	A
75. PTN 102	C
76. ASF 129	A
77. PTN 11	B
78. ASF 149	A
79. FPC 2	C [B]
80. ASF 65	C
81. PHD 4	B
82. FPC 34	D
83. PHD 11	C
84. PTN 24	C
85. ASF 69	B
86. PTN 31	D
87. FPC 4	C
88. ASF 78	D
89. PTN 125	E
90. PHD 122	C
91. ASF 144	D [A]
92. ASF 145	B
93. PTN 19	E

Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT for 18014

Item	Response [Correct Answer]
94. PTN 6	B
95. ASF 178	D [B]
96. PHD 170	E
97. PHD 124	C
98. ASF 64	D
99. ASF 21	D [A]
100. PHD 45	B
101. ASF 66	E [B]
102. PTN 118	A
103. FPC 17	E
104. FPC 18	C
105. PTN 14	D [C]
106. PTN 54	C
107. PHD 128	E [B]
108. ASF 179	C
109. ASF 67	A
110. PHD 28	D [A]
111. PHD 99	D
112. ASF 56	A
113. PTN 103	C [A]
114. FPC 9	A
115. PHD 3	C
116. FPC 49	B [A]
117. PTN 124	D [A]
118. PHD 48	C
119. ASF 83	B
120. PTN 58	B
121. ASF 17	C
122. ASF 4	B
123. PTN 36	A [D]
124. ASF 8	D
125. FPC 51	B [A]
126. PHD 57	C [E]
127. ASF 10	D
128. PTN 56	D
129. PHD 40	C
130. ASF 89	D
131. FPC 23	C
132. FPC 24	C
133. ASF 175	C
134. ASF 92	A [E]
135. PHD 21	A [B]
136. PHD 32	B
137. ASF 135	E
138. ASF 136	D
139. PHD 15	C [E]
140. PHD 25	C [E]
141. FPC 29	B
142. PTN 114	D

Thursday, May 05, 2016 2:55:55 PM

INDIVIDUAL SCORES REPORT

for 18014

Item	Response [Correct Answer]
143. FPC 52	D
144. PHD 36	E
145. PTN 13	C
146. PHD 43	B
147. PTN 12	C
148. ASF 22	E
149. ASF 176	A
150. PHD 103	D [B]
151. PHD 104	B [D]
152. PHD 115	B
153. PHD 116	C
154. ASF 182	B

Thursday, May 05, 2016 2:55:55 PM

4

ROA 0907

INDIVIDUAL SCORES REPORT for 18014

Test: 2016 Block 12 Exam
Grade: D
Score: 54.90% (84.00 of 153.00)

part B
after noon
at ~2 hrs
(same time as for
student 18013)

Item	Response [Correct Answer]
1. ASF 180	C
2. PHD 160	B [E]
3. PHD 108	E
4. ASF 62	C
5. PHD 38	E [B]
6. FPC 14	A [D]
7. ASF 103	D [A]
8. PHD 169	C
9. PHD 26	C
10. ASF 87	C
11. ASF 93	E
12. PHD 18	D
13. PHD 106	E
14. FPC 42	B
15. PHD 35	C
16. ASF 141	E
17. ASF 104	E
18. PHD 14	E
19. PTN 20	B [A]
20. ASF 18	E
21. ASF 184	D
22. ASF 84	D
23. PHD 96	D
24. PHD 97	B
25. ASF 100	D
26. ASF 60	C [E]
27. FPC 39	E
28. ASF 95	D
29. ASF 57	A
30. PHD 121	D
31. ASF 98	C
32. PHD 24	D [B]
33. ASF 94	B
34. PHD 17	E
35. ASF 82	E [C]
36. ASF 13	B
37. FPC 33	C [D]
38. PHD 27	A
39. ASF 16	A
40. PTN 116	A
41. PHD 8	C
42. ASF 24	B
43. FPC 12	C
44. ASF 107	D

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT

for 18014

Item	Response [Correct Answer]
45. ASF 134	B [E]
46. PTN 112	C
47. ASF 6	E
48. PHD 93	B
49. PHD 94	C
50. ASF 20	B
51. ASF 85	A
52. FPC 38	B
53. PHD 172	A [B]
54. ASF 14	E [D]
55. PTN 9	C
56. ASF 11	D
57. PHD 22	B
58. ASF 108	E [B]
59. ASF 110	C
60. PTN 51	D
61. PHD 44	C
62. PHD 41	C [D]
63. ASF 59	C [D]
64. FPC 28	E
65. PTN 130	D
66. PHD 19	A
67. ASF 55	B
68. PHD 174	C
69. PHD 30	B [E]
70. FPC 43	C
71. PTN 126	C
72. ASF 91	C
73. FPC 7	C
74. PHD 82	D
75. PHD 47	D
76. PHD 126	D
77. ASF 101	A
78. FPC 16	C
79. FPC 65	E
80. FPC 15	A
81. PTN 25	C
82. ASF 137	A
83. FPC 36	C
84. FPC 50	C
85. ASF 50	B
86. ASF 68	E [C]
87. PTN 135	B
88. PTN 52	D
89. PHD 7	C
90. ASF 81	B [A]
91. PTN 34	C
92. PTN 48	A
93. ASF 111	C

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT for 18014

Item	Response [Correct Answer]
94. ASF 112	E
95. PTN 41	D [E]
96. PHD 90	E
97. FPC 8	C
98. PTN 15	A
99. FPC 40	A [B]
100. PHD 42	E [C]
101. PTN 49	C [E]
102. FPC 22	D
103. PHD 79	A
104. ASF 23	B
105. PHD 78	D
106. ASF 7	D
107. PHD 111	C [E]
108. PHD 39	[A]
109. ASF 48	[D]
110. ASF 74	[B]
111. FPC 44	[B]
112. ASF 116	[E]
113. ASF 77	[D]
114. PHD 117	[A]
115. ASF 1	[A]
116. FPC 63	[B]
117. PTN 111	[C]
118. PHD 34	[D]
119. PTN 22	[E]
120. ASF 140	[A]
121. ASF 2	[A]
122. PHD 177	[C]
123. PHD 53	[E]
124. FPC 32	[C]
125. PHD 6	[E]
126. ASF 143	[E]
127. FPC 13	[A]
128. ASF 26	[A]
129. PTN 113	[A]
130. ASF 99	[A]
131. PHD 129	[C]
132. PHD 46	[A]
133. PTN 7	[B]
134. ASF 90	[D]
135. ASF 31	[A]
136. PHD 69	[C]
137. PHD 23	[C]
138. PTN 17	[D]
139. FPC 54	[A]
140. PHD 167	[D]
141. FPC 35	[D]
142. PHD 171	[C]

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT

for 18014

Item	Response [Correct Answer]
143. FPC 53	[D]
144. PHD 2	[D]
145. PHD 125	[A]
146. ASF 52	[B]
147. ASF 53	[C]
148. PHD 37	[D]
149. PHD 162	[A]
150. PHD 5	[D]
151. ASF 51	[B]
152. ASF 73	[B]
153. FPC 31	[D]

Thursday, May 05, 2016 3:01:51 PM

INDIVIDUAL SCORES REPORT
for 18014

part B
afternoon
complete

Test: 2016 Block 12 Exam
Grade: B
Score: 81.05% (124.00 of 153.00)

Item	Response [Correct Answer]
1. ASF 180	C
2. PHD 160	B [E]
3. PHD 108	E
4. ASF 62	C
5. PHD 38	C [B]
6. FPC 14	A [D]
7. ASF 103	D [A]
8. PHD 169	C
9. PHD 26	C
10. ASF 87	C
11. ASF 93	E
12. PHD 18	D
13. PHD 106	E
14. FPC 42	B
15. PHD 35	C
16. ASF 141	E
17. ASF 104	E
18. PHD 14	E
19. PTN 20	B [A]
20. ASF 18	E
21. ASF 184	D
22. ASF 84	D
23. PHD 96	D
24. PHD 97	B
25. ASF 100	D
26. ASF 60	C [E]
27. FPC 39	E
28. ASF 95	D
29. ASF 57	A
30. PHD 121	D
31. ASF 98	C
32. PHD 24	D [B]
33. ASF 94	B
34. PHD 17	E
35. ASF 82	E [C]
36. ASF 13	B
37. FPC 33	C [D]
38. PHD 27	A
39. ASF 16	A
40. PTN 116	A
41. PHD 8	C
42. ASF 24	B
43. FPC 12	C
44. ASF 107	D

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT

for 18014

Item	Response [Correct Answer]
45. ASF 134	B [E]
46. PTN 112	C
47. ASF 6	E
48. PHD 93	B
49. PHD 94	C
50. ASF 20	B
51. ASF 85	A
52. FPC 38	B
53. PHD 172	A [B]
54. ASF 14	E [D]
55. PTN 9	C
56. ASF 11	D
57. PHD 22	B
58. ASF 108	E [B]
59. ASF 110	C
60. PTN 51	D
61. PHD 44	C
62. PHD 41	B [D]
63. ASF 59	C [D]
64. FPC 28	E
65. PTN 130	D
66. PHD 19	A
67. ASF 55	B
68. PHD 174	C
69. PHD 30	B [E]
70. FPC 43	C
71. PTN 126	C
72. ASF 91	C
73. FPC 7	C
74. PHD 82	D
75. PHD 47	D
76. PHD 126	D
77. ASF 101	A
78. FPC 16	C
79. FPC 63	E
80. FPC 15	A
81. PTN 25	C
82. ASF 137	A
83. FPC 36	C
84. FPC 50	C
85. ASF 50	B
86. ASF 68	C
87. PTN 135	B
88. PTN 52	D
89. PHD 7	C
90. ASF 81	B [A]
91. PTN 34	C
92. PTN 48	A
93. ASF 111	C

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT

for 18014

Item	Response [Correct Answer]
94. ASF 112	E
95. PTN 41	D [E]
96. PHD 90	E
97. FPC 8	C
98. PTN 15	A
99. FPC 40	A [B]
100. PHD 42	C
101. PTN 49	B [E]
102. FPC 22	D
103. PHD 79	A
104. ASF 23	B
105. PHD 78	D
106. ASF 7	D
107. PHD 111	E
108. PHD 39	C [A]
109. ASF 48	D
110. ASF 74	B
111. FPC 44	B
112. ASF 116	E
113. ASF 77	D
114. PHD 117	A
115. ASF 1	A
116. FPC 63	B
117. PTN 111	C
118. PHD 34	D
119. PTN 22	E
120. ASF 140	A
121. ASF 2	A
122. PHD 177	C
123. PHD 53	E
124. FPC 32	C
125. PHD 6	E
126. ASF 143	E
127. FPC 13	C [A]
128. ASF 26	A
129. PTN 113	A
130. ASF 99	E [A]
131. PHD 129	C
132. PHD 46	A
133. PTN 7	B
134. ASF 90	D
135. ASF 31	A
136. PHD 69	C
137. PHD 23	B [C]
138. PTN 17	B [D]
139. FPC 54	B [A]
140. PHD 167	D
141. FPC 35	D
142. PHD 171	D [C]

Thursday, May 05, 2016 5:48:13 PM

INDIVIDUAL SCORES REPORT
for 18014

Item	Response [Correct Answer]
143. FPC 53	D
144. PHD 2	D
145. PHD 125	A
146. ASF 52	E [B]
147. ASF 53	C
148. PHD 37	E [D]
149. PHD 162	A
150. PHD 5	D
151. ASF 51	B
152. ASF 73	B
153. FPC 31	D

Thursday, May 05, 2016 5:48:13 PM

4

ROA 0915

prominently occipus

Gillian Berré

13 - midline deformities

18 -

Blood Ammonia

Chagas → myocarditis

"Apple Core Lesion"

All liver & early

#29

- Give baby
Corticosteroids
(+ mom) to stim
Surfactant
↑
cordain lecithin

Boobs, no pubes

Kellie's notes?
Gang shes next, eraser explanation

18013

- Edema + proteinuria

- Measles

- Crampy diarrhea

- Rocky Mountain Spotted Fever?

DNA cytoplasmic

Inclusions → HSV

Steatosis → Fatty liver

Hep A → Fulminant
Hepatitis

#58 All of Above?

107

108 - B or C → *

122

142

* 144

#2

#4

* 5 - mumps

* 7 - B or D

9

#11

#15

19 - A or B

→ #23 - B or D

→ #26 - C or E

27 - A or E

→ #29 - A or D

No idea → #32

* #34

41

#48

51

53

→ 57 - B or E

#58

#62

63

→ #68

* 79 - C or E

86 - D or E

91 - B or C

100

101 - cor B

Salt-Wasting

• protruding occipus

Gillian Berré

13 - Midline Defects

18 -

Blood Ammonia

Chagas → myocarditis

"Apple Core Lesion"

All liver & early

#29

- Give baby
Corticosteroids
(dexam) to Stim
Surfactant

↑

cord and lecithin

Boobs, no pubes
Androgen
insensitivity

- Edema + proteinuria

3 C's
- measles

- crampy diarrhea

- Rocky Mountain Spotted Fever?

DNA cytoplasmic
Inclusions → HSV

Steatosis → Fatty liver

Hep A → Fulminant
Hepatitis

#58 All of Above?

107

108 - B or C → * 5 - mumps

122

142

* 144

#2

#4

* 7 - B or D

9

#11

#15

19 - A or B

→ #23 - B or D

→ #26 - C or E

27 - A or E

→ #29 - A or D

No idea → #32

* #34

41

#48

51

53

→ 57 - B or E

#58

#62

63

→ #68

Salt-wasting

* 79 - C or E

86 - D or E

91 - B or C

100

101 - cor B

R

was salt-wasting

11 or 17 or 21?

Varicella → Crops

#59 Remember

-42°C

weather warm

IgG ↑

IgA & IgM ↓

Gammaglobulinemia

11

- Too damp in camp
Campylobacter

17

Retinoblastoma → Osteosarcoma 21

- 1 more red
Ecoli

Neurofibroma

2 yo child

→ Adrenal mass / Abdominal mass

- unpaucateured milk (?)

Local items
Farm

- or Brucella

- Aerobic

- Diarrhea

- Bloody

- 42°C

17 -

100 - ? E?

squiggles

directly



- Fever

94 - 108
Divertergents

45 x → Turners (compatible w/ life)

• Protruding occiput (?) - 18

- maybe 5p deletion

30)

↓
= Surgical biopsy

100 - 0

62 - B (?)

2 Rotavirus

Winter bottom
- Erase fwy

19- Psoriasis

Kosco Infantum - Parvovirus

Wilms Tumor

What a

Dapsone

Hep B

↑ IgM

Ovarian Stroma → mucous

Megakaryoblastic Anemia

FALLS → SLEEPY

pi George
- mutation in
3

Albumin ↓

Winterbottom's

IgA deficiency
- Most Common

Mucin production

Echinacea
- used for

Live
Attenuated
Vaccine

H. Pylori

#70

#1

#6

#7-?

→ #8

#9 - C

11

14 - A or B

17 - A or B

#18

→ #19 - D/B

→ 21 - C

22

→ 25

→ 26

28

32 - B or D

→ 33

36

40 - ?

42

→ 49 - D
(H. Pylori)

54 - A or E (?)

→ 56 - A or C

→ 59 - A or D

63

→ 65

66

72
79
80

82

90

#94

? 95 - B or D

→ 96

E(?) → 101

104 - B or C

107

108

110

113

115

116 - A or B

118

? (B) → 120

→ 123

→ 126

133 - B or C

136

Granulomas (?) → 65

88

- Porelin Gallbladder

(?) Associated w/ Pancreatic Cancer

Bloody Diarrhea

E → ~~Trichinella~~
[Whipworm]

Middle Aged man who is Alcoholic

P- Ascaria

150

↓

153

} Come Back

150 D

151 B (?)

152 B

153 D or (C)

153 - NOT whipworm (water)

C. - Manson & Jace

Not 100% sure

- Rule out others

piphylla

↓

Found in Fish

↑

Builds up

(Leads to anemia?)

Paramyxo

↓

measles / mumps

PMV

RSV

More Respiratory

This looks like POX

SIGNIFICANT difference

↓

40 - Headlice transmitted
close contact

Babe Sia → ticks not lice

A
B
C
D
E

148 - D
Already test
high nst
E. monocytic

144 A?

Giardia
non-eosinophilic
↓ neutrophils

* Food - nonpasteurized

chaga's disease

- T. cruzi
- cardiomyopathy

- abdominal cramps
- bloody diarrhea - 4 days
- * comma-shaped
- Gram +

Kaylin's notes?
18013

18014

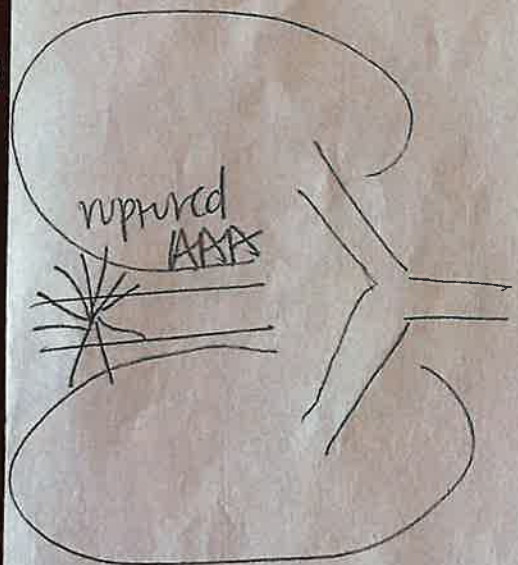
Go Back To
100

Red Baby

scabies

17

Campylobacter
ANEROBE



* NOT IN LUNGS
(minimal infiltrates)

↑ lymphs → virus

Gastrinoma
↑ ulcers

122

Mumps
Parotid
- 00



large picture
A

67

A
B
C
~~D~~
E

★
148 - D
Already test
high risk
E. monocytic

144 A?

Giardia
non-eosinophilic
↓ neutrophils

* Food - nonpasteurized

Chaga's disease

- T. cruzi
- cardiomyopathy

- abdominal cramps
- bloody diarrhea - 4 days
- * comma-shaped
- Gram +

Go Back To
100

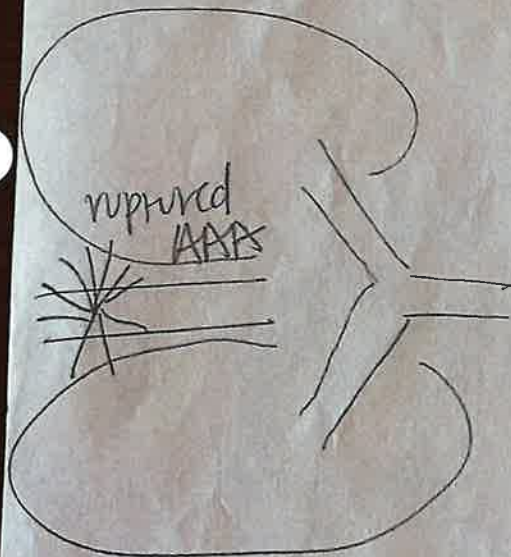
Red Baby

scabies

A
B
~~C~~
E

117 - 118

Campylobacter
ANEROBE



* NOT IN LUNGS
(minimal infiltrates)

lymphs → virus

Gastrinoma
↑ ulcers

122

MUMPS
Parotid
- 000
U



large picture
A

67

PH = ↑

PCO₂ = ↓

Bicarb = ↓

ammonia ↑ ⇒ liver dysfunction

resp. alkylosis

kala azar

- hypergamma
globulinemia

Volvulus -
QUICK ONSET

4 = C

DTap

Primary - not taking IN enough

Secondary - malabsorption

8. E

Staph. aureus follows
Viral infections

blood stages
early gametocytes

Lecithin is
chemical that
begins
surfactant
secretion

L
J
C
I

rickettsia rickettsi - ticks

RMSF

"Boobs no pubes"

XY but NO SY

Salt-washing

Cytoplasmic inclusions
= Viral

53-B

Toluidine
C

fun plicae
E

I'm
Waiting

P53

Beige
B

1. B

C.

A.

① Painless jaundice - pancreatic adenocarcinoma

- what is the underlying cause?

+ mucin → origin is IN LIVER
liver tumor

⊗ glandular

108- (C or D)
I think C.

MUCIN = liver cells
AFP ↓ Tn ZI

hCG ↑ Tn ZI

Echinacea ⇒ immunostimulant

Cx: TB, collagen, MS
↳ upper respiratory

0-2 hrs - Chem.
2-7 hrs - preformed toxin

Tnsomy 21

AFP - ↓

HBsAg +
HBe Ag infectious

BIOTERRORISM
MODULE

Smoking →

110
B?

[scribble]

1 B D A

Rash - A.

Hep B antigen +
*acute Hep B.
- no cell-mediated response
*IgM means humoral
response

- Painless jaundice
- pruritis

actinic keratosis



SSC in situ

E. coli

Sialolithiasis - stones
NOT bilateral

Sjogrens would include
eyes

Block 6

Metoprolol (?) - D2/SHT blocker

- Parkinsons

• skin tests - neg (cell-mediated)

viral $\Rightarrow$ B cell

Rota virus

UDP-glucuronidase

β -glucuronidase inhibitor

SN 38

cattle $\rightarrow$ cryptosporidia

W - mosquito bite @ night

- obese

- hypertensive

3 children - infectious

* numbness in (R) leg

GERD

papsone $\neq$ Primagaine $\downarrow$ GERD

Methemoglobinemia

Child seizure

x measles

x mumps

x rubella

Parvovirus - 5th

Psoriasis - patches
w/ scales

acute pancreatitis

Wilms tumor - chromosome 11

Trisomy 13

- abdomen defect * 9 - c!

Vitamin A → for your eyes
lose vision first

Misoprostol

PGE - synthetic
↓ HCl
cytoprotective

9. C ★

26. B

32.

- cell-mediated immunity
↓ Ig

B-cell

Mucinous Cyst

Pancreatic tail
Mucinous stain
ovarian stroma

43 Thiamine

44 Vit. A

49

54

H. pylori

Smith-Lemli-Opitz

↓ GFR

- lipo

7-dehydrochol → cholesterol

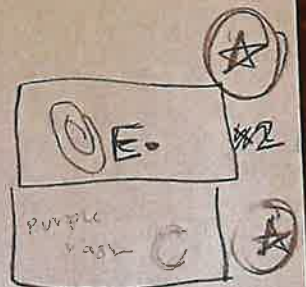
testosterone → DHT

- lower protein
- lower albumin

Di-George

- lack of thymus
- VSD

- cleft palate (midline abnormalities)



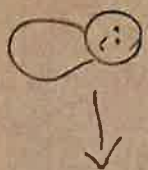
Chab -

Dermatitis herpetiformis - on SF quiz

Pemphigus vulgaris - wart

Lichen planus - pruritic, purple, penis

Nevi isolated do NOT
become melanoma



Tachypneic
No nursing or eating
2nd day of life

① A don't work w/ ampicillin
② E

107-E

shigella
Sonnei -
NO BLOOD

Sp - Compatible
B/T 13 and 18

GI abnormal
hydroceles?

