

NATIONAL ONLINE TRIAL ADVOCACY COMPETITION

March 15, 2020

Dear Students and Coaches,

We know how frustrating it is to prepare for trial competitions and suddenly have them cancelled or postponed. We and our students are dealing with that same disappointment at UCLA and Fordham. (We also know that many professors have students receiving course units for trial competitions that won't be held.)

To help fill the trial competition void – and to recognize outstanding advocates across the country – we are launching the **National Online Trial Advocacy Competition**. The competition will occur entirely online: competitors will upload video recordings of their opening statements. We will have a \$500 prize for first place and recognition of top advocates and schools.

If people enjoy this event, we will do others, including closing arguments, witness examinations, full trials, etc.

We have designed the competition to be challenging without being too demanding. The case is only 25 pages, and the rules are one page (the next page). The deadline to submit videos is April 3.

If you have questions, contact Professor Bernstein at bernstein@law.ucla.edu.

Good luck!

Justin Bernstein
Director
Cappello Program in Trial Advocacy



Adam Shlahet
Director
Brendan Moore Trial Advocacy Center



Competition Rules

1. **Eligibility.** Any current law student is eligible. Each student is limited to one video submission. There is no limit to the number of students who may participate from each school.
2. **School Affiliation.** We recommend saying your name at the beginning of your video. But you may not identify your law school in the video.
3. **Assistance.** Advocates may seek assistance from whomever they like. Collaboration with coaches, classmates, and professors is encouraged.
4. **Google Drive.** All competition materials (Rules, Case, Submission Form, Clarifications) will be [in this publicly accessible Google Drive folder](#). We will add the rubric given to all scorers.
5. **The Case.** The competition features *United States v. Tam*, the case for Gladiator 2019 (the high school version of Top Gun). It's less than 25 pages, so preparation should not be overwhelming.
6. **Party.** Choose whether to represent the Government or the Defendant.
7. **Time Limit.** Your opening statement is limited to 8 minutes.
8. **Evidence.** The verdict form identifies the element of the charged offense and provides some explanation. There are no affirmative defenses. The Government will call Spencer Matthew and all exhibits are pre-admitted. If you choose to represent the Defense, know that your client has decided to testify; you may choose how/whether to use that fact in your opening statement.
9. **Exhibits and Demonstrative aids.** They are not permitted. In the current climate, not everyone has equal access to supplies, and we don't want to do anything that would require travel, etc.
10. **Submission.** The deadline to create your video is April 3, 2020. Upload your video to YouTube. [Then complete this form](#) (name, email, hyperlink to your video, etc.). You can post it publicly, but we recommend making the video "unlisted" so that only those with the link can view it ([this explains how to do that](#)).
11. **Consent to share video.** All videos will be shared with those scoring the competition, and videos of top performers will be shared publicly after the competition. By submitting a video, participants consent to same.
12. **Questions?** Please email Professor Bernstein at bernstein@law.ucla.edu. Where appropriate, questions and answers will be posted in the [Clarifications](#) document.

UCLA LAW

Synopsis

In 2017, Jewel Tam, the daughter of celebrity Mel Tam, was admitted to her dream college. But in 2019, the Government uncovered evidence that Mel Tam conspired to falsify Jewel's college application materials. On July 12, 2019, Mel Tam will face trial for fraud.

Rights and Distribution

This is a work of fiction by Justin Bernstein and was created for Gladiator 2019, the 1-on-1 high school mock trial national championship. Stand Up Mock Trial owns all rights. This case may not be posted on the Internet or otherwise shared beyond those who competed in GLADIATOR 2019 and those participating in the 2020 online competitions.

Author's Note

Though inspired by real life events, none of the facts of this case relate to any real persons. References to real universities, entities, and institutions are also purely fictional. The author is a proud alum of UC Berkeley, and that fact may be evident when reading the case...

As is our GLADIATOR tradition, the defendant is named in honor of the previous year's finalists, Meghna Melkote (Wyoming Seminary, and now a competitor at Richmond) and Tiffany Tam (Menlo, and then a competitor at NYU). We have no doubt their college applications were legitimate. ☺ The prosecution witness is named in honor of Matthew Wright and Spencer Wright, the outstanding coaches of Venture Academy. We express no opinion about their college applications.

Acknowledgments

We thank Sue Johnson (Forensics Director at Patrick Henry College) and Sarah Winkle (former coach of three-time Empire champion Trinity Pacific) for their invaluable proofreading. If you spot typos, blame the author, not them.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
ROMA DIVISION

UNITED STATES,

v.

MEL TAM,

Defendant.

Criminal Case No. 1ON1-2019

BILL OF INDICTMENT

**Honest Services Wire Fraud
18 U.S. Code § 1343**

The Grand Jury charges that:

Count One

From approximately 2015 to 2017, Mel Tam engaged in a scheme to defraud, and to obtain property of value, to wit, test scores and admission offers from universities, by means of materially false and/or misleading representations, to defraud and deprive others, including college exam administration organizations and universities, of honest and faithful services, through the use of wire communications.

