

Statement of Avery Koltasch

1 My name is Avery Koltasch, and in a few weeks I'll enroll as a freshman transfer at Davidson
2 College. Davidson's an excellent school, but it wasn't my first choice. Last fall I was one of 800 lucky
3 freshmen entering Utopia University – my dream school. But after what happened, I just can't stay there.
4 Grayson Zayne not only killed Harper Finch; Grayson killed my dreams of graduating from UU.

5 UU is one of the top ten universities in the nation, according to *US News*. I was the only person
6 from my high school to be accepted, which was even more astounding because I'm the first in my family
7 to attend college. My parents immigrated to the U.S. soon after they were married, and they sacrificed a
8 lot for us. They always told me and my siblings that school was our ticket to security, and they urged us
9 to work hard to get scholarships.

10 Until I was 14, I did everything my parents asked. But when I entered Mayberry High School in
11 Mayberry, NC, I rebelled. I got involved with the wrong crowd and stole some DVDs as part of a dare. I
12 got caught, which nearly broke my mother's heart. Luckily I got sent to Teen Court, and because I was
13 truly sorry, my punishment was community service at a local hospital. That experience brought me to my
14 senses. I swore I'd never be dishonest again, and I promised my mom I would make her proud.

15 My hard work paid off. I graduated at the top of my class. Along the way I was elected president
16 of the student body, editor of the yearbook, and captain of the track team. I kept volunteering at the
17 hospital and also worked as a docent at the Mayberry Science Museum, where I taught kids about science.
18 I discovered a passion for chemistry, and I decided to go medical school. Utopia University was the
19 perfect place for me since its chemistry department is top five nationwide. The day I got the call about my
20 full-ride scholarship was the happiest day of my life.

21 To be honest, I was a bit nervous about making friends at UU. I knew most of the students had
22 wealthy parents, with graduate or professional degrees. I was pretty sure I could handle my classes, but
23 the social scene was intimidating. So I hoped to join one of the Greek societies, both to continue with
24 community service and to make connections. I was especially interested in Zeta Iota Pi, or "ZIP," a co-ed
25 honor society. ZIP was the best of the best; its alumni included twelve members of Congress, dozens of
26 renowned physicians, and even a Nobel-prize winner. And Zippers' motto was "We Stick Together" –
27 they seemed really "tight." If I could become a Zipper, it would be my ticket to success.

28 Then I learned that ZIP didn't have "rush" like Greek societies – you couldn't even apply. You
29 had to be selected, or "tapped" as they call it. I figured I didn't have a chance. When I was tapped on the
30 first day of class – in Chemistry 101 – I could barely contain myself! I knew I'd never forget that day:
31 August 18, 2014. Grayson Zayne, ZIP president and pledge master, selected me – one of only three
32 freshmen to be so honored! I accepted immediately, without question or hesitation.

33 Our pledge class was me, Logan Kaufmann, and Harper Finch. Before we could become full ZIP
34 members, we'd have to complete a series of challenges – “Feats of Fortitude.” The idea was to build
35 camaraderie and separate out anyone who wasn't fully committed to ZIP ideals. The Feats weren't
36 supposed to be easy, but they also weren't supposed to be hazing. The law, Utopia school policy, and most
37 importantly, the ZIP bylaws prohibited hazing. I knew I could handle it. Most of the challenges were fun
38 activities, and they had a community service aspect, which I loved. For instance, the 2013 Pledge Class
39 organized a carnival in town, and all of the money was donated to a camp for children with autism. And
40 let's face it, joining ZIP was my choice. It was an honor to be a Zipper. No one forced me into it.

41 On August 20, 2014, we three pledges moved into the ZIP house and met with Grayson Zayne
42 and the other ZIP leaders. We were given the ZIP bylaws and had to sign the Pledge Promise. Harper and
43 I hit it off right away; we both liked science, and we'd both been high school valedictorians. Logan was
44 different. Logan's older brother Chip was also a Zipper. Chip had graduated in 2012, so Logan was a
45 “legacy,” which means Logan was tapped at least in part because of Chip. I'm not saying Logan wasn't
46 smart, but Logan didn't seem to have the same focus and drive as me and Harper.

47 I was a bit shocked by the legacy policy, but that's the way of the world, I guess. What bothered
48 me more was the way Grayson clearly cut Logan slack right from the start, giving Logan perks that
49 Harper and I never got. For instance, Logan was given a nicer room, and Logan didn't have to bring
50 breakfast to Grayson every morning at 6 a.m. like we did. I was disillusioned that the ZIP leadership
51 wasn't adhering to their ideals the way I'd expected.