10 ⇒ C

① anemia
② obstruction → Colon Cancer
k-ras
p53 ← tumor suppressor

17-hydrox

21-

salt
washing

17, 21-hydrox

11 - depends

17 - male

21 - male

alkaline &
ammonia

INHALED

Travelers diarrhea

Cholera

*BOTH massive amounts of
H₂O

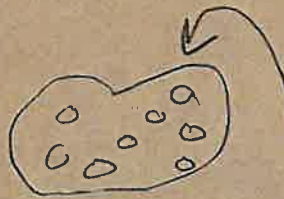
E Coli?

- high levels of differentiation
- thin lamina propria

MUSC_00358

ROA 0929

- ① Bloody diarrhea
- ② hepatosplenomegaly
- ③ esophageal varices



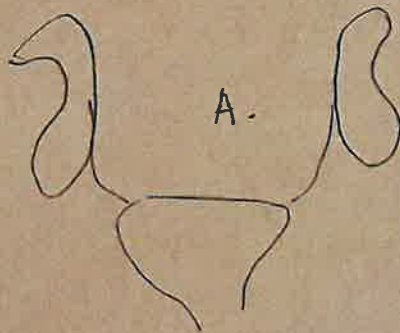
A - ~~bladder fibrosis~~

B -

C - one causing neurocrosis

D - Ascari

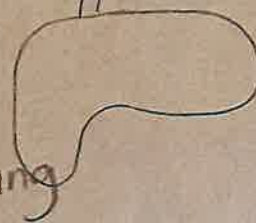
E - ~~whipworm~~



54

B.

← causes emboli



Metoclopramide - speeds up gastric emptying

Worms → ground
NOT
mosquitos

delayed Type 4

Seizure = Roseola

↓ pH of stomach

so are head louse
Body louse
- poor human hygiene
In homeless & crowded areas

want to do u/s
could be liver
cancer

MUSC_00360

ROA 0931

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Block 1 Year 1 EXAM 2014

Grade: P

Score: 83.41% (176.00 of 211.00)

Category 1 (THEME)	Score	%	0	100
FPC	27.00 of 30.00	90.00		
HR	50.00 of 58.00	86.21		
ME	36.00 of 43.00	83.72		
SF	63.00 of 80.00	78.75		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-ADHERENCE	1.00 of 1.00	100.00		
FPC-CLINRES	2.00 of 2.00	100.00		
FPC-CULTCOMP	4.00 of 6.00	66.67		
FPC-INT	4.00 of 5.00	80.00		
FPC-PATIENT SAFETY	2.00 of 2.00	100.00		
FPC-PD	14.00 of 14.00	100.00		
HR-CELL	35.00 of 41.00	85.37		
HR-GENETICS	1.00 of 2.00	50.00		
HR-NEURO	14.00 of 15.00	93.33		
ME-BIOCH	36.00 of 43.00	83.72		
SF-ANAT	9.00 of 11.00	81.82		
SF-CELL	27.00 of 34.00	79.41		
SF-EMBRYO	8.00 of 11.00	72.73		
SF-HIST	8.00 of 12.00	66.67		
SF-NEURO	11.00 of 12.00	91.67		

Category 3 (TOPIC)	Score	%	0	100
FPC-CULTCOMP-DISPAR	3.00 of 4.00	75.00		
FPC-PD-BMI	1.00 of 1.00	100.00		
FPC-PD-VITAL SIGNS	13.00 of 13.00	100.00		
HR-CELL-CELL CYCLE	4.00 of 4.00	100.00		
HR-CELL-DNAREPLICAT	3.00 of 4.00	75.00		
HR-CELL-MITOSIS	2.00 of 2.00	100.00		
HR-CELL-MUTATREPAIR	3.00 of 4.00	75.00		
HR-CELL-NUCLEUS	1.00 of 1.00	100.00		
HR-CELL-REARRANGEMEN	2.00 of 2.00	100.00		
HR-CELL-RNAPROCESS	2.00 of 3.00	66.67		
HR-CELL-SIGNALING	5.00 of 6.00	83.33		
HR-CELL-TRANSCRIPT	6.00 of 7.00	85.71		
HR-CELL-TRANSLATION	3.00 of 4.00	75.00		
HR-CELL-TRANSPORT	4.00 of 4.00	100.00		
HR-GENETICS-INHERIT	1.00 of 2.00	50.00		
HR-NEURO-CSF	0.00 of 1.00	0.00		
HR-NEURO-ACTIONPOTEN	6.00 of 6.00	100.00		
HR-NEURO-CNS	2.00 of 2.00	100.00		
HR-NEURO-SYNAPSE	6.00 of 6.00	100.00		

Saturday, September 27, 2014 10:17:38 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
ME-BIOCH-AA PROTEINS	3.00 of 5.00	60.00		
ME-BIOCH-BONDING	1.00 of 1.00	100.00		
ME-BIOCH-CARB	4.00 of 5.00	80.00		
ME-BIOCH-CATALYSIS	5.00 of 5.00	100.00		
ME-BIOCH-DNA	4.00 of 4.00	100.00		
ME-BIOCH-ECM	0.00 of 2.00	0.00		
ME-BIOCH-GENOME	2.00 of 3.00	66.67		
ME-BIOCH-LIPIDS	7.00 of 7.00	100.00		
ME-BIOCH-META FUELS	2.00 of 2.00	100.00		
ME-BIOCH-PURPYR	2.00 of 2.00	100.00		
ME-BIOCH-RNASTRUCTUR	2.00 of 3.00	66.67		
ME-BIOCH-VITA COENZ	4.00 of 4.00	100.00		
SF-ANAT-ARM	1.00 of 1.00	100.00		
SF-ANAT-AXILLA	2.00 of 3.00	66.67		
SF-ANAT-LYMPHATICS	1.00 of 1.00	100.00		
SF-ANAT-NERVOUSSYS	1.00 of 1.00	100.00		
SF-ANAT-SHOULDER	3.00 of 4.00	75.00		
SF-CELL-AUTOPHAG	0.00 of 1.00	0.00		
SF-CELL-CYTOSK ADH	6.00 of 7.00	85.71		
SF-CELL-ENDOCYTOSIS	1.00 of 1.00	100.00		
SF-CELL-LYSOSOME	2.00 of 3.00	66.67		
SF-CELL-MEMBRANES	3.00 of 5.00	60.00		
SF-CELL-MITOCHON	3.00 of 3.00	100.00		
SF-CELL-NUCLEUS	3.00 of 3.00	100.00		
SF-CELL-PRO SYN SEC	1.00 of 1.00	100.00		
SF-CELL-SECRETION	8.00 of 10.00	80.00		
SF-EMBRYO-DEFECT	1.00 of 1.00	100.00		
SF-EMBRYO-EARLY	5.00 of 6.00	83.33		
SF-EMBRYO-NEURO	2.00 of 4.00	50.00		
SF-HIST-CONNECTIVE	4.00 of 5.00	80.00		
SF-HIST-EPITHELIUM	4.00 of 7.00	57.14		
SF-NEURO-CNS	3.00 of 3.00	100.00		
SF-NEURO-GLIA	2.00 of 2.00	100.00		
SF-NEURO-PASS	4.00 of 5.00	80.00		
SF-NEURO-PNS	3.00 of 3.00	100.00		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATION	7.00 of 8.00	87.50		
INTERPRETATION	59.00 of 72.00	81.94		
PROBLEM SOLVE	11.00 of 12.00	91.67		
RECALL	98.00 of 118.00	83.05		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Test: Block 1 Year 1 EXAM 2014

Grade: P

Score: 81.52% (172.00 of 211.00)

Category 1 (THEME)	Score	%	0	100
FPC	28.00 of 30.00	93.33		
HR	51.00 of 58.00	87.93		
ME	34.00 of 43.00	79.07		
SF	59.00 of 80.00	73.75		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-ADHERENCE	1.00 of 1.00	100.00		
FPC-CLINRES	2.00 of 2.00	100.00		
FPC-CULTCOMP	6.00 of 6.00	100.00		
FPC-INT	5.00 of 5.00	100.00		
FPC-PATIENT SAFETY	1.00 of 2.00	50.00		
FPC-PD	13.00 of 14.00	92.86		
HR-CELL	38.00 of 41.00	92.68		
HR-GENETICS	2.00 of 2.00	100.00		
HR-NEURO	11.00 of 15.00	73.33		
ME-BIOCH	34.00 of 43.00	79.07		
SF-ANAT	7.00 of 11.00	63.64		
SF-CELL	23.00 of 34.00	67.65		
SF-EMBRYO	8.00 of 11.00	72.73		
SF-HIST	10.00 of 12.00	83.33		
SF-NEURO	11.00 of 12.00	91.67		

Category 3 (TOPIC)	Score	%	0	100
FPC-CULTCOMP-DISPAR	4.00 of 4.00	100.00		
FPC-PD-BMI	1.00 of 1.00	100.00		
FPC-PD-VITAL SIGNS	12.00 of 13.00	92.31		
HR-CELL-CELL CYCLE	4.00 of 4.00	100.00		
HR-CELL-DNAREPLICAT	4.00 of 4.00	100.00		
HR-CELL-MITOSIS	2.00 of 2.00	100.00		
HR-CELL-MUTATREPAIR	4.00 of 4.00	100.00		
HR-CELL-NUCLEUS	1.00 of 1.00	100.00		
HR-CELL-REARRANGEMEN	2.00 of 2.00	100.00		
HR-CELL-RNAPROCESS	2.00 of 3.00	66.67		
HR-CELL-SIGNALING	5.00 of 6.00	83.33		
HR-CELL-TRANSCRIPT	7.00 of 7.00	100.00		
HR-CELL-TRANSLATION	3.00 of 4.00	75.00		
HR-CELL-TRANSPORT	4.00 of 4.00	100.00		
HR-GENETICS-INHERIT	2.00 of 2.00	100.00		
HR-NEURO-CSF	0.00 of 1.00	0.00		
HR-NEURO-ACTIONPOTEN	4.00 of 6.00	66.67		
HR-NEURO-CNS	1.00 of 2.00	50.00		
HR-NEURO-SYNAPSE	6.00 of 6.00	100.00		

Saturday, September 27, 2014 10:17:38 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
ME-BIOCH-AA PROTEINS	3.00 of 5.00	60.00		
ME-BIOCH-BONDING	1.00 of 1.00	100.00		
ME-BIOCH-CARB	4.00 of 5.00	80.00		
ME-BIOCH-CATALYSIS	5.00 of 5.00	100.00		
ME-BIOCH-DNA	2.00 of 4.00	50.00		
ME-BIOCH-ECM	1.00 of 2.00	50.00		
ME-BIOCH-GENOME	2.00 of 3.00	66.67		
ME-BIOCH-LIPIDS	5.00 of 7.00	71.43		
ME-BIOCH-META FUELS	2.00 of 2.00	100.00		
ME-BIOCH-PURPYR	2.00 of 2.00	100.00		
ME-BIOCH-RNASTRUCTUR	3.00 of 3.00	100.00		
ME-BIOCH-VITA COENZ	4.00 of 4.00	100.00		
SF-ANAT-ARM	1.00 of 1.00	100.00		
SF-ANAT-AXILLA	3.00 of 3.00	100.00		
SF-ANAT-LYMPHATICS	1.00 of 1.00	100.00		
SF-ANAT-NERVOUSSYS	1.00 of 1.00	100.00		
SF-ANAT-SHOULDER	0.00 of 4.00	0.00		
SF-CELL-AUTOPHAG	0.00 of 1.00	0.00		
SF-CELL-CYTOSK ADH	4.00 of 7.00	57.14		
SF-CELL-ENDOCYTOSIS	1.00 of 1.00	100.00		
SF-CELL-LYSOSOME	3.00 of 3.00	100.00		
SF-CELL-MEMBRANES	3.00 of 5.00	60.00		
SF-CELL-MITOCHON	1.00 of 3.00	33.33		
SF-CELL-NUCLEUS	2.00 of 3.00	66.67		
SF-CELL-PRO SYN SEC	1.00 of 1.00	100.00		
SF-CELL-SECRETION	8.00 of 10.00	80.00		
SF-EMBRYO-DEFECT	1.00 of 1.00	100.00		
SF-EMBRYO-EARLY	5.00 of 6.00	83.33		
SF-EMBRYO-NEURO	2.00 of 4.00	50.00		
SF-HIST-CONNECTIVE	3.00 of 5.00	60.00		
SF-HIST-EPITHELIUM	7.00 of 7.00	100.00		
SF-NEURO-CNS	2.00 of 3.00	66.67		
SF-NEURO-GLIA	2.00 of 2.00	100.00		
SF-NEURO-PASS	5.00 of 5.00	100.00		
SF-NEURO-PNS	3.00 of 3.00	100.00		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATION	8.00 of 8.00	100.00		
INTERPRETATION	62.00 of 72.00	86.11		
PROBLEM SOLVE	11.00 of 12.00	91.67		
RECALL	90.00 of 118.00	76.27		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Block 2 Exam Year 1 2014
Grade: P
Score: 83.93% (188.00 of 224.00)

Category 1 (THEME)	Score	%	0	100
FPC	26.00 of 29.00	89.66		
HR	63.00 of 70.00	90.00		
ME	34.00 of 41.00	82.93		
SF	65.00 of 84.00	77.38		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	4.00 of 4.00	100.00		
FPC-DISPARITIES	2.00 of 3.00	66.67		
FPC-PD	17.00 of 18.00	94.44		
FPC-REHAB	3.00 of 4.00	75.00		
HR-ENDO	0.00 of 2.00	0.00		
HR-GENETICS	10.00 of 10.00	100.00		
HR-NEURO	49.00 of 52.00	94.23		
HR-PHYS	4.00 of 6.00	66.67		
ME-BIOCH	34.00 of 41.00	82.93		
SF-ANAT	25.00 of 32.00	78.13		
SF-EMBRYO	9.00 of 10.00	90.00		
SF-HIST	17.00 of 23.00	73.91		
SF-PHYS	1.00 of 2.00	50.00		
SF-RADIOLOG	13.00 of 17.00	76.47		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR/PAIN	4.00 of 4.00	100.00		
FPC-DISPARITIES/AGIN	2.00 of 3.00	66.67		
FPC-PD-LOWERLIMB	9.00 of 10.00	90.00		
FPC-PD-UPPERLIMB	8.00 of 8.00	100.00		
FPC-REHAB-PT	3.00 of 4.00	75.00		
HR-ENDO-VITD	0.00 of 2.00	0.00		
HR-GENETICS-MUSC	2.00 of 2.00	100.00		
HR-GENETICS-RECOMDNA	8.00 of 8.00	100.00		
HR-NEURO-ANS	6.00 of 6.00	100.00		
HR-NEURO-MOTORCONTR	6.00 of 6.00	100.00		
HR-NEURO-MOVEMENT	1.00 of 1.00	100.00		
HR-NEURO-NMJ	5.00 of 5.00	100.00		
HR-NEURO-PASS	5.00 of 6.00	83.33		
HR-NEURO-PNSAUTONOM	1.00 of 1.00	100.00		
HR-NEURO-REFLEX	5.00 of 6.00	83.33		
HR-NEURO-SENSMOTDIS	6.00 of 6.00	100.00		
HR-NEURO-SENSORYREC	5.00 of 5.00	100.00		
HR-NEURO-SOMATOSENS	7.00 of 7.00	100.00		
HR-NEURO-SPINALCORD	2.00 of 3.00	66.67		
HR-PHYS-CALCIUM	1.00 of 2.00	50.00		

Thursday, October 30, 2014 8:08:35 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
HR-PHYS-MUSCLE	1.00 of 2.00	50.00		
HR-PHYS-SMMUSC	2.00 of 2.00	100.00		
ME-BIOCH-AGING	2.00 of 3.00	66.67		
ME-BIOCH-GLYCOLYSIS	6.00 of 10.00	60.00		
ME-BIOCH-GNG	9.00 of 9.00	100.00		
ME-BIOCH-OXPHOS	10.00 of 11.00	90.91		
ME-BIOCH-TCA	7.00 of 8.00	87.50		
SF-ANAT-ARM	2.00 of 2.00	100.00		
SF-ANAT-FOREARM	2.00 of 3.00	66.67		
SF-ANAT-GLUT	1.00 of 3.00	33.33		
SF-ANAT-HAND	2.00 of 2.00	100.00		
SF-ANAT-HIP	0.00 of 1.00	0.00		
SF-ANAT-JTSL	2.00 of 2.00	100.00		
SF-ANAT-JTSUL	3.00 of 3.00	100.00		
SF-ANAT-KNEE	2.00 of 2.00	100.00		
SF-ANAT-LEG	3.00 of 3.00	100.00		
SF-ANAT-NERVCOMP	0.00 of 2.00	0.00		
SF-ANAT-NERVENJUL	5.00 of 5.00	100.00		
SF-ANAT-NERVOUSYTEM	1.00 of 1.00	100.00		
SF-ANAT-THIGH	2.00 of 3.00	66.67		
SF-EMBRYO-LIMBDEV	9.00 of 10.00	90.00		
SF-HIST-BONE	6.00 of 6.00	100.00		
SF-HIST-CARTILAGE	1.00 of 5.00	20.00		
SF-HIST-EPIDERMIS	3.00 of 3.00	100.00		
SF-HIST-INTEGUMENT	3.00 of 3.00	100.00		
SF-HIST-MUSCLE	1.00 of 2.00	50.00		
SF-HIST-VASCULAR	3.00 of 4.00	75.00		
SF-PHYS-MUSCLE	1.00 of 2.00	50.00		
SF-RADIOL-ANKLE	0.00 of 1.00	0.00		
SF-RADIOL-ELBOW	1.00 of 1.00	100.00		
SF-RADIOL-FOOT	2.00 of 2.00	100.00		
SF-RADIOL-HAND	1.00 of 2.00	50.00		
SF-RADIOL-HIP	0.00 of 1.00	0.00		
SF-RADIOL-KNEE	2.00 of 2.00	100.00		
SF-RADIOL-SHOULDER	4.00 of 5.00	80.00		
SF-RADIOL-SPINE	3.00 of 3.00	100.00		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATE	9.00 of 9.00	100.00		
INTERPRETATION	74.00 of 86.00	86.05		
PROBLEM SOLVE	24.00 of 26.00	92.31		
RECALL	81.00 of 103.00	78.64		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

Test: Block 2 Exam Year 1 2014

Grade: P

Score: 83.04% (186.00 of 224.00)

Category 1 (THEME)	Score	%	0	100
FPC	23.00 of 29.00	79.31		
HR	60.00 of 70.00	85.71		
ME	36.00 of 41.00	87.80		
SF	67.00 of 84.00	79.76		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	3.00 of 4.00	75.00		
FPC-DISPARITIES	2.00 of 3.00	66.67		
FPC-PD	16.00 of 18.00	88.89		
FPC-REHAB	2.00 of 4.00	50.00		
HR-ENDO	0.00 of 2.00	0.00		
HR-GENETICS	10.00 of 10.00	100.00		
HR-NEURO	47.00 of 52.00	90.38		
HR-PHYS	3.00 of 6.00	50.00		
ME-BIOCH	36.00 of 41.00	87.80		
SF-ANAT	26.00 of 32.00	81.25		
SF-EMBRYO	9.00 of 10.00	90.00		
SF-HIST	18.00 of 23.00	78.26		
SF-PHYS	2.00 of 2.00	100.00		
SF-RADIOLOG	12.00 of 17.00	70.59		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR/PAIN	3.00 of 4.00	75.00		
FPC-DISPARITIES/AGIN	2.00 of 3.00	66.67		
FPC-PD-LOWERLIMB	8.00 of 10.00	80.00		
FPC-PD-UPPERLIMB	8.00 of 8.00	100.00		
FPC-REHAB-PT	2.00 of 4.00	50.00		
HR-ENDO-VITD	0.00 of 2.00	0.00		
HR-GENETICS-MUSC	2.00 of 2.00	100.00		
HR-GENETICS-RECOMDNA	8.00 of 8.00	100.00		
HR-NEURO-ANS	6.00 of 6.00	100.00		
HR-NEURO-MOTORCONTR	6.00 of 6.00	100.00		
HR-NEURO-MOVEMENT	1.00 of 1.00	100.00		
HR-NEURO-NMJ	5.00 of 5.00	100.00		
HR-NEURO-PASS	6.00 of 6.00	100.00		
HR-NEURO-PNSAUTONOM	1.00 of 1.00	100.00		
HR-NEURO-REFLEX	6.00 of 6.00	100.00		
HR-NEURO-SENSMOTDIS	4.00 of 6.00	66.67		
HR-NEURO-SENSORYREC	4.00 of 5.00	80.00		
HR-NEURO-SOMATOSENS	6.00 of 7.00	85.71		
HR-NEURO-SPINALCORD	2.00 of 3.00	66.67		
HR-PHYS-CALCIUM	0.00 of 2.00	0.00		

Thursday, October 30, 2014 8:08:35 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
HR-PHYS-MUSCLE	1.00 of 2.00	50.00		
HR-PHYS-SMMUSC	2.00 of 2.00	100.00		
ME-BIOCH-AGING	2.00 of 3.00	66.67		
ME-BIOCH-GLYCOLYSIS	7.00 of 10.00	70.00		
ME-BIOCH-GNG	9.00 of 9.00	100.00		
ME-BIOCH-OXPHOS	11.00 of 11.00	100.00		
ME-BIOCH-TCA	7.00 of 8.00	87.50		
SF-ANAT-ARM	2.00 of 2.00	100.00		
SF-ANAT-FOREARM	2.00 of 3.00	66.67		
SF-ANAT-GLUT	3.00 of 3.00	100.00		
SF-ANAT-HAND	1.00 of 2.00	50.00		
SF-ANAT-HIP	0.00 of 1.00	0.00		
SF-ANAT-JTSL	2.00 of 2.00	100.00		
SF-ANAT-JTSUL	3.00 of 3.00	100.00		
SF-ANAT-KNEE	2.00 of 2.00	100.00		
SF-ANAT-LEG	2.00 of 3.00	66.67		
SF-ANAT-NERVCOMP	0.00 of 2.00	0.00		
SF-ANAT-NERVEINJUL	5.00 of 5.00	100.00		
SF-ANAT-NERVOUSSYTEM	1.00 of 1.00	100.00		
SF-ANAT-THIGH	3.00 of 3.00	100.00		
SF-EMBRYO-LIMBDEV	9.00 of 10.00	90.00		
SF-HIST-BONE	6.00 of 6.00	100.00		
SF-HIST-CARTILAGE	2.00 of 5.00	40.00		
SF-HIST-EPIDERMIS	3.00 of 3.00	100.00		
SF-HIST-INTEGUMENT	2.00 of 3.00	66.67		
SF-HIST-MUSCLE	2.00 of 2.00	100.00		
SF-HIST-VASCULAR	3.00 of 4.00	75.00		
SF-PHYS-MUSCLE	2.00 of 2.00	100.00		
SF-RADIOL-ANKLE	0.00 of 1.00	0.00		
SF-RADIOL-ELBOW	1.00 of 1.00	100.00		
SF-RADIOL-FOOT	1.00 of 2.00	50.00		
SF-RADIOL-HAND	2.00 of 2.00	100.00		
SF-RADIOL-HIP	1.00 of 1.00	100.00		
SF-RADIOL-KNEE	2.00 of 2.00	100.00		
SF-RADIOL-SHOULDER	3.00 of 5.00	60.00		
SF-RADIOL-SPINE	2.00 of 3.00	66.67		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATE	8.00 of 9.00	88.89		
INTERPRETATION	73.00 of 86.00	84.88		
PROBLEM SOLVE	22.00 of 26.00	84.62		
RECALL	83.00 of 103.00	80.58		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Block 3 Exam