A True Bill:

Mark Shem

Grand Jury Foreperson

Bill Schrier

Assistant United States Attorney

Executed March 25, 2019.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
ROMA DIVISION

UNITED STATES,

v.

MEL TAM,

Defendant.

Criminal Case No. 1ON1-2019

STIPULATIONS

The parties stipulate to the following:

1. Trial covers only the question of guilt, not sentencing (if any).
2. The parties waive all objections under the U.S. Constitution and any Amendments thereto. All stops, searches, seizures, wiretaps, recording, interviews, arrests, and interrogations were lawful. All notice requirements under the Federal Rules of Evidence have been satisfied.
3. On March 12, 2019, federal prosecutors charged more than 50 individuals with honest services fraud, wire fraud, and conspiracy regarding allegations of college admission fraud. This was the first time the public became aware of the college admission scandal or the related investigation. The 50 people charged on March 12, 2019 did not include Spencer Matthew, Dr. Carla Gebo, Hampton Zeta, Garrett MacDonald, Mel Tam, Andy Tam, or Jewel Tam.
4. The qmail email address in Exhibit 3 belongs to Mel Tam.
5. Exhibits 4 and 5 are drawn from the joint checking account belonging to Mel and Andy Tam. In addition, Mel and Andy Tam each have their own separate bank accounts.
6. On March 25, 2019, Dr. Carla Gebo, Garrett MacDonald, and Hampton Zeta were arrested for conspiracy to commit honest services fraud. All three cited Fifth Amendment grounds in refusing to testify in this case.
7. Exhibit 7 was sent to College Bound Corporation by U.S. mail.
8. Exhibit 8 is an authentic EssayT score report from the College Bound Corporation. The EssayT is a leading and respected standardized test equivalent to the SAT and ACT and is accepted by all colleges in the United States. The test is scaled similarly to the SAT; for example, a perfect EssayT score is 1600. When Jewel Tam applied to UC Berkeley, Stanford, and University of Scenic California, College Bound delivered Exhibit 8 electronically to those schools.
9. Jewel Tam's applications to UC Berkeley, Stanford, and University of Scenic California were submitted through the schools' online portals. Her applications to all three schools included Exhibit 10, and her application to University of Scenic California included Exhibit 9.
10. Exhibit 13 is an authentic and accurate transcription of Mel Tam's April 1, 2019 appearance on Stand Up and Face the World, a news program on cable television.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
ROMA DIVISION

UNITED STATES,

v.

MEL TAM,

Defendant.

Criminal Case No. 10N1-2019

JURY VERDICT FORM

If the Government proved the elements below beyond a reasonable doubt, check Yes. Otherwise, check No. If you answer Yes to Question Nos. 1, 2, **and** 3, check Guilty. Otherwise, check Not Guilty.

1. Did the Defendant knowingly devise or participate in a scheme to defraud, or to obtain money or other property, by using false pretenses, representations, or promises?

Falsified test scores and/or admission to colleges, even on behalf of another, qualify as "other property" within the meaning of this question.

Yes ___ No ___

2. Did the Defendant act with intent to defraud?

Intent to defraud requires either the Defendant acted with the purpose of defrauding a test administration service and/or a university or with knowledge that such fraud would likely occur.

Yes ___ No ___

3. Did the scheme use wire communication to carry out the fraud?

Wire communication is transmission of data over a wire-based communication technology, which includes telephone and cellular networks, internet, and fiber-optic communication.

Yes ___ No ___

What verdict have you reached with respect to the sole count of Honest Services Wire Fraud?

Guilty ___ Not Guilty ___

DECLARATION OF SPENCER MATTHEW

I make the following statements under penalty of perjury.

In 2019, I was caught at the center of a college admissions scandal after the FBI raided my offices and arrested me on charges of wire fraud, honest services wire fraud, racketeering, and conspiracy. Given the evidence against me, I agreed to plead guilty and cooperate with the US Attorney’s Office’s prosecution of all the parents who hired me to fabricate their children’s admission materials. In exchange, I agreed to a sentence of 15 years in prison (which I am told could be 9 years with good behavior) and forfeiture of all of my assets (cash, homes, cars, etc. totaling about \$11 million). I told the prosecutors everything, turned over all my records, and even participated in some wiretapped communications with former clients. During the plea negotiations, the prosecutors and FBI seemed particularly interested in my famous clients. Exhibit 2 is my cooperation agreement, which I read and understand.

I was born in 1972. In 1994, I graduated from Wright State University in Ohio with a B.A. in communications. My career bounced around for a few years: telemarketing, car sales, and short term “payday” loans. Around 2004, I found my calling. I helped my neighbor’s kid with his college application—a slight exaggeration here, a half-truth there—and the kid got into his first-choice college. Seeing the kid’s happiness was really special. Five hundred bucks from his parents didn’t hurt either.