52 During that meeting we learned about our Feats of Fortitude challenges. We'd have to complete
53 four challenges, all combining social media crazes with community service. Two of the Feats would help
54 local groups or individuals, while the other two would help a national cause. We could put our own “spin”
55 on them to make them more fun. Harper, Logan, and I had all been athletes in school: I ran track; Harper
56 swam; and Logan played tennis. So we decided to add an athletic component to all of our Feats.

57 First up – the Ice Bucket Challenge for ALS. It was sweeping the country big-time. We got into
58 the natatorium after-hours thanks to the Athletic Director, a Zipper from the class of '86. The AD filmed
59 us swimming 10 laps in the pool – I struggled, but I made it – then we stood in a whirlpool of ice and
60 dumped those 64-oz mega UU cups of ice on each other! It was brutal, but hilarious, and made for great
61 video. We even had a banner that said “We Stick Together!” When we posted the video to the ZIP
62 facebook page, it went viral, and Zippers – and others – all across the country began donating to ALS
63 research. A week later, more than \$40,000 had been raised! Even better, the ALS Foundation's CEO is a
64 Zipper from '75, and she sent us a personal thank you. Connections and publicity like that are priceless.

65 Logan was chatty when we walked back to the ZIP house after the challenge and seemed eager to
66 share gossip about the other Zippers – especially Grayson. Logan said that Grayson was also a legacy

67 going back several generations, and Grayson’s dad gave a lot of money to ZIP. Evidently Grayson was
68 also a horrible student – Logan said Chip was constantly helping Grayson so s/he didn’t get kicked out of
69 ZIP. Granted, Logan could have been exaggerating to make Chip look better. Logan also let it slip that
70 Grayson told Logan about a class that was a “guaranteed A.” While I wasn’t sure I could believe Logan, it
71 made me dislike Grayson even more. I should’ve quit right then, but I figured Grayson was an exception.
72 Most of the Zippers seemed legit, and I didn’t have any other real friends at UU besides Harper.

73 On August 25, 2014, we were given our second challenge – create a dance video that highlighted
74 what it meant to be a Zipper. We decided to use this Feat to “Save the Wolf!” Not the canine kind – Judge
75 Carla Wolf, a respected Superior Court judge who is fighting blood cancer. Judge Wolf’s only hope for a
76 cure is a bone marrow transplant, so we wanted to inspire Zippers (and our social media followers) to join
77 the bone marrow donor registry. Logan already knew Judge Wolf from high school mock trial. Judge
78 Wolf really supported the program, judging at the state finals and at summer camp. So this cause was
79 personal, and we wanted to do it justice (no pun intended).

80 We couldn’t think of anything clever, so we sought Grayson’s help. Grayson suggested we check
81 out the ZIP academic archives for inspiration. The archives were sort of a personal society library, with
82 quizzes, papers, and other academic work Zippers had done over the years. It worked; Logan came up
83 with a brilliant idea. We decided to make a video using Pharrell Williams’ song “Happy,” with all the
84 Zippers showing off their best dance moves at various places in the ZIP house and grounds. The finale
85 would be a break-dancing competition in the ZIP archives. Grayson said it sounded great, as long as we
86 were careful not to touch the files because they were the “crown jewels” of ZIP. I thought that was an
87 overstatement, but whatever. We set the filming for August 28th.

88 Everyone really got into it, and the finale was pretty awesome. At the end, we tore open our
89 “Lifesaver Kits” and videoed how to do the easy cheek-swab so we could join the registry. I was pumped,
90 sure that the video would get a lot of views and inspire people to help Judge Wolf. When we finished,
91 Grayson told us pledges to clean up the entire ZIP house. Well, not all the pledges – just me and Harper.
92 Logan got special treatment again. Cleaning in the archives room, Harper found a folder labeled “Paper
93 Classes Spring 2013.” When we looked inside, we were shocked. It held Botany 301 midterm papers that
94 looked like fourth graders had written them! A prof named Morgan McCabe taught the class. The papers
95 were pitiful, and the worst was by Grayson, about the supposed virtues of milkweed as an elixir.
96 Unbelievably, Grayson got an A-minus for it! I took a photo with my phone because it was so outrageous.

97 Harper and I decided to bring it to Grayson so no one else saw it and got the wrong idea. We
98 thought it must be a fake; surely no prof gave an A-minus for that paper. Harper brought it when we went
99 to Grayson’s room the next morning with Grayson’s breakfast. Instead of laughing or thanking us,
100 Grayson got very defensive and aggressive, saying that every honor society has its “secrets” and that we’d

101 better stay quiet! Grayson even threatened us, saying that if we talked, they would “zip us up.” Grayson
102 grabbed the file from Harper and yelled at us to get out.