Grade: P

Score: 74.89% (176.00 of 235.00)

Category 1 (THEME)	Score	%	0	100
FPC	31.00 of 38.00	81.58		
HR	20.00 of 28.00	71.43		
ME	25.00 of 38.00	65.79		
SF	100.00 of 131.00	76.34		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	8.00 of 10.00	80.00		
FPC-DISPARITIES	3.00 of 3.00	100.00		
FPC-PD	19.00 of 23.00	82.61		
FPC-REHAB	1.00 of 2.00	50.00		
HR- EXERCISE	4.00 of 4.00	100.00		
HR-ENDO	10.00 of 14.00	71.43		
HR-GENETICS	2.00 of 2.00	100.00		
HR-IMMUNOLOGY	2.00 of 5.00	40.00		
HR-NEURO	2.00 of 3.00	66.67		
ME-BIOCH	25.00 of 38.00	65.79		
SF-ANAT	9.00 of 9.00	100.00		
SF-EMBRYO	5.00 of 8.00	62.50		
SF-HIST	19.00 of 21.00	90.48		
SF-PHYS	58.00 of 83.00	69.88		
SF-RADIOLOG	9.00 of 10.00	90.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR-ANX	3.00 of 4.00	75.00		
FPC-BEHAVIOR-PTSD	1.00 of 1.00	100.00		
FPC-BEHAVIOR-SMOKING	4.00 of 5.00	80.00		
FPC-DISPARITIES-GEND	3.00 of 3.00	100.00		
FPC-PD-CAROTID	0.00 of 1.00	0.00		
FPC-PD-CV	14.00 of 16.00	87.50		
FPC-PD-JVP	1.00 of 1.00	100.00		
FPC-PD-PULM	4.00 of 5.00	80.00		
FPC-REHAB-CV	1.00 of 2.00	50.00		
HR-ENDO-ADRAAS	5.00 of 7.00	71.43		
HR-ENDO-CV	2.00 of 2.00	100.00		
HR-ENDO-PVINT	1.00 of 1.00	100.00		
HR-ENDO-VECG	1.00 of 1.00	100.00		
HR-ENDO-VSCS	1.00 of 2.00	50.00		
HR-EXERCISE-CV	4.00 of 4.00	100.00		
HR-GENETICS-LQT	2.00 of 2.00	100.00		
HR-IMMUNOLOGY-INTRO	2.00 of 5.00	40.00		
HR-NEURO-PVEN	0.00 of 1.00	0.00		
HR-NEURO-SYMPATHETIC	1.00 of 2.00	50.00		

Wednesday, January 07, 2015 3:00:41 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
HR-NEURO-VECG	1.00 of 1.00	100.00		
ME-BIOCH-CHOL	4.00 of 5.00	80.00		
ME-BIOCH-FAOX	3.00 of 4.00	75.00		
ME-BIOCH-FASYN	3.00 of 8.00	37.50		
ME-BIOCH-FREERADICAL	3.00 of 4.00	75.00		
ME-BIOCH-KETONEBOD	3.00 of 4.00	75.00		
ME-BIOCH-LPP	5.00 of 8.00	62.50		
ME-BIOCH-TAG	4.00 of 5.00	80.00		
SF-ANAT-CV	2.00 of 2.00	100.00		
SF-ANAT-MEDIASTINUM	4.00 of 4.00	100.00		
SF-ANAT-PULM	2.00 of 2.00	100.00		
SF-ANAT-THORAX	1.00 of 1.00	100.00		
SF-EMBRYO-BODYCAVITI	1.00 of 1.00	100.00		
SF-EMBRYO-CV	3.00 of 6.00	50.00		
SF-EMBRYO-LUNG	1.00 of 1.00	100.00		
SF-HIST-BLOOD	7.00 of 8.00	87.50		
SF-HIST-HEART	3.00 of 3.00	100.00		
SF-HIST-LUNG	7.00 of 7.00	100.00		
SF-HIST-LYMPHOID	2.00 of 3.00	66.67		
SF-PHYS-CV	6.00 of 6.00	100.00		
SF-PHYS-ECG	0.00 of 1.00	0.00		
SF-PHYS-HEMOD	2.00 of 3.00	66.67		
SF-PHYS-PMEC	3.00 of 4.00	75.00		
SF-PHYS-PTFR	2.00 of 3.00	66.67		
SF-PHYS-PTPT	3.00 of 4.00	75.00		
SF-PHYS-PULM	8.00 of 10.00	80.00		
SF-PHYS-PVEN	4.00 of 8.00	50.00		
SF-PHYS-PVOL	1.00 of 2.00	50.00		
SF-PHYS-VCBS	8.00 of 9.00	88.89		
SF-PHYS-VECG	10.00 of 14.00	71.43		
SF-PHYS-VHEM	3.00 of 7.00	42.86		
SF-PHYS-VMEC	6.00 of 9.00	66.67		
SF-PHYS-VSCS	2.00 of 3.00	66.67		
SF-RADIOL-CV	5.00 of 5.00	100.00		
SF-RADIOL-THORAX	4.00 of 5.00	80.00		

Category 5	Score	%	0	100
EVALUATION	11.00 of 17.00	64.71		
INTERPRETATION	91.00 of 108.00	84.26		
PROBLEM SOLVE	16.00 of 25.00	64.00		
RECALL	58.00 of 85.00	68.24		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

Test: Block 3 Exam

Grade: P

Score: 80.85% (190.00 of 235.00)

Category 1 (THEME)	Score	%	0	100
FPC	28.00 of 38.00	73.68		
HR	23.00 of 28.00	82.14		
ME	25.00 of 38.00	65.79		
SF	114.00 of 131.00	87.02		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	7.00 of 10.00	70.00		
FPC-DISPARITIES	3.00 of 3.00	100.00		
FPC-PD	16.00 of 23.00	69.57		
FPC-REHAB	2.00 of 2.00	100.00		
HR- EXERCISE	4.00 of 4.00	100.00		
HR-ENDO	10.00 of 14.00	71.43		
HR-GENETICS	2.00 of 2.00	100.00		
HR-IMMUNOLOGY	5.00 of 5.00	100.00		
HR-NEURO	2.00 of 3.00	66.67		
ME-BIOCH	25.00 of 38.00	65.79		
SF-ANAT	9.00 of 9.00	100.00		
SF-EMBRYO	6.00 of 8.00	75.00		
SF-HIST	18.00 of 21.00	85.71		
SF-PHYS	72.00 of 83.00	86.75		
SF-RADIOLOG	9.00 of 10.00	90.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR-ANX	2.00 of 4.00	50.00		
FPC-BEHAVIOR-PTSD	1.00 of 1.00	100.00		
FPC-BEHAVIOR-SMOKING	4.00 of 5.00	80.00		
FPC-DISPARITIES-GEND	3.00 of 3.00	100.00		
FPC-PD-CAROTID	0.00 of 1.00	0.00		
FPC-PD-CV	13.00 of 16.00	81.25		
FPC-PD-JVP	1.00 of 1.00	100.00		
FPC-PD-PULM	2.00 of 5.00	40.00		
FPC-REHAB-CV	2.00 of 2.00	100.00		
HR-ENDO-ADRAAS	4.00 of 7.00	57.14		
HR-ENDO-CV	2.00 of 2.00	100.00		
HR-ENDO-PVINT	0.00 of 1.00	0.00		
HR-ENDO-VECG	1.00 of 1.00	100.00		
HR-ENDO-VSCS	2.00 of 2.00	100.00		
HR-EXERCISE-CV	4.00 of 4.00	100.00		
HR-GENETICS-LQT	2.00 of 2.00	100.00		
HR-IMMUNOLOGY-INTRO	5.00 of 5.00	100.00		
HR-NEURO-PVEN	1.00 of 1.00	100.00		
HR-NEURO-SYMPATHETIC	1.00 of 2.00	50.00		

Wednesday, January 07, 2015 3:00:41 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
HR-NEURO-VECG	1.00 of 1.00	100.00		
ME-BIOCH-CHOL	2.00 of 5.00	40.00		
ME-BIOCH-FAOX	3.00 of 4.00	75.00		
ME-BIOCH-FASYN	4.00 of 8.00	50.00		
ME-BIOCH-FREERADICAL	3.00 of 4.00	75.00		
ME-BIOCH-KETONEBOD	4.00 of 4.00	100.00		
ME-BIOCH-LPP	6.00 of 8.00	75.00		
ME-BIOCH-TAG	3.00 of 5.00	60.00		
SF-ANAT-CV	2.00 of 2.00	100.00		
SF-ANAT-MEDIASTINUM	4.00 of 4.00	100.00		
SF-ANAT-PULM	2.00 of 2.00	100.00		
SF-ANAT-THORAX	1.00 of 1.00	100.00		
SF-EMBRYO-BODYCAVITI	1.00 of 1.00	100.00		
SF-EMBRYO-CV	4.00 of 6.00	66.67		
SF-EMBRYO-LUNG	1.00 of 1.00	100.00		
SF-HIST-BLOOD	8.00 of 8.00	100.00		
SF-HIST-HEART	3.00 of 3.00	100.00		
SF-HIST-LUNG	5.00 of 7.00	71.43		
SF-HIST-LYMPHOID	2.00 of 3.00	66.67		
SF-PHYS-CV	5.00 of 6.00	83.33		
SF-PHYS-ECG	1.00 of 1.00	100.00		
SF-PHYS-HEMOD	3.00 of 3.00	100.00		
SF-PHYS-PMEC	4.00 of 4.00	100.00		
SF-PHYS-PTFR	2.00 of 3.00	66.67		
SF-PHYS-PTPT	3.00 of 4.00	75.00		
SF-PHYS-PULM	10.00 of 10.00	100.00		
SF-PHYS-PVEN	8.00 of 8.00	100.00		
SF-PHYS-PVOL	2.00 of 2.00	100.00		
SF-PHYS-VCBS	7.00 of 9.00	77.78		
SF-PHYS-VECG	12.00 of 14.00	85.71		
SF-PHYS-VHEM	5.00 of 7.00	71.43		
SF-PHYS-VMEC	7.00 of 9.00	77.78		
SF-PHYS-VSCS	3.00 of 3.00	100.00		
SF-RADIOL-CV	5.00 of 5.00	100.00		
SF-RADIOL-THORAX	4.00 of 5.00	80.00		

Category 5	Score	%	0	100
EVALUATION	13.00 of 17.00	76.47		
INTERPRETATION	91.00 of 108.00	84.26		
PROBLEM SOLVE	22.00 of 25.00	88.00		
RECALL	64.00 of 85.00	75.29		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Block 4 Total Exam 2015

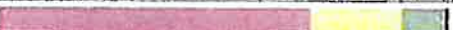
Grade: P

Score: 87.30% (213.00 of 244.00)

Objective	Score	%	0	100
RENAL/GI	213.00 of 244.00	87.30		

Category 1 (THEME)	Score	%	0	100
FPC	29.00 of 30.00	96.67		
HR	62.00 of 72.00	86.11		
ME	50.00 of 58.00	86.21		
SF	72.00 of 84.00	85.71		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	17.00 of 17.00	100.00		
FPC-CULTCOMP	1.00 of 1.00	100.00		
FPC-DISP	2.00 of 2.00	100.00		
FPC-PATIENTCARE	2.00 of 2.00	100.00		
FPC-PD	7.00 of 8.00	87.50		
HR-ENDO	5.00 of 8.00	62.50		
HR-GENETICS	3.00 of 5.00	60.00		
HR-PHYS	53.00 of 58.00	91.38		
ME-BIOCH	40.00 of 46.00	86.96		
ME-NUTRI	11.00 of 13.00	84.62		
SF-ANAT	29.00 of 34.00	85.29		
SF-EMBRYO	5.00 of 7.00	71.43		
SF-HIST	27.00 of 30.00	90.00		
SF-PHYS	1.00 of 3.00	33.33		
SF-RADIOL	10.00 of 10.00	100.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR-INTERPR	3.00 of 3.00	100.00		
FPC-BEHAVIOR-STRESS	6.00 of 6.00	100.00		
FPC-BEHAVIOR-SUBSTAB	8.00 of 8.00	100.00		
FPC-CULTCOMP-DIVERS	1.00 of 1.00	100.00		
FPC-DISP-PUBHEALTH	2.00 of 2.00	100.00		
FPC-PATIENTCARE-PERS	2.00 of 2.00	100.00		
FPC-PD-ABDEXAM	7.00 of 8.00	87.50		
HR-ENDO-ADRENAL	1.00 of 3.00	33.33		
HR-ENDO-INSULIN	1.00 of 2.00	50.00		
HR-ENDO-MOTILITY	1.00 of 1.00	100.00		
HR-ENDO-PIT	2.00 of 2.00	100.00		
HR-GENETICS-FE	1.00 of 1.00	100.00		
HR-GENETICS-GTHERAPY	1.00 of 2.00	50.00		
HR-GENETICS-LYSOSDIS	1.00 of 1.00	100.00		
HR-GENETICS-RENAL	0.00 of 1.00	0.00		

Saturday, February 14, 2015 1:59:32 PM

1

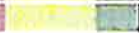
INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
HR-PHYS-ACIDBASE	7.00 of 7.00	100.00		
HR-PHYS-FLUIDBAL	9.00 of 9.00	100.00		
HR-PHYS-GIFUNCTION	21.00 of 23.00	91.30		
HR-PHYS-IRON	1.00 of 1.00	100.00		
HR-PHYS-RENAL	15.00 of 18.00	83.33		
ME-BIOCH-AACAT	3.00 of 5.00	60.00		
ME-BIOCH-AAUT	3.00 of 3.00	100.00		
ME-BIOCH-CAT	1.00 of 1.00	100.00		
ME-BIOCH-ETOH	7.00 of 8.00	87.50		
ME-BIOCH-GYCOGEN	5.00 of 7.00	71.43		
ME-BIOCH-HMP	6.00 of 7.00	85.71		
ME-BIOCH-NUCLEO MET	10.00 of 10.00	100.00		
ME-BIOCH-PROTDEG	2.00 of 2.00	100.00		
ME-BIOCH-UREA	3.00 of 3.00	100.00		
ME-NUTRI-ABSORPTION	2.00 of 2.00	100.00		
ME-NUTRI-AC	1.00 of 1.00	100.00		
ME-NUTRI-CN	1.00 of 2.00	50.00		
ME-NUTRI-HE	2.00 of 2.00	100.00		
ME-NUTRI-NA	4.00 of 5.00	80.00		
ME-NUTRI-NS	1.00 of 1.00	100.00		
SF-ANAT-ABD	1.00 of 1.00	100.00		
SF-ANAT-ADRENAL	2.00 of 2.00	100.00		
SF-ANAT-ANTABWALL	2.00 of 2.00	100.00		
SF-ANAT-AUTONOMIC	0.00 of 1.00	0.00		
SF-ANAT-INGUINAL	1.00 of 1.00	100.00		
SF-ANAT-KIDNEY	1.00 of 2.00	50.00		
SF-ANAT-LGINTEST	6.00 of 6.00	100.00		
SF-ANAT-LYMPHATICS	1.00 of 1.00	100.00		
SF-ANAT-PERITONEUM	1.00 of 1.00	100.00		
SF-ANAT-PORTALCAVAL	2.00 of 2.00	100.00		
SF-ANAT-POSTABDWALL	3.00 of 3.00	100.00		
SF-ANAT-REFERPAIN	2.00 of 3.00	66.67		
SF-ANAT-RELATIONSHIP	4.00 of 6.00	66.67		
SF-ANAT-VASCULATURE	3.00 of 4.00	75.00		
SF-EMBRYO-GI	3.00 of 4.00	75.00		
SF-EMBRYO-KIDNEY	2.00 of 3.00	66.67		
SF-HIST-ADRENAL	1.00 of 2.00	50.00		
SF-HIST-BLADDER	1.00 of 1.00	100.00		
SF-HIST-COLON	2.00 of 2.00	100.00		
SF-HIST-DNES	1.00 of 1.00	100.00		
SF-HIST-ESOPH	1.00 of 1.00	100.00		
SF-HIST-EXOCRINE	2.00 of 2.00	100.00		
SF-HIST-KIDNEY	7.00 of 8.00	87.50		
SF-HIST-LIVER	3.00 of 3.00	100.00		
SF-HIST-LYMPHOID	3.00 of 3.00	100.00		
SF-HIST-SMINTEST	3.00 of 3.00	100.00		
SF-HIST-STOMACH	2.00 of 2.00	100.00		
SF-HIST-URETER	1.00 of 1.00	100.00		
SF-PHYS-LIVER	1.00 of 3.00	33.33		

Saturday, February 14, 2015 1:59:32 PM

2

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
SF-RADIOL-ABDVISCERA	4.00 of 4.00	100.00		
SF-RADIOL-BILIARY	1.00 of 1.00	100.00		
SF-RADIOL-GIVASC	5.00 of 5.00	100.00		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATE	7.00 of 8.00	87.50		
INTERPRETATION	103.00 of 114.00	90.35		
PROBLEM SOLVE	6.00 of 7.00	85.71		
RECALL	97.00 of 115.00	84.35		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Test: Block 4 Total Exam 2015

Grade: P

Score: 86.48% (211.00 of 244.00)

Objective	Score	%	0	100
RENAL/GI	211.00 of 244.00	86.48		

Category 1 (THEME)	Score	%	0	100
FPC	30.00 of 30.00	100.00		
HR	61.00 of 72.00	84.72		
ME	50.00 of 58.00	86.21		
SF	70.00 of 84.00	83.33		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAVIOR	17.00 of 17.00	100.00		
FPC-CULTCOMP	1.00 of 1.00	100.00		
FPC-DISP	2.00 of 2.00	100.00		
FPC-PATIENTCARE	2.00 of 2.00	100.00		
FPC-PD	8.00 of 8.00	100.00		
HR-ENDO	6.00 of 8.00	75.00		
HR-GENETICS	4.00 of 5.00	80.00		
HR-PHYS	50.00 of 58.00	86.21		
ME-BIOCH	40.00 of 46.00	86.96		
ME-NUTRI	11.00 of 13.00	84.62		
SF-ANAT	27.00 of 34.00	79.41		
SF-EMBRYO	5.00 of 7.00	71.43		
SF-HIST	27.00 of 30.00	90.00		
SF-PHYS	1.00 of 3.00	33.33		
SF-RADIOL	10.00 of 10.00	100.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAVIOR-INTERPR	3.00 of 3.00	100.00		
FPC-BEHAVIOR-STRESS	6.00 of 6.00	100.00		
FPC-BEHAVIOR-SUBTAB	8.00 of 8.00	100.00		
FPC-CULTCOMP-DIVERS	1.00 of 1.00	100.00		
FPC-DISP-PUBHEALTH	2.00 of 2.00	100.00		
FPC-PATIENTCARE-PERS	2.00 of 2.00	100.00		
FPC-PD-ABDEXAM	8.00 of 8.00	100.00		
HR-ENDO-ADRENAL	2.00 of 3.00	66.67		
HR-ENDO-INSULIN	1.00 of 2.00	50.00		
HR-ENDO-MOTILITY	1.00 of 1.00	100.00		
HR-ENDO-PIT	2.00 of 2.00	100.00		
HR-GENETICS-FE	1.00 of 1.00	100.00		
HR-GENETICS-GTHERAPY	2.00 of 2.00	100.00		
HR-GENETICS-LYSOSDIS	1.00 of 1.00	100.00		
HR-GENETICS-RENAL	0.00 of 1.00	0.00		

Saturday, February 14, 2015 1:59:32 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
HR-PHYS-ACIDBASE	7.00 of 7.00	100.00		
HR-PHYS-FLUIDBAL	9.00 of 9.00	100.00		
HR-PHYS-GIFUNCTION	19.00 of 23.00	82.61		
HR-PHYS-IRON	1.00 of 1.00	100.00		
HR-PHYS-RENAL	14.00 of 18.00	77.78		
ME-BIOCH-AACAT	4.00 of 5.00	80.00		
ME-BIOCH-AAUT	3.00 of 3.00	100.00		
ME-BIOCH-CAT	1.00 of 1.00	100.00		
ME-BIOCH-ETOH	7.00 of 8.00	87.50		
ME-BIOCH-GYCOGEN	4.00 of 7.00	57.14		
ME-BIOCH-HMP	6.00 of 7.00	85.71		
ME-BIOCH-NUCLEO MET	10.00 of 10.00	100.00		
ME-BIOCH-PROTDEG	2.00 of 2.00	100.00		
ME-BIOCH-UREA	3.00 of 3.00	100.00		
ME-NUTRI-ABSORPTION	1.00 of 2.00	50.00		
ME-NUTRI-AC	1.00 of 1.00	100.00		
ME-NUTRI-CN	2.00 of 2.00	100.00		
ME-NUTRI-HE	2.00 of 2.00	100.00		
ME-NUTRI-NA	4.00 of 5.00	80.00		
ME-NUTRI-NS	1.00 of 1.00	100.00		
SF-ANAT-ABD	1.00 of 1.00	100.00		
SF-ANAT-ADRENAL	2.00 of 2.00	100.00		
SF-ANAT-ANTABWALL	1.00 of 2.00	50.00		
SF-ANAT-AUTONOMIC	0.00 of 1.00	0.00		
SF-ANAT-INGUINAL	1.00 of 1.00	100.00		
SF-ANAT-KIDNEY	1.00 of 2.00	50.00		
SF-ANAT-LGINTEST	5.00 of 6.00	83.33		
SF-ANAT-LYMPHATICS	1.00 of 1.00	100.00		
SF-ANAT-PERITONEUM	1.00 of 1.00	100.00		
SF-ANAT-PORTALCAVAL	2.00 of 2.00	100.00		
SF-ANAT-POSTABDWALL	3.00 of 3.00	100.00		
SF-ANAT-REFERPAIN	2.00 of 3.00	66.67		
SF-ANAT-RELATIONSHIP	4.00 of 6.00	66.67		
SF-ANAT-VASCULATURE	3.00 of 4.00	75.00		
SF-EMBRYO-GI	2.00 of 4.00	50.00		
SF-EMBRYO-KIDNEY	3.00 of 3.00	100.00		
SF-HIST-ADRENAL	1.00 of 2.00	50.00		
SF-HIST-BLADDER	1.00 of 1.00	100.00		
SF-HIST-COLON	2.00 of 2.00	100.00		
SF-HIST-DNES	1.00 of 1.00	100.00		
SF-HIST-ESOPH	1.00 of 1.00	100.00		
SF-HIST-EXOCRINE	2.00 of 2.00	100.00		
SF-HIST-KIDNEY	8.00 of 8.00	100.00		
SF-HIST-LIVER	3.00 of 3.00	100.00		
SF-HIST-LYMPHOID	3.00 of 3.00	100.00		
SF-HIST-SMINTEST	2.00 of 3.00	66.67		
SF-HIST-STOMACH	2.00 of 2.00	100.00		
SF-HIST-URETER	1.00 of 1.00	100.00		
SF-PHYS-LIVER	1.00 of 3.00	33.33		