From there, my entrepreneurial spirit kicked in. From 2004 to 2006, I started doing admissions consulting. I started small—families who lived nearby, then people with more money, then eventually people with real money. I invested the money I made back into the business so that I could expand my operations, make the right connections, obtain the necessary licenses, and hire staff.

In 2006, I opened Reach for the Stars, an admissions consulting business. Reach for the Stars did some genuine, lawful admissions consulting. My paid staff included tutors who helped students prepare for standardized tests, writers who helped students with their college essays, and strategists who helped students navigate the admissions process. But this legitimate side of the business only accounted for five percent of Reach for the Stars’s actual business. The rest came from helping wealthy individuals, often celebrities, get their children admitted to elite universities by gaming the system. I had two primary methods for doing so. The first method was to arrange for a student to take a standardized test at a testing facility under my control, and then I would correct the student’s answers before submitting the answers to the national testing service. This would inflate the student’s test score dramatically. The second method was to exaggerate or even fabricate a student’s athletic accomplishments. I did this by bribing coaches, creating fake online articles, and photoshopping students’ faces on the bodies of actual student-athletes. For some students, I used both methods. From 2006 to the present, I helped approximately 150 high school students get into some of the top universities in the world—universities that they never could have gotten into honestly. The students often had no idea that anything improper was happening; it was usually between me and their parents.

I also ran a not-for-profit, Front of the Classroom. Officially, we were a 501(c)(3) nonprofit registered with the US Government, with the purpose of helping low-income students obtain a college education. In reality, this was a shell corporation that allowed Reach for the Stars to avoid suspicion. If you report six-figure fees for admissions consulting, eyebrows will

44 get raised. If you report the same for charitable donations, no one notices. Since 2006, the
45 students' parents paid me a total of approximately \$30 million. To be fair, that wasn't all profit.
46 I had to pay bribes, salaries, overhead expenses, and, of course, taxes. All told, I personally
47 made \$9 million profit through my admissions consulting business and related charity.

48 One of my clients was Mel Tam, a Hollywood celebrity who needs no introduction. Mel
49 contacted me in December 2015. Exhibit 3 is our email exchange. As you can see, I played it
50 cool, but in truth I was excited; Mel Tam was maybe my most famous client. Mel lives in
51 Orange County, California with Mel's spouse Andy Tam and their daughter Jewel Tam. Andy
52 is a successful venture capitalist; Andy is extremely wealthy but not at all famous. Their older
53 daughter, Cher, was a freshman at NYU. I had no involvement with Cher's college admission.
54 Jewel was a junior at Rosemary High School in Orange County.

55 I met Mel on January 2, 2016 at the Tams' home in Newport Beach. Andy Tam was
56 present for a couple minutes. Andy didn't say anything but seemed to understand what was
57 happening. I didn't meet Jewel that day. The entire meeting was 15 minutes.

58 At that first meeting, Mel got right to the point: "I'm not concerned with the morality. I
59 just want the best for my daughter. Can you help me?" I asked where Mel wanted Jewel to
60 attend college. "Her dream school is Berkeley. Obviously. But Stanford would be fine," Mel
61 said. I told Mel we need a safety school. Mel picked the University of Scenic California. Mel
62 then showed me Jewel's transcript and PSAT score report. The grades were fine, but not good
63 enough for those schools. The PSAT score, from Fall 2015, was 1080. That definitely wasn't
64 going to cut it. I asked if Jewel played sports, and Mel said no.

65 I laid out my plan to Mel. I said we would use a two-pronged approach: a higher
66 standardized score and a fake athletic profile. I told Mel it would be \$100,000 for the test score,
67 \$100,000 for the athletic profile, or \$150,000 for both. These were a little higher than my usual
68 prices, but looking at the Tam's beachfront home, I thought price wouldn't be an issue. I was
69 right; Mel's entire response was, "Will you take a check?" I said yes. Mel handed me two
70 checks that morning—one to Reach for the Stars and, for appearances, one to Front of the
71 Classroom. Exhibits 4 and 5 are the checks. Mel signed the fronts, and I signed the backs.
72 Exhibit 6 is the letter I provided Mel soon after.

73 I got to work immediately. First, I focused on getting Jewel a better standardized test
74 score. I told Mel to register Jewel for the College Bound Essay Test, commonly known as at the
75 EssayT. Like the ACT and SAT, the EssayT is a major, universally accepted standardized
76 college admission test that is scored out of 1600. The major difference is that it puts greater
77 emphasis on reading and writing skills. As I explained to Mel, if Jewel took the SAT, her huge
78 score improvement from the PSAT might trigger suspicion. But a big score improvement would
79 be more explainable with a different test.

80 I got Jewel an appointment with my favorite psychiatrist, Dr. Carla Gebo, who had
81 "helped" many of my students in the past. Dr. Gebo wrote Exhibit 7, which I gave to Mel Tam.
82 I told Mel to submit Dr. Gebo's letter to College Bound, which administers the EssayT, so Jewel
83 could get extra time on the test. The extra time itself was irrelevant; but it would require College
84 Bound to assign Jewel to a different test center.

