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**From:** Leeper, Karla  
**Sent:** Sunday, June 26, 2011 10:48 PM  
**To:** Starr, Ken  
**Subject:** Fw: Encroachment

Fyi

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**From:** Davis, Tommye Lou  
**To:** Leeper, Karla  
**Sent:** Sun Jun 26 21:50:41 2011  
**Subject:** Re: Encroachment

Karla,

I think you need to forward this to Ian as well. He needs to understand the scope of what we are dealing with regarding this issue. I will be eager to see John and Jerry's thoughts on a reply. I have been saying to Buddy when he calls re tailgating that we are making progress ("putting the BAA out of business") with the strategy of courtesy, respect, and hospitality. We do not need to give them reason to play the victim card. That hurts us and helps them.

I had hoped to find a solution when I met the guys from the athletic DEPT at the stadium. There are a couple of places that might solve the problem in my opinion. Do you want to drive out there and take a look tomorrow. You could tell Buddy that you are going to look into some options. That would buy you some time to think about the best approach re a response.

My thoughts for now.

T

Tommye Lou Davis  
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(254) 710-8315

On Jun 26, 2011, at 9:32 PM, "Leeper, Karla" <[Karla\\_Leeper@baylor.edu](mailto:Karla_Leeper@baylor.edu)> wrote:

Any thoughts on my reply would be welcome

Sent from my iPad

Begin forwarded message:

**From:** Buddy Jones <buddy@hillcopartners.com>  
**Date:** June 26, 2011 9:13:51 PM CDT  
**To:** "Leeper, Karla" <Karla.Leeper@baylor.edu>  
**Subject:** RE: Encroachment

Karla – Thank you so much. The protection of our trademark – the Baylor brand – is just too important for us to let anyone bleed it away from us. That’s what we have let the BAA do for decades all to our extreme detriment. Now that we have come to our senses and we have made the commitment to stop this leakage, we must -MUST – have no recognition of any entity that is in competition with us. None. Zip. Nada.

We need to put the BAA tent at the farthest reaches of Siberia. I want the fewest people to see them. They cannot be visible to most of us. The biggest mistake we can make is to give them any extra life by allowing these things to just slip through. I don’t care what Dutch Schroeder of Clyde Hart or Jim Haller or Carroll Dawson say – they are espousing yesterday’s policy. Not today’s. They are yesterday’s guys. We need to look toward the future.

The BAA is in competition with the Network. As such , they are competitors – they are trying to take our customers away from us. Why would we accord our competition the gift to advertise on our property and at our events?

Don’t let up . Don’t get to feeling sorry for them. Let’s take Baylor forward – not backward. You are in a position to really police all this. Please continue to do so . This Board is counting on you in a big way.

I cannot tell you how much I appreciate you in this regard. Many, many, many thanks.

Buddy

I will be in Waco almost all day Tuesday. I hope Charlie and Elizabeth and you can spend some time on Tuesday am with me to go over the Retreat topics.

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**From:** Leeper, Karla [mailto:Karla\_Leeper@baylor.edu]  
**Sent:** Friday, June 24, 2011 3:44 PM  
**To:** Buddy Jones  
**Cc:** McCaw, Ian; Davis, Elizabeth; Starr, Ken; [Ramiro@christthekingwaco.org](mailto:Ramiro@christthekingwaco.org); Davis, Tommye Lou  
**Subject:** RE: Encroachment

Buddy,

Again, you and I are in synch. We were talking about these issues this morning.

The BAA leadership has been informed about Bear Faire. It has been clearly communicated to them that Balfour is allowed to sell the rings, but that they are to engage in no solicitation of memberships. We will keep track of the activity over there.

Tommye Lou, Ian and I discussed tailgate areas this morning. There have been some reallocations of space, etc. in the tailgating area and we will soon be letting the BAA know what spot they have been assigned. As the Floyd Casey folks assign space they are balancing the demand for spaces among students, long time tailgaters and other groups. Tlou has been very involved in this discussion. We will be in touch once those final assignments have been made. For the past couple of years and moving forward we are, indeed, treating them as we treat outside vendors and charging them a fee.

Thank you for your kind words. You are doing a great job in the midst of an Austin hurricane.

KL

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**From:** Kelli Patrick [mailto:kpatrick@hillcopartners.com] **On Behalf Of** Buddy Jones  
**Sent:** Friday, June 24, 2011 2:31 PM  
**To:** Leeper, Karla  
**Cc:** McCaw, Ian; Davis, Elizabeth; Starr, Ken; [Ramiro@christthekingwaco.org](mailto:Ramiro@christthekingwaco.org); Davis, Tommye Lou  
**Subject:** Encroachment

Karla,

As I am trying to finish this awful special session (which is not really very special), I have had a couple of things on my mind that I need your reassurance on and your attention to.

First of all, Bear Faire. It is very important that the BAA leadership understands that there will be NO solicitation of any kind and no promotion of the BAA at Bear Faire. Although I believe the BAA is becoming more irrelevant by the day, it is important that we remain vigilant and not let our guard down. Most everything the BAA does is in direct competition with all we are trying to do with the Network. Please help me make 100% sure the Bear Faire is closely monitored and that the BAA is not allowed to advertise itself in any manner.

The second thing on my mind is football season and the BAA presence at Baylor stadium. I want to make sure they are as far away as possible from the main tailgate area. Across Clay or on the other side of Waco Creek in the least visible spot possible would, in my opinion, create the least competition with the Network, students, corporate sponsors, donors, etc. Our Board does not want to see that big tent with Baylor Alumni Association written across it. (That is huge advertisement for them. Do we charge them the same as all other tailgate renters? We should not give them any sort of price break.) It is nor prudent for Baylor to provide a visible venue on which the BAA can poach onto our alumni outreach.

Karla, our Baylor brand is just too important to our University to let any entity, the least of all the BAA, encroach upon it in any way. I have already talked in detail with Ian and Elizabeth about all this, but wanted to make certain everyone is on the same page.

That's it for now. Thank you for addressing these items and working with the Board to enforce this policy. I am hoping that TLou is on top of all this. I suspect she is but want to make sure that all on the EC understand the importance of vigilance against trademark infringement and support of the Network.

Thanks, also, for all your help in preparing for board orientation and retreat. You are the best and I am most grateful to you for all you do.

Buddy

cc: Ian McCaw

Elizabeth Davis

Ken Starr

Ramiro Pena

Tommy Lou Davis