IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
LEXINGTON DIVISION

Ramsi A. Woodcock,

Plaintiff,

v. Case No. 5:25-cv-00424-BJB

Eli Capilouto et al.,

Defendants.

PLAINTIFF'S RESPONSE TO THE UNIVERSITY DEFENDANTS' NOTICE OF COMPLETION OF INVESTIGATION

Plaintiff Ramsi Woodcock responds to the Notice of Completion of Investigation filed by the University officials who are defendants here (the "University Defendants"), DN 89, to point out that the investigation does not end at least until the University President issues his findings. Those findings have not issued, and under the University Defendants' counsel's written agreement they cannot issue until ten days after the University Defendants give Woodcock notice, which they have not yet done. Woodcock also remains reassigned away from teaching. The investigation and the reassignment from which Woodcock seeks relief in his motion for a preliminary injunction are therefore both ongoing. Woodcock responds separately to the University Defendants' Notice of Suggestion of Mootness (DN 92).

I. The Investigative Report Has Issued and the Investigation Has Moved to the Findings Stage

On November 10, 2026, the investigator transmitted her investigative report to Woodcock's counsel. Ex. 1; DN 89 at 3305. The report follows what the investigator's letter setting out the procedures for the investigation calls "the fact-gathering stage of the investigation." Thompson Ltr.,

Aug. 25, 2025 (DN 19-15) at 1570. The investigator "will not serve as the decision-maker." *Id.* According to the investigator's letter, the next step in the investigation is a letter from the University President with "the University's findings," which "will include any sanction for such a finding." *Id.* at 1570–71. The University Defendants describe that step as the President's decision "whether disciplinary proceedings are appropriate." DN 89 at 3306.

II. The Investigation Will Not Conclude Until After the November 19 Hearing

As the University Defendants acknowledge, the Franklin Circuit Court, in Woodcock's state action, directed the University Defendants to "provide the Court with notice when the outside investigative report is complete" and to "provide Plaintiff with ten days' notice prior to taking any further disciplinary action based on the investigation/final report." DN 89-1 at 3310.

On the morning of November 10, Woodcock's counsel asked the University Defendants' counsel to "confirm that the University Defendants will give ten days' notice before the President issues any findings," and explained that Woodcock reads the order to cover "the President's letter of findings . . . as well as any sanction, statement of charges or referral to a hearing." Ex. 2. The University Defendants' counsel replied: "that is how I read the order as well and agree." *Id.* Because the University Defendants have not given notice as of this filing, no findings can issue before November 21, two days after the hearing.

Woodcock reads the University Defendants' Notice of Completion of Investigation consistently with this understanding of the Franklin Circuit Court order. On that reading, the President may decide how the University will proceed, but no findings will issue until ten days after the University Defendants give notice. DN 89 at 3306; Ex. 2.

III. The Reassignment Has Not Ended

Starting on July 18, 2025, Interim Dean Duff removed Woodcock from teaching, assigning his distribution of effort to "100% professional development," and made the reassignment effective "for the duration of the investigation." Duff Ltr., July 18, 2025 (DN 19-3) at 493. Duff also barred Woodcock from the law building "while the investigation is ongoing." *Id.* The University Defendants lifted the ban on September 28, 2026, only after the Franklin Circuit Court observed that "the record contains no evidence of any conduct on Plaintiff's part that justifies his being trespassed from the campus of the College of Law." DN 89-1 at 3310; DN 84-1 at 2783. By the University Defendants' account, the investigator "has completed the investigation." DN 89 at 3305. Woodcock remains reassigned. The draft Spring 2027 course list circulated on October 21 assigns Woodcock no course. DN 77 at 2612. His 2026–27 distribution of effort records him on "Administrative Leave" through May 31, 2027. DN 84-38 at 3058. Woodcock challenges the continuing reassignment in its own right, not only as part of the investigation. *See* DN 36 at 1677; DN 86 at 3282.

IV. The Report and Woodcock's Responses Should Be Part of the Record

The Court has agreed that the University Defendants should file the unredacted report for *in camera* review. Woodcock is filing provisionally under seal his October 29, 2026 final written response to the evidence reviews, and he expects to file his written response to the report shortly, also under seal. Woodcock will file public versions of both, redacted on the same conventions as the report.

V. Request

Woodcock asks that the Court direct the University Defendants to give the Court the ten days' notice that their counsel has agreed in writing to give Woodcock before any letter of findings,

sanction, statement of charges, or referral to a hearing issues, Ex. 2, at the same time they give it to Woodcock, so that the Court may act before any findings issue. Because no notice has been given, the agreement preserves the status quo through the November 19 hearing, and notice to the Court causes no disruption to "the University's orderly governance of academic affairs," DN 86 at 3287. Woodcock also asks that the hearing proceed on November 19 as scheduled.

Woodcock renews his pending request for leave to address the Court's questions in writing before the hearing, DN 85, and would address these developments, and the relief requested in his supplemental motion, in full in that brief.

Date: November 11, 2026

Respectfully submitted,

/s/ Rima Kapitan

/s/ Joe F. Childers

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