

# **EXHIBIT Z**

December 7, 2015

Robert Bishop  
Director, Office of Academic and Community Conduct  
310 Administration Bldg.  
1400 Townsend Drive  
Houghton, MI 49931

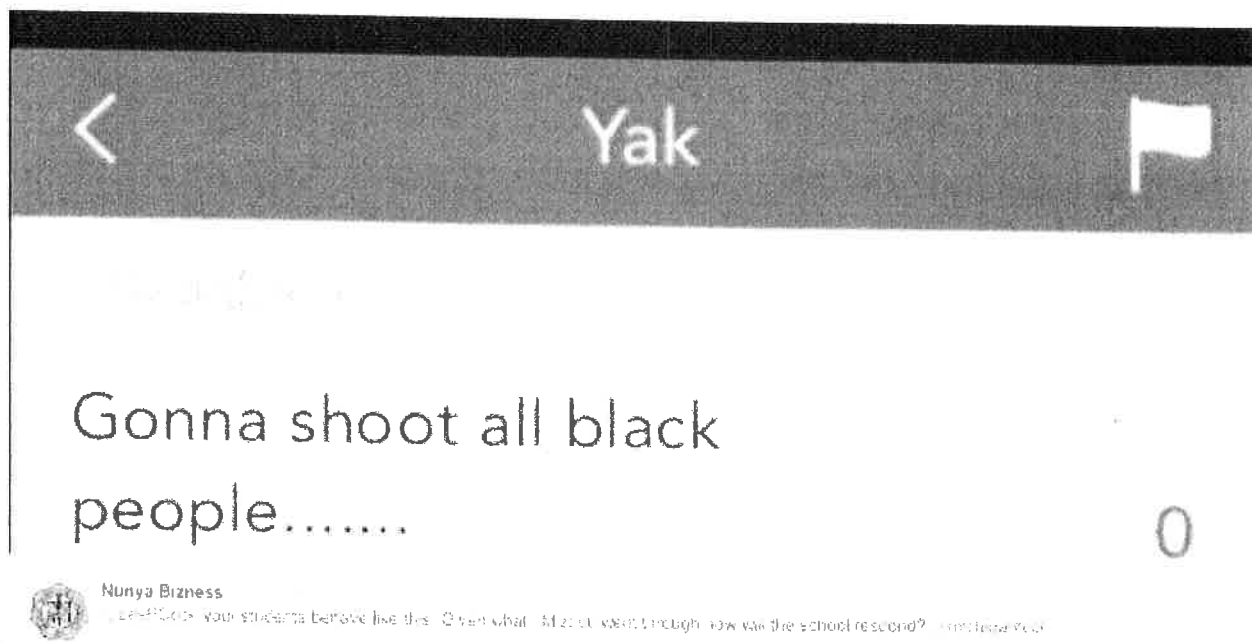
**Re: University Conduct Board Hearing**

Dear Mr. Robert Bishop:

Below is my statement as to why I have denied the violations against me.

### Statement

The letter I received from the Academic and Community Conduct is addressed to a Michael Schultz, my name is Matthew Allen Schultz. A more serious mistake is the edited Yik Yak post Nunya Bizness@MTUYaks sent to Les P Cook circulating as a message I posted. You can see my photo, and my name associated with this edited Post several times on live TV, and in news reports. This edited post was released, published and broadcasted on live TV prior to evidence given to police by Yik Yak, and continues to be published and broadcasted on live TV. Please follow the links below, and see the picture of post sent to Les P Cook via twitter included with this statement.



**The edited post Nunya Bizness sent to Les P Cook circulating on live TV, and reported as the**

**message I posted to Yik Yak.**

<http://www.upmatters.com/news-upmatters/racist-threat-made-on-social-media-at-michigan-tech>

<https://www.change.org/p/michael-makinen-petition-the-change-of-disturbing-the-peace-to-ethnic-intimidation-for-mtu-student>

<http://uppermichiganssource.com/news/local/yik-yak-threat-suspect-arraigned>

My unedited post in the police report released by Yik Yak, was not a threat. Someone with an obvious agenda needed to change my post, and wanted my post to look like a threat. This edited post is circulating in the media, and around campus without a statement from Michigan Tech, and used to report lies without correction from those who know the facts. Opinions and prejudice have been established about my post, and myself based on an edited post published by the media and numerous news sources.

Red Alert Politics wrote in an article that Michigan Tech's spokeswoman told them the post in question read, "Going to kill all black people." This is not the post Yik Yak released, nor the edited post, its yet another edited version. News.Mic and The Detroit News, also published this same quote they claim was released by Jennifer Donovan. Please read the following links.

<http://redalertpolitics.com/2015/11/16/michigan-tech-student-arrested-posting-racist-threat-yik-yak/Under>

<http://mic.com/articles/128498/racist-yik-yak-threat-at-michigan-technical-university-leads-to-arrest#.K2FsiEJaU>

<http://www.detroitnews.com/story/news/local/michigan/2015/11/12/police-mtu-campus-threat/75679184/>

**Other news sources using my name with an edited message:**

<http://www.mininggazette.com/page/content.detail/id/549258/Threat-suspect-arrested.html?nav=5006>

<http://www.ironmountaindailynews.com/page/content.detail/id/567185/MTU-student-from-Norway-arraigned.html?nav=5002>

<http://www.mininggazette.com/page/content.detail/id/549309/Tech-student-arraigned-on-threat-charge.html?nav=5006>

Under no circumstance was my post intended to be a threat to anyone. My post was meant to be understood as a suggestion to smile at black people. My intentions to lighten a hateful conversation has been taken out of context, and edited to look like a threat. Before evidence was released by Yik Yak, opinions about my post were formed and already called a threat, because someone made it look like a threat. As the police report shows, Yik Yak would not release my post without a subpoena because it did not constitute a threat.

