## KRAMER, NORDLING & NORDLING, LLC

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February 25, 2011

Via Email: matt.treaster@usdoj.gov

Mr. Matt Treaster Executive State Director USA Wrestling - Kansas, Inc. 539 S. Quail Court Newton, KS 67114

Re: Guymon wrestlers

Dear Mr. Treaster:

I have been requested by the parents of some of the wrestlers who belong to the Hugoton Wrestling Club to contact you regarding a decision made by your Board not to allow the wrestlers who live in Oklahoma to compete in the Kansas State Kids Championship Series. I have reviewed the letter you addressed to Troy Brunson and Jesse Medina dated February 12, 2011, and have agreed to assist the parents in resolving this matter.

In the past two years, I have had the opportunity to travel around Europe for several weeks at a time. I came back to America both times more grateful than ever that I live in a country where I am free to travel from state to state to shop, visit, play, eat, etc., without carrying papers with me and with no "border" issues. As a citizen of Kansas, I certainly understand the need for a state and its representatives to protect and defend our rights as taxpayers and as citizens of Kansas. However, having lived in the corner of this state for twelve years, I also understand and appreciate the need to cooperate with other states in matters that affect us all.

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Here in Hugoton, we are 20 miles from the Oklahoma border, 60 miles from the Texas border, and 30 miles from the Colorado border. As such, we have felt extremely blessed by the cooperation of the area towns, be they in Oklahoma, Texas or Colorado, to allow us to compete with them in various sports. One week, my husband and I traveled over 300 miles to see our son play in two LEAGUE football games, both of these games being in Kansas of course. So we are grateful when our non-league games can be played in Hooker, Oklahoma, only 30 miles away, or in Guymon, Oklahoma, only 40 miles away. We are also grateful for schools that send their teams from these towns to play in our tournaments, because schools our size from eastern Kansas do not want to make that drive out to Southwest Kansas. My point is simply that this cooperation among the residents, schools and towns of the various states is a great benefit to all of the families who live here and an extremely positive situation for Kansans in our area.

The kids in Guymon who wrestle in Kansas do so because they love to wrestle, and because they have few other options due to their residence in the panhandle of Oklahoma. The closest Oklahoma town with a wrestling club is two hours away, whereas Hugoton is only 40 minutes away. These families have contributed greatly to the Hugoton program in terms of volunteer hours at tournaments and in coaching. They have spent their money in Hugoton and other various Kansas locales, while traveling to practice and tournaments, thus bringing out-of-state dollars to our economy.

Interestingly enough, the parents I spoke to did not point out any of the above as reasons for asking me to assist them with this matter. They spoke only of the disappointment of their sons.

I have reviewed the documentation brought to me by the parents, and feel that the decision the Board made was in violation of the "due process" provisions of their bylaws. The Board could have voted in their annual meeting in October not to allow the Oklahoma boys to wrestle, but instead it accepted the Oklahoma boys' dues, and issued cards to the boys and to one of their fathers as a coach which were clearly dated "September 1, 2010 -August 31, 2011".

The subsequent revocation of those memberships, towards the end of the season at a "special meeting" in January, could be construed as capricious and arbitrary. At the very least, it appears to have been done without proper notice or in accordance with the clear terms of Article V of the bylaws. It is my understanding that the notice for that special meeting did not include the purpose for which that meeting was called, and that whatever notice was sent was not delivered at least 20 days before the date of the meeting. In any

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event, the notice was not sent to the members whose statuses were being decided which I patently unfair, and I believe a judge would agree with me.

As such, I have been asked to file a petition for a restraining order, temporary injunction and permanent injunction, enjoining the Board from enforcing their revocation of the memberships as described above, and from interfering with these members' right to wrestle in the Kansas State Kids Championship Series. As time is of the essence, unless we can resolve this matter amicably **by Monday, February 28, 2011, at 3:00 p.m.**, I will file the Petition and seek to have the restraining order signed at that time. Any injunction will be decided after a hearing, or course.

My son wrestled in the Hugoton Wrestling Club a few years ago, so I have an idea of what these parents are feeling. I understand their finding it difficult to explain to 8- and 10-year-olds that because they live in the wrong place and because of a decision of some Board somewhere that they cannot finish this season of wrestling. Everyone has to learn the lesson at some point that life is not always fair. But these parents would first like to see if the Board's decision can be reversed for the remainder of this season.

Thank you for your attention to this matter. Please contact me if you have questions.

Very truly yours,

## Shelley K. Kurt

cc by email: Mr. Mike Juby Mr. Steve Woody

Mr. Jesse Medina Mr. Troy Brunson Mr. and Mrs. Jesus Mendoza Ms. Patty Ochs

Mr. Tom Richard
Mr. Richard Salyer
Mr. Will Cokeley
Mr. Van Kuhn
Mr. Lee Hermreck
Mr. Mark Stanley
Mr. Lance Engel
Mr. Lance Engel

Mr. Jim Beltch Mr. Jeremy Biddle

Mr. Jeff Sheets