

The following is the result of the Arizona State (ASU) off field protest of their game on 5/7/2017 against California Miramar University-Montebello (CMU-M).

Game protested by Arizona State

ASU & CMU-M played their District VIII Championship game Sunday May 7th. Nick Minot, a CMU-M player who is listed as eligible on their NCBA roster, pitched and defeated ASU 2-1 to win the District VIII Championship. ASU is protesting the eligibility of CMU-M player Nick Minot, stating he is out of NCBA eligibility given his initial date of enrollment doesn't match what is listed on his NCBA profile. The allegations imply Nick Minot initially enrolled in college fulltime back in 2009 – making 2017 his 8th year since initial full time college enrollment – which would violate NCBA eligibility rules.

Requested Action

ASU is requesting the game be ruled a 7-0 victory in their favor since CMU-M violated rule NCBA DII Rule 7.09.0:

7.09.0 Each student-athlete shall complete his five seasons of participation in intercollegiate baseball within six calendar years from the beginning of the semester or quarter in which the student-athlete first registered for a minimum full time program of studies in a collegiate institution, with time spent in the armed services, on official church missions or with recognized foreign aid services of the U.S government being excepted.

ASU Statement

Statement made by ASU President, Michael Smith – *“Today in the District VIII championship game our school (Arizona State University) played California Miramar University - Montebello. The pitcher for CMU, Nick Minot, stated he started college in 2015 and is listed as a 2nd year player on the NCBA website. After a little research it was found that he had actually started college at the William Penn University during the 2009-2010 season and started his collegiate baseball career then. Nick Minot started his clock of playing 5 years of NCBA baseball within his 6 consecutive year window the NCBA allows, during the 2009-2010 season which would be more than 6 years ago.*

Below is the roster at William Penn from the 2009-2010 season with the earliest we have seen Minot being in a University. Nick Minot is # 36 on the roster:”

2010 Baseball Roster

#	Name	Cl.	Pos.	B/T	Ht.	Wt.	Hometown	Previous School
1	Jorge Quezada	FR	P		5-6	160	San Ysidro, Calif.	Castle Park HS
2	Dakota Johnston	SO	IF		5-4	135	Eddyville, Iowa	Eddyville-Blakesburg HS
3	David Ruiz	SR	C		5-8	160	Flagstaff, Ariz.	Grossmont CC
4	Vincent Barone	SO	IF		5-8	165	Green Cove, Fla.	Fleming Island HS
5	Chris Witrado	JR	IF		5-11	170	Fresno, Calif.	West Hills CC
6	Adam Tolbert	FR	IF		5-9	180	Chula Vista, Calif.	Castle Park HS
7	Brad Chin	SO	IF		5-10	165	San Rafael, Calif.	San Rafael HS
9	John MacNeil	JR	IF		6-0	190	Medicine Hat, Alberta	Douglas CC
10	Jerry Hernandez	JR	IF		6-2	200	Moreno Valley, Calif.	Chaffey CC
11	Ryan Magana	JR	OF/P		6-0	195	San Jose, Calif.	Mission CC
12	Nick Golich	SR	C		6-2	195	Aurora, Ill.	Waubensee CC
13	Justin Long	JR	OF		5-9	170	Modesto, Calif.	Modesto CC
14	Daniel Wehr	SO	OF		5-7	140	Sigourney, Iowa	Sigourney HS
15	Mike Myers	FR	C/OF		6-0	165	Yelm, Wash.	Rainier HS
17	Dirck Jackman	JR	IF		5-8	195	San Jose, Calif.	Mission CC
18	Chris Freedman	JR	P		6-3	195	Walnut, Calif.	Citrus CC
19	Francis Murphy	JR	P		6-4	220	Santa Cruz, Calif.	Cabrillo CC
20	Eric Krause	JR	P		5-11	195	San Diego, Calif.	Southwestern CC
21	Cory Randall	JR	OF		5-9	165	What Cheer, Iowa	Tri-County HS
22	Aaron Laird	SO	OF/IF		6-1	185	Oskaloosa, Iowa	Oskaloosa HS
24	Jonathan Manson	SR	C/OF		5-7	220	St. Louis, Mo.	Alabama A&M
25	Kyle Humphrey	JR	IF		6-2	220	Boise, Idaho	Skagit Valley CC
26	Travis Warnock	JR	P		6-5	195	Auburn, Wash.	Pierce CC
27	Jesus Sanchez	JR	P		6-0	210	Los Angeles, Calif.	Citrus CC
28	Richard Romero	JR	C		5-11	210	Bakersfield, Calif.	West Hills CC
29	Bobby Bunch	SR	P		6-0	200	Albuquerque, N.M.	Bacone
30	Miguel Castillon	JR	IF		5-10	205	Simi Valley, Calif.	LA Mission CC
31	Curtis Graham	JR	DH/IF		6-1	265	Albia, Iowa	Simpson
32	Jonathan Chaney	SR	P		6-3	220	Columbus Junction, Iowa	Columbus Comm. HS
33	Eddie Sobczak	SR	C		5-11	230	University Place, Wash.	Skagit Valley CC
34	Bruce Foerster	SR	P		6-7	255	Medicine Hat, Alberta	Texas Wesleyan
35	Todd Sepulveda	JR	P		6-5	230	Vista, Calif.	Arizona Western CC
36	Nick Minot	FR	P		5-11	200	Winnetka, Calif.	Montclair Prep HS
37	Jose Martinez	JR	IF		6-5	220	San Jose, Calif.	Mission CC
38	Kenny Bigelow	FR	P/IF		5-11	240	Cripple Creek, Colo.	Cripple Creek-Victor HS
	Evelio Ahumada*	JR	IF		5-9	195	Hacienda Heights, Calif.	Citrus CC

