

May 14, 2018

**BY E-MAIL ONLY**

Oakwood College National Alumni  
Association d/b/a "Oakwood University  
Alumni Association"  
c/o H. Lanier Brown, II, Esq.  
2204 Lakeshore Drive  
Suite 114, West Lobby  
Birmingham, AL 35209  
lbrown@watkinseager.com

**Re: Disassociation of the Oakwood College National Alumni Association d/b/a  
"Oakwood University Alumni Association" (the "Former Association")  
from Oakwood University (the "University")**

Dear Lanier:

Inasmuch as the Former Association has neither complied with, nor responded to, my letter dated April 16, 2018 (a copy of which is attached), I am writing to follow up on it. In that letter, I relayed several actions taken by the University's Board of Trustees (the "Board") at its April 16 meeting. These actions include the decision to disassociate the University from the Former Association and its fundraising activities. The Board also decided to withdraw the University's permission for the group to use the University's name or be involved in fundraising on behalf of the University and/or through use of its name or images. As a result of the University's longstanding use of its marks, the marks have become widely known throughout the United States (and internationally), are closely identified with the University, and represent substantial, valuable goodwill. Accordingly, my letter also requested that the Former Association cease and desist from using the University's name or registered marks in any form or media whatsoever, including the group's website or other communications.

The Former Association has chosen to disregard the Board's decisions. Among other things, the group continues to use Oakwood University's name and registered marks without permission (on its website and letterhead, for example), and continues to cause confusion amongst alumni and the public.

On behalf of the Board, I write to give the Former Association one final opportunity to accept and comply with the decisions of the Oakwood University Board of Trustees. If the Former Association does not do so by **12:00 p.m. Central Time on Thursday, May 17, 2018**, the Board and the University will proceed with every appropriate action.

May 14, 2018

Page 2

To be clear, the Former Association must be in compliance with the following by the May 17 deadline:

- 1) The Former Association and its representatives must accept the Board's decision that the group has been disassociated from the University and all University fundraising efforts (*i.e.*, the Former Association must cease and desist from all fundraising and solicitation efforts on behalf of the University, and make that clear to the public).
- 2) The Former Association and its representatives must cease and desist from using the University's name, Oakwood College's name, and any confusingly similar variants thereof (including the University's initials) for any reason or in any form or media, including in the group's name or on the group's website and/or letterhead.
- 3) Similarly, the Former Association and its representatives must immediately cease and desist from using, in any form or media whatsoever, including on its website or other communications, any and all trade or service marks of the University, whether registered or unregistered, including the marks identified in U.S. Trademark Registration Nos. 3,601,698, 3,591,212 and 4,352,439, and any pending applications, among other trade and service marks.
- 4) The Former Association and its representatives must immediately cease all such use, and further must withdraw or cancel the name reservation filed March 19, 2018 for "Oakwood University Alumni Association" that is currently pending in the office of the Alabama Secretary of State.
- 5) The Former Association and its representatives must immediately cease and desist from attempts to plan or organize alumni fundraising events, including Oakwood University's Alumni Weekend and inserting representatives into Aeolian activities, or other alumni fundraising events. The University's Office of Advancement and Development, working in harmony with University alumni, is now charged with the execution of those duties.

The University is prepared to take all legal and institutional steps necessary to protect its rights, mission and name. This letter is not an exhaustive statement of relevant facts and law, and the University reserves all its legal and equitable rights and remedies, including the right to seek injunctive relief and recover monetary damages.

If we are to avoid legal action becoming necessary, the Former Association needs to recognize that all who serve the University must subordinate their personal positions to the best interests of the University, as determined by the Board of Trustees. The Board decided on April 16, after careful consideration, what those best interests are with respect to the University's Alumni operations. Although the Former Association may disagree with the Board's decision,

May 14, 2018

Page 3

those decisions have been made and are final. Because the Former Association declares itself to have the University's best interests at heart, the Board's expectation is that the group will comply with the aforementioned directives by the May 17 deadline, and seek a way to work cooperatively, and supportively, with the new Alumni organization.

Very truly yours,



David B. Block

DBB:tw

Cc: Hon. Daniel R. Jackson, M.A., President of the Board  
Hon. Leslie N. Pollard, Ph.D., D.Min., Secretary of the Board

April 16, 2018

**BY EMAIL ONLY**

Oakwood College National Alumni  
Association d/b/a "Oakwood University  
Alumni Association" (the "Entity")  
c/o H. Lanier Brown, II, Esq.  
2204 Lakeshore Drive  
Suite 114, West Lobby  
Birmingham, AL 35209  
[lbrown@watkinseager.com](mailto:lbrown@watkinseager.com)

**Re: Oakwood University Alumni Association**

Dear Lanier:

I am addressing this letter to you in light of Ms. Cynthia Powell-Hicks' statement to Oakwood University to direct all communications to you. If you are no longer representing the Entity, please let me know.

In the weeks leading up to and since Alumni Weekend, the Entity has refused to accept direction and control over fundraising efforts in the name of Oakwood University. The Entity rebuffed even the most basic and straightforward requests – such as, the request not using a third-party organization to accept donations while the Entity's tax-exempt status has been revoked. Because the Entity's stated purpose is to raise funds for Oakwood University, the University must exercise sufficient control over those activities in order to remain compliant with Section 5 of the SACSCOC Standard (including, sections 5.2 and 5.3). The Entity's refusal to accept such control and to further distance itself from the University puts the University's accreditation and mission at risk.

The Oakwood University's Board of Trustees met today, deliberated about recent events and took action related to the Entity. Effective immediately, the University disassociates itself from the Entity and all the Entity's fundraising efforts. The Entity no longer has permission to use the University's name (or Oakwood College's name) in any manner associated with the Entity or its fundraising efforts. The University hereby requests that the Entity immediately cease and desist from using the University's name or registered marks in any form or media whatsoever, including its website or other communications. The University also requests that, effective immediately, the Entity stop representing to the public or the University's alumni that the Entity raises funds for the University or that the purpose of the Entity is to raise such funds.

The board also voted to move forward with developing a new Alumni operation with a new focus to develop and foster closer relationships between the University and its Alumni, not

April 16, 2018  
Page 2

only in connection with fundraising, but in other ways to maximize the impact that the University's valued alumni can positively affect its students.

The University regrets that the Entity ignored and rejected the University's efforts to prevent this step from becoming necessary.

Very truly yours,



David B. Block

DBB:tw

cc: Cynthia Powell-Hicks  
[president.ouaa@gmail.com](mailto:president.ouaa@gmail.com)