85 Sure enough, College Bound approved Jewel’s extra time on the EssayT. They assigned
86 Jewel to the test center closest to her home, the Newport Beach Testing Facility—which I own.
87 Jewel took the exam in October 2016 and, when it was over, one of my associates, Garrett
88 MacDonald, changed her answers. Jewel would have scored around a 1090. But we improved
89 her exam to what we expected would be a 1480 and then submitted her exam to College Bound
90 for scoring. Mel wanted something in the 1500s, but we didn’t want to overdo it; the Berkeley
91 admissions people are eagle-eyed. A couple months later, Jewel received her official EssayT
92 score report: 1480, on the nose. Garrett is the best. Exhibit 8 is the copy of Jewel’s official
93 EssayT score report that Mel Tam showed me with glee.

94 Next, I turned Jewel into a student-athlete. Manufacturing an entire athletic profile in
95 2016 was nearly impossible. For example, suppose you want to make the student sound like a
96 star tennis player. You can’t just bribe their high school tennis coach for a rec letter and take a
97 few glossy photos of the kid on the tennis court. There would be record of every tennis
98 tournament they entered and every match they won. I can’t invent that. So, instead, I keep it
99 simple. I just bribe the coach at the college I’m trying to get the student admitted to.

100 In this case, I gave some cash to Hampton Zeta, the head golf coach at the University of
101 Scenic California (and the best-dressed guy I know). Hampton said he would use his influence
102 to get Jewel admitted. “Does she at least play golf a little?” Hampton asked. “She doesn’t know
103 the difference between a 3-iron and a tire iron,” I said. “Then I’m going to need a little extra,”
104 Hampton said. I gave him \$30,000 cash. I wrote Exhibit 9 and Hampton signed it. I was there
105 when Hampton called the admissions officer and recommended Jewel by phone, as well.

106 The last step was the resume. In October 2016, I came to the Tam residence twice to
107 meet with Jewel about her resume. Exhibit 10 is the final version we included with Jewel’s
108 applications. As far as I know, it’s all true, except the golf section, which is completely false.

109 Mel told me that Jewel submitted her college applications in November 2016. She
110 applied to UC Berkeley, Stanford, and the University of Scenic California. By spring, the
111 admission letters were rolling in. Mel was ecstatic. I knew Jewel must have been admitted to
112 UC Berkeley because, in March 2017, I received a FedEx from Mel with \$5,000 cash and a Cal
113 hoodie in my size. I took a photo of the cash and sweatshirt, Exhibit 11. I didn’t normally
114 document evidence of my work (for obvious reasons), but I thought that showing this to other
115 potential clients could inspire confidence—and tips. By April, Mel told me Jewel had been
116 admitted everywhere she applied.

117 Exhibit 12 is a transcript of a conversation I had with Mel Tam after I was arrested. I
118 knew the FBI was recording the call. Mel didn’t.

119 This declaration includes all relevant information about my work toward Jewel Tam’s
120 college admission.

121 Spencer Matthew
122 Spencer Matthew

March 25, 2019
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
ROMA DIVISION

Exhibit
2

UNITED STATES,

v.

SPENCER MATTHEW,

Defendant.

Criminal Case No. 1ON1-2018

Cooperation Agreement

1. This Cooperation Agreement between the United States Attorney's Office for the Central District of California (the "Government") and Spencer Matthew ("Defendant") is made pursuant to Rule 11 of the Federal Rules of Criminal Procedure. The parties to this Agreement have agreed upon the following:
2. The indictment in this case charges Defendant with more than 220 federal counts of wire fraud, honest services wire fraud, and conspiracy to commit the same. If convicted, Defendant could be sentenced to more than 800 years in prison and more than \$300,000,000 in penalties and fines.
3. Defendant admits that, if tried for the aforementioned crimes, Defendant would be convicted.
4. Defendant agrees to enter a voluntary plea of guilty to the following count of the indictment: Count Three, which charges Defendant with honest services wire fraud under Title 18, Section 1343 of the United States Code. Defendant understands that the maximum sentence for this crime is 30 years. The Government agrees to recommend a sentence of 15 years. Defendant understands that in imposing sentence the Court will be guided by the United States Sentencing Guidelines. Defendant understands that the Sentencing Guidelines are advisory, not mandatory, but that the Court must consider the Guidelines in determining a reasonable sentence.
5. Defendant agrees to cooperate in the Government's prosecution of various defendants, including Mel Tam, Becky Katz, and Lyne Skavo, by providing testimony and relevant documents and other evidence to the Government, and by participating in any investigative procedures requested by the Government, including recording of other individuals. This agreement may be voided if Defendant does not testify truthfully. Whether Defendant has testified truthfully is determined solely by the United States Attorney's Office.
6. Defendant acknowledges that Defendant has read this Agreement and carefully reviewed each provision with his attorney. Defendant further acknowledges that Defendant understands and voluntarily accepts each and every term and condition of this Agreement.