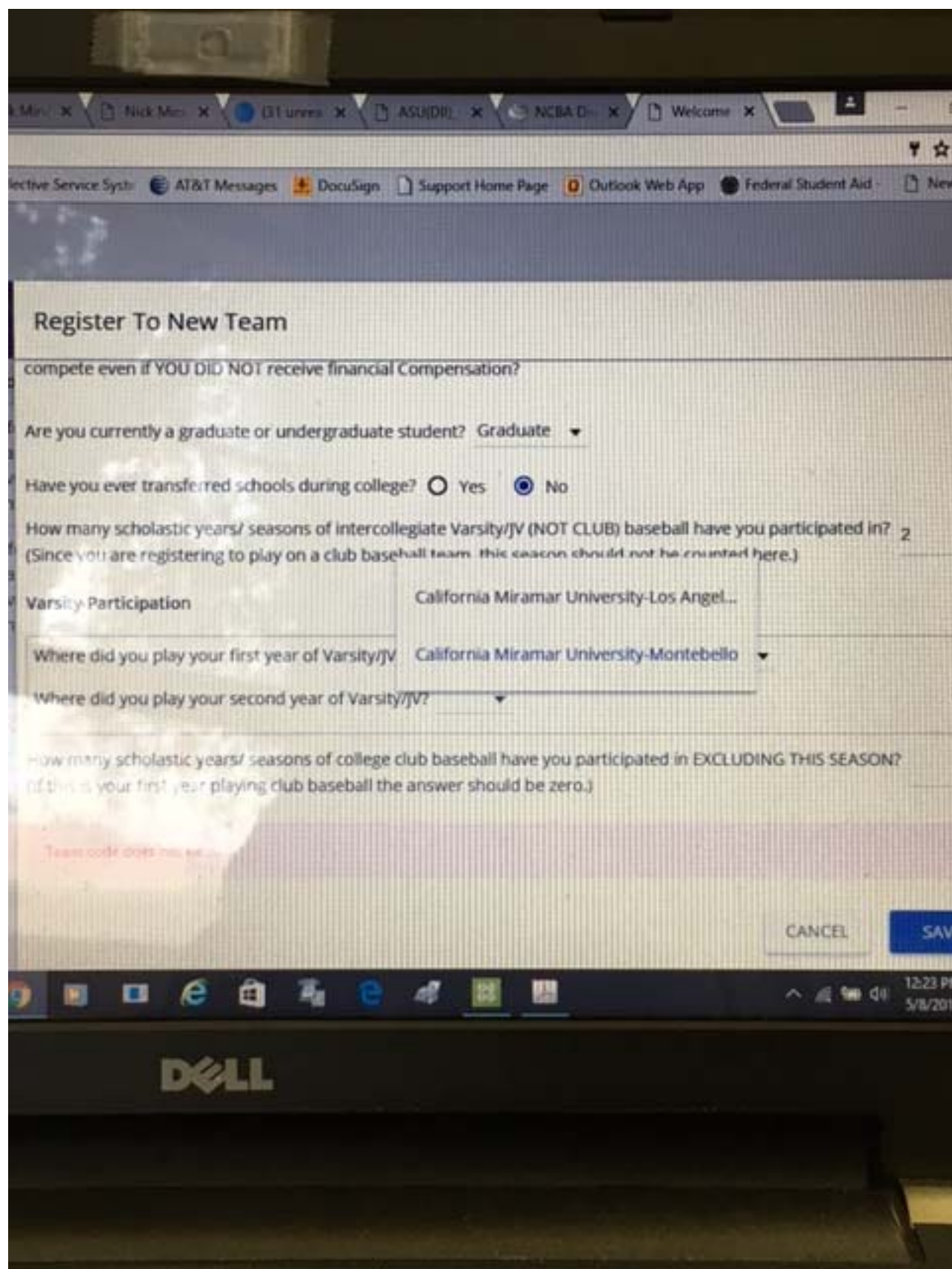


The screenshot shows the William Penn University Athletics website. At the top, there is a navigation menu with links: LIFE AT WILLIAM PENN, ADMISSIONS, ACADEMICS, GIVING, EVENTS, ABOUT WILLIAM PENN, and WMPENN.EDU. Below this is a banner image featuring various athletes in action, with the 'WP' logo prominently displayed. Underneath the banner, a yellow navigation bar contains links: HOME, SPORTS, NEWS, INSIDE ATHLETICS, ATHLETIC DIRECTORY, BOOSTER CLUB, and APPAREL STORE. The main content area is titled 'BASEBALL' and includes a record summary: Record: 23-18, Home: 11-7, Away: 7-3, Neutral: 5-8, MCC: 12-8. A sub-menu offers options like TEAM HOME, SCHEDULE, ROSTER, COACHES, NEWS, RECRUITING, STATISTICS, RECORDS, and ADDITIONAL LINKS. The central focus is the player profile for Nick Minot, which includes a photo, his name, and the following details:

- HEIGHT:** 5-11
- WEIGHT:** 195
- CLASS:** JR
- POSITION:** P
- HOMETOWN:** Winnetka, Calif.
- PREV. SCHOOL:** Montclair Prep HS
- Parents:** Kirk Minot and Debbie Minot
- Birth Date:** August 2, 1991
- Major:** History/Government with an emphasis in American government
- High School:** Attended Montclair Prep HS.
- Athletic Honors:** 2010 Letterwinner
- Career Highs:** Strikeouts-5 (vs. Ashford, 4/27/10), Innings Pitched-5 2/3 (vs. Ashford, 4/27/10)

CMU-M Statement

Statement made by Chris Chade, CMU-M Athletic Director – *“In regards to Nick Minot’s eligibility, we feel that he is within the playing rules of NCBA eligibility requirements. In regards to Rules 7.09.0, we feel there is some ambiguity with rule 07.10.0 which states “For a player to participate in the NCBA using a fifth year of eligibility, the player must NOT have exhausted four years of eligibility at the Varsity Level”. The student in question has not exhausted four years of eligibility at the varsity level. The player in question has participated in 3 seasons of Varsity baseball at William Penn University and 2 Club Ball seasons, that is including this year 2017, at California Miramar University. In regards to the application for the NCBA player registration, the student only had the option to choose California Miramar University when filling out the application. Had he had any other options to choose from or fill in, see below, then the NCBA would have been able to flag the fact that there may have been eligibility concerns. Please notify us if there is a necessary appeals process so we may alert our attorney if necessary. In closing, Nicholas Minot is an outstanding student with a 4.0 GPA. He would never do anything intentionally to compromise the program.”*



Ruling

PROTEST GRANTED – Per NCBA Rule 7.09.0, once a student athlete initially enrolls in college full time his/her 6 year window begins. They then have the next 6 consecutive years to play up to 5 years of intercollegiate baseball. It doesn't matter if the athlete takes times away from college through their undergraduate degree after initially starting or after graduation before reenrolling in pursue of additional degrees – that player is only eligible within that initial 6 year window. The NCBA does have exceptions in place as noted within the rule, though Nick doesn't meet the criteria for any of those. Nick's NCBA player profile online matches the player profile from his time at William Penn University in 2009-10. He graduated high school in from Montclair Prep HS in 2009. Nick provided false information regarding his educational background when completing his online NCBA player registration as his listed his initial college enrollment as Oct 2015 CMU – Los Angeles instead of 2009 William Penn Univ. Had he provided factual information from the start, he would have never been cleared on CMU-M's roster as his profile would have been flagged for not meeting eligibility requirements. Lastly, both Leo Gutierrez (CMU-M Head Coach) & Nick Minot confirmed via phone to Eric Curitore that Nick had played at William Penn back in 2009-10.

CMU-M's claim that Nick never exhausted 4 years of varsity baseball is 100% irrelevant as that's not the issue ASU is protesting. Nick is eligible in that regard, though ASU is protesting Nick's eligibility through rule 7.09.0 not rule 7.10.0. CMU-M's claim that only one school was available to pick is also 100% irrelevant as their screenshot showed the drop down box for "Varsity Participation". Since he never listed his prior enrollment at William Penn in his educational history, only the schools he reported earlier were available.

This is the 1st official protest made against the eligibility of Nick Minot this season. The NCBA was notified through various sources on Sunday May 9th. Word got to ASU, who then went about filing the off field protest. ASU was in compliance with their off field protest of an ineligible player listed on an NCBA roster:

24.03.2.1 An exception being the protest of the ineligibility of a player who is officially on the roster can be protested at any time provided the protest is filed within 24 hours of having determined the player should not have been eligible to compete in an NCBA Sanctioned Baseball Game.

The result of this game will be changed to a 7-0 forfeit victory for ASU. CMU-M's District VIII Championship and World Series bid will be stripped and awarded to ASU. CMU-M will be placed on probation for the entire 2017/2018 season. CMU-M will also be forced to forfeit each and every NCBA Sanctioned game they won earlier in the year that Nick Minot appeared in. Per Nick's profile, he appeared in 5 wins for CMU-M. All 5 of those games will be changed to 7-0 forfeit losses against CMU-M.

Since the CMU-M Coaches and administrators were 100% cooperative in this investigation and the NCBA believes that there was no malicious intent to deceive the NCBA by the CMU-M Coaches and Administration no further disciplinary action will be taken and CMU-M will remain post season eligible for the 2017/18 NCBA season.

Eric Curitore

A handwritten signature in black ink, appearing to read "Eric Curitore".

Director of DII Baseball Operations