Saturday, February 14, 2015 1:59:32 PM

2

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
SF-RADIOL-ABDVISCERA	4.00 of 4.00	100.00		
SF-RADIOL-BILIARY	1.00 of 1.00	100.00		
SF-RADIOL-GIVASC	5.00 of 5.00	100.00		

Category 5 (QUESTION TYPE)	Score	%	0	100
EVALUATE	8.00 of 8.00	100.00		
INTERPRETATION	98.00 of 114.00	85.96		
PROBLEM SOLVE	7.00 of 7.00	100.00		
RECALL	98.00 of 115.00	85.22		

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

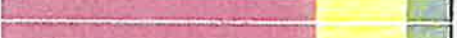
Test: Block 5 Exam 2015

Grade: P

Score: 89.87% (142.00 of 158.00)

Objective	Score	%	0	100
UG/REPRO	142.00 of 158.00	89.87		

Category 1 (THEME)	Score	%	0	100
FPC	35.00 of 37.00	94.59		
HR	35.00 of 41.00	85.37		
ME	26.00 of 26.00	100.00		
SF	46.00 of 54.00	85.19		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAV	5.00 of 5.00	100.00		
FPC-DEV	9.00 of 9.00	100.00		
FPC-GLOBAL	4.00 of 4.00	100.00		
FPC-INT	1.00 of 1.00	100.00		
FPC-PD	14.00 of 16.00	87.50		
FPC-POP	2.00 of 2.00	100.00		
HR-ENDO	23.00 of 27.00	85.19		
HR-GENETICS	8.00 of 9.00	88.89		
HR-PHYS	3.00 of 4.00	75.00		
ME-BIOCH	12.00 of 12.00	100.00		
ME-NUTRI	14.00 of 14.00	100.00		
SF-ANAT	15.00 of 16.00	93.75		
SF-EMBRYO	3.00 of 6.00	50.00		
SF-HIST	18.00 of 20.00	90.00		
SF-PHYS	2.00 of 4.00	50.00		
SF-RADIOLOG	8.00 of 8.00	100.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAV-SEX	6.00 of 6.00	100.00		
FPC-DEV-CHILD	8.00 of 8.00	100.00		
FPC-GLOBAL-DISEASE	2.00 of 2.00	100.00		
FPC-GLOBAL-NUTRITION	2.00 of 2.00	100.00		
FPC-INT-SEX	1.00 of 1.00	100.00		
FPC-PD-BREAST	3.00 of 4.00	75.00		
FPC-PD-NEWBORNE EXAM	4.00 of 4.00	100.00		
FPC-PD-PELVIC	5.00 of 5.00	100.00		
FPC-PD-PREG	1.00 of 2.00	50.00		
FPC-PD-PREGPATIENT	1.00 of 1.00	100.00		
FPC-POP-HEALTH	2.00 of 2.00	100.00		
HR-ENDO-FREPROD	14.00 of 15.00	93.33		
HR-ENDO-GH	0.00 of 3.00	0.00		
HR-ENDO-MREPROD	7.00 of 7.00	100.00		

Monday, March 16, 2015 4:19:34 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
HR-ENDO-STEROIDS	2.00 of 2.00	100.00		
HR-GENETICS-CHRABNOR	3.00 of 3.00	100.00		
HR-GENETICS-FRAGILEX	2.00 of 2.00	100.00		
HR-GENETICS-MEIOSIS	3.00 of 4.00	75.00		
HR-PHYS-BLADDER	2.00 of 3.00	66.67		
HR-PHYS-PREG	1.00 of 1.00	100.00		
ME-BIOCH-FOLATE	3.00 of 3.00	100.00		
ME-BIOCH-MANUSCRIPT	5.00 of 5.00	100.00		
ME-BIOCH-PORPHYRIN	4.00 of 4.00	100.00		
ME-NUTRI-ABNORM	2.00 of 2.00	100.00		
ME-NUTRI-BRFEED	6.00 of 6.00	100.00		
ME-NUTRI-CHILD	3.00 of 3.00	100.00		
ME-NUTRI-GRFACTORS	3.00 of 3.00	100.00		
SF-ANAT-FEMALEPELVIS	8.00 of 8.00	100.00		
SF-ANAT-MALEPELVIS	5.00 of 5.00	100.00		
SF-ANAT-PERINEUM	2.00 of 3.00	66.67		
SF-EMBRYO-BREAST	0.00 of 1.00	0.00		
SF-EMBRYO-REPROD	3.00 of 5.00	60.00		
SF-HIST-BREAST	2.00 of 2.00	100.00		
SF-HIST-CERVIX	1.00 of 1.00	100.00		
SF-HIST-FEMALEREPROD	4.00 of 5.00	80.00		
SF-HIST-FREPROD	1.00 of 1.00	100.00		
SF-HIST-MALEREPROD	5.00 of 6.00	83.33		
SF-HIST-OVARY	1.00 of 1.00	100.00		
SF-HIST-PITUITARY	2.00 of 2.00	100.00		
SF-HIST-PLACENTA	1.00 of 1.00	100.00		
SF-HIST-TESTIS	1.00 of 1.00	100.00		
SF-PHYS-FETALBLOOD	0.00 of 1.00	0.00		
SF-PHYS-PLACENTA	2.00 of 3.00	66.67		
SF-RADIOL-BREAST	1.00 of 1.00	100.00		
SF-RADIOL-PELVIS	7.00 of 7.00	100.00		

Category 5	Score	%	0	100
EVALUATION	7.00 of 7.00	100.00		
INTERPRETATION	77.00 of 84.00	91.67		
PROBLEM SOLVE	3.00 of 4.00	75.00		
RECALL	55.00 of 63.00	87.30		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Test: Block 5 Exam 2015

Grade: P

Score: 89.87% (142.00 of 158.00)

Objective	Score	%	0	100
UG/REPRO	142.00 of 158.00	89.87		

Category 1 (THEME)	Score	%	0	100
FPC	36.00 of 37.00	97.30		
HR	34.00 of 41.00	82.93		
ME	25.00 of 26.00	96.15		
SF	47.00 of 54.00	87.04		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAV	5.00 of 5.00	100.00		
FPC-DEV	9.00 of 9.00	100.00		
FPC-GLOBAL	4.00 of 4.00	100.00		
FPC-INT	1.00 of 1.00	100.00		
FPC-PD	15.00 of 16.00	93.75		
FPC-POP	2.00 of 2.00	100.00		
HR-ENDO	22.00 of 27.00	81.48		
HR-GENETICS	8.00 of 9.00	88.89		
HR-PHYS	3.00 of 4.00	75.00		
ME-BIOCH	12.00 of 12.00	100.00		
ME-NUTRI	13.00 of 14.00	92.86		
SF-ANAT	16.00 of 16.00	100.00		
SF-EMBRYO	3.00 of 6.00	50.00		
SF-HIST	17.00 of 20.00	85.00		
SF-PHYS	3.00 of 4.00	75.00		
SF-RADIOL	8.00 of 8.00	100.00		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAV-SEX	6.00 of 6.00	100.00		
FPC-DEV-CHILD	8.00 of 8.00	100.00		
FPC-GLOBAL-DISEASE	2.00 of 2.00	100.00		
FPC-GLOBAL-NUTRITION	2.00 of 2.00	100.00		
FPC-INT-SEX	1.00 of 1.00	100.00		
FPC-PD-BREAST	3.00 of 4.00	75.00		
FPC-PD-NEWBORNEXAM	4.00 of 4.00	100.00		
FPC-PD-PELVIC	5.00 of 5.00	100.00		
FPC-PD-PREG	2.00 of 2.00	100.00		
FPC-PD-PREGPATIENT	1.00 of 1.00	100.00		
FPC-POP-HEALTH	2.00 of 2.00	100.00		
HR-ENDO-FREPROD	14.00 of 15.00	93.33		
HR-ENDO-GH	0.00 of 3.00	0.00		
HR-ENDO-MREPROD	6.00 of 7.00	85.71		

Monday, March 16, 2015 4:19:34 PM

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
HR-ENDO-STEROIDS	2.00 of 2.00	100.00		
HR-GENETICS-CHRABNOR	3.00 of 3.00	100.00		
HR-GENETICS-FRAGILEX	2.00 of 2.00	100.00		
HR-GENETICS-MEIOSIS	3.00 of 4.00	75.00		
HR-PHYS-BLADDER	2.00 of 3.00	66.67		
HR-PHYS-PREG	1.00 of 1.00	100.00		
ME-BIOCH-FOLATE	3.00 of 3.00	100.00		
ME-BIOCH-MANUSCRIPT	5.00 of 5.00	100.00		
ME-BIOCH-PORPHYRIN	4.00 of 4.00	100.00		
ME-NUTRI-ABNORM	1.00 of 2.00	50.00		
ME-NUTRI-BRFEED	6.00 of 6.00	100.00		
ME-NUTRI-CHILD	3.00 of 3.00	100.00		
ME-NUTRI-GRFACTORS	3.00 of 3.00	100.00		
SF-ANAT-FEMALEPELVIS	8.00 of 8.00	100.00		
SF-ANAT-MALEPELVIS	5.00 of 5.00	100.00		
SF-ANAT-PERINEUM	3.00 of 3.00	100.00		
SF-EMBRYO-BREAST	0.00 of 1.00	0.00		
SF-EMBRYO-REPROD	3.00 of 5.00	60.00		
SF-HIST-BREAST	2.00 of 2.00	100.00		
SF-HIST-CERVIX	1.00 of 1.00	100.00		
SF-HIST-FEMALEREPROD	3.00 of 5.00	60.00		
SF-HIST-FREPROD	1.00 of 1.00	100.00		
SF-HIST-MALEREPROD	5.00 of 6.00	83.33		
SF-HIST-OVARY	1.00 of 1.00	100.00		
SF-HIST-PITUITARY	2.00 of 2.00	100.00		
SF-HIST-PLACENTA	1.00 of 1.00	100.00		
SF-HIST-TESTIS	1.00 of 1.00	100.00		
SF-PHYS-FETALBLOOD	1.00 of 1.00	100.00		
SF-PHYS-PLACENTA	2.00 of 3.00	66.67		
SF-RADIOL-BREAST	1.00 of 1.00	100.00		
SF-RADIOL-PELVIS	7.00 of 7.00	100.00		

Category 5	Score	%	0	100
EVALUATION	7.00 of 7.00	100.00		
INTERPRETATION	78.00 of 84.00	92.86		
PROBLEM SOLVE	4.00 of 4.00	100.00		
RECALL	53.00 of 63.00	84.13		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Block 6 Exam 2015

Grade: P

Score: 85.25% (185.00 of 217.00)

Objective	Score	%	0	100
CC BLOCK 6	185.00 of 217.00	85.25		

Category 1 (THEME)	Score	%	0	100
FPC	33.00 of 38.00	86.84		
HR	88.00 of 101.00	87.13		
ME	9.00 of 9.00	100.00		
SF	55.00 of 69.00	79.71		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAV	17.00 of 21.00	80.95		
FPC-MSE	5.00 of 6.00	83.33		
FPC-OCCMED	2.00 of 2.00	100.00		
FPC-PD	9.00 of 9.00	100.00		
HR-ENDO	5.00 of 6.00	83.33		
HR-NEURO	83.00 of 95.00	87.37		
ME-BIOCH	6.00 of 6.00	100.00		
ME-NUTRITION	3.00 of 3.00	100.00		
SF-ANAT	31.00 of 43.00	72.09		
SF-EMBRYO	6.00 of 7.00	85.71		
SF-HIST	8.00 of 8.00	100.00		
SF-RADIOLOG	10.00 of 11.00	90.91		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAV-ADOL	6.00 of 6.00	100.00		
FPC-BEHAV-DEPR	1.00 of 3.00	33.33		
FPC-BEHAV-DOMVIOL	2.00 of 2.00	100.00		
FPC-BEHAV-GRIEF	1.00 of 2.00	50.00		
FPC-BEHAV-LGBTHEALTH	4.00 of 5.00	80.00		
FPC-BEHAV-MALTX	3.00 of 3.00	100.00		
FPC-MND-MENTSTAT	2.00 of 2.00	100.00		
FPC-MSE-MENTSTAT	3.00 of 4.00	75.00		
FPC-OCCMED-STROKE	2.00 of 2.00	100.00		
FPC-PD-AUDITORY	1.00 of 1.00	100.00		
FPC-PD-FACIAL	2.00 of 2.00	100.00		
FPC-PD-OPHTH	5.00 of 5.00	100.00		
FPC-PD-OROPH	1.00 of 1.00	100.00		
HR-ENDO-PITUIT	2.00 of 2.00	100.00		
HR-ENDO-THYROID	3.00 of 4.00	75.00		
HR-NEURO-ADDICTION	2.00 of 2.00	100.00		
HR-NEURO-APHASIA	1.00 of 1.00	100.00		
HR-NEURO-AUDITORY	4.00 of 5.00	80.00		

Thursday, May 14, 2015 11:19:01 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

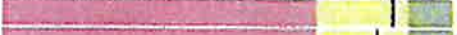
Category 3 (TOPIC)	Score	%	0	100
HR-NEURO-AXONGUIDANC	1.00 of 2.00	50.00		
HR-NEURO-BASALGANG	7.00 of 7.00	100.00		
HR-NEURO-BEHAVIOR	1.00 of 1.00	100.00		
HR-NEURO-BRAINSTEM	1.00 of 1.00	100.00		
HR-NEURO-CEREBELLUM	2.00 of 2.00	100.00		
HR-NEURO-CEREBRUM	4.00 of 4.00	100.00		
HR-NEURO-CORTASSOC	2.00 of 2.00	100.00		
HR-NEURO-EMOTION	1.00 of 1.00	100.00		
HR-NEURO-FUNCTIMAGE	1.00 of 1.00	100.00		
HR-NEURO-GAIT	1.00 of 1.00	100.00		
HR-NEURO-GAZE	2.00 of 2.00	100.00		
HR-NEURO-HYPOTHPIT	3.00 of 3.00	100.00		
HR-NEURO-MEMDISORDER	3.00 of 3.00	100.00		
HR-NEURO-MEMLEARN	3.00 of 3.00	100.00		
HR-NEURO-MOTIVATION	1.00 of 1.00	100.00		
HR-NEURO-NEUROTRAN	3.00 of 3.00	100.00		
HR-NEURO-OLFACTORY	1.00 of 3.00	33.33		
HR-NEURO-PAIN	1.00 of 1.00	100.00		
HR-NEURO-PASS	13.00 of 15.00	86.67		
HR-NEURO-SENMOTOR	1.00 of 1.00	100.00		
HR-NEURO-SEXDIMORPH	0.00 of 2.00	0.00		
HR-NEURO-SLEEP	4.00 of 4.00	100.00		
HR-NEURO-SOMATOSENSO	2.00 of 2.00	100.00		
HR-NEURO-STROKE	4.00 of 6.00	66.67		
HR-NEURO-SUBCMOTOR	2.00 of 2.00	100.00		
HR-NEURO-TASTE	4.00 of 4.00	100.00		
HR-NEURO-VESTIB	3.00 of 3.00	100.00		
HR-NEURO-VISION	4.00 of 6.00	66.67		
HR-NEURO-VOLMOTOR	1.00 of 1.00	100.00		
ME-BIOCH-LIPIDS	3.00 of 3.00	100.00		
ME-BIOCH-ROS	3.00 of 3.00	100.00		
ME-NUTRITION-NCF	3.00 of 3.00	100.00		
SF-ANAT-ANS	3.00 of 4.00	75.00		
SF-ANAT-CN	3.00 of 3.00	100.00		
SF-ANAT-DURA	2.00 of 3.00	66.67		
SF-ANAT-FACE	4.00 of 5.00	80.00		
SF-ANAT-LARYNX	3.00 of 4.00	75.00		
SF-ANAT-NASAL	3.00 of 4.00	75.00		
SF-ANAT-NECK	1.00 of 3.00	33.33		
SF-ANAT-ORAL	2.00 of 4.00	50.00		
SF-ANAT-ORBIT	2.00 of 3.00	66.67		
SF-ANAT-PHARYNX	4.00 of 5.00	80.00		
SF-ANAT-SKULL	2.00 of 2.00	100.00		
SF-ANAT-TEMP/INFRATE	2.00 of 3.00	66.67		
SF-EMBRYO-HN	6.00 of 7.00	85.71		
SF-HIST-ENDOCRINE	4.00 of 4.00	100.00		
SF-HIST-LYMPHORET	2.00 of 2.00	100.00		
SF-HIST-OLFACTION	1.00 of 1.00	100.00		
SF-HIST-OROPHARYNX	1.00 of 1.00	100.00		

Thursday, May 14, 2015 11:19:01 AM

2

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (TOPIC)	Score	%	0	100
SF-RADIOL-HN	10.00 of 11.00	90.91		

Category 5	Score	%	0	100
EVALUATE	6.00 of 7.00	85.71		
INTERPRETATION	91.00 of 105.00	86.67		
PROBLEM SOLVE	5.00 of 6.00	83.33		
RECALL	83.00 of 99.00	83.84		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

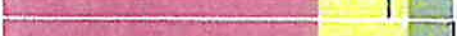
Test: Block 6 Exam 2015

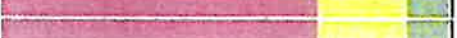
Grade: P

Score: 86.18% (187.00 of 217.00)

Objective	Score	%	0	100
CC BLOCK 6	187.00 of 217.00	86.18		

Category 1 (THEME)	Score	%	0	100
FPC	35.00 of 38.00	92.11		
HR	88.00 of 101.00	87.13		
ME	9.00 of 9.00	100.00		
SF	55.00 of 69.00	79.71		

Category 2 (DISCIPLINE)	Score	%	0	100
FPC-BEHAV	18.00 of 21.00	85.71		
FPC-MSE	6.00 of 6.00	100.00		
FPC-OCCMED	2.00 of 2.00	100.00		
FPC-PD	9.00 of 9.00	100.00		
HR-ENDO	5.00 of 6.00	83.33		
HR-NEURO	83.00 of 95.00	87.37		
ME-BIOCH	6.00 of 6.00	100.00		
ME-NUTRITION	3.00 of 3.00	100.00		
SF-ANAT	31.00 of 43.00	72.09		
SF-EMBRYO	6.00 of 7.00	85.71		
SF-HIST	8.00 of 8.00	100.00		
SF-RADIOL	10.00 of 11.00	90.91		

Category 3 (TOPIC)	Score	%	0	100
FPC-BEHAV-ADOL	6.00 of 6.00	100.00		
FPC-BEHAV-DEPR	1.00 of 3.00	33.33		
FPC-BEHAV-DOMVIOL	2.00 of 2.00	100.00		
FPC-BEHAV-GRIEF	2.00 of 2.00	100.00		
FPC-BEHAV-LGBTHEALTH	4.00 of 5.00	80.00		
FPC-BEHAV-MALTX	3.00 of 3.00	100.00		
FPC-MND-MENTSTAT	2.00 of 2.00	100.00		
FPC-MSE-MENTSTAT	4.00 of 4.00	100.00		
FPC-OCCMED-STROKE	2.00 of 2.00	100.00		
FPC-PD-AUDITORY	1.00 of 1.00	100.00		
FPC-PD-FACIAL	2.00 of 2.00	100.00		
FPC-PD-OPHTH	5.00 of 5.00	100.00		
FPC-PD-OROPH	1.00 of 1.00	100.00		
HR-ENDO-PITUIT	2.00 of 2.00	100.00		
HR-ENDO-THYROID	3.00 of 4.00	75.00		
HR-NEURO-ADDICTION	2.00 of 2.00	100.00		
HR-NEURO-APHASIA	1.00 of 1.00	100.00		
HR-NEURO-AUDITORY	5.00 of 5.00	100.00		

