FINAL WAVE APPEAL & RULE 408 PRE-SUIT DEMAND: Vacatur of Dismissal, Grade Audit (NU 730 & NSG 523) & Nov 2 MS-HHS Registration — Chavon J. Wright (W24672939 | OCR #05-26-2347)

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Date: 2026-10-20T19:14:12Z
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CONFIDENTIAL SETTLEMENT & FINAL ADMINISTRATIVE DEMAND PURSUANT TO FED. R. EVID. 408, WIS. STAT. § 904.08, AND FLA. STAT. § 90.408

Dear President Herzing, Dr. Danielson, Dr. Steele, Dr. Laban, Ms. Zamecnik, Mr. Ramsey, Ms. Alicea, Registrar, and Financial Aid Leadership:

Please take notice that this correspondence constitutes my final institutional appeal, demand for immediate record and transcript remediation, and Rule 408 pre-suit resolution notice prior to the November 2, 2026 Fall Session B start date. A 10-Count Verified Federal Complaint and Emergency Motion for Evidence Preservation (FRCP Rules 26(d)(1), 34, 37(e), and 65) have been finalized for filing in the United States District Court for the Middle District of Florida, Ocala Division.

1. Unlawful Predetermined Dismissal & Pending Grade Appeal (Case #00542344):
On September 4, 2026, I timely submitted my official NSG 523 Grade Appeal and 16-Page Evidentiary Addendum challenging the drop from 79.0% to 73.35% caused by unapplied extension-window zeros—despite written confirmation from ADA Coordinator Emilie Thompson on August 7, 2025 that Herzing's accommodation notices were "flawed" and extension coursework "should be graded for credit." Under published Graduate Catalog policy, an Incomplete ("I") grade is mandatory while a grade appeal is pending, rendering the September 9, 2026 SAP dismissal procedurally void. On a recorded Microsoft Teams teleconference on September 18, 2026 (timestamps 27:15–27:41), Director Angie Zamecnik admitted conferring with AVP Dr. Danielle Laban and VP Dr. BriAnne Danielson to pre-determine that my appeal would not change my grade prior to any formal review.

2. Post-Submission Grade Alteration in NU 730 & Server-Side Audit Demand (INC0584221 / INC0587430 / Case 15729439):
In NU 730 (Systems-Based Practice), I timely submitted my coursework, received written faculty praise, and earned an 81.27% Grade B. Post-term, an unauthorized zero (0.0) was entered in the Canvas gradebook to manufacture a failing transcript mark while revoking my Canvas dashboard and Sherpath access. Pursuant to 20 U.S.C. § 1232g (FERPA), 34 C.F.R. § 99.10, and 34 C.F.R. § 668.14(b)(33), I demand immediate production of the unredacted Canvas SQL gradebook_history

logs for NU 730 and NSG 523, the 34 C.F.R. § 99.32 disclosure log for the 41 unauthorized May 2025 accommodation emails, and the completed Transfer Credit Evaluation confirmed by Ms. Zamecnik on September 14, 2026.

3. Immediate MS-HHS Registration for November 2, 2026 (21 of 31 Credits Satisfied):
Across 40.00 earned graduate credits (3.55 Corrected Cumulative GPA; 4.00 Science GPA in SC 154 and SC 254), I have already satisfied 21.00 of the 31.00 credits required for the Master of Science in Health and Human Services Leadership (MS-HHSL / MS-HHS): HH 500 (NU 780, B), HH 510 (NSG 660, A), HH 600 (NU 730, B [81.27%]), HH 610 (NU 725, B), MSW 510 (NSG 524 / PSY 545, A), MSW 521 (NSG 633, A), and MSW 540 (PSY 624, A). Only 10.00 credits remain: HH 620 (3 cr) and HH 630 (4 cr) starting November 2, 2026 (neither of which carries any catalog prerequisite), followed by HH 690 (3 cr) in Spring 2027 Session A for May 2027 conferral.

4. Five-Point Resolution Demand (Response Cutoff: October 28, 2026 at 5:00 PM EDT):
To mitigate Herzing University's multi-hundred-thousand-dollar exposure under Sharick v. Southeastern University of the Health Sciences, Inc., 780 So. 2d 136 (Fla. 3d DCA 2000), Wis. Stat. §§ 100.18, 895.446 (Treble Fraud), and 146.84 ($25,000/violation privacy penalty), Fla. Stat. §§ 501.204, 501.2077, and 817.41, and eight mandatory prevailing-party attorney-fee-shifting statutes, please confirm in writing by October 28, 2026 at 5:00 PM EDT:
(a) Immediate vacatur of the September 9, 2026 SAP dismissal and registration in HH 620 and HH 630 for November 2, 2026 with all 21 equivalency credits applied;
(b) Restoration of Grade B (81.27%) in NU 730 and passing Grade B (>=80%) or Administrative Withdrawal (W) in NSG 523;
(c) 100% tuition and fee waiver for the remaining 10 MS-HHS credits, full refund/cancellation of the three unaccommodated NSG 523 enrollments, reinstatement of the 10% Nurses Circle of Achievement Scholarship ($2,449), waiver of the unearned $1,405 Spring 2026 fees, and application of the approved $2,939 Fall 2025 balance waiver;
(d) Immediate release of unencumbered Official Transcripts, the September 14, 2026 Transfer Credit Evaluation, the 34 C.F.R. § 99.32 disclosure log, and Canvas SQL grade-mutation histories; and
(e) Pre-suit compensatory settlement or 30-day binding mediation to resolve documented consequential losses.

Verified Evidentiary Records:
- Verified Federal Complaint & Rule 408 Demand: https://www.google.com/url?q=https://docs.google.com/document/d/1LL99lA12QG8T7EsMnyAD8wwWN-5D2RbXxaUJaWXm-og/edit&source=gmail&ust=1792610052856000&sa=E
- Emergency Evidence Preservation Motion: https://www.google.com/url?q=https://docs.google.com/document/d/1lJgZ_8mXyy3cq-2f9h4QT3L2qyHEjsOhtsltXtUQbbg/edit&source=gmail&ust=1792610052856000&sa=E
- Legal & Statutory Damages Analysis: https://www.google.com/url?

q=https://docs.google.com/document/d/1xMBHqaA2C_xyKYLTM2zewcJ8QSEH-7ioaFwks8Ucd2w/edit&source=gmail&ust=1792610052856000&sa=E
- MS-HHS 21-Credit Equivalency Audit: https://www.google.com/url?q=https://drive.google.com/file/d/1RDv1gDrVjbJ-d1XES2-Zwz95×8DFmmRV/view&source=gmail&ust=1792610052856000&sa=E
- September 18, 2026 Zamecnik/Laban Recorded Admission Transcript: https://www.google.com/url?q=https://drive.google.com/file/d/1dIZHnNVr51i7diLfXdlkurlylOtMo_LF/view&source=gmail&ust=1792610052856000&sa=E

Sincerely,
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