Spencer Matthew January 30, 2019
Spencer Matthew Date

Liam Walker January 30, 2019
Asst. US Attorney Date

Spencer Matthew

FROM: Mel Tam [melegance@gmail.com]
SENT: December 28, 2015, 4:47 PM
TO: Spencer Matthew [spencer@reachforthestars.org]
SUBJECT: Jewel

We want the best for our daughter. Price not a concern.

January 2 is fine. I have a massage at 9 am. So please come by at 11, not earlier. Address is 11 Avocado Way in Newport Beach.

Please keep this confidential.

Thanks.

FROM: Spencer Matthew [spencer@reachforthestars.org]
SENT: December 28, 2015, 4:38 PM
TO: Mel Tam [melegance@gmail.com]
SUBJECT: Jewel

I am certain I can help. When would you like to meet? How about January 2?

Fair warning: We're the best in the business, and we are priced according. Depending on the student's qualifications, their ambitions, and the gap between those two, the costs can reach six figures.

SM

FROM: Mel Tam [melegance@gmail.com]
SENT: December 28, 2015, 4:30 PM
TO: Spencer Matthew [spencer@reachforthestars.org]
SUBJECT: Jewel

My daughter Jewel will be applying to colleges next year. I am told you are the person to see about this. Can we meet?

Mel Tam

Andy and Mel Tam
11 Avocado Way
Newport Beach, CA 92625

Jan 2 2016 09-765/432

PAY TO THE ORDER OF Reach for the Stars \$ 10,000

Ten thousand DOLLARS

MEMO consulting

[Signature]

⑆ 452342867 ⑆ 484589 ⑆ 1001 ⑆



Exhibit
5

Andy and Mel Tam
11 Avocado Way
Newport Beach, CA 92625

Jan 2 2016 09-765/432

PAY TO THE ORDER OF Front of the Classroom \$ 140,000

One hundred and forty thousand DOLLARS

MEMO charity

[Signature]

⑆ 452342867 ⑆ 484589 ⑆ 1002

ORIGINAL DOCUMENT

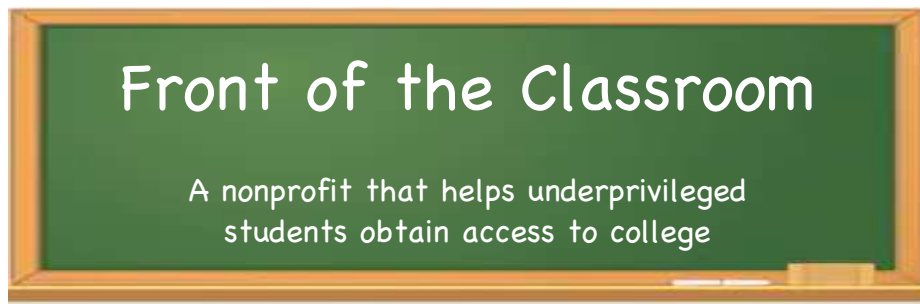
ENDORSE HERE
Spencer Matthew

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
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Security Features: **Watermark** - Visible when held up to light. **Color-shifting Ink** - The number "100" on the front of the bill changes color as you tilt it. **Microprint** - Small text that appears as a fine, repeating pattern. **Color-shifting Ink** - The number "100" on the front of the bill changes color as you tilt it. **Embossing** - Raised areas on the bill that can be felt. **Security Thread** - A thin, wavy thread that runs through the bill. **Color-shifting Ink** - The number "100" on the front of the bill changes color as you tilt it. **Embossing** - Raised areas on the bill that can be felt. **Security Thread** - A thin, wavy thread that runs through the bill.

FEDERAL RESERVE BOARD OF GOVERNORS REG. 02



Andy and Mel Tam
11 Avocado Way
Newport Beach CA 92625

January 4, 2016

Dear Andy and Mel Tam,

Thank you for your generous contribution to Front of the Classroom, a 501(c)(3) not-for-profit organization that helps underprivileged students obtain access to college.

This letter confirms your donation of \$140,000 on January 2, 2016.

Without people like you, some children would have a very different opportunity to gain college admission.

Best wishes,

Spencer Matthew

Spencer Matthew
Founder and President
Front of the Classroom

Carla Gebo, M.D.

The Grady Mental Health Group
292 Chuck Alan Road
Atlanta, Georgia

Exhibit
7

January 15, 2016

To Whom It May Concern:

I recently met with patient Jewel Tam. Ms. Tam is a high school student in California.

I am a licensed psychiatrist with experience diagnosing and treating young persons with disabilities that may affect their ability to take exams. In this case, I had sufficient facts and data to form a conclusion (I performed a battery of tests on Ms. Tam). I used reliable principles and methods (written exams and observation). I applied those principles reliably to the facts of this case.