The Michigan Tech community, and public have been led to believe I posted the message seen in the media. A hostile environment has been created, and my education has been interrupted and damaged. If my post in it's full context was released along with my explanation, much of this would have been avoided. Exposing the truth, and the person behind editing my post is the only way the Michigan Tech community, the Houghton community, and myself can move

forward.

I do not condone any threat or violence towards any individual. I have biracial family members, and I interact with people of all color without prejudice. I will not admit guilt to these violations, because the accusations against me are simply not the truth. My name and face has been shown numerous times along side a message I did not post.

**Alleged Violations: Assault, Endangerment and Threats**

The original unedited post in question was not a threat. No activity to harm anyone was incited in the unedited post. My message has been taken out of context based on an edited post made to look like a threat.

The police report shows Yik Yak refused to release the post without a warrant or subpoena. The post in question did not constitute an emergency involving danger of death or serious physical injury.

Yik Yak's policy is to release posts without a subpoena or warrant when a post constitute a threat. Yik Yak required a warrant or subpoena, because my post was not a threat.

Before Yik Yak released the post in question, Michigan Tech received an edited post "Gonna shoot all black people" via twitter, tagging Les P Cook. This post from Nunya Buziness@MTUYaks circulated almost immediately in the media, and news sources before evidence from Yik Yak was released.

This edited post sent to Les P Cook was reported in a short period of time by Cynthia Thompson on Up Matters before my arrest, and before Yik Yak released evidence of the factual post.

At approximately 8:05am Friday November 13, 2015 Bonnie Gorman, the Dean of Students told my father Allen Schultz during a phone conversation that Michigan Tech has two posts. It appears the edited post made to look like a threat was used to inform the public, and the original post was kept from the public, and media.

In effort to make my post look threatening, it was edited. Someone with their own agenda edited my post to cause controversy on Michigan Tech's campus.

Opinions and prejudice has been formed against me. A "circus like" atmosphere was encouraged, leading to community protests, marches, and other gatherings.

Red Alert Politics reported: ***"the MTU Department of Public Safety and Police Services spotted***

*the threat that read, "Going to kill all black people." After seeing the message around 2pm Thursday, the department immediately notified police and emailed a safety alert to all Michigan Tech students, staff, and faculty, MTU spokeswoman Jennifer Donovan told Red Alert Politics."*

The Detroit News reported: *"The University Department of Public Safety and Police Services first noticed the threat that said, "Going to kill all black people" posted on Yik Yak midday Thursday, said Jennifer Donovan, a Michigan Tech spokeswoman.*

New.Mic reported: *"The MTU threat read, "Going to kill all black people," according to a university spokeswoman. On Friday, the university announced that an arrest was made via twitter. The suspect is being held at the Houghton County jail, university spokeswoman Jennifer Donovan told Reuters."*

The Mining Gazette Reported: *"Ian Repp, Tech director of marketing and communications, said Thursday the person made the threat on Yik Yak. The anonymous threat indicated the poster was from Houghton and was "gonna shoot all black people."*

Pretrial Prejudice and opinions have been formed against me as a result of an edited post sent to Les P Cook. A post that I meant to be peaceful was edited and used to accuse me of making threats.

No attempt has been made to correct the information released to the public on the edited post. The post in question does not show violence would be enacted. How does shooting all black people a smile tomorrow become a threat? It becomes a threat when someone changes the message and it's used in connection with another person's name and picture.

Has the individual who edited my post from Nunya Buziness been located, or questioned? The individual who edited my post to look like a threat is responsible for these violations. The individuals who gave the edited post and other messages to the media, and public are responsible for these violations.

**Alleged Violation:** *Community Order*

I did not advocate physical violence in any way. My post did not break any laws; it was not a post stating any harm or violence. The edited post sent to Les P Cook, and in the media is not my post.

**Alleged Violation:** *Discriminatory Harassment*

I did not engage in any severe and pervasive or objectively offensive conduct. A smile in the direction of all black people is not discrimination, and does not affect an individual to access

education equally. I did not create a hostile environment, a hostile environment was created when an edited post was used in place of the facts.

The person who edited my post to look like a threat created a hostile environment, and those who released and used this edited post to report the news created a hostile environment.

**Alleged Violation:** *Disruptive Behavior*

In no way did I cause a disturbance to the use or enjoyment of University premises or the surrounding community.

The person who edited my post to look like a threat created a hostile environment, and those who used this edited post to report the news created a hostile environment.

Those who witnessed the edited post in the media, with evidence of the unedited post contributed to creating a hostile environment.

**Alleged Violation:** *Services*

The University assigned IP address was used to post a comment on Yik Yak. The comment I posted was not a threat, therefore misuse does not apply.