Thursday, May 14, 2015 11:19:01 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
HR-NEURO-AXONGUIDANC	1.00 of 2.00	50.00		
HR-NEURO-BASALGANG	7.00 of 7.00	100.00		
HR-NEURO-BEHAVIOR	1.00 of 1.00	100.00		
HR-NEURO-BRAINSTEM	1.00 of 1.00	100.00		
HR-NEURO-CEREBELLUM	2.00 of 2.00	100.00		
HR-NEURO-CEREBRUM	4.00 of 4.00	100.00		
HR-NEURO-CORTASSOC	2.00 of 2.00	100.00		
HR-NEURO-EMOTION	1.00 of 1.00	100.00		
HR-NEURO-FUNCTIMAGE	1.00 of 1.00	100.00		
HR-NEURO-GAIT	1.00 of 1.00	100.00		
HR-NEURO-GAZE	1.00 of 2.00	50.00		
HR-NEURO-HYPOTHPIT	3.00 of 3.00	100.00		
HR-NEURO-MEMDISORDER	3.00 of 3.00	100.00		
HR-NEURO-MEMLEARN	2.00 of 3.00	66.67		
HR-NEURO-MOTIVATION	1.00 of 1.00	100.00		
HR-NEURO-NEUROTRAN	3.00 of 3.00	100.00		
HR-NEURO-OLFACTORY	1.00 of 3.00	33.33		
HR-NEURO-PAIN	1.00 of 1.00	100.00		
HR-NEURO-PASS	13.00 of 15.00	86.67		
HR-NEURO-SENMOTOR	1.00 of 1.00	100.00		
HR-NEURO-SEXDIMORPH	1.00 of 2.00	50.00		
HR-NEURO-SLEEP	3.00 of 4.00	75.00		
HR-NEURO-SOMATOSENSE	2.00 of 2.00	100.00		
HR-NEURO-STROKE	5.00 of 6.00	83.33		
HR-NEURO-SUBCMOTOR	2.00 of 2.00	100.00		
HR-NEURO-TASTE	4.00 of 4.00	100.00		
HR-NEURO-VESTIB	3.00 of 3.00	100.00		
HR-NEURO-VISION	4.00 of 6.00	66.67		
HR-NEURO-VOLMOTOR	1.00 of 1.00	100.00		
ME-BIOCH-LIPIDS	3.00 of 3.00	100.00		
ME-BIOCH-ROS	3.00 of 3.00	100.00		
ME-NUTRITION-NCF	3.00 of 3.00	100.00		
SF-ANAT-ANS	3.00 of 4.00	75.00		
SF-ANAT-CN	3.00 of 3.00	100.00		
SF-ANAT-DURA	3.00 of 3.00	100.00		
SF-ANAT-FACE	3.00 of 5.00	60.00		
SF-ANAT-LARYNX	3.00 of 4.00	75.00		
SF-ANAT-NASAL	3.00 of 4.00	75.00		
SF-ANAT-NECK	0.00 of 3.00	0.00		
SF-ANAT-ORAL	2.00 of 4.00	50.00		
SF-ANAT-ORBIT	2.00 of 3.00	66.67		
SF-ANAT-PHARYNX	4.00 of 5.00	80.00		
SF-ANAT-SKULL	2.00 of 2.00	100.00		
SF-ANAT-TEMP/INFRATE	3.00 of 3.00	100.00		
SF-EMBRYO-HN	6.00 of 7.00	85.71		
SF-HIST-ENDOCRINE	4.00 of 4.00	100.00		
SF-HIST-LYMPHORET	2.00 of 2.00	100.00		
SF-HIST-OLFACTION	1.00 of 1.00	100.00		
SF-HIST-OROPHARYNX	1.00 of 1.00	100.00		

Thursday, May 14, 2015 11:19:01 AM

2

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (TOPIC)	Score	%	0	100
SF-RADIOL-HN	10.00 of 11.00	90.91		

Category 5	Score	%	0	100
EVALUATE	6.00 of 7.00	85.71		
INTERPRETATION	94.00 of 105.00	89.52		
PROBLEM SOLVE	5.00 of 6.00	83.33		
RECALL	82.00 of 99.00	82.83		

Thursday, May 14, 2015 11:19:01 AM

3

Musc Prod. 0147

ROA 0959

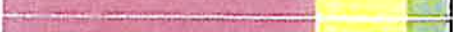
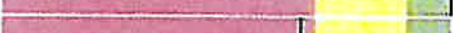
INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Synthesis Exam 2015
Grade: P
Score: 83.33% (90.00 of 108.00)

Objective	Score	%	0	100
SYNTHESIS	90.00 of 108.00	83.33		

Category 1 (Theme)	Score	%	0	100
FPC	22.00 of 27.00	81.48		
HR	24.00 of 27.00	88.89		
ME	23.00 of 27.00	85.19		
SF	21.00 of 27.00	77.78		

Category 2 (Patient)	Score	%	0	100
FPC-GATHERS	7.00 of 9.00	77.78		
FPC-STEVENS	9.00 of 9.00	100.00		
FPC-STRINGER	6.00 of 9.00	66.67		
HR-GATHERS	9.00 of 9.00	100.00		
HR-STEVENS	8.00 of 9.00	88.89		
HR-STRINGER	7.00 of 9.00	77.78		
ME-GATHERS	8.00 of 9.00	88.89		
ME-STEVENS	8.00 of 9.00	88.89		
ME-STRINGER	7.00 of 9.00	77.78		
SF-GATHERS	6.00 of 9.00	66.67		
SF-STEVENS	6.00 of 9.00	66.67		
SF-STRINGER	9.00 of 9.00	100.00		

Category 3 (Objective)	Score	%	0	100
FPC-GATHERS-1	3.00 of 3.00	100.00		
FPC-GATHERS-2	2.00 of 3.00	66.67		
FPC-GATHERS-3	2.00 of 3.00	66.67		
FPC-STEVENS-1	3.00 of 3.00	100.00		
FPC-STEVENS-2	3.00 of 3.00	100.00		
FPC-STEVENS-3	3.00 of 3.00	100.00		
FPC-STRINGER-1	3.00 of 3.00	100.00		
FPC-STRINGER-2	3.00 of 3.00	100.00		
FPC-STRINGER-3	0.00 of 3.00	0.00		
HR-GATHERS-1	3.00 of 3.00	100.00		
HR-GATHERS-2	3.00 of 3.00	100.00		
HR-GATHERS-3	3.00 of 3.00	100.00		
HR-STEVENS-1	3.00 of 3.00	100.00		
HR-STEVENS-2	3.00 of 3.00	100.00		
HR-STEVENS-3	2.00 of 3.00	66.67		
HR-STRINGER-1	2.00 of 3.00	66.67		
HR-STRINGER-2	3.00 of 3.00	100.00		
HR-STRINGER-3	2.00 of 3.00	66.67		

Thursday, May 14, 2015 11:23:37 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (Objective)	Score	%	0	100
ME-GATHERS-1	3.00 of 3.00	100.00		
ME-GATHERS-2	3.00 of 3.00	100.00		
ME-GATHERS-3	2.00 of 3.00	66.67		
ME-STEVEN-1	2.00 of 3.00	66.67		
ME-STEVEN-2	3.00 of 3.00	100.00		
ME-STEVEN-3	3.00 of 3.00	100.00		
ME-STRINGER-1	3.00 of 3.00	100.00		
ME-STRINGER-2	1.00 of 3.00	33.33		
ME-STRINGER-3	3.00 of 3.00	100.00		
SF-GATHERS-1	1.00 of 3.00	33.33		
SF-GATHERS-2	2.00 of 3.00	66.67		
SF-GATHERS-3	3.00 of 3.00	100.00		
SF-STEVEN-1	2.00 of 3.00	66.67		
SF-STEVEN-2	1.00 of 3.00	33.33		
SF-STEVEN-3	3.00 of 3.00	100.00		
SF-STRINGER-1	3.00 of 3.00	100.00		
SF-STRINGER-2	3.00 of 3.00	100.00		
SF-STRINGER-3	3.00 of 3.00	100.00		

Category 4 (Topic)	Score	%	0	100
FPC-GATHERS-1-GAD/MD	3.00 of 3.00	100.00		
FPC-GATHERS-2-IPV	2.00 of 3.00	66.67		
FPC-GATHERS-3-HSOUND	2.00 of 3.00	66.67		
FPC-STEVEN-1-SMOKE	3.00 of 3.00	100.00		
FPC-STEVEN-2-FOOT	2.00 of 2.00	100.00		
FPC-STEVEN-2-SCIATI	1.00 of 1.00	100.00		
FPC-STEVEN-3-COPD	3.00 of 3.00	100.00		
FPC-STRINGER-1-ALCOH	3.00 of 3.00	100.00		
FPC-STRINGER-2-MMSE	3.00 of 3.00	100.00		
FPC-STRINGER-3-NCD	0.00 of 3.00	0.00		
HR-GATHERS-1-ENDOREP	3.00 of 3.00	100.00		
HR-GATHERS-2-TRI21	3.00 of 3.00	100.00		
HR-GATHERS-3-EXERCIS	3.00 of 3.00	100.00		
HR-STEVEN-1-GLOM	3.00 of 3.00	100.00		
HR-STEVEN-2-PTH	3.00 of 3.00	100.00		
HR-STEVEN-3-PULM	2.00 of 3.00	66.67		
HR-STRINGER-1-ACIDBA	2.00 of 3.00	66.67		
HR-STRINGER-2-SOMATO	2.00 of 2.00	100.00		
HR-STRINGER-2-VITB12	1.00 of 1.00	100.00		
HR-STRINGER-3-MEMORY	2.00 of 3.00	66.67		
ME-GATHERS-1-METHION	3.00 of 3.00	100.00		
ME-GATHERS-2-HOMOCYS	3.00 of 3.00	100.00		
ME-GATHERS-3-IRON	2.00 of 3.00	66.67		
ME-STEVEN-1-INSULIN	2.00 of 3.00	66.67		
ME-STEVEN-2-A1C	3.00 of 3.00	100.00		
ME-STEVEN-3-NUTRIT	3.00 of 3.00	100.00		
ME-STRINGER-1-ALCOHO	3.00 of 3.00	100.00		
ME-STRINGER-2-AA	1.00 of 3.00	33.33		

Thursday, May 14, 2015 11:23:37 AM

2

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 4 (Topic)	Score	%	0	100
ME-STRINGER-3-BILIRU	3.00 of 3.00	100.00		
SF-GATHERS-1-VMC	1.00 of 3.00	33.33		
SF-GATHERS-2-MYOCYTE	2.00 of 3.00	66.67		
SF-GATHERS-3-ECG	3.00 of 3.00	100.00		
SF-STEVENSON-1-SPINALN	2.00 of 3.00	66.67		
SF-STEVENSON-2-PARATHY	1.00 of 3.00	33.33		
SF-STEVENSON-3-ALVEOLA	1.00 of 1.00	100.00		
SF-STEVENSON-3-RESHIST	2.00 of 2.00	100.00		
SF-STRINGER-1-LIVER	3.00 of 3.00	100.00		
SF-STRINGER-2-PORTAL	3.00 of 3.00	100.00		
SF-STRINGER-3-GALLBL	3.00 of 3.00	100.00		

Category 5 (Type of Question)	Score	%	0	100
EVALUATION	7.00 of 8.00	87.50		
INTERPRET	40.00 of 42.00	95.24		
PROBLEM SOLVING	2.00 of 4.00	50.00		
RECALL	40.00 of 53.00	75.47		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

Test: Synthesis Exam 2015

Grade: P

Score: 82.41% (89.00 of 108.00)

Objective	Score	%	0	100
SYNTHESIS	89.00 of 108.00	82.41		

Category 1 (Theme)	Score	%	0	100
FPC	23.00 of 27.00	85.19		
HR	23.00 of 27.00	85.19		
ME	22.00 of 27.00	81.48		
SF	21.00 of 27.00	77.78		

Category 2 (Patient)	Score	%	0	100
FPC-GATHERS	8.00 of 9.00	88.89		
FPC-STEVENSON	8.00 of 9.00	88.89		
FPC-STRINGER	7.00 of 9.00	77.78		
HR-GATHERS	8.00 of 9.00	88.89		
HR-STEVENSON	7.00 of 9.00	77.78		
HR-STRINGER	8.00 of 9.00	88.89		
ME-GATHERS	8.00 of 9.00	88.89		
ME-STEVENSON	7.00 of 9.00	77.78		
ME-STRINGER	7.00 of 9.00	77.78		
SF-GATHERS	6.00 of 9.00	66.67		
SF-STEVENSON	6.00 of 9.00	66.67		
SF-STRINGER	9.00 of 9.00	100.00		

Category 3 (Objective)	Score	%	0	100
FPC-GATHERS-1	3.00 of 3.00	100.00		
FPC-GATHERS-2	3.00 of 3.00	100.00		
FPC-GATHERS-3	2.00 of 3.00	66.67		
FPC-STEVENSON-1	3.00 of 3.00	100.00		
FPC-STEVENSON-2	3.00 of 3.00	100.00		
FPC-STEVENSON-3	2.00 of 3.00	66.67		
FPC-STRINGER-1	3.00 of 3.00	100.00		
FPC-STRINGER-2	3.00 of 3.00	100.00		
FPC-STRINGER-3	1.00 of 3.00	33.33		
HR-GATHERS-1	2.00 of 3.00	66.67		
HR-GATHERS-2	3.00 of 3.00	100.00		
HR-GATHERS-3	3.00 of 3.00	100.00		
HR-STEVENSON-1	3.00 of 3.00	100.00		
HR-STEVENSON-2	3.00 of 3.00	100.00		
HR-STEVENSON-3	1.00 of 3.00	33.33		
HR-STRINGER-1	2.00 of 3.00	66.67		
HR-STRINGER-2	3.00 of 3.00	100.00		
HR-STRINGER-3	3.00 of 3.00	100.00		

Thursday, May 14, 2015 11:23:37 AM

1

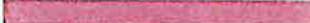
INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

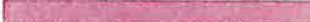
Category 3 (Objective)	Score	%	0	100
ME-GATHERS-1	3.00 of 3.00	100.00		
ME-GATHERS-2	3.00 of 3.00	100.00		
ME-GATHERS-3	2.00 of 3.00	66.67		
ME-STEVENS-1	2.00 of 3.00	66.67		
ME-STEVENS-2	3.00 of 3.00	100.00		
ME-STEVENS-3	2.00 of 3.00	66.67		
ME-STRINGER-1	3.00 of 3.00	100.00		
ME-STRINGER-2	1.00 of 3.00	33.33		
ME-STRINGER-3	3.00 of 3.00	100.00		
SF-GATHERS-1	1.00 of 3.00	33.33		
SF-GATHERS-2	2.00 of 3.00	66.67		
SF-GATHERS-3	3.00 of 3.00	100.00		
SF-STEVENS-1	2.00 of 3.00	66.67		
SF-STEVENS-2	1.00 of 3.00	33.33		
SF-STEVENS-3	3.00 of 3.00	100.00		
SF-STRINGER-1	3.00 of 3.00	100.00		
SF-STRINGER-2	3.00 of 3.00	100.00		
SF-STRINGER-3	3.00 of 3.00	100.00		

Category 4 (Topic)	Score	%	0	100
FPC-GATHERS-1-GAD/MD	3.00 of 3.00	100.00		
FPC-GATHERS-2-IPV	3.00 of 3.00	100.00		
FPC-GATHERS-3-HSOUND	2.00 of 3.00	66.67		
FPC-STEVENS-1-SMOKE	3.00 of 3.00	100.00		
FPC-STEVENS-2-FOOT	2.00 of 2.00	100.00		
FPC-STEVENS-2-SCIATI	1.00 of 1.00	100.00		
FPC-STEVENS-3-COPD	2.00 of 3.00	66.67		
FPC-STRINGER-1-ALCOH	3.00 of 3.00	100.00		
FPC-STRINGER-2-MMSE	3.00 of 3.00	100.00		
FPC-STRINGER-3-NCD	1.00 of 3.00	33.33		
HR-GATHERS-1-ENDOREP	2.00 of 3.00	66.67		
HR-GATHERS-2-TRI21	3.00 of 3.00	100.00		
HR-GATHERS-3-EXERCIS	3.00 of 3.00	100.00		
HR-STEVENS-1-GLOM	3.00 of 3.00	100.00		
HR-STEVENS-2-PTH	3.00 of 3.00	100.00		
HR-STEVENS-3-PULM	1.00 of 3.00	33.33		
HR-STRINGER-1-ACIDBA	2.00 of 3.00	66.67		
HR-STRINGER-2-SOMATO	2.00 of 2.00	100.00		
HR-STRINGER-2-VITB12	1.00 of 1.00	100.00		
HR-STRINGER-3-MEMORY	3.00 of 3.00	100.00		
ME-GATHERS-1-METHION	3.00 of 3.00	100.00		
ME-GATHERS-2-HOMOCYS	3.00 of 3.00	100.00		
ME-GATHERS-3-IRON	2.00 of 3.00	66.67		
ME-STEVENS-1-INSULIN	2.00 of 3.00	66.67		
ME-STEVENS-2-A1C	3.00 of 3.00	100.00		
ME-STEVENS-3-NUTRIT	2.00 of 3.00	66.67		
ME-STRINGER-1-ALCOHO	3.00 of 3.00	100.00		
ME-STRINGER-2-AA	1.00 of 3.00	33.33		

Thursday, May 14, 2015 11:23:37 AM

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 4 (Topic)	Score	%	0	100
ME-STRINGER-3-BILIRU	3.00 of 3.00	100.00		
SF-GATHERS-1-VMEC	1.00 of 3.00	33.33		
SF-GATHERS-2-MYOCYTE	2.00 of 3.00	66.67		
SF-GATHERS-3-ECG	3.00 of 3.00	100.00		
SF-STEVENSON-1-SPINALN	2.00 of 3.00	66.67		
SF-STEVENSON-2-PARATHY	1.00 of 3.00	33.33		
SF-STEVENSON-3-ALVEOLA	1.00 of 1.00	100.00		
SF-STEVENSON-3-RESHIST	2.00 of 2.00	100.00		
SF-STRINGER-1-LIVER	3.00 of 3.00	100.00		
SF-STRINGER-2-PORTAL	3.00 of 3.00	100.00		
SF-STRINGER-3-GALLBL	3.00 of 3.00	100.00		

Category 5 (Type of Question)	Score	%	0	100
EVALUATION	8.00 of 8.00	100.00		
INTERPRET	40.00 of 42.00	95.24		
PROBLEM SOLVING	2.00 of 4.00	50.00		
RECALL	38.00 of 53.00	71.70		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

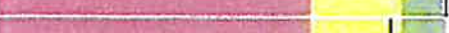
Test: Block 7 Exam 2015

Grade: P

Score: 83.21% (228.00 of 274.00)

Category 1 (Theme)	Score	%	0	100
ASF	74.00 of 86.00	86.05		
FPC	32.00 of 35.00	91.43		
PHD	55.00 of 74.00	74.32		
PTN	67.00 of 79.00	84.81		

Category 2 (Discipline)	Score	%	0	100
ASF-GEN	35.00 of 39.00	89.74		
ASF-PAT	39.00 of 47.00	82.98		
FPC-CLI	13.00 of 15.00	86.67		
FPC-ETH	11.00 of 12.00	91.67		
FPC-PHE	8.00 of 8.00	100.00		
PHD-IMM	37.00 of 49.00	75.51		
PHD-MIC	15.00 of 21.00	71.43		
PHD-PHE	3.00 of 4.00	75.00		
PTN-PHA	67.00 of 79.00	84.81		

Category 3 (Topic)	Score	%	0	100
ASF-GEN-BASIC	6.00 of 7.00	85.71		
ASF-GEN-MENDELIAN	5.00 of 5.00	100.00		
ASF-GEN-MULTIFACTOR	3.00 of 3.00	100.00		
ASF-GEN-NON-MENDEL	6.00 of 8.00	75.00		
ASF-GEN-PEDIGREE	6.00 of 6.00	100.00		
ASF-GEN-TOOLBOX	9.00 of 10.00	90.00		
ASF-PAT-CELL INJURY	21.00 of 24.00	87.50		
ASF-PAT-HEMODYNAMIC	14.00 of 19.00	73.68		
ASF-PAT-LABORATORY	4.00 of 4.00	100.00		
FPC-CLI-BASIC	1.00 of 1.00	100.00		
FPC-CLI-PHYSICAL DX	12.00 of 14.00	85.71		
FPC-ETH-BASIC	11.00 of 12.00	91.67		
FPC-PHE-BASIC	8.00 of 8.00	100.00		
PHD-IMM-BASIC	7.00 of 8.00	87.50		
PHD-IMM-CELLULAR	10.00 of 13.00	76.92		
PHD-IMM-HUMORAL	7.00 of 11.00	63.64		
PHD-IMM-IMMUNOPROPH	4.00 of 6.00	66.67		
PHD-IMM-INNATE	5.00 of 7.00	71.43		
PHD-IMM-LABORATORY	4.00 of 4.00	100.00		
PHD-MIC-BASIC	3.00 of 5.00	60.00		
PHD-MIC-INFECT CONTR	5.00 of 5.00	100.00		
PHD-MIC-LABORATORY	1.00 of 2.00	50.00		
PHD-MIC-VIRAL PATH	3.00 of 5.00	60.00		
PHD-MIC-VIRAL REPL	3.00 of 4.00	75.00		
PHD-PHE-BASIC	3.00 of 4.00	75.00		

Monday, September 21, 2015 2:24:21 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (Topic)	Score	%	0	100
PTN-PHA-AUTONOMICS	30.00 of 34.00	88.24		
PTN-PHA-DRS	1.00 of 1.00	100.00		
PTN-PHA-PHRMDYNAMICS	15.00 of 20.00	75.00		
PTN-PHA-PHRMKINETICS	21.00 of 24.00	87.50		

Category 4 (Type of Question)	Score	%	0	100
EV	4.00 of 4.00	100.00		
IN	99.00 of 118.00	83.90		
PS	19.00 of 21.00	90.48		
RE	106.00 of 131.00	80.92		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Test: Block 7 Exam 2015

Grade: P

Score: 81.75% (224.00 of 274.00)

Category 1 (Theme)	Score	%	0	100
ASF	74.00 of 86.00	86.05		
FPC	30.00 of 35.00	85.71		
PHD	56.00 of 74.00	75.68		
PTN	64.00 of 79.00	81.01		

Category 2 (Discipline)	Score	%	0	100
ASF-GEN	34.00 of 39.00	87.18		
ASF-PAT	40.00 of 47.00	85.11		
FPC-CLI	13.00 of 15.00	86.67		
FPC-ETH	10.00 of 12.00	83.33		
FPC-PHE	7.00 of 8.00	87.50		
PHD-IMM	39.00 of 49.00	79.59		
PHD-MIC	14.00 of 21.00	66.67		
PHD-PHE	3.00 of 4.00	75.00		
PTN-PHA	64.00 of 79.00	81.01		

Category 3 (Topic)	Score	%	0	100
ASF-GEN-BASIC	6.00 of 7.00	85.71		
ASF-GEN-MENDELIAN	5.00 of 5.00	100.00		
ASF-GEN-MULTIFACTOR	2.00 of 3.00	66.67		
ASF-GEN-NON-MENDEL	7.00 of 8.00	87.50		
ASF-GEN-PEDIGREE	6.00 of 6.00	100.00		
ASF-GEN-TOOLBOX	8.00 of 10.00	80.00		
ASF-PAT-CELL INJURY	22.00 of 24.00	91.67		
ASF-PAT-HEMODYNAMIC	14.00 of 19.00	73.68		
ASF-PAT-LABORATORY	4.00 of 4.00	100.00		
FPC-CLI-BASIC	1.00 of 1.00	100.00		
FPC-CLI-PHYSICAL DX	12.00 of 14.00	85.71		
FPC-ETH-BASIC	10.00 of 12.00	83.33		
FPC-PHE-BASIC	7.00 of 8.00	87.50		
PHD-IMM-BASIC	7.00 of 8.00	87.50		
PHD-IMM-CELLULAR	10.00 of 13.00	76.92		
PHD-IMM-HUMORAL	8.00 of 11.00	72.73		
PHD-IMM-IMMUNOPROPH	5.00 of 6.00	83.33		
PHD-IMM-INNATE	5.00 of 7.00	71.43		
PHD-IMM-LABORATORY	4.00 of 4.00	100.00		
PHD-MIC-BASIC	3.00 of 5.00	60.00		
PHD-MIC-INFECT CONTR	5.00 of 5.00	100.00		
PHD-MIC-LABORATORY	0.00 of 2.00	0.00		
PHD-MIC-VIRAL PATH	3.00 of 5.00	60.00		
PHD-MIC-VIRAL REPL	3.00 of 4.00	75.00		
PHD-PHE-BASIC	3.00 of 4.00	75.00		