In my expert medical opinion, Ms. Tam suffers from attention-deficit hyperactivity disorder (ADHD). This causes Ms. Tam to work more slowly than other students during a testing environment and results in test scores that do not match Ms. Tam's level of ability or understanding. I recommend that Ms. Tam receive double time on any standardized tests, including the EssayT.

If you have any questions, please hesitate to contact me.

Sincerely,

Carla Gebo

Carla Gebo, M.D.

EssayT

Score Report

Test Date: 10/20/2016
Registration #: 828828
Sex: Female
Date of birth: June 1, 1999
Test Center: 1343
High School: Rosemary High

Exhibit
8

Jewel Tam
11 Avocado Way
Newport Beach, CA 92625

Total Score

1480 *out of*
1600
98th percentile

Our goal is to reduce a student to a single number that carries as much weight as four years of academic classes, all their extracurricular activities, all recommendation letters, and their career goals.

Writing Score

760 *out of*
800
99th percentile

We view these numbers as reliable because we assume all students have equal access to test preparation services, no categories of students are systematically disadvantaged by standardized tests or the way they are written, and no students have ever performed poorly on a single day of testing in a manner that might render results less than reliable.

Reading Score

720 *out of*
800
97th percentile



**College
Bound**

If you want to go to college, you need to take our test.

Admissions Office
University of Scenic California
3502 Battery Way
Los Angeles, California 90007

November 1, 2016

Dear Admissions Committee:

As the head golf coach at this school, I want to express my unreserved support for the candidacy of Jewel Tam. If admitted, Jewel will make a wonderful addition to our USC Golf Team.

Ms. Tam competed successfully for her high school golf team at Rosemary High School in Orange County, California. Rosemary has a renowned golf team, and my conversations with their coaches confirm that Ms. Tam is quite talented and hardworking. I have reviewed her scores from official events. Ms. Tam's scoring average is on par with that of other top recruits to whom we have awarded scholarships.

I also had the pleasure of meeting Ms. Tam and watching her on the course. She has natural talent and a textbook swing. She appears focused and coachable. Children like this don't come around often.

Please let me know if you have any questions about Ms. Tam.

Sincerely,

Hampton Zeta

Hampton Zeta

**Exhibit
9**

JEWEL TAM

11 Avocado Way, Newport Beach, CA 92625

jewelinfluencer@gmail.com

**Exhibit
10**

EDUCATION

- Rosemary High School, Newport Beach, California
- Expected graduation May 2017
- GPA 3.6/4.0
- Honor roll, Fall 2015 and Spring 2016
- 1480/1600 on EssayT test (98th percentile)

EXTRACURRICULAR ACTIVITIES

- Homecoming Committee, Fall 2016
- Ran for ASB treasurer, Spring 2016. Finished second out of six candidates
- Volunteered at retirement home, Fall 2015 and Spring 2016
- Game of Thrones Club, vice president, Spring 2015

MOCK TRIAL TEAM

- Rosemary High School Mock Trial Team, Fall 2013 – present
- Captain, Fall 2015 – present
- Won awards as attorney and witness at county and state competitions
- Competed at 2016 “Gladiator,” the 1-on-1 high school mock trial world championship

GOLF TEAM

- Rosemary High School Varsity Golf Team, Fall 2013 – present
- Captain, Fall 2014 – present
- Won seven tournaments and finished in top ten 19 times

HOBBIES AND INTERESTS

- My favorite foods are smoothies, sushi, and quinoa
- In my spare time, I enjoy traveling, sunbathing, and Netflix
- I have more than 50,000 Instagram followers, the most at my high school

Exhibit
11



WIRETAP TRANSCRIPT
March 13, 2019

Exhibit
12

- 1 **TAM Phone:** Hello? Who is this?
- 2 **MATTHEW:** This is Spencer Matthew.
- 3 **TAM Phone:** Spencer. How are you?
- 4 **MATTHEW:** I'm well. How are you?
- 5 **TAM Phone:** Busy as always.
- 6 **MATTHEW:** I don't know if you saw the news yesterday.
- 7 **TAM Phone:** I did. It's all Andy and I have been talking about.
- 8 **MATTHEW:** More than fifty people were indicted.
- 9 **TAM Phone:** I was relieved that your name wasn't on the list.
- 10 **MATTHEW:** Me, too. And that's why I'm calling.
- 11 **TAM Phone:** Oh?
- 12 **MATTHEW:** If you are approached by the FBI, just tell them you hired me for admissions consulting.
- 13 **TAM Phone:** I understand.
- 14 **MATTHEW:** Good. How much does Jewel know?
- 15 **TAM Phone:** Don't worry about Jewel.
- 16 **MATTHEW:** Right now, I'm worried about everything. Did you tell Jewel that we changed her scores?
17 She couldn't think that she magically improved four hundred points.
- 18 **TAM Phone:** One moment, please. I need to talk to Andy.
- 19 [30 seconds of unidentifiable whispering]
- 20 **TAM Phone:** We don't know what this is all about. Please don't call here again.

