

Exhibit E — Process Gaps Checklist

(What the Procedures/By-Laws require vs. what occurred in this case)

Purpose. To compare the Club's written requirements with what actually happened here so the Board can cure defects before voting on the appeal.

1) Complainant identity & joint interview

- **What the Procedures require (quote):**
“The investigators will **always** conduct all interviews **with the complainant and the target of the complaint jointly**. Interviews of **witnesses** may be conducted on a one-on-one basis.” (*SERC Procedures V2.5, Investigative Process, pp. 21–22*).
 - **What occurred:**
The complainant was not identified to me and not included in any joint session. The President wrote that “joint ... has nothing to do with the complainant,” which contradicts the quoted rule.
 - **Why it matters:**
A joint interview with the complainant and the member together is a core fairness safeguard; skipping it undermines reliability and neutrality.
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2) Complete investigative file (core documents)

- **What the Procedures contemplate:**
A complete file includes the **incident report**, relevant **door/PDK access logs**, and the **security-camera access audit log** (who accessed images, when, what period was reviewed, and who authorized).
- **What occurred:**
The incident report was not provided; door/PDK logs were not produced; no camera access audit log was produced, despite multiple written requests.
- **Why it matters:**
These contemporaneous records are objective anchors; without them, the Board is being asked to infer.

3) Timely evidence sharing & reasonable response window

- **What the Procedures require in substance:**
If video is relied upon, provide **continuous video with on-screen timestamps** promptly and allow a reasonable window for the member to respond.
- **What occurred:**
Continuous footage was provided roughly nine (9) days after I asked; I was then given ~one (1) day to change or supplement answers and later labeled “evasive” for cautioning “I don’t recall.”
- **Why it matters:**
Delay followed by a compressed response window is procedurally unfair and feeds an incomplete record.

4) Accurate hours framing (Facility Use)

- **What the Procedures state (quote):**
“Members may **enter** the Club between **4:00 am and 9:00 pm**; all members must **leave** the Club by **11:00 pm**.” (*SERC Procedures V2.5, Facility Use, p. 23.*)
- **What occurred:**
Investigators repeatedly labeled **9:15 pm** as “after hours” to aggravate risk; in fact, **presence** at 9:15 pm is within written hours.
- **Why it matters:**
Overstating “after hours” inflates risk and prejudice in the narrative.

5) Discipline anchored to a written standard

- **What the By-Laws require (quotes):**
The Board may impose penalties only for **violations of the by-laws, rules, or procedures**; rules/procedures must be **written** and adopted/interpreted by a **2/3 vote**. (*By-Laws Art. III §6(b); Art. V §1.*)
- **What occurred:**
The President wrote that the Board “is not agreeing to base its decision on whether a

rule explicitly forbade” the conduct. No specific section in force on Aug 19, 2025 has been cited.

- **Why it matters:**
Sanctioning without a **cited written rule** exceeds the authority granted by the governing documents and exposes the Club to risk.
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6) Witness inclusion

- **What the Procedures allow:**
Witnesses may be interviewed one-on-one in addition to the required joint interview of complainant + member.
 - **What occurred:**
A person who “spoke to Micah” that evening was noted but **excluded** from interviews because they “did not know who he was.”
 - **Why it matters:**
Excluding a direct witness deprives the file of potentially clarifying facts.
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7) Record preservation

- **What good procedure requires:**
Preserve **CCTV** for the relevant window, **door/PDK** logs, **camera audit logs**, and related **communications** through final disposition.
 - **What occurred:**
No explicit confirmation of preservation was provided despite written requests to preserve these records.
 - **Why it matters:**
Preservation ensures the record can be verified and prevents spoliation concerns.
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Requested correction (before any vote)

1. Identify the **complainant** and conduct the required **joint interview** (complainant + member, with both investigators present).
2. Add the **incident report**, **door/PDK logs**, and the **camera access audit log** to the investigative file and circulate them to the Board for review.
3. Correct the hours framing to reflect that **9:15 pm** is within permitted **presence** hours.
4. Identify the **specific written rule** (by-law/rule/procedure, section number and text) that was in force on **Aug 19, 2025** and that the Board believes was violated; absent that, do not impose discipline.
5. Confirm **record preservation** of CCTV, PDK, audit logs, and related communications through final disposition.

Note: Nothing in this exhibit is an admission of identity, intent, or conduct.