Monday, September 21, 2015 2:24:21 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (Topic)	Score	%	0	100
PTN-PHA-AUTONOMICS	28.00 of 34.00	82.35		
PTN-PHA-DRS	1.00 of 1.00	100.00		
PTN-PHA-PHRMDYNAMICS	14.00 of 20.00	70.00		
PTN-PHA-PHRMKINETICS	21.00 of 24.00	87.50		

Category 4 (Type of Question)	Score	%	0	100
EV	4.00 of 4.00	100.00		
IN	100.00 of 118.00	84.75		
PS	18.00 of 21.00	85.71		
RE	102.00 of 131.00	77.86		

INDIVIDUAL MASTERY REPORT for Bingham Kayla Test 1

Test: Block 8 2015 Exam

Grade: P

Score: 72.92% (210.00 of 288.00)

Category 1 (Theme)	Score	%	0	100
ASF	95.00 of 131.00	72.52		
FPC	21.00 of 24.00	87.50		
PHD	45.00 of 66.00	68.18		
PTN	49.00 of 67.00	73.13		

Category 2 (Discipline)	Score	%	0	100
ASF-GEN	15.00 of 21.00	71.43		
ASF-PAT	80.00 of 110.00	72.73		
FPC-CLI	8.00 of 8.00	100.00		
FPC-ETH	8.00 of 8.00	100.00		
FPC-PTS	5.00 of 8.00	62.50		
PHD-IMM	27.00 of 39.00	69.23		
PHD-MIC	18.00 of 27.00	66.67		
PTN-NUT	10.00 of 10.00	100.00		
PTN-PHA	39.00 of 57.00	68.42		

Category 3 (Topic)	Score	%	0	100
ASF-GEN-NEOPLASIA	9.00 of 12.00	75.00		
ASF-GEN-RBC	5.00 of 6.00	83.33		
ASF-GEN-TOOLBOX	2.00 of 4.00	50.00		
ASF-PAT-AUTOIMMUNITY	10.00 of 13.00	76.92		
ASF-PAT-BLEEDING	14.00 of 18.00	77.78		
ASF-PAT-MUSCULOSKEL	3.00 of 4.00	75.00		
ASF-PAT-NEOPLASIA	13.00 of 18.00	72.22		
ASF-PAT-RADIATION	4.00 of 5.00	80.00		
ASF-PAT-RBC	11.00 of 13.00	84.62		
ASF-PAT-TRANSPLANT	6.00 of 8.00	75.00		
ASF-PAT-VASCULITIS	6.00 of 8.00	75.00		
ASF-PAT-WBC	12.00 of 22.00	54.55		
FPC-CLI-AUTOIMMUNITY	2.00 of 2.00	100.00		
FPC-CLI-PHYSICAL DX	6.00 of 6.00	100.00		
FPC-ETH-BASIC	8.00 of 8.00	100.00		
FPC-PTS-BASIC	5.00 of 8.00	62.50		
PHD-IMM-AUTOIMMUNITY	4.00 of 6.00	66.67		
PHD-IMM-DEFICIENCY	2.00 of 4.00	50.00		
PHD-IMM-HYPERSENSIT	4.00 of 8.00	50.00		
PHD-IMM-LABORATORY	3.00 of 4.00	75.00		
PHD-IMM-NEOPLASIA	4.00 of 5.00	80.00		
PHD-IMM-TOLERANCE	5.00 of 6.00	83.33		
PHD-IMM-TRANSPLANT	5.00 of 6.00	83.33		
PHD-MIC-BACT PATH	5.00 of 8.00	62.50		
PHD-MIC-BASIC	6.00 of 11.00	54.55		
PHD-MIC-HERPESVIRUS	4.00 of 4.00	100.00		

Monday, November 02, 2015 11:18:54 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla Test 1

Category 3 (Topic)	Score	%	0	100
PHD-MIC-HPV	3.00 of 4.00	75.00		
PTN-NUT-NUTRITION	10.00 of 10.00	100.00		
PTN-PHA-ANTIVIRALS	2.00 of 4.00	50.00		
PTN-PHA-HEMATOLOGICS	15.00 of 20.00	75.00		
PTN-PHA-IMMUNOLOGICS	22.00 of 33.00	66.67		

Category 4 (Type of Question)	Score	%	0	100
EV	1.00 of 1.00	100.00		
IN	87.00 of 122.00	71.31		
PS	24.00 of 30.00	80.00		
RE	94.00 of 130.00	72.31		

INDIVIDUAL MASTERY REPORT for Bingham Kellie Test 3

Test: Block 8 2015 Exam

Grade: P

Score: 73.61% (212.00 of 288.00)

Category 1 (Theme)	Score	%	0	100
ASF	93.00 of 131.00	70.99		
FPC	21.00 of 24.00	87.50		
PHD	46.00 of 66.00	69.70		
PTN	52.00 of 67.00	77.61		

Category 2 (Discipline)	Score	%	0	100
ASF-GEN	14.00 of 21.00	66.67		
ASF-PAT	79.00 of 110.00	71.82		
FPC-CLI	7.00 of 8.00	87.50		
FPC-ETH	8.00 of 8.00	100.00		
FPC-PTS	6.00 of 8.00	75.00		
PHD-IMM	26.00 of 39.00	66.67		
PHD-MIC	20.00 of 27.00	74.07		
PTN-NUT	10.00 of 10.00	100.00		
PTN-PHA	42.00 of 57.00	73.68		

Category 3 (Topic)	Score	%	0	100
ASF-GEN-NEOPLASIA	9.00 of 12.00	75.00		
ASF-GEN-RBC	4.00 of 6.00	66.67		
ASF-GEN-TOOLBOX	2.00 of 4.00	50.00		
ASF-PAT-AUTOIMMUNITY	8.00 of 13.00	61.54		
ASF-PAT-BLEEDING	16.00 of 18.00	88.89		
ASF-PAT-MUSCULOSKEL	4.00 of 4.00	100.00		
ASF-PAT-NEOPLASIA	13.00 of 18.00	72.22		
ASF-PAT-RADIATION	4.00 of 5.00	80.00		
ASF-PAT-RBC	10.00 of 13.00	76.92		
ASF-PAT-TRANSPLANT	6.00 of 8.00	75.00		
ASF-PAT-VASCULITIS	6.00 of 8.00	75.00		
ASF-PAT-WBC	11.00 of 22.00	50.00		
FPC-CLI-AUTOIMMUNITY	1.00 of 2.00	50.00		
FPC-CLI-PHYSICAL DX	6.00 of 6.00	100.00		
FPC-ETH-BASIC	8.00 of 8.00	100.00		
FPC-PTS-BASIC	6.00 of 8.00	75.00		
PHD-IMM-AUTOIMMUNITY	5.00 of 6.00	83.33		
PHD-IMM-DEFICIENCY	2.00 of 4.00	50.00		
PHD-IMM-HYPERSENSIT	4.00 of 8.00	50.00		
PHD-IMM-LABORATORY	3.00 of 4.00	75.00		
PHD-IMM-NEOPLASIA	4.00 of 5.00	80.00		
PHD-IMM-TOLERANCE	4.00 of 6.00	66.67		
PHD-IMM-TRANSPLANT	4.00 of 6.00	66.67		
PHD-MIC-BACT PATH	6.00 of 8.00	75.00		
PHD-MIC-BASIC	6.00 of 11.00	54.55		
PHD-MIC-HERPESVIRUS	4.00 of 4.00	100.00		

Monday, November 02, 2015 11:18:54 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie Test 3

Category 3 (Topic)	Score	%	0	100
PHD-MIC-HPV	4.00 of 4.00	100.00		
PTN-NUT-NUTRITION	10.00 of 10.00	100.00		
PTN-PHA-ANTIVIRALS	3.00 of 4.00	75.00		
PTN-PHA-HEMATOLOGICS	18.00 of 20.00	90.00		
PTN-PHA-IMMUNOLOGICS	21.00 of 33.00	63.64		

Category 4 (Type of Question)	Score	%	0	100
EV	1.00 of 1.00	100.00		
IN	89.00 of 122.00	72.95		
PS	23.00 of 30.00	76.67		
RE	95.00 of 130.00	73.08		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: 2015 Block 9 Exam

Grade: NP

Score: 68.14% (201.00 of 295.00)

Category 1	Score	%	0	100
ASF	61.00 of 97.00	62.89		
FPC	37.00 of 47.00	78.72		
PHD	52.00 of 71.00	73.24		
PTN	51.00 of 80.00	63.75		

Category 2	Score	%	0	100
ASF/PAT	61.00 of 97.00	62.89		
FPC/CLI	1.00 of 3.00	33.33		
FPC/EBM	14.00 of 20.00	70.00		
FPC/ETH	6.00 of 7.00	85.71		
FPC/PDX	12.00 of 12.00	100.00		
FPC/PHE	4.00 of 5.00	80.00		
PHD/MIC	52.00 of 71.00	73.24		
PTN/PHA	51.00 of 80.00	63.75		

Category 3	Score	%	0	100
ASF/PAT/ADRENAL	5.00 of 8.00	62.50		
ASF/PAT/AIDS	5.00 of 7.00	71.43		
ASF/PAT/FEMALE REPRO	21.00 of 30.00	70.00		
ASF/PAT/MALE REPRO	5.00 of 8.00	62.50		
ASF/PAT/MEN	1.00 of 2.00	50.00		
ASF/PAT/MUSCULOSKEL	5.00 of 12.00	41.67		
ASF/PAT/PANCREAS	2.00 of 4.00	50.00		
ASF/PAT/PARATHYROID	1.00 of 2.00	50.00		
ASF/PAT/PITUITARY	4.00 of 8.00	50.00		
ASF/PAT/PREGNANCY	5.00 of 7.00	71.43		
ASF/PAT/THYROID	7.00 of 9.00	77.78		
FPC/CLI/BREAST	0.00 of 1.00	0.00		
FPC/CLI/HIV	1.00 of 1.00	100.00		
FPC/CLI/MALE REPRO	0.00 of 1.00	0.00		
FPC/EBM/BASIC	14.00 of 20.00	70.00		
FPC/ETH/BASIC	3.00 of 4.00	75.00		
FPC/ETH/PAL	3.00 of 3.00	100.00		
FPC/PDX/FEMALE REPRO	8.00 of 8.00	100.00		
FPC/PDX/MALE REPRO	4.00 of 4.00	100.00		
FPC/PHE/HIV	4.00 of 5.00	80.00		
PHD/MIC/FUNGAL INFEC	14.00 of 18.00	77.78		
PHD/MIC/GRAM POS COC	8.00 of 10.00	80.00		
PHD/MIC/GRAM POS ROD	0.00 of 4.00	0.00		
PHD/MIC/INFECT DIS	5.00 of 7.00	71.43		
PHD/MIC/LABORATORY	3.00 of 3.00	100.00		
PHD/MIC/NEISSCHLAMYD	5.00 of 5.00	100.00		

Monday, December 21, 2015 11:30:04 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3	Score	%	0	100
PHD/MIC/RETROVIRUSES	8.00 of 12.00	66.67		
PHD/MIC/SPIROCHETES	7.00 of 8.00	87.50		
PHD/MIC/ZOONOTIC	2.00 of 4.00	50.00		
PTN/PHA/ANTIMICROBIA	9.00 of 16.00	56.25		
PTN/PHA/ENDOCRINOLOG	22.00 of 34.00	64.71		
PTN/PHA/HIV	4.00 of 6.00	66.67		
PTN/PHA/NEOLASIA	1.00 of 1.00	100.00		
PTN/PHA/NEOPLASIA	9.00 of 15.00	60.00		
PTN/PHA/REPRODUCTION	6.00 of 8.00	75.00		

Category 4	Score	%	0	100
EV	3.00 of 8.00	37.50		
IN	88.00 of 118.00	74.58		
PS	15.00 of 25.00	60.00		
RE	91.00 of 139.00	65.47		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

Test: 2015 Block 9 Exam

Grade: NP

Score: 69.15% (204.00 of 295.00)

Category 1	Score	%	0	100
ASF	63.00 of 97.00	64.95		
FPC	41.00 of 47.00	87.23		
PHD	50.00 of 71.00	70.42		
PTN	50.00 of 80.00	62.50		

Category 2	Score	%	0	100
ASF/PAT	63.00 of 97.00	64.95		
FPC/CLI	3.00 of 3.00	100.00		
FPC/EBM	15.00 of 20.00	75.00		
FPC/ETH	6.00 of 7.00	85.71		
FPC/PDX	12.00 of 12.00	100.00		
FPC/PHE	5.00 of 5.00	100.00		
PHD/MIC	50.00 of 71.00	70.42		
PTN/PHA	50.00 of 80.00	62.50		

Category 3	Score	%	0	100
ASF/PAT/ADRENAL	5.00 of 8.00	62.50		
ASF/PAT/AIDS	4.00 of 7.00	57.14		
ASF/PAT/FEMALE REPRO	21.00 of 30.00	70.00		
ASF/PAT/MALE REPRO	6.00 of 8.00	75.00		
ASF/PAT/MEN	1.00 of 2.00	50.00		
ASF/PAT/MUSCULOSKEL	6.00 of 12.00	50.00		
ASF/PAT/PANCREAS	2.00 of 4.00	50.00		
ASF/PAT/PARATHYROID	0.00 of 2.00	0.00		
ASF/PAT/PITUITARY	6.00 of 8.00	75.00		
ASF/PAT/PREGNANCY	6.00 of 7.00	85.71		
ASF/PAT/THYROID	6.00 of 9.00	66.67		
FPC/CLI/BREAST	1.00 of 1.00	100.00		
FPC/CLI/HIV	1.00 of 1.00	100.00		
FPC/CLI/MALE REPRO	1.00 of 1.00	100.00		
FPC/EBM/BASIC	15.00 of 20.00	75.00		
FPC/ETH/BASIC	3.00 of 4.00	75.00		
FPC/ETH/PAL	3.00 of 3.00	100.00		
FPC/PDX/FEMALE REPRO	8.00 of 8.00	100.00		
FPC/PDX/MALE REPRO	4.00 of 4.00	100.00		
FPC/PHE/HIV	5.00 of 5.00	100.00		
PHD/MIC/FUNGAL INFEC	14.00 of 18.00	77.78		
PHD/MIC/GRAM POS COC	7.00 of 10.00	70.00		
PHD/MIC/GRAM POS ROD	1.00 of 4.00	25.00		
PHD/MIC/INFECT DIS	6.00 of 7.00	85.71		
PHD/MIC/LABORATORY	3.00 of 3.00	100.00		
PHD/MIC/NEISSCHLAMYPD	3.00 of 5.00	60.00		

Monday, December 21, 2015 11:30:04 AM

1

Musc Prod. 0164

ROA 0976

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3	Score	%	0	100
PHD/MIC/RETROVIRUSES	7.00 of 12.00	58.33		
PHD/MIC/SPIROCHETES	7.00 of 8.00	87.50		
PHD/MIC/ZOONOTIC	2.00 of 4.00	50.00		
PTN/PHA/ANTIMICROBIA	10.00 of 16.00	62.50		
PTN/PHA/ENDOCRINOLOG	17.00 of 34.00	50.00		
PTN/PHA/HIV	4.00 of 6.00	66.67		
PTN/PHA/NEOLASIA	1.00 of 1.00	100.00		
PTN/PHA/NEOPLASIA	13.00 of 15.00	86.67		
PTN/PHA/REPRODUCTION	5.00 of 8.00	62.50		

Category 4	Score	%	0	100
EV	5.00 of 8.00	62.50		
IN	88.00 of 118.00	74.58		
PS	19.00 of 25.00	76.00		
RE	88.00 of 139.00	63.31		

INDIVIDUAL MASTERY REPORT for Bingham Kayla 18013

Test: Test Number 0
Grade: NP
Score: 64.47% (196.00 of 304.00)

Category 1 (Theme)	Score	%	0	100
ASF	75.00 of 120.00	62.50		
FPC	37.00 of 54.00	68.52		
PHD	27.00 of 38.00	71.05		
PTN	57.00 of 92.00	61.96		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	3.00 of 5.00	60.00		
ASF/PAT	72.00 of 115.00	62.61		
FPC/CLI	20.00 of 26.00	76.92		
FPC/EBM	2.00 of 5.00	40.00		
FPC/ETH	4.00 of 6.00	66.67		
FPC/PDX	11.00 of 17.00	64.71		
PHD/MIC	27.00 of 37.00	72.97		
PHD/PHE	0.00 of 1.00	0.00		
PTN/NUT	4.00 of 4.00	100.00		
PTN/PHA	53.00 of 88.00	60.23		

Category 3 (Topic)	Score	%	0	100
ASF/GEN	3.00 of 5.00	60.00		
ASF/PAT/CARDIOMYOP	1.00 of 4.00	25.00		
ASF/PAT/CONGENITAL	2.00 of 3.00	66.67		
ASF/PAT/GLOMERULAR	10.00 of 14.00	71.43		
ASF/PAT/HEART FAIL	2.00 of 3.00	66.67		
ASF/PAT/HEART LABS	0.00 of 1.00	0.00		
ASF/PAT/HEART TUMOR	2.00 of 2.00	100.00		
ASF/PAT/HEART VALVES	3.00 of 5.00	60.00		
ASF/PAT/HTN ISCHEMIA	3.00 of 4.00	75.00		
ASF/PAT/KID FUNCTION	5.00 of 10.00	50.00		
ASF/PAT/KID OUTFLOW	0.00 of 1.00	0.00		
ASF/PAT/KID TUBULES	3.00 of 5.00	60.00		
ASF/PAT/KID VASCULAR	4.00 of 4.00	100.00		
ASF/PAT/LABORATORY	3.00 of 6.00	50.00		
ASF/PAT/LIPID	5.00 of 8.00	62.50		
ASF/PAT/LUNG INFECT	4.00 of 5.00	80.00		
ASF/PAT/LUNG OBSTR	2.00 of 4.00	50.00		
ASF/PAT/LUNG PATHOPH	5.00 of 6.00	83.33		
ASF/PAT/LUNG RESTRIC	3.00 of 8.00	37.50		
ASF/PAT/LUNG TUMOR	3.00 of 4.00	75.00		
ASF/PAT/LUNG VASCUL	3.00 of 4.00	75.00		
ASF/PAT/MINERAL DUST	2.00 of 4.00	50.00		
ASF/PAT/SALT	2.00 of 4.00	50.00		
ASF/PAT/URINAR TUMOR	5.00 of 6.00	83.33		

Thursday, February 18, 2016 10:41:31 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (Topic)	Score	%	0	100
FPC/CLI/ABG	6.00 of 7.00	85.71		
FPC/CLI/ECG	8.00 of 9.00	88.89		
FPC/CLI/HEART VALVES	0.00 of 2.00	0.00		
FPC/CLI/HEMODYNAMIC	1.00 of 2.00	50.00		
FPC/CLI/KID OUTFLOW	1.00 of 1.00	100.00		
FPC/CLI/KID TUBULES	2.00 of 3.00	66.67		
FPC/CLI/LUNG BASIC	1.00 of 1.00	100.00		
FPC/EBM/BASIC	2.00 of 4.00	50.00		
FPC/EBM/HEARTFAILURE	0.00 of 1.00	0.00		
FPC/ETH/BAS	1.00 of 1.00	100.00		
FPC/ETH/BASIC	3.00 of 5.00	60.00		
FPC/PDX/ECG	1.00 of 1.00	100.00		
FPC/PDX/HEART	0.00 of 1.00	0.00		
FPC/PDX/HEART VALVE	5.00 of 8.00	62.50		
FPC/PDX/HEMODYNAMIC	4.00 of 4.00	100.00		
FPC/PDX/KID OUTFLOW	1.00 of 1.00	100.00		
FPC/PDX/LUNG BASIC	0.00 of 1.00	0.00		
FPC/PDX/LUNG INFECT	0.00 of 1.00	0.00		
FPC/PDX/LUNG PATHOPH	1.00 of 1.00	100.00		
PHD/MIC/GRAM NEG ROD	4.00 of 5.00	80.00		
PHD/MIC/GRAM POS ROD	3.00 of 4.00	75.00		
PHD/MIC/LABORATORY	2.00 of 3.00	66.67		
PHD/MIC/MYCOBACTERIA	6.00 of 6.00	100.00		
PHD/MIC/RESP BACT	4.00 of 6.00	66.67		
PHD/MIC/RESP VIRUSES	6.00 of 9.00	66.67		
PHD/MIC/ZOONOSES	2.00 of 4.00	50.00		
PHD/PHE/RESP VIRUSES	0.00 of 1.00	0.00		
PTN/NUT/NUTRITION	4.00 of 4.00	100.00		
PTN/PHA/ARRHYTHMIAS	13.00 of 18.00	72.22		
PTN/PHA/CVD DRUGS	7.00 of 15.00	46.67		
PTN/PHA/CVD HPTN	6.00 of 8.00	75.00		
PTN/PHA/CVD ISCHEMIA	9.00 of 17.00	52.94		
PTN/PHA/HEARTFAILURE	5.00 of 10.00	50.00		
PTN/PHA/RENAL DRUGS	6.00 of 12.00	50.00		
PTN/PHA/RESP DRUGS	7.00 of 8.00	87.50		

Category 4 (Type)	Score	%	0	100
EV	0.00 of 1.00	0.00		
IN	70.00 of 117.00	59.83		
PS	44.00 of 66.00	66.67		
RE	82.00 of 120.00	68.33		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Test: Test Number 0
Grade: P
Score: 74.34% (226.00 of 304.00)

Category 1 (Theme)	Score	%	0	100
ASF	83.00 of 120.00	69.17		
FPC	41.00 of 54.00	75.93		
PHD	33.00 of 38.00	86.84		
PTN	69.00 of 92.00	75.00		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	4.00 of 5.00	80.00		
ASF/PAT	79.00 of 115.00	68.70		
FPC/CLI	18.00 of 26.00	69.23		
FPC/EBM	4.00 of 5.00	80.00		
FPC/ETH	6.00 of 6.00	100.00		
FPC/PDX	13.00 of 17.00	76.47		
PHD/MIC	32.00 of 37.00	86.49		
PHD/PHE	1.00 of 1.00	100.00		
PTN/NUT	4.00 of 4.00	100.00		
PTN/PHA	65.00 of 88.00	73.86		

