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December 16, 2025

BY EMAIL TRANSMISSION

[\(president@ohio.edu\)](mailto:president@ohio.edu)

Lori Stewart Gonzalez, President
Ohio University
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For discussion purposes only. Under Evidence Rule 408 and other applicable standards, this correspondence is not to be considered as evidence, admissions or for any purposes other than discussion of resolution of this matter.

Re: **Brian Smith**

Dear President Gonzalez:

We have received your December 12, 2025 "Notice of Intent to Terminate" and the allegations that supposedly justify a "for cause" termination of Coach Smith. First, let me say Brian Smith has done an exemplary job as Head Coach for OU and this has been repeatedly reinforced by the University's Athletic Director, various members of the Board of Trustees and a host of other OU representatives. It is truly unfortunate that OU has elected [REDACTED] in reaching an erroneous conclusion that will undoubtedly irreparably harm Coach Smith's career. Indeed, due to these false allegations and the University's tacit support of the allegations it is likely he can never come back from this and his career may well be over.

Turning to the reasons for classifying the termination as "for cause," the University has apparently elected to ignore or disregard that Coach Smith has due process rights as an employee of OU and you have not even spoken with Coach Smith to learn the true facts relating to your claimed grounds for terminating him as OU's Head Football Coach. I will address each ground in the order it is set forth in your December 12th letter.

First, Coach Smith didn't participate in an extramarital affair and you know it. Coach Smith and his now ex-wife were separated earlier this year, living apart and divorce proceedings were well underway before he began dating anyone. Coach Smith did not hide the relationship, and even his now ex-wife didn't accuse him of engaging in an extramarital affair. Your claim that he "carried" this on at the OU Inn is a bit misleading because as you know Coach Smith was living at the Inn following his separation and divorce as he was searching for more permanent housing. Coach Smith also never told AD Larscheid that had an affair at the OU Inn. Rather he told the AD that he ran into parents while there with a 41-year-old woman he spent time with after he broke off the relationship with the OU student.

As you know, the woman Coach Smith dated for nearly 4 months was a [REDACTED]. Coach Smith met her at an establishment in Athens and when he met her he had no idea she was an OU student. She was not a member of the athletic department and Coach Smith could not impact her status in any way as Head Coach. No one at OU expressed any concern or input into who Coach Smith was permitted to date but he nonetheless ended the relationship in early November. This relationship occurred among consenting adults [REDACTED]. In fact, Coach Smith has text messages he can show you establishing that this woman was frustrated at times when Coach Smith's schedule would not enable him to see her. [REDACTED]

Again, OU has no policy preventing any employee from dating a student. This has occurred previously with other University representatives and no one has lost their job let alone been terminated "for cause". If OU wants to prohibit employees from dating students, it should have a policy making this clear. The fact that it doesn't makes clear that OU has no problem with employees dating students. This was a perfectly appropriate consensual adult relationship that did not violate any OU rule or policy.

Second, the notion that Coach Smith engaged in serious professional misconduct by having a consensual relationship with an adult is utterly ridiculous especially since OU has no policy prohibiting the conduct. If this was serious professional misconduct, why does OU have no policy preventing it and why does OU allow other employees to engage in the exact same conduct?

Third and Fourth, you claim Coach Smith has used alcohol in a manner that impaired his coaching duties. This claim also has no relationship to the truth. Coach Smith has never been inebriated at an OU event and OU serves and encourages alcohol use at University sponsored events, including in the President's and AD Suites at OU Football games. Moreover, the reprimand over alcohol occurred in late November and was not a "for cause" termination ground then and it can't magically become one now. During the reprimand meeting and in the letter there is no mention of any other alcohol-related concerns and there shouldn't be since alcohol is not prominent in Coach Smith's life and it never impacted his coaching duties. The reprimand related to coaches toasting in the offices after home victories. Finally, the coaches were toasting with Bourbon provided by your husband to Coach Smith in his office.

We have numerous other incidents of OU faculty and staff drinking alcohol in offices, OU facilities and on campus. For instance, an OU Associate Athletic Director invited Coach Smith to the office of a distinguished faculty member. The faculty member—Dr. John Kopchick—offered a glass of bourbon to the Associate AD and Coach Smith and all three drank the alcohol in the faculty member's office. And this is but one example. Do we really want to turn this into whether OU permits alcohol use by staff on campus and who has been involved in such behavior? Taking a single drink toasting a victory with his staff comes nowhere close to justifying a "for cause" termination.

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Your Fifth ground is a catchall relating to the dating relationship and misguided claim relating to alcohol use. No further explanation is necessary here.

It is clear that OU is motivated to go after Coach Smith—without even getting his side of the true facts— [REDACTED] There is zero basis for a “for cause” termination and Coach Smith intends to vigorously pursue litigation should OU continue down this reckless path.

We believe Coach Smith should be reinstated and get back to his team and staff. Having said this, we are certainly open to a discussion that could avoid the very public battle that will occur should OU continue to advance a “for cause” termination. There are many ways to work through this that both protects Coach Smith from undue harm as well as the University. We are also willing to pursue a joint acceptable message addressing Coach Smith’s departure from OU in the short term while we discuss the terms of a departure.

I sincerely hope OU understands the importance of working to find a resolution here. I look forward to hearing from you.

Very truly yours,



Rex H. Elliott

RHE/lis

cc: David DeVillers, Esq. (ddevillers@btlaw.com)