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April 17, 2019

**PERSONAL AND CONFIDENTIAL**

Theodore A. Golden M.D.  
181 Shagbark Dr.  
Rochester Hills, MI 48309

**RE: Grievance Administrator and Theodore Golden, M.D.  
as to Kristine M. Moore  
AGC File No. 18-0406**

Dear Dr. Golden:

On March 21, 2019, Attorney Kristine M. Moore was issued the enclosed admonishment letter. Attorney Moore had 21 days to file an objection to the admonition and she did not object. Therefore, the admonishment letter served on Attorney Moore is effective. An admonition is not public discipline and is confidential, but is a part of Attorney Moore's permanent records within the Attorney Grievance Commission. The issuance of this admonishment letter constitutes the Commission's final disposition of this matter.

If you have any remaining questions or concerns, please do not hesitate to contact our office.

Very truly yours,

  
Dina P. Dajani  
Senior Associate Counsel

DPD/cam  
Enclosure

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March 21, 2019

**PERSONAL AND CONFIDENTIAL**

Kristine M. Moore  
Michigan State University  
426 Auditorium Rd Rm 494  
East Lansing, MI 48824-2600

Thomas W. Cranmer  
Respondent's Attorney  
Miller Canfield Paddock & Stone PLC  
840 W Long Lake Rd Ste 150  
Troy, MI 48098-6356

**Re: Grievance Administrator and Theodore A. Golden, M.D.  
as to Kristine M. Moore  
AGC File No. 18-0406**

Dear Ms. Moore:

The Grievance Administrator's request for investigation was filed on February 21, 2018, alleging improper conduct on your part. Dr. Golden filed a substantially similar request for investigation on December 19, 2018.

Following a thorough investigation, the matter was submitted to the Commission for review and decision. At its regular monthly session in March 2019, the Attorney Grievance Commission determined that you should be admonished regarding the investigation of sexual assault committed by Larry Nassar, D.O. against Amanda Thomashow when he worked at the MSU Sports Medicine Clinic in March 2014.

In the spring of 2014, as the Assistant Director for Institutional Equity in MSU's Office for Inclusion and Intercultural Initiatives, you conducted a Title IX investigation into an allegation made by Ms. Thomashow against Larry Nassar that he sexually assaulted her during his treatment of her hip pain. You subsequently issued two versions of a report dated July 18, 2014. The Conclusion and Recommendations section of each report differed substantively. One version was provided to Ms. Thomashow and a second version was provided to Nassar and others within MSU.

STATE OF MICHIGAN  
ATTORNEY GRIEVANCE COMMISSION

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The Commission agrees with the conclusion of the December 21, 2018 report entitled "Status of the Independent Special Counsel's Investigation into Michigan State University's Handling of the Larry Nassar Matter" issued by William Forsyth. That report concluded that there were multiple shortcomings with your investigation that, even without the benefit of hindsight, substantially influenced your incorrect conclusion that Nassar did not violate the sexual misconduct policy. The first failure identified was the failure to consult neutral and objective medical experts with no ties to Nassar or the MSU College of Osteopathic Medicine. The second significant failure was that you did not accurately convey Ms. Thomashow's allegations to the three doctors who were interviewed. To this, the Commission adds that you failed to interview the female resident physician who was initially in the examining room with Nassar and Ms. Thomashow and who was told to leave the room by Nassar, leaving him alone with Ms. Thomashow. These failures appear to have led to what Mr. Forsyth's report termed as a failure to "pursue whether there was a material disconnect between Ms. Thomashow's specific allegations and proper medical procedures." In other words, Ms. Thomashow went to Nassar because she was suffering from *hip* pain. Nassar's acts of telling the female resident physician to leave the room, massage Ms. Thomashow's breast under her shirt, massage her vaginal area without gloves, failing to heed her request to stop, failing to stop until she physically removed his hands from her body, and becoming sexually aroused cannot seriously be considered an appropriate medical technique and not sexual in nature, especially in consideration of the reason that Ms. Thomashow sought the medical treatment.

In addition to conducting a deficient investigation, your report violated specific requirements under Title IX and the Clery Act, that being that different Conclusion and Recommendations sections were provided in the reports sent to Ms. Thomashow and Nassar. Further, you failed to notify the parties in writing of any appeal rights. Federal regulations require both parties be notified in writing of the outcome of the complaint and any appeal in accordance with 34 CFR §106.8(b) and 34 CFR §668.45(b)(11)(vi)(B). The United States Department of Education, Office for Civil Rights recognized these systemic failings in a 2015 report issued to MSU's Office of General Counsel.

These failings, regarding your investigation and report, were not without consequence because Nassar was permitted to return to work and it has been reported that approximately twenty more women and girls were sexually assaulted by Nassar after your report and until he was finally terminated in September 2016.

Your conduct violated MRPC 8.4(c) and MCR 9.104(1) and (2).

STATE OF MICHIGAN  
ATTORNEY GRIEVANCE COMMISSION

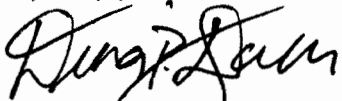
AGC File No. 18-0406

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Based upon these findings and pursuant to MCR 9.114(B), you are admonished by the Commission. An admonition does not constitute discipline and shall be confidential, except as otherwise provided in Subchapter 9 of the Michigan Court Rules. In accordance with MCR 9.114(B)(2), you may, within twenty-one (21) days of this admonition, notify the Commission in writing that you object to the admonition. Upon timely receipt of such written objection, the Commission shall vacate the admonition and determine what further action to take which could include authorizing the filing of a formal complaint against you with the Attorney Discipline Board.

Please note that Commissioner Thomas G. Kienbaum recused himself and did not participate in the Commission's decision.

Very truly yours,



Dina P. Dajani  
Senior Associate Counsel

DPD:cam