

The Complainant told investigators that Mr. Hufnagel harassed her on a bi-weekly basis, beginning in November 2014, and that “90% of [the] harassment [was] via text.” Report at 3, 14. She also told investigators that Mr. Hufnagel’s texts were unwelcome, that she was never “encouraging” of this behavior, and that she “deflected” this behavior when it occurred. Report at 22. Below are a sample of texts taken from the over 900 text messages exchanged between Mr. Hufnagel and the Complainant that prove otherwise. These texts demonstrate a mutually flirtatious relationship invited and often initiated by the Complainant. To the best of our knowledge, these texts were not provided to the University investigators by the Complainant.

The first is from December 17, 2014, a month after the Complainant alleges the harassment began. Complainant texted him asking whether her “favorite assistant coach” was at Haas Pavilion so she could stop by to see him. Mr. Hufnagel responded that he was in Las Vegas. Complainant then said she had to “step up [her] stalking game.” When Mr. Hufnagel asked whether she was stalking him or his recruits, she responded “I don’t discriminate.”

12/17/2014

C: Is my favorite assistant coach in has?

YH: Vegas

C: Close enough. Hanging with [redacted recruit name]?

I was gonna come say hi to you if you were here but you're very difficult to track down

YH:  I guess I am. I'll see you on Friday night.

C: I clearly have to step up my stalking game. Have fun in Vegas doing whatever it is you're mysteriously doing

YH: Are you stalking me or who I'm recruiting?

C: I don't discriminate.

A few days later on December 20, 2014, Complainant texted Mr. Hufnagel at 1:20 a.m. congratulating him on a win and asking him if he was at a bar celebrating. She went on to mention various bars in the Berkeley area – Kip's and Perry's – and suggested that they might need to embark on “an emergency dive bar tour of Berkeley.”

12/20/2014 at 1:21am

C: I hope you're at kip's or somewhere equally cool celebrating right now.

YH: I've got the Wisconsin scout so no 

C: Have you ever been to kips

YH: Naw

C: It might be the seventh circle of hell

YH: lol

C: Pappy's is like the fifth.
Have you been there?

YH: Yah

C: Okay because otherwise we were gonna have to do an emergency dive bar tour of Berkeley.

A few days later on December 23, 2014, nearly two months after Complainant first contacted him, Mr. Hufnagel for the first time initiated a text conversation with her. He asked, "what's up," and she responded by explaining that she was eating at a restaurant in Berkeley and asked him if he was texting her because she was "so delightful." Mr. Hufnagel responded, "Naw I saw ur tweet on Stanford and it reminded me to text u and make sure u know I wasn't tryna be short when u asked me about [recruit][.]" Even though Mr. Hufnagel's response indicated that he reached out to her for basketball-related reasons, Complainant turned the exchange in a personal direction, suggesting that he contacted her because she was "so delightful." She replied: "Stopp haha I didn't think you were rude. But thanks for texting me anyway. I'll just pretend it's because I'm so delightful[.]"

12/23/2015

YH: Wassup

C: Hey Yanni. Not much. My sister and I just ate at Barney's and it was gross. How are you

YH: Barney's in sf??

C: No in Berkeley on cedar. Have you been? Don't go it's so gross and you regret it immediately

YH: Naw I haven't

C: I'm happy to hear that. What are you up to? Just texting me because I'm so delightful?

YH: Naw I saw ur tweet on Stanford and it reminded me to text u and make sure u know I wasn't tryna be short when u asked me about [redacted recruit name]

I didn't mean to be rude or nothing but he's a kid I'm not the point person on

So it's harder for me to relay info

Pretty much every other kid lol is good

C: Stoppp haha I didn't think you were rude. But thanks for texting me anyway. I'll just pretend it's because I'm so delightful. And good to know, I'll just bother you incessantly about everyone else then!

YH: Yeah u can!

And sorry I didn't mean to get ur hopes up sorry. 😂😂😂

C: My night is ruined

YH: Lmaoooooooooooo

C: Will I ever get another coffee chance?

I know I'm the worst

The Complainant's flirtatious texting with Mr. Hufnagel continued into January. For example, on January 16, 2015, in the middle of a conversation about team members and potential recruits, Complainant asked Mr. Hufnagel, "What's your favorite place to eat in Berkeley[?]" Mr. Hufnagel responded "Chez panisse upstairs." Complainant responded that "[u]pstairs is for poor people," implying that she preferred the more expensive menu offered downstairs at that restaurant. Mr. Hufnagel responded: "So upstairs is on me and downstairs is on u." Complainant responded that his joke "actually made [her] laugh out loud." They went on to discuss getting a reservation at Chez Panisse the following week. Mr. Hufnagel wrote: "Dinner on u chez penise downstairs next week u seem like u got the Juice to get a rez." Complainant responded: "Of course I can get a rez. . . . that's hilar about it being on me. I'm among the impoverished street people upstairs. Unless someone is taking me and then downstairs is [emoticon for "cool"] [.]" Complainant then raised other non-recruitment topics, and the conversation ended with Complainant telling Mr. Hufnagel to "[h]ave a good flight."

1/16/2015

C: What's your favorite place to eat in Berkeley

You realize that Berkeley has like the best food of anywhere right

YH: Chez panisse upstairs

C: Or have you not lived here long enough to realize that yet
Upstairs is for poor people

YH: u an all downstairs girl then?

C: Just kidding sorry I always forget my sense of humor may not translate and is potentially offensive
I'm both

YH: So upstairs is on me and downstairs is on u

C: Hahahahaaaaaaa
That actually made me laugh out loud

YH: Haha

C: You should be asleep Yanni
It's like 1?



YH:
Naw just taking off now.

C: Ohhhh gotcha. So you get there in the morning then

YH: Yah Sunday and Monday
Txt me tomorrow I'll give u the sked

C: I looked up the tournament schedule, do you mean the schedule of the ones you're at?

YH: Dinner on u chez penise downstairs next week u seem like u got the juice to get a rez
Ima be at all of them but I'll give u the scoop on who I'm watching

C: Of course I can get a rez. Glad you like to abbrev. And that's hilar about it being on me. I'm among the impoverished street people upstairs

Unless someone is taking me and then downstairs is 🤔

A day later, on January 17, Complainant texted Mr. Hufnagel asking him about his flight and relayed a conversation she had had with a potential Cal recruit, during which she told the recruit, “yeah Yanni is the best, all the guys love him.” She then suggested that Mr. Hufnagel should take her to dinner at Chez Panisse in exchange for her speaking highly of him to the recruit. She texted: “Downstairs on you[.]” A reporter requesting a *quid pro quo* from one of her sources, even if in jest, is hardly the mark of someone interested in having a strictly professional relationship.

1/17/2015

C: How was your flight?

I just got off the phone with [redacted recruit name]. He told me he loves all the cal coaches but that you're one of his favorite coaches anywhere

And I was like ughhhhh seriously I hate that guy he's the worst

YH: That's my dude.

C: Okay want to know what I really said

YH: yah

C: I was like yeah Yanni is the best, all the guys love him

Downstairs on you.

YH: yeah I'm sure u said that.