TRANSCRIPT
Stand Up and Face the World
April 1, 2019

Exhibit
13

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(Hosts Jessica Falkenstein and Phil Pasquarello are together behind a desk, facing the camera.)

PP: I'm Phil Pasquarello.

JF: I'm Jessica Falkenstein.

PP: It's time to Stand Up...

JF: ... Face the World.

PP: We've got some major stories to talk about today. An impending avocado shortage. Updates on the Jussie Smollett case. The pope challenging the president. But first, we want to welcome Mel Tam.

JF: On March 12th, federal prosecutors arrested dozens in a college admissions scandal. Parents, consultants, coaches, and university officials. Last week, the US Attorney's Office announced another round of indictments, including one of Hollywood's biggest stars. Mel Tam. Live from our studio, we are pleased to welcome Mel to the show

(Mel Tam enters stage, sits next to Pasquarello and Falkenstein)

MT: Hi, Phil. Hi, Jess. Good to be here.

PP: Let's start with the obvious question. You've been indicted. Why are you coming on a television show?

MT: Simple: I want to clear my name. My lawyer, Erica Schwartzreich, told me not to come on the show. Told me to say nothing. And Erica is the best defense lawyer there is. But I couldn't sit silent and watch my reputation get smeared. I couldn't watch my daughter's reputation get smeared.

JF: Tell us about your daughter.

MT: I have two daughters. My older daughter, Cher, is a senior at NYU. My younger daughter is Jewel. She's a sophomore at Cal Berkeley. Jewel is an amazing young woman. Smart, ambitious, talented. She has more Instagram followers than I did at her age.

PP: Since you're on the show, we have to ask you the tough questions.

MT: That's why I'm here.

JF: Spencer Matthew has been indicted for the same crimes you have, and Spencer Matthew appears to be admitting guilt. Did you hire Spencer Matthew and Spencer's company Reach for the Stars?

MT: Yes.

PP: What did you hire them for?

1 MT: I hired them to help Jewel get into college. Fairly. Spencer promised to tutor Jewel for the
2 SATs, promised to help her with her college essay, promised to help her write a great
3 resume. All above board. I did nothing wrong.

4 PP: How much did you pay Spencer Matthew for this above-board admission consulting?

5 MT: Ten thousand dollars. Look, I know that probably sounds distasteful to many. Most
6 people can't pay someone to help their children improve their college applications. If you
7 want to say the system is broken, I won't argue. But I'm fortunate to have built a
8 successful career. I don't apologize for my success. And I don't apologize for doing
9 everything within my power – everything legally within my power – to help my daughter.

10 PP: How involved were you in Jewel's college applications?

11 MT: I'm a very involved parent. I'm involved in all aspects of my children's lives. I never
12 missed one of Cher's quiz bowl competitions or one of Jewel's mock trial competitions,
13 unless I was traveling for work or if I had other plans. I was very involved in their college
14 applications, too. For example, I read Jewel's essay about how traveling to Paris had made
15 her a more well-rounded student, and I thought it was inspiring.

16 JF: When the indictments came out, prosecutors released the declaration of Spencer Matthew,
17 along with several exhibits. We're going to show them to you here in studio and put them
18 on the screen for the audience. Have you read Exhibit 1, a declaration from Spencer?

19 MT: I skimmed it. Pack of lies. I couldn't even finish reading the whole thing. Too upsetting.

20 PP: Spencer Matthew claims to have met you at your home on January 2, 2016. True?

21 MT: Yes. We discussed a plan to help Jewel get into college legitimately. Nothing illegal.

22 JF: So on January 2, 2016, Spencer Matthew never mentioned anything about bribing a golf
23 coach? Faking a disability? Changing scores on a standardized test?

24 MT: No. Never.

25 PP: Who attended the January 2, 2016 meeting at your home?

26 MT: It was me, my spouse Andy, and Spencer Matthew. Mostly it was Spencer and Andy. I
27 was there at the beginning, for just a couple minutes, but Andy was really the one leading
28 the charge on Jewel's college applications. I barely had anything to do with Spencer
29 Matthew. Andy was generally the one communicating with Spencer, following up.

30 JF: If this January 2, 2016 meeting was about Jewel's future, why wasn't she there?

31 MT: Maybe she was. She probably was. I can't recall. Like I said, I left this mostly to Andy.

32 PP: We're showing you Exhibit 3, an email exchange. What is this?

33 MT: These are my emails with Spencer Matthew. Nothing incriminating here.

34 JF: We're showing you copies of two checks, Exhibits 4 and 5. What are they?

35 MT: These look like two checks. I can't remember if I signed or Andy signed. Doesn't matter.
36 The first is for ten grand for the admissions consulting. The second is to Spencer's charity.

1 PP: You're saying you only paid ten thousand dollars for the legitimate admissions consulting?
2 That the 140K had nothing to do with Jewel or her college applications?