Category 3 (Topic)	Score	%	0	100
ASF/GEN	4.00 of 5.00	80.00		
ASF/PAT/CARDIOMYOP	3.00 of 4.00	75.00		
ASF/PAT/CONGENITAL	3.00 of 3.00	100.00		
ASF/PAT/GLOMERULAR	10.00 of 14.00	71.43		
ASF/PAT/HEART FAIL	3.00 of 3.00	100.00		
ASF/PAT/HEART LABS	1.00 of 1.00	100.00		
ASF/PAT/HEART TUMOR	2.00 of 2.00	100.00		
ASF/PAT/HEART VALVES	5.00 of 5.00	100.00		
ASF/PAT/HTN ISCHEMIA	3.00 of 4.00	75.00		
ASF/PAT/KID FUNCTION	5.00 of 10.00	50.00		
ASF/PAT/KID OUTFLOW	0.00 of 1.00	0.00		
ASF/PAT/KID TUBULES	3.00 of 5.00	60.00		
ASF/PAT/KID VASCULAR	3.00 of 4.00	75.00		
ASF/PAT/LABORATORY	5.00 of 6.00	83.33		
ASF/PAT/LIPID	6.00 of 8.00	75.00		
ASF/PAT/LUNG INFECT	3.00 of 5.00	60.00		
ASF/PAT/LUNG OBSTR	3.00 of 4.00	75.00		
ASF/PAT/LUNG PATHOPH	4.00 of 6.00	66.67		
ASF/PAT/LUNG RESTRIC	5.00 of 8.00	62.50		
ASF/PAT/LUNG TUMOR	3.00 of 4.00	75.00		
ASF/PAT/LUNG VASCUL	4.00 of 4.00	100.00		
ASF/PAT/MINERAL DUST	1.00 of 4.00	25.00		
ASF/PAT/SALT	2.00 of 4.00	50.00		
ASF/PAT/URINAR TUMOR	2.00 of 6.00	33.33		

Thursday, February 18, 2016 10:41:31 AM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (Topic)	Score	%	0	100
FPC/CL/ABG	4.00 of 7.00	57.14		
FPC/CL/ECG	5.00 of 9.00	55.56		
FPC/CL/HEART VALVES	1.00 of 2.00	50.00		
FPC/CL/HEMODYNAMIC	2.00 of 2.00	100.00		
FPC/CL/KID OUTFLOW	1.00 of 1.00	100.00		
FPC/CL/KID TUBULES	3.00 of 3.00	100.00		
FPC/CL/LUNG BASIC	1.00 of 1.00	100.00		
FPC/EBM/BASIC	4.00 of 4.00	100.00		
FPC/EBM/HEARTFAILURE	0.00 of 1.00	0.00		
FPC/ETH/BAS	1.00 of 1.00	100.00		
FPC/ETH/BASIC	5.00 of 5.00	100.00		
FPC/PDX/ECG	1.00 of 1.00	100.00		
FPC/PDX/HEART	0.00 of 1.00	0.00		
FPC/PDX/HEART VALVE	7.00 of 8.00	87.50		
FPC/PDX/HEMODYNAMIC	3.00 of 4.00	75.00		
FPC/PDX/KID OUTFLOW	1.00 of 1.00	100.00		
FPC/PDX/LUNG BASIC	0.00 of 1.00	0.00		
FPC/PDX/LUNG INFECT	1.00 of 1.00	100.00		
FPC/PDX/LUNG PATHOPH	1.00 of 1.00	100.00		
PHD/MIC/GRAM NEG ROD	5.00 of 5.00	100.00		
PHD/MIC/GRAM POS ROD	3.00 of 4.00	75.00		
PHD/MIC/LABORATORY	3.00 of 3.00	100.00		
PHD/MIC/MYCOBACTERIA	5.00 of 6.00	83.33		
PHD/MIC/RESP BACT	6.00 of 6.00	100.00		
PHD/MIC/RESP VIRUSES	7.00 of 9.00	77.78		
PHD/MIC/ZOONOSES	3.00 of 4.00	75.00		
PHD/PHE/RESP VIRUSES	1.00 of 1.00	100.00		
PTN/NUT/NUTRITION	4.00 of 4.00	100.00		
PTN/PHA/ARRHYTHMIAS	15.00 of 18.00	83.33		
PTN/PHA/CVD DRUGS	10.00 of 15.00	66.67		
PTN/PHA/CVD HPTN	5.00 of 8.00	62.50		
PTN/PHA/CVD ISCHEMIA	15.00 of 17.00	88.24		
PTN/PHA/HEARTFAILURE	6.00 of 10.00	60.00		
PTN/PHA/RENAL DRUGS	8.00 of 12.00	66.67		
PTN/PHA/RESP DRUGS	6.00 of 8.00	75.00		

Category 4 (Type)	Score	%	0	100
EV	0.00 of 1.00	0.00		
IN	85.00 of 117.00	72.65		
PS	52.00 of 66.00	78.79		
RE	89.00 of 120.00	74.17		

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Test: Block 11 Exam 2016

Grade: P

Score: 79.05% (200.00 of 253.00)

Category 1 (Theme)	Score	%	0	100
ASF	42.00 of 61.00	68.85		
FPC	80.00 of 92.00	86.96		
PHD	20.00 of 26.00	76.92		
PTN	58.00 of 74.00	78.38		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	2.00 of 4.00	50.00		
ASF/PAT	40.00 of 57.00	70.18		
FPC/CLI	70.00 of 79.00	88.61		
FPC/ETH	3.00 of 4.00	75.00		
FPC/PDX	6.00 of 8.00	75.00		
FPC/PHE	1.00 of 1.00	100.00		
PHD/MIC	20.00 of 26.00	76.92		
PTN/PHA	58.00 of 74.00	78.38		

Category 3 (Topic)	Score	%	0	100
ASF/GEN/MUSCULOSKEL	2.00 of 4.00	50.00		
ASF/PAT/BRAIN TUMORS	1.00 of 1.00	100.00		
ASF/PAT/CHEMICALS	3.00 of 4.00	75.00		
ASF/PAT/CNS BASIC	3.00 of 3.00	100.00		
ASF/PAT/CNS CONGENIT	3.00 of 5.00	60.00		
ASF/PAT/CNS DEGENER	1.00 of 2.00	50.00		
ASF/PAT/CNS INFECT	5.00 of 6.00	83.33		
ASF/PAT/CNS TOXIC	3.00 of 4.00	75.00		
ASF/PAT/CNS TRAUMA	2.00 of 3.00	66.67		
ASF/PAT/CNS TUMOR	9.00 of 9.00	100.00		
ASF/PAT/CNS VASCULAR	3.00 of 7.00	42.86		
ASF/PAT/MYELIN	1.00 of 5.00	20.00		
ASF/PAT/PNS SKELETAL	2.00 of 4.00	50.00		
ASF/PAT/TRAUMA	4.00 of 4.00	100.00		
FPC/CLI/NEU-CVA	0.00 of 1.00	0.00		
FPC/CLI/NEURO	27.00 of 29.00	93.10		
FPC/CLI/OPT	1.00 of 1.00	100.00		
FPC/CLI/OPHTH	4.00 of 4.00	100.00		
FPC/CLI/PHE	2.00 of 2.00	100.00		
FPC/CLI/PSYCH	35.00 of 41.00	85.37		
FPC/ETH/BASIC	1.00 of 2.00	50.00		
FPC/ETH/END OF LIFE	2.00 of 2.00	100.00		
FPC/PDX/END OF LIFE	1.00 of 1.00	100.00		
FPC/PDX/NEU	1.00 of 1.00	100.00		
FPC/PDX/NEURO	4.00 of 5.00	80.00		
FPC/PDX/OPHTH	1.00 of 1.00	100.00		

Tuesday, March 22, 2016 1:33:11 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (Topic)	Score	%	0	100
FPC/PDX/PSYCH	0.00 of 1.00	0.00		
FPC/PHE/BASIC	1.00 of 1.00	100.00		
PHD/MIC/BAC	1.00 of 1.00	100.00		
PHD/MIC/CNS INFECT	7.00 of 11.00	63.64		
PHD/MIC/ENT	2.00 of 4.00	50.00		
PHD/MIC/ENTEROVIRUS	3.00 of 3.00	100.00		
PHD/MIC/LABORATORY	2.00 of 2.00	100.00		
PHD/MIC/ZOONOTIC	5.00 of 5.00	100.00		
PTN/PHA/ANESTHESIA	26.00 of 31.00	83.87		
PTN/PHA/DRUG ABUSE	7.00 of 11.00	63.64		
PTN/PHA/NEUROPHARM	11.00 of 12.00	91.67		
PTN/PHA/PSYCHOPHARM	14.00 of 20.00	70.00		

Category 4 (Type)	Score	%	0	100
EV	4.00 of 5.00	80.00		
IN	51.00 of 75.00	68.00		
PS	60.00 of 68.00	88.24		
RE	79.00 of 99.00	79.80		

INDIVIDUAL MASTERY REPORT for Bingham Kellie 18014

Test: Block 11 Exam 2016

Grade: P

Score: 80.24% (203.00 of 253.00)

Category 1 (Theme)	Score	%	0	100
ASF	47.00 of 61.00	77.05		
FPC	78.00 of 92.00	84.78		
PHD	19.00 of 26.00	73.08		
PTN	59.00 of 74.00	79.73		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	3.00 of 4.00	75.00		
ASF/PAT	44.00 of 57.00	77.19		
FPC/CLI	67.00 of 79.00	84.81		
FPC/ETH	3.00 of 4.00	75.00		
FPC/PDX	7.00 of 8.00	87.50		
FPC/PHE	1.00 of 1.00	100.00		
PHD/MIC	19.00 of 26.00	73.08		
PTN/PHA	59.00 of 74.00	79.73		

Category 3 (Topic)	Score	%	0	100
ASF/GEN/MUSCULOSKEL	3.00 of 4.00	75.00		
ASF/PAT/BRAIN TUMORS	1.00 of 1.00	100.00		
ASF/PAT/CHEMICALS	4.00 of 4.00	100.00		
ASF/PAT/CNS BASIC	3.00 of 3.00	100.00		
ASF/PAT/CNS CONGENIT	4.00 of 5.00	80.00		
ASF/PAT/CNS DEGENER	1.00 of 2.00	50.00		
ASF/PAT/CNS INFECT	5.00 of 6.00	83.33		
ASF/PAT/CNS TOXIC	3.00 of 4.00	75.00		
ASF/PAT/CNS TRAUMA	3.00 of 3.00	100.00		
ASF/PAT/CNS TUMOR	8.00 of 9.00	88.89		
ASF/PAT/CNS VASCULAR	5.00 of 7.00	71.43		
ASF/PAT/MYELIN	2.00 of 5.00	40.00		
ASF/PAT/PNS SKELETAL	2.00 of 4.00	50.00		
ASF/PAT/TRAUMA	3.00 of 4.00	75.00		
FPC/CLI/NEU-CVA	0.00 of 1.00	0.00		
FPC/CLI/NEURO	25.00 of 29.00	86.21		
FPC/CLI/OPT	0.00 of 1.00	0.00		
FPC/CLI/OPHTH	4.00 of 4.00	100.00		
FPC/CLI/PHE	2.00 of 2.00	100.00		
FPC/CLI/PSYCH	35.00 of 41.00	85.37		
FPC/ETH/BASIC	1.00 of 2.00	50.00		
FPC/ETH/END OF LIFE	2.00 of 2.00	100.00		
FPC/PDX/END OF LIFE	1.00 of 1.00	100.00		
FPC/PDX/NEU	1.00 of 1.00	100.00		
FPC/PDX/NEURO	5.00 of 5.00	100.00		
FPC/PDX/OPHTH	1.00 of 1.00	100.00		

Tuesday, March 22, 2016 1:33:11 PM

1

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (Topic)	Score	%	0	100
FPC/PDX/PSYCH	0.00 of 1.00	0.00		
FPC/PHE/BASIC	1.00 of 1.00	100.00		
PHD/MIC/BAC	1.00 of 1.00	100.00		
PHD/MIC/CNS INFECT	6.00 of 11.00	54.55		
PHD/MIC/ENT	3.00 of 4.00	75.00		
PHD/MIC/ENTEROVIRUS	2.00 of 3.00	66.67		
PHD/MIC/LABORATORY	2.00 of 2.00	100.00		
PHD/MIC/ZOONOTIC	5.00 of 5.00	100.00		
PTN/PHA/ANESTHESIA	25.00 of 31.00	80.65		
PTN/PHA/DRUG ABUSE	8.00 of 11.00	72.73		
PTN/PHA/NEUROPHARM	11.00 of 12.00	91.67		
PTN/PHA/PSYCHOPHARM	15.00 of 20.00	75.00		

Category 4 (Type)	Score	%	0	100
EV	4.00 of 5.00	80.00		
IN	54.00 of 75.00	72.00		
PS	59.00 of 68.00	86.76		
RE	80.00 of 99.00	80.81		

INDIVIDUAL MASTERY REPORT

for Bingham Kayla 18013

Test: 2016 Block 12 exam

Grade: P

Score: 80.46% (247.00 of 307.00)

Category 1 (Theme)	Score	%	0	100
ASF	95.00 of 111.00	85.59		
FPC	40.00 of 50.00	80.00		
PHD	68.00 of 92.00	73.91		
PTN	44.00 of 54.00	81.48		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	23.00 of 25.00	92.00		
ASF/PAT	68.00 of 82.00	82.93		
ASF/PHE	4.00 of 4.00	100.00		
FPC/CLI	26.00 of 31.00	83.87		
FPC/ETH	5.00 of 6.00	83.33		
FPC/PDX	6.00 of 8.00	75.00		
FPC/PHE	3.00 of 5.00	60.00		
PHD/IMM	5.00 of 10.00	50.00		
PHD/MIC	63.00 of 82.00	76.83		
PTN/NUT	10.00 of 13.00	76.92		
PTN/PHA	34.00 of 41.00	82.93		

Category 3 (Topic)	Score	%	0	100
ASF/GEN/CHROMOSOMES	4.00 of 4.00	100.00		
ASF/GEN/GENDER	4.00 of 4.00	100.00		
ASF/GEN/MICROBIOME	4.00 of 4.00	100.00		
ASF/GEN/PED METABOL	3.00 of 4.00	75.00		
ASF/GEN/PED METABOLI	1.00 of 1.00	100.00		
ASF/GEN/SCREENING	7.00 of 8.00	87.50		
ASF/PAT/BILIARY	4.00 of 4.00	100.00		
ASF/PAT/CONGENITAL	2.00 of 3.00	66.67		
ASF/PAT/ESOPHAGUS	4.00 of 4.00	100.00		
ASF/PAT/GERIATRIC	3.00 of 3.00	100.00		
ASF/PAT/GI DEVELOP	4.00 of 4.00	100.00		
ASF/PAT/HEPATITIS	2.00 of 2.00	100.00		
ASF/PAT/INFLAM BOWEL	3.00 of 3.00	100.00		
ASF/PAT/INTEST TUMOR	3.00 of 5.00	60.00		
ASF/PAT/LIVER TOXIC	5.00 of 7.00	71.43		
ASF/PAT/LIVER TUMORS	3.00 of 4.00	75.00		
ASF/PAT/MALABSORPT	4.00 of 4.00	100.00		
ASF/PAT/ORAL CAVITY	4.00 of 5.00	80.00		
ASF/PAT/PANCREAS	4.00 of 4.00	100.00		
ASF/PAT/PED FORENSIC	4.00 of 4.00	100.00		
ASF/PAT/PED METABOL	0.00 of 1.00	0.00		
ASF/PAT/PED TUMORS	3.00 of 4.00	75.00		
ASF/PAT/PREMATURITY	2.00 of 3.00	66.67		

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 3 (Topic)	Score	%	0	100
ASF/PAT/SKIN BLISTER	2.00 of 4.00	50.00		
ASF/PAT/SKIN INFLAM	4.00 of 4.00	100.00		
ASF/PAT/SKIN TUMORS	6.00 of 8.00	75.00		
ASF/PAT/STOMACH	2.00 of 2.00	100.00		
ASF/PHE/OBESITY	4.00 of 4.00	100.00		
FPC/CLI/GI	1.00 of 1.00	100.00		
FPC/CLI/HEP-INFLAM	1.00 of 1.00	100.00		
FPC/CLI/INFLAM BOWEL	1.00 of 1.00	100.00		
FPC/CLI/OBESITY	7.00 of 8.00	87.50		
FPC/CLI/PAN	1.00 of 1.00	100.00		
FPC/CLI/PED BASIC	7.00 of 9.00	77.78		
FPC/CLI/PSYCH	3.00 of 3.00	100.00		
FPC/CLI/SKIN	2.00 of 3.00	66.67		
FPC/CLI/TERRORISM	3.00 of 4.00	75.00		
FPC/ETH/BASIC	1.00 of 1.00	100.00		
FPC/ETH/PED BASIC	4.00 of 5.00	80.00		
FPC/PDX/BASIC	1.00 of 2.00	50.00		
FPC/PDX/GI	1.00 of 1.00	100.00		
FPC/PDX/GIN	1.00 of 1.00	100.00		
FPC/PDX/HEP	1.00 of 1.00	100.00		
FPC/PDX/SKIN	2.00 of 3.00	66.67		
FPC/PHE/TERRORISM	3.00 of 5.00	60.00		
PHD/IMM/DEFICIENCY	5.00 of 10.00	50.00		
PHD/MIC/ANAEROBES	3.00 of 4.00	75.00		
PHD/MIC/ECTOPARASITE	4.00 of 4.00	100.00		
PHD/MIC/GI BACTERIA	6.00 of 6.00	100.00		
PHD/MIC/GI INFECTION	4.00 of 4.00	100.00		
PHD/MIC/GI VIRUS	4.00 of 4.00	100.00		
PHD/MIC/GRAM NEG ROD	4.00 of 6.00	66.67		
PHD/MIC/HEPATITIS	8.00 of 9.00	88.89		
PHD/MIC/INFLAMBOWEL	2.00 of 2.00	100.00		
PHD/MIC/INTRACEL BAC	3.00 of 4.00	75.00		
PHD/MIC/LABORATORY	3.00 of 3.00	100.00		
PHD/MIC/OBESITY	2.00 of 2.00	100.00		
PHD/MIC/ORAL CAVITY	2.00 of 4.00	50.00		
PHD/MIC/PAR-MULTICEL	9.00 of 13.00	69.23		
PHD/MIC/PAR-UNICELL	4.00 of 8.00	50.00		
PHD/MIC/VIRAL EXANTH	5.00 of 9.00	55.56		
PTN/NUT/BASIC	5.00 of 8.00	62.50		
PTN/NUT/OBESITY	5.00 of 5.00	100.00		
PTN/PHA/GENETICS	7.00 of 7.00	100.00		
PTN/PHA/GERIATRIC	3.00 of 4.00	75.00		
PTN/PHA/GIDRUGS	4.00 of 4.00	100.00		
PTN/PHA/HERBALS	7.00 of 8.00	87.50		
PTN/PHA/PARASITES	3.00 of 4.00	75.00		
PTN/PHA/PLACEBO	3.00 of 4.00	75.00		
PTN/PHA/TOXICOLOGY	7.00 of 10.00	70.00		

INDIVIDUAL MASTERY REPORT
for Bingham Kayla 18013

Category 4 (Type)	Score	%	0	100
EV	4.00 of 5.00	80.00		
IN	101.00 of 124.00	81.45		
PS	36.00 of 48.00	75.00		
RE	106.00 of 130.00	81.54		

INDIVIDUAL MASTERY REPORT

for Bingham Kellie 18014

Test: 2016 Block 12 exam

Grade: P

Score: 81.11% (249.00 of 307.00)

Category 1 (Theme)	Score	%	0	100
ASF	95.00 of 111.00	85.59		
FPC	40.00 of 50.00	80.00		
PHD	70.00 of 92.00	76.09		
PTN	44.00 of 54.00	81.48		

Category 2 (Discipline)	Score	%	0	100
ASF/GEN	23.00 of 25.00	92.00		
ASF/PAT	68.00 of 82.00	82.93		
ASF/PHE	4.00 of 4.00	100.00		
FPC/CLI	26.00 of 31.00	83.87		
FPC/ETH	5.00 of 6.00	83.33		
FPC/PDX	6.00 of 8.00	75.00		
FPC/PHE	3.00 of 5.00	60.00		
PHD/IMM	5.00 of 10.00	50.00		
PHD/MIC	65.00 of 82.00	79.27		
PTN/NUT	10.00 of 13.00	76.92		
PTN/PHA	34.00 of 41.00	82.93		

