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USC Says 'Varsity Blues' Docs Put Students In 'Media Circus'

By **Brian Dowling**

Law360 (March 18, 2020, 7:01 PM EDT) -- The University of Southern California said Wednesday it wants to avoid throwing more than 1,000 of its prospective students into the "media circus" of the "Varsity Blues" college admissions scandal by handing over their identities to bolster arguments of a defendant in the case.

The Los Angeles university asked U.S. District Court Judge Nathaniel Gorton to let it redact students' names from a spreadsheet and emails related to "special interest" or "VIP" tags that USC placed on applicants' files to indicate an existing relationship with the school, including donations from family members.

Defendant Robert Zangrillo [subpoenaed the documents in July](#) as he fights allegations that he paid a total of \$250,000 — \$50,000 to USC and another \$200,000 to a charity controlled by scheme mastermind William "Rick" Singer — in order to have his daughter admitted to USC as a crew recruit even though she didn't compete in the sport at a Division 1 level. Zangrillo has said he did not believe he was bribing school officials, but instead was simply utilizing the "VIP" program.

Two weeks ago, Magistrate Judge Page Kelley [nixed earlier agreed-upon redactions](#) and ordered the university to hand over the complete files. But USC on Wednesday said the release of the names would represent an "immense invasion of student privacy."

Zangrillo's request is "an attempt to distract from the distasteful nature of his scheme by dragging into the trial the identities of applicants who are connected to this case only by the misfortune of having applied to USC in the same year as his daughter," USC wrote.

It added, "The court should not permit the defendant to expose these wholly innocent applicants to the media circus surrounding this case."

The request for the in-depth disclosures come amid claims from a group of parents in the case who said the government has [withheld exculpatory notes](#) of a phone call between [FBI](#) agents and Singer. The notes purport to show Singer's apprehension that the agents were asking him to "fib" to parents and say the donations they were making were bribes.

Zangrillo, a Miami investment firm CEO, is one of the dozens of parents accused in the bribery scheme with Singer, who ran a consulting business that facilitated bribes from numerous parents and celebrities to get their children into colleges for which they wouldn't have qualified. Prosecutors said Zangrillo had one of Singer's employees complete online courses for his daughter and create false information about her athletic credentials to get into USC.

Judge Kelley cited the Singer notes in her March 3 order concluding that "the redactions simply are unworkable, as they prevent Zangrillo from understanding information to which he is entitled." She said the documents as is would potentially be inadmissible and "unwieldy, if not impossible, to use at trial."

Zangrillo's attorney Martin G. Weinberg called Kelley's decision to release the unredacted documents "both legally and factually compelling."

"As I've argued in pleadings and in court, the withheld documents from USC are pivotal to Mr. Zangrillo's defenses that USC is not a victim here and that he, at all times, was in good faith in his attempts to make a donation and legitimately assist his daughter in her attempts to be admitted," Weinberg told Law360 on Wednesday.

While Kelley's order subjects the documents to strict protective orders that aim to address some of the privacy concerns, USC said it doesn't take those assurances with much weight.

"It is unrealistic, to say the least, to expect that these names will remain anonymous in the media frenzy surrounding these trials," the university wrote. "Now is the best time to prevent disclosure of their identities."

The university said if it had to release the names, it would give advance notice to the affected students, many of whom would seek protections under the Federal Educational Rights and Privacy Act. USC also warned that students would have the right to seek to have their identities protected by intervening in the case or through separate proceedings.

"The delay and inconvenience — to the government, the court, the defense and the families — that this would entail weighs heavily against the ordered disclosures," the university said.

Representatives for the government and USC declined to comment Wednesday.

The government is represented by Eric S. Rosen, Alexia R. De Vincentis, Justin D. O'Connell, Kristen A. Kearney and Leslie Wright of the [U.S. Attorney's Office](#) for the District of Massachusetts.

Zangrillo is represented by Martin G. Weinberg of [Martin G. Weinberg PC](#).

USC is represented by Anthony E. Fuller and Elizabeth C. Pignatelli of [Hogan Lovells](#) and Douglas M. Fuchs of [Gibson Dunn & Crutcher LLP](#).

The case is U.S. v. Sidoo et al., case number [1:19-cr-10080](#), in the [U.S. District Court for the District of Massachusetts](#).

--Additional reporting by Chris Villani and Mike Curley. Editing by Stephen Berg.

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