3 MT: Correct. I would never pay a hundred grand for admissions consulting. When my older
4 daughter Cher applied to college, I hired an admission consultant for her, too, so I know
5 know that legitimate admission consulting doesn't cost more than ten or fifteen thousand.

6 PP: Looking at Exhibit 5, what was the cause behind this charity, Front of the Classroom?

7 MT: Underprivileged students. We wanted everyone to be able to get into great colleges, not
8 just children like Jewel, who were lucky enough to be born into wealth.

9 JF: Had you ever supported a charity like this one before?

10 MT: Andy and I have given a lot of money to feed the homeless and to fight Type 1 diabetes.
11 We feel strongly about charity, so those are the causes we've donated to in the past.

12 PP: Do you recognize Exhibit 6?

13 MT: This looks familiar. Spencer sent us a confirmation letter after we wrote that big check to
14 the nonprofit. As you can see, this shows we thought the nonprofit was legitimate.

15 JF: We're showing you Exhibit 7, a letter from Dr. Gebo. Tell us about this letter.

16 MT: When Spencer Matthew sat down with us in January 2016, I told Spencer that Jewel scored
17 a 1080 on her PSAT. Spencer asked us whether that score was commensurate with Jewel's
18 abilities. I said no, Jewel is brilliant. Spencer said that maybe Jewel had a learning
19 disability that was deflating her test scores. Spencer offered to connect Jewel with Dr.
20 Gebo, a reputable psychiatrist that Spencer knew. Andy and I said that was okay. I don't
21 remember the details of what happened with Dr. Gebo. This was years ago, and I was
22 traveling for a major project during much of 2016. But I think Jewel spoke with Dr. Gebo
23 by phone. Then we got this letter. And then College Bound gave Jewel extra time. From
24 my perspective, it all seemed appropriate.

25 PP: How did Jewel go from a 1080 on her PSAT to a 1480 on her EssayT?

26 MT: She studied hard. She was up in her room all the time.

27 JF: Did she receive tutoring?

28 MT: Oh, yes, that too. Spencer or one of Spencer's colleagues met with her a few times. I was
29 told it was tutoring.

30 PP: Was it Spencer or one of Spencer's colleagues?

31 MT: I don't remember. I tried to give Jewel some space. I'm not a helicopter parent.

32 JF: Why did Jewel take the EssayT? Why not the ACT or SAT?

33 MT: The EssayT is a reputable exam. Jewel had already struggled on the PSAT, especially the
34 math portion, and Spencer Matthew said Jewel might do better with a different test. That
35 made sense to me and Andy. Plus, Spencer said College Bound, who administers the
36 EssayT, was more liberal about granting extra time to students with learning disabilities.

1 JF: Do you recognize Exhibit 8?

2 MT: This is Jewel's score report. Andy and I were so proud.

3 PP: I'm showing you a letter from Hampton Zeta, Exhibit 9. Did Jewel play golf?

4 MT: No, never. I don't know where this letter came from. I had nothing to do with it.

5 JF: Here is Jewel's resume, Exhibit 10. Look over it and tell us what you think.

6 MT: Most of this is true. Jewel's hobbies and interests, her clubs, her grades, her mock trial
7 awards, it's all true. The only part that's not true is the part about golf. Like I said, Jewel
8 isn't a golfer. She inherited Andy's athletic skill.

9 PP: This was the resume submitted to various colleges. Did you know this was being
10 submitted with false information?

11 MT: Absolutely not. I never would have allowed it.

12 JF: But it was submitted. So Jewel must have known it included false information?

13 MT: I doubt that very much. My daughter is very honest. I think this was Spencer Matthew's
14 doing. Spencer probably went behind our backs.

15 PP: Do you have proof of that? How would Spencer have submitted Jewel's college
16 application, her resume, without anyone from your family seeing it?

17 MT: I don't know. I don't know. All I can tell you is, I never saw this golf stuff, and I have a
18 hard time believing my daughter would have allowed anyone to lie on her behalf. Why
19 would she need to lie about playing sports? She got a 1480 on her EssayT.

20 JF: Do you recognize Exhibit 11?

21 MT: This looks like the thank you gift I sent Spencer Matthew after Jewel was admitted to UC
22 Berkeley. At the time, I thought Spencer had helped get her in, but I didn't know about all
23 this other behavior. I just wanted to say thank you.

24 JF: The prosecutors also released Exhibit 12, a transcript of a recorded call. Is that your voice
25 on the phone? Is this transcript real?

26 MT: Yes, that's me. I think this transcript shows I'm innocent. It's obvious I have no idea what
27 Spencer is talking about.

28 PP: Mel, thanks for coming on our show and answering the tough questions.

29 MT: Thanks for having me.

30 JF: Good luck. I hope this gets resolved without the need for a trial.

31 PP: We're going to take a break, but put down that remote. Up next, an interview with Bernie
32 Sanders's hair stylist!

33 (end of segment)