

I. INTRODUCTION

On May 19, 2022, the FBI arrested Daniel Noble, the assistant coach for the UC Davis men's water polo team at the time, for knowingly distributing visual depictions of minors engaging in sexually explicit conduct. UC Davis placed Noble on administrative leave that same day and terminated Noble's employment on May 20, 2022. Also on May 20, 2022, UC Davis launched an investigation to determine whether Noble may have violated certain University policies and whether there are potential victims in the UC Davis community. UC Davis engaged myself and my law firm, London & Stout P.C., with conducting that investigation and issued a charge letter directing me to

II. SUMMARY OF FINDINGS

We did not find evidence that Noble engaged in conduct that would violate the OSHP connection with his University or DWPC coaching activities. We found no evidence of potential victims of the type of conduct described in the pending criminal charges against Noble or other sexual abuse, sexual violence, harassment, or privacy violations in the UC Davis community.

Other than evidence suggesting that Noble knowingly retained and used funds that he received with his paycheck from UC Davis in excess of what he was owed under his coaching contract, we found no evidence that Noble engaged in any activity that would constitute an improper governmental activity (“IGA”) under the Whistleblower Policy. By failing to report that UC Davis had inadvertently paid him more than he was owed for a certain period, Noble may have engaged in fraud, theft of government property, or economically wasteful conduct that may qualify as an IGA. This single instance of potential misconduct, however, has no relation to the conduct that led to Noble’s arrest and, once the overpayment was discovered, UC Davis employees took appropriate corrective action requiring Noble to return the overpaid amount.

III.

government, whether or not that activity is within the scope of his or her employment, and that (1) is in violation of any state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty, or (2) is in violation of an Executive order of the Governor, a California Rule of Court, or any policy or procedure mandated by the State Administrative Manual or State Contracting Manual, or (3) is economically wasteful, involves gross misconduct, incompetency, or inefficiency.

C. Witnesses

We spoke with the following witnesses on the following⁴ dates:

Name	Affiliation	Date Interviewed
	UC Davis Athletics	June 1, 2022 and June 23, 2022
	UC Davis Athletics	June 1, 2022
	UC Davis Athletics	June 3, 2022
	UC Davis Athletics	June 6, 2022
	UC Davis Athletics	June 7, 2022
	UC Davis Athletics	June 7, 2022
	UC Davis Athletics	June 7, 2022
█	UC Davis Athletics	June 8, 2022
	UC Davis Athletics	June 8, 2022
	UC Davis Athletics	June 8, 2022
	UC Davis Athletics	June 8, 2022
	UC Davis Athletics	June 9, 2022
	UC Davis Athletics	June 13, 2022
	UC Davis Athletics	June 13, 2022
█	DWPC	June 15, 2022
	UC Davis Safety Services	June 15, 2022
	DWPC	June 15, 2022

We selected these individuals because they had knowledge of the activities at the University or the DWPC or because they were identified as friends. All witnesses were interviewed by videoconference. I conducted all of the interviews, and I was always accompanied by another member of my firm who served as a note taker. Before each interview, I informed the

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would be providing a report following the investigation, which would be posted on the University website. For witnesses not affiliated with the University, I confirmed that they would participate in the interview voluntarily, and for University employees, I confirmed that they understood that they had a duty to cooperate. I reminded witnesses about the University policy prohibiting retaliation for participating in the investigation. All of the witnesses stated that they were comfortable speaking with us without an attorney or other support person present.

Given the broad scope of the conduct implicated by the policy provisions, and our mandate to identify any potential conduct in violation of these policies, we asked the witnesses questions aimed at uncovering misconduct more broadly, not just that related to CSAM. The witnesses were cooperative and forthcoming in response to our questions, and no witness appeared to be hiding potentially relevant information. The witnesses who knew Noble were shocked at the news of his arrest and his alleged possession of CSAM. Several witnesses displayed feelings of sadness and anger in response to the criminal allegations. We deemed all of the witnesses to be credible.

D. Documentary Evidence

We reviewed the following documents:

1. The charging documents in the criminal case against Noble;
2. The University's HR and related administrative files concerning Noble;
3. Email sent to or from Noble's UC Davis email account. We reviewed all of Noble's emails except those that we identified as spam (based on the sender or recipient information);
4. End-of-season surveys completed by members of the men's water polo team for the UC Davis Athletics Department
5. Documentation regarding summer water polo clinics run by UC Davis water polo coaches and held at UC Davis facilities
6. Publicly available information on the internet about Noble we located by conducting internet searches on his name, including his public social media posts.

IV. FACTUAL BACKGROUND

Noble began coaching for the DWPC in 2017. The University hired Noble in August of 2019 to serve as the part-time second assistant coach for the men's water polo team. Evidence showed that UC Davis followed its standard protocols in hiring Noble. Noble was required to complete a criminal background check as part of the University hiring process, and he passed on August 6, 2019. A few months after the University hired him, Noble began working as the second assistant coach for the women's water polo team while continuing his work with the men's team. In October of 2020, Noble became the first assistant coach for the men's team after the prior first assistant coach left and vacated the position. Noble initially continued his work as the second assistant coach for the women's team, but in 2021, Noble transitioned to working with the men's team full time and stopped coaching the women's team. Noble was terminated by the University on May 20, 2022 following his arrest.

With respect to Noble's coaching style and interactions with players and other staff, the witnesses familiar with Noble's coaching described Noble as professional. Noble was consistently described as even-tempered with both athletes and coaches. He understood and by all accounts respected the boundaries between coaches and players and none of the witnesses that we interviewed believed that he socialized with or contacted UC Davis water polo athletes for social reasons.

With respect to recruiting, Noble appeared to have adhered to the requirements of his role. Much of the recruiting during Noble's tenure was done by Zoom due to the pandemic, although he also traveled off campus for recruiting trips and assisted with campus visits with recruits. When Noble traveled to tournaments for recruiting purposes, the witnesses told us that he would not have interacted directly with the players. Rather, Noble was directed to sit alone, observe the players during the tournament, and speak

B. There Is Some Evidence that Noble May Have Engaged in Conduct that Constitutes an IGA under the Whistleblower Policy

Due to an administrative error at UC Davis, Noble was overpaid in the amount of approximately \$10,000 in take-home pay over a period of nine months. One witness told us that