Category 3 (Topic)	Score	%	0	100
ASF/GEN/CHROMOSOMES	4.00 of 4.00	100.00		
ASF/GEN/GENDER	4.00 of 4.00	100.00		
ASF/GEN/MICROBIOME	4.00 of 4.00	100.00		
ASF/GEN/PED METABOL	3.00 of 4.00	75.00		
ASF/GEN/PED METABOLI	1.00 of 1.00	100.00		
ASF/GEN/SCREENING	7.00 of 8.00	87.50		
ASF/PAT/BILIARY	4.00 of 4.00	100.00		
ASF/PAT/CONGENITAL	2.00 of 3.00	66.67		
ASF/PAT/ESOPHAGUS	4.00 of 4.00	100.00		
ASF/PAT/GERIATRIC	3.00 of 3.00	100.00		
ASF/PAT/GI DEVELOP	4.00 of 4.00	100.00		
ASF/PAT/HEPATITIS	2.00 of 2.00	100.00		
ASF/PAT/INFLAM BOWEL	3.00 of 3.00	100.00		
ASF/PAT/INTEST TUMOR	3.00 of 5.00	60.00		
ASF/PAT/LIVER TOXIC	5.00 of 7.00	71.43		
ASF/PAT/LIVER TUMORS	3.00 of 4.00	75.00		
ASF/PAT/MALABSORPT	4.00 of 4.00	100.00		
ASF/PAT/ORAL CAVITY	4.00 of 5.00	80.00		
ASF/PAT/PANCREAS	4.00 of 4.00	100.00		
ASF/PAT/PED FORENSIC	4.00 of 4.00	100.00		
ASF/PAT/PED METABOL	0.00 of 1.00	0.00		
ASF/PAT/PED TUMORS	3.00 of 4.00	75.00		
ASF/PAT/PREMATURITY	2.00 of 3.00	66.67		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 3 (Topic)	Score	%	0	100
ASF/PAT/SKIN BLISTER	2.00 of 4.00	50.00		
ASF/PAT/SKIN INFLAM	4.00 of 4.00	100.00		
ASF/PAT/SKIN TUMORS	6.00 of 8.00	75.00		
ASF/PAT/STOMACH	2.00 of 2.00	100.00		
ASF/PHE/OBESITY	4.00 of 4.00	100.00		
FPC/CLI/GI	1.00 of 1.00	100.00		
FPC/CLI/HEP-INFLAM	1.00 of 1.00	100.00		
FPC/CLI/INFLAM BOWEL	1.00 of 1.00	100.00		
FPC/CLI/OBESITY	7.00 of 8.00	87.50		
FPC/CLI/PAN	1.00 of 1.00	100.00		
FPC/CLI/PED BASIC	7.00 of 9.00	77.78		
FPC/CLI/PSYCH	3.00 of 3.00	100.00		
FPC/CLI/SKIN	2.00 of 3.00	66.67		
FPC/CLI/TERRORISM	3.00 of 4.00	75.00		
FPC/ETH/BASIC	1.00 of 1.00	100.00		
FPC/ETH/PED BASIC	4.00 of 5.00	80.00		
FPC/PDX/BASIC	1.00 of 2.00	50.00		
FPC/PDX/GI	1.00 of 1.00	100.00		
FPC/PDX/GIN	1.00 of 1.00	100.00		
FPC/PDX/HEP	1.00 of 1.00	100.00		
FPC/PDX/SKIN	2.00 of 3.00	66.67		
FPC/PHE/TERRORISM	3.00 of 5.00	60.00		
PHD/IMM/DEFICIENCY	5.00 of 10.00	50.00		
PHD/MIC/ANAEROBES	3.00 of 4.00	75.00		
PHD/MIC/ECTOPARASITE	4.00 of 4.00	100.00		
PHD/MIC/GI BACTERIA	5.00 of 6.00	83.33		
PHD/MIC/GI INFECTION	4.00 of 4.00	100.00		
PHD/MIC/GI VIRUS	4.00 of 4.00	100.00		
PHD/MIC/GRAM NEG ROD	6.00 of 6.00	100.00		
PHD/MIC/HEPATITIS	8.00 of 9.00	88.89		
PHD/MIC/INFLAMBOWEL	2.00 of 2.00	100.00		
PHD/MIC/INTRACEL BAC	3.00 of 4.00	75.00		
PHD/MIC/LABORATORY	3.00 of 3.00	100.00		
PHD/MIC/OBESITY	2.00 of 2.00	100.00		
PHD/MIC/ORAL CAVITY	2.00 of 4.00	50.00		
PHD/MIC/PAR-MULTICEL	10.00 of 13.00	76.92		
PHD/MIC/PAR-UNICELL	4.00 of 8.00	50.00		
PHD/MIC/VIRAL EXANTH	5.00 of 9.00	55.56		
PTN/NUT/BASIC	5.00 of 8.00	62.50		
PTN/NUT/OBESITY	5.00 of 5.00	100.00		
PTN/PHA/GENETICS	7.00 of 7.00	100.00		
PTN/PHA/GERIATRIC	3.00 of 4.00	75.00		
PTN/PHA/GIDRUGS	4.00 of 4.00	100.00		
PTN/PHA/HERBALS	7.00 of 8.00	87.50		
PTN/PHA/PARASITES	3.00 of 4.00	75.00		
PTN/PHA/PLACEBO	4.00 of 4.00	100.00		
PTN/PHA/TOXICOLOGY	6.00 of 10.00	60.00		

INDIVIDUAL MASTERY REPORT
for Bingham Kellie 18014

Category 4 (Type)	Score	%	0	100
EV	4.00 of 5.00	80.00		
IN	103.00 of 124.00	83.06		
PS	36.00 of 48.00	75.00		
RE	106.00 of 130.00	81.54		



Student Exam Correlations for Blocks 1-Synthesis of Year 1

<u>Exam</u>	<u>Location of exam</u>	<u>Results</u>	<u>Correlation</u>
Year 1 Block 1 Exam			
Student A	Seat: DDB 110- C2	83.41	76.30%
Student B	Seat: DDB 110- C22	81.52	

Year 1 Block 2 Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: LIB 437	83.93	83.48%
Student B	Seat: LIB 437	83.04	

Year 1 Block 3 Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: DDB 110- A30	74.89	69.79%
Student B	Seat: DDB 110- A5	80.85	

Year 1 Block 4 Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: LIB 440	87.3	89.34%
Student B	Seat: LIB 440	86.48	

Year 1 Block 5 Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: DDB 110- C18	89.87	96.20%
Student B	Seat: DDB 110- C14	89.87	

Year 1 Block 6 Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: LIB 436	85.25	93.55%
Student B	Seat: LIB 436	86.18	

Year 1 Synthesis Exam		<u>Results</u>	<u>Correlation</u>
Student A	Seat: LIB 440	83.33	93.52%
Student B	Seat: LIB 440	82.41	

Student A= Kayla Bingham
Student B= Kellie Bingham

Data compiled on May 20th, 2016
LXR data provided by Inda Humes
Correlation results provided by Laura-Elizabeth Smith

Student Exam Correlations for Blocks 7-12 of Year 2

<u>Exam</u>	<u>Location of exam</u>	<u>Results</u>	<u>Correlation</u>
Block 7 Exam			
Student A	Seat: LIB 440	83.21	92%
Student B	Seat: LIB 440	81.75	

Block 8 Exam			
Student A	Seat: LIB 439	72.92	87%
Student B	Seat: LIB 439	73.61	

Block 9 Exam			
Student A	Seat: LIB 438	68.14	63%
Student B	Seat: DDB 110- B6	69.15	

Block 10 Exam			
Student A	Seat: DDB 110- E5	63.82	61%
Student B	Seat: BE F1	73.68	

Block 11 Exam			
Student A	Seat: LIB 436	79.05	76%
Student B	Seat: BE 86	80.24	

Block 12 Exam			
Student A	Seat: LIB 436	79.8	96%
Student B	Seat: LIB 436	80.13	

Student A= Kayla Bingham

Student B= Kellie Bingham

Data compiled on May 16th, 2016

LXR data provided by Linda Humes

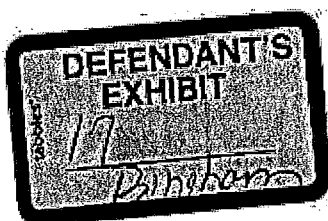
Correlation results provided by Laura-Elizabeth Smith



Medical University of South Carolina

Honor Code

Board Approved - October 12, 2001
Revision - 2014/2015



Content

<u>Section</u>	<u>Page</u>
Preamble	1
Purpose of the Honor Councils	2
Scope	3
Membership and Elections	4
Resignation	4
Officers	4
Meetings	5
Formal Charges	5
Due Process	6
Rights of the Accused	6
The Notification Conference	7
Procession of Formal Hearing	8
Sanctions	9
Appeal	10
Official Record	10
Notification	10
Distribution	10
Bills and Amendments	11

Preamble

Professional education is in part the acquisition of knowledge from textbooks, laboratories, research, and clinical experience through the combined efforts of students, administration, and faculty. This education is not the only kind, nor is it necessarily the most important. Total development of the student into a professional must include the display of high moral character expected of this status. In governing their actions, students must look to their own judgment. Individuals of professionally acceptable moral character are those who have established high ethical standards for themselves and who consistently abide by them.

When entering the Medical University of South Carolina (MUSC), students become part of a much larger professional community, extending far beyond the boundaries of this campus. It is a community whose foundation is healing but whose bricks and mortar are compassion, honesty, trust and integrity. Even though sources of ethical principles may differ, students must aspire to reach certain standards of behavior.

The student Honor Code at MUSC provides the framework in which each student may practice exacting principles of character in order to achieve the highest standards of self-development. Accordingly, college honor councils are entrusted primarily with demonstrating to the students who have lapses of integrity the precise nature of their mistakes and only secondarily to mete punishment. In their deliberations, honor councils will adjudicate cases based on the premise that students can and should develop a character befitting their roles as professionals.

Students at MUSC are expected to achieve and display high standards of character. Thus, students are responsible for monitoring activities that support the goal of self-development. This responsibility assumes the student body can deal with violations of honor and misconduct as justly as the administration. This privilege of the honor councils to judge their own cases is at the same time their greatest obligation. The close relationship students enjoy with the faculty enables the honor councils to meet the needs of individual students and MUSC equitably. Faculty and students are in the process of education and share a common objective. All have a fundamental investment in the enterprise of academic work, and all must share the responsibility for ensuring its integrity.

The health care professions require men and women of impeccable character who can live private and professional lives that exemplify high standards of moral conduct. An atmosphere in which the individual can adequately develop professional skills and moral standards can be achieved with an Honor Code. For this reason, students and faculty regard a breach of the Honor Code as a serious offense. A violation of the Honor Code is an affront to each of us independently as well as collectively.

The central purpose of the Honor Code is to sustain and protect an environment of mutual respect and trust in which students can enjoy the freedom to develop their intellectual and personal potential. Essential to the community of trust is the acceptance of individual responsibility. The foundation of the Honor Code depends entirely upon the willingness of every individual to live up to the standards set by the student body, the individual colleges, MUSC, and each of the professions the students are entering. If the students are to enjoy the benefits of the community of trust and integrity, which the Honor Code fosters, they must hold themselves to the basic principles of honesty and agree never to lie, cheat, steal, or tolerate those who do. Accordingly, students or faculty who believe that a breach of the Honor Code has occurred are obligated to report the suspected breach to their college honor council.

A positive commitment to promote an atmosphere of trust is established when an Honor Code is adopted. Under it students are expected to tell the truth, to live honestly, to advance on individual merit, and to demonstrate deep respect for others in the academic, clinical, and research communities. The Honor Code does not intend merely to prevent students from lying, cheating, and stealing or simply to punish those who violate this Honor Code, nor to place restrictions that might conflict with personal values on students. Rather,

the acceptance of the Honor Code assures that the integrity of students is unquestioned and accepted by all in the academic, clinical, and research communities.

Acceptance of the Honor Code bestows upon students the responsibility to respect and protect the integrity of MUSC and also assures that the integrity of students is unquestioned and accepted by all in the academic, clinical, and research communities. The Honor Code presumes the absolute honesty of each individual and as a result, students live with the freedom of knowing that: 1) their integrity, intentions, work, and word are unquestioned; 2) their personal property and academic work is respected and free from theft; and 3) classroom, clinical, and research environments for learning and evaluation are honorable. Trust in these beliefs is established, maintained, and protected by students rather than by faculty.

The honor councils subscribe to the following concepts to attempt to adjudicate cases fairly for the accused, MUSC, and all others concerned:

1. Presumption of innocence -- The accused is presumed innocent until proven guilty based upon a preponderance of the evidence.
2. Expediency -- All charges will be investigated and resolved as quickly as possible within the guidelines of a thorough investigation and ample opportunity for the accused to prepare a defense.
3. Confidentiality -- Information pertaining to honor council hearings or any matters under investigation are confidential. Only those persons involved in a particular case or with a legitimate need to know will be informed.

Purpose of the Honor Councils:

Paradoxically, the goal of the honor councils is to render themselves unnecessary. Insofar as they can instill high standards of character within the student body and promote professional ethics, they will for the most part become obsolete. This goal cannot be obtained without the personal involvement of students, administrators, mentors, and faculty. The system requires that students develop academically and morally while being supported by the advice, criticism, enthusiasm, and example of peers, faculty, and mentors.

Each college at MUSC has its own honor council composed of elected members from that college. These honor councils are responsible for educating everyone in their respective colleges on the meaning and importance of the Honor Code, investigating reported infractions within the college and participating in hearings in an unbiased manner.

The presidents of each college's honor council serve as that college's representative on the University Honor Council. The Student Government Association's Vice President of Academic Affairs serves as Chair of the University Honor Council and organizes meetings at least once each semester. The University Honor Council allows sharing of ideas and insights gained from experiences around MUSC so that the individual colleges' honor councils can better perform their duties. The University Honor Council meets at the end of each semester to report and discuss any violations that have occurred during that semester. The presidents of the individual honor councils are to bring a report of all charges, decisions, and sanctions. All names are to be removed from these documents to ensure confidentiality. The Chair of the University Honor Council will compile these reports, remove any reference to college or program, and present this information to the Student Government Association. Any charges, decisions, and sanctions will be posted in the Minutes of the Student Government Association General Meeting and on the University-Wide Honor Code's website. A student with a *not guilty* verdict can request to have his or her name included in this report. This forum also allows for reporting violations, decisions, and sanctions while maintaining the privacy of the convicted student.

Scope:

The honor council in each college functions to discharge the responsibility entrusted by students and faculty to discourage dishonesty and, within their purview, recognize dishonest practices that directly bear

upon students and their relationships with their fellows, faculty, patients, college, and MUSC. Every student enrolled at MUSC is expected to abide by the Honor Code.

The Honor Code applies to all activities and all behaviors pertaining to the academic, research, and clinical work of every student enrolled at MUSC, as well as any conduct within the MUSC community which undermines either the trust of one's fellow students or the spirit of the Honor Code. All academic assignments, all laboratory work, all research, all examinations, and all clinical work are encompassed, as is the professional character and conduct of students enrolled at MUSC.

This Honor Code cannot anticipate every offense. Any unethical behavior not specifically mentioned in this code is a violation. Specific incidents must be considered with regard to the context in which they occur, the alleged infraction, as well as the magnitude of the alleged offense.

Violations of the Honor Code include, but are not limited to, the following acts that violate academic integrity:

1. Lying: Lying is the statement of an untruth with the intent to mislead fellow students, faculty, patients, hospital staff, or administrative officials. Lying includes lies of omission or failure to divulge voluntarily the whole and complete truth. Fabrication or falsification of information (verbal or written) in any academic or clinical exercise is in violation of the Honor Code. Lying also includes any false testimony presented during Preliminary or Formal Hearings.
2. Cheating: All tests, quizzes, written work, laboratory work, research, and examinations at the Medical University of South Carolina are conducted under the Honor Code. Cheating is defined as using or attempting to use unauthorized assistance, devices, material, or study aids in or prior to examinations or any other academic work, or cheating or attempting to prevent others from using authorized assistance, material or study aids.
 - a. Plagiarism: using the ideas, information, work, or writings of another person and accepting credit for the work as one's own without proper acknowledgment on any paper, test, essay, lab work, research, or similar course activity.
 - b. Altering records: misrepresenting or tampering with transcripts, academic records, research data, or computer programs; obtaining or using another's ID code, social security number, or electronic password.
 - c. Knowingly using, buying, selling, transporting, or soliciting, any or all of or in part of the contents of an examination or other assignment not authorized for release, including the use of previously administered exams without the permission of the instructor.
3. Stealing: Possession of MUSC property or another individual's private property without permission or knowledge.
4. Any of the following also constitute a violation of the Honor Code, but this list should not be interpreted as all-inclusive.
 - a. Facilitating academic dishonesty: colluding with another in the violation of any provision of this code.
 - b. Breach of appropriate standards of behavior in the presence of patients.
 - c. Breach of confidentiality with respect to information about patients.
 - d. The use of pressure, threat, abuse, bribery, or other practices that results in harassment.
 - e. The failure to report any violation of this Honor Code or the withholding of evidence pertinent to any case under investigation.
5. Unauthorized entry or presence in any office, laboratory, clinic, or other location is a violation of the Honor Code. Likewise, the abuse or destruction of any instruments, equipment, supplies, property, or books constitutes an offense of the Honor Code.

Membership and Elections:

Each college has an honor council. The honor councils for the Colleges of Dental Medicine, Medicine, and Pharmacy consist of two representatives from each class, at least two faculty representatives, and an honor council faculty advisor. The honor council for the College of Nursing consists of four representatives from each class, at least two faculty representatives, and an honor council advisor. The honor councils for the Colleges of Graduate Studies and Health Professions consist of one representative from each program, at least two faculty representatives, and an honor council faculty advisor. Each college will publish specific guidelines for the election of honor council representatives.

Student representatives: Student members serve as members of the honor council until the end of their time on campus. Upon departure, a new student member from the same class or program shall be selected by student elections.

Faculty/Administrative representatives: Faculty members serve a one-year term, and may be reappointed. The faculty representatives are voting members and can vote in the Formal Hearings. The dean appoints faculty representatives.

Faculty advisors: Every three years, at the end of the spring semester, the honor council elects, by simple majority, an Honor Council Faculty Advisor who serves a three-year term. Faculty advisors must be full-time faculty members in the college for which they serve. They may serve multiple and consecutive terms. If the advisor is presently serving as a faculty representative when elected, the dean appoints a replacement faculty representative. If the faculty advisor is not able to perform the necessary duties, a faculty representative will temporarily fill the required position. Faculty advisors are not voting members, but they ensure due process and to provide guidance and continuity from year to year.

Resignation:

An honor council member who misses hearings or meetings without a professional excuse, is unable to maintain a cumulative GPA of at least 2.0 for the preceding grading period, is placed on professional or academic probation, or is found guilty of violating the Honor Code will be asked to resign. Further, members can be removed from the honor council by a two-thirds majority vote of the honor council. In the case of resignation by a member of the honor council, the class or college of the resigning member promptly selects a new representative from the same class or program.

Officers:

The honor council officers are a president, vice president, secretary, and faculty advisor. These officers are elected by a simple majority of the current honor council members.

Honor Council President: This student must have at least one year of experience on the honor council. The president also serves as a representative on the University Honor Council. The president arranges for and presides at all hearings and meetings, of the college honor council, and performs all duties common to this office. The president does not vote during the deliberations in Formal Hearings to decide guilt or innocence. The president can, however, cast the deciding vote on sanctions in the event of a tie. The president administers the following oath to new members:

I do solemnly promise to uphold the policies of the honor council and to perform the duties of my office to the best of my ability.

Vice President: The vice president assumes the duties of the president in the event of his or her absence.

Secretary: The secretary assists the president in matters relevant to the function of the honor council. The secretary also notifies those concerned of the time and place of hearings and meetings and records minutes of all honor council meetings. Further, the secretary maintains detailed minutes of hearings, both Preliminary

and Formal, before the honor council. These minutes will be kept as the official record as they contain the date of the hearings, participants, charges, testimony, findings, verdicts, recommendations, and penalties. The dean assists the honor council in maintaining a secure, permanent location for all confidential records.

Faculty Advisor: The faculty advisor attends all subcommittee meetings and hearings in an advisory capacity and serves as a resource for honor council members. The faculty advisor does not vote in proceedings, but may voice his or her opinion. The faculty advisor serves as a resource for an accuser when unsure if a violation has occurred.

The term of each student officer is one academic school year. Officers may serve two or more consecutive terms, if so elected.

Meetings:

Following the election of student representatives and appointment of faculty representatives by the dean, the Honor Council President calls a meeting of the student and faculty representatives. This mandatory meeting is held to organize and elect council officers.

The president calls a meeting of the honor council at the beginning of the fall semester, soon after student elections to introduce and induct the new representatives and familiarize them with the functions of the honor council.

The president may call additional meetings at any time. Two-thirds of the members constitute a quorum.

Formal Charges:

Any individual(s) who has reason to believe that an Honor Code violation has occurred must make a formal charge before the honor council can take any action. However, it is understood that there is potential for interaction between the accuser and the accused before formal charges are submitted. The individual(s) making the formal charge must submit a statement in writing to include the following:

1. Name of the person believed to have violated the Honor Code.
2. Description of the alleged violation.
3. Time and date of the alleged violation.
4. Time and date the individual making the charge became fully aware of the circumstances of the violation.
5. Signature of the individual making the formal charge.

The formal written charge is confidential and therefore should be sealed and hand-delivered to the Honor Council President or through an honor council member or through the accused student's dean's office. Once the Honor Council President receives the formal charges, the Honor Council President initiates an investigation of the charges. The accuser shall remain anonymous to the accused until the Notification Conference.

At no time after submitting a formal written charge should the accuser discuss any aspect of the charges with anyone not directly involved, nor should any honor council member mention the charges. After the Formal Hearing, honor council members may refer any inquiries on charges, decisions, or sanctions to the Minutes of the Student Government Association General Meeting and the University-Wide Honor Code website.

Due Process:

Once the president of the honor council receives the formal charges, he or she notifies the Honor Council Faculty Advisor and appoints two representatives from the honor council. The representatives are responsible for collecting evidence, interviewing witnesses, and presenting findings during the Preliminary and, if necessary, Formal Hearings. Within two working days of receiving the formal charges, the president notifies the accused student of the alleged violation in writing, his or her rights, and the date of the Notification Conference. If the charge relates to scientific integrity, however, MUSC policy on scientific integrity must be followed, which (in compliance with federal law) requires sequestering of the data before any notification takes place. All charges will be heard at the Notification Conference. Every effort will be made for a timely investigation. Confidentiality is important during this process, and representatives will remind each witness that discussions are confidential.

In the event that an accused student is enrolled in a joint degree program, the formal charges are to be delivered to the Honor Council President or dean's office of the portion of the program that the student is currently working on. The representatives and Honor Council Faculty Advisor are to be from that college. A joint council will be arranged to include members from both colleges.

Rights of the Accused:

1. The accused student must be informed in writing of any charges within two working days after the Honor Council President receives the formal charges and at least two working days before the case is heard at the Notification Conference and must be provided with a copy of the Honor Code. If the accused student or anyone involved in the investigation has questions about the process he or she should contact only the Honor Council President, Honor Council Faculty Advisor, or dean of the respective college.
2. The accused student has the option of being excused from any tests, assignments, or examinations for a period extending from 48 hours prior to the Notification Conference until 48 hours following notification of the final decision of the honor council. Pursuant to the decisions of the academic progress committee in the accused student's college failure to participate in academic work (e.g., examinations and assignments) could result in delayed academic progress.
3. At the discretion of the dean, the accused may be removed from classes and clinical work during the time that a Preliminary and/or Formal Hearing is taking place if there is a clear and present danger to patients, faculty, or other students. The dean may also grant permission to continue classes and clinical work after a final decision has been reached if notified in writing that the case is being appealed. Under no circumstances may a student graduate until the case and all appeals have been resolved.
4. Each accused student does have the right to be accompanied by one advisor (faculty, family member, attorney or other). Honor Council hearings are student-driven proceedings, and, as such, attorneys are not permitted in the hearing to represent the accused. The advisor or an attorney serving as the advisor may not address the honor council or pose questions. The advisor may actively advise the accused but shall have no interaction with other members of the Council.
5. The accused will be given reasonable and adequate time for the preparation of a defense. The accused will have prior access to and notice of evidence to be presented to the honor council at the Formal Hearing and have the right to call witnesses in his or her defense.
6. The accused has the right to an expedient resolution of the charges, and every effort should be made to resolve such matters quickly. However, the time requirements should be considered guidelines only. Due to the nature of MUSC's environment, unavoidable delays may occur. Such delays do not take precedence over the process itself and are not grounds for dismissal of the charges. Only gross and inexcusable delays, which are solely the fault of the honor council, may serve as grounds for dismissal. A request for dismissal should be made (in writing) to the dean.
7. The accused student has the right to confront his or her accusers and to cross-examine any witnesses at the honor council hearing.