103 We were shocked and confused. We had signed a promise to obey Grayson throughout the pledge
104 period, but Grayson’s reaction was over the top. Clearly it wasn’t just a prank, or just one unearned grade
105 on one paper. We wondered what else was going on under the surface. Harper and I decided to drop it for
106 the moment. After all, Grayson controlled our ZIP destiny. We still didn’t want to quit; we thought we
107 could do a lot of good as Zippers, and Grayson would graduate in a year. How I regret that now.

108 A few days later – Sunday, August 31 – Harper woke up itching with bug bites. Somehow her bed
109 had become infested with bedbugs. None of the other beds in the ZIP house had them, which was really
110 weird since they spread so easily. In fact, no one else on campus reported problems. As I helped Harper get
111 rid of the mattress, we wondered whether Grayson was involved somehow. It was the only logical
112 conclusion, since Grayson is an entomology major who even worked in the “bug lab” on campus. It seemed
113 like Grayson was hazing Harper since Harper had done most of the talking about the milkweed paper.

114 Harper decided to confront Grayson and talk it out. I was okay with that, so we went to Grayson’s
115 room that afternoon. I thought Harper would assure Grayson that we’d keep quiet (at least until we were
116 full members, but Grayson didn’t have to know that). Instead, she accused Grayson of hazing and said it
117 was against Utopia laws, school policy, and the ZIP bylaws. Grayson didn’t seem fazed at all. S/he sort of
118 laughed and said, “bed bugs are nothing. Maggots, on the other hand...” It was creepy. I don’t know much
119 about insects, but I do know maggots eat the flesh of dead bodies. Harper and I sort of laughed and left the
120 room, not sure what to think.

121 The next day we were given the third Feat, which would raise money for the American Diabetes
122 Association. Harper brightened up at that, which surprised me until Harper told me privately that she had
123 Type 1 diabetes! I had wondered why Harper sometimes drank OJ at random times or went to the
124 bathroom to “check on something.” Harper said she didn’t want to be treated differently, so she’d only
125 told Grayson and the other ZIP leadership about it. She said she had given them some detailed materials
126 on diabetes to make sure they knew how to help her if she ever had low blood sugar.

127 Grayson said s/he already had a plan for this Feat – a Krispy Kreme 5K run! Participants would
128 pay an entry fee, run half of the course, eat 6 donuts, and run the rest of the way. That sounded cool, and
129 the run itself would be easy for me. As Logan and I started brainstorming how to publicize the race and
130 register people, I saw Grayson pull Harper aside. Harper looked upset as they talked, and at first seemed to
131 protest what Grayson was saying. Harper even started to walk away, but Grayson grabbed her by the arm
132 and looked her in the eye very intensely while talking. Harper reluctantly nodded at Grayson, then walked
133 away. Later I asked Harper what was up, and Harper said Grayson insisted she eat a dozen donuts, rather
134 than only six “because your room at the ZIP house has been messy and you need to learn discipline.” I

asked Harper if that was dangerous because of her diabetes, but Harper said she could adjust her insulin to compensate. It still sounded iffy to me.

We held the race on the morning of September 5, Labor Day weekend. More than 200 students had signed up – free donuts were a big draw for college kids, and Krispy Kreme had even donated extra. Harper, Logan, and I took off running, and when we got to the donut station, Harper ate the whole dozen, glancing nervously at Grayson, who was there watching us. Soon we started running back, when all of a sudden Harper threw up! Harper insisted on running more, but as we neared the finish line at the ZIP house, Harper got light-headed and dizzy, and started to faint. She seemed so out of it that I got really concerned and said I'd take Harper to the hospital. Grayson was already back at the house, ready to hand out the winners' prizes. When Grayson saw Harper's condition, Grayson insisted on going, too. I was furious with Grayson – I figured the extra donuts caused Harper's problems – but what could I do?

Once Harper was stable at the University of Utopia Medical Center (UUMC), I confronted Grayson. I said I knew Grayson was trying to hurt Harper so we'd stay quiet about the bogus paper. Grayson just looked at me and said "maybe Harper won't be such a cockroach from now on. Who knew donuts could act as a pesticide?" Then Grayson leaned forward and said, "This is her last warning. And if you aren't careful, you'll be on my list, too." Before I could say anything, the doctor called us in to see Harper. It turned out that because Harper threw up the donuts, there wasn't enough sugar in Harper's blood to match the increased insulin dose. Harper's blood sugar had dropped dangerously low. It was a good thing we came to the hospital when we did. Harper just laughed it off, though. We all sat around and acted like everything was fine, then drove back to the ZIP house. But I was pretty unnerved by it all.

The next morning I told Harper about Grayson's threats and said maybe we should just quit. But Harper would have none of it. "Why should we let that bully drive us off?" Harper sent an email to Grayson, saying she would tell everyone about what a fraud Grayson was if Grayson didn't back off. Harper cc'd me on it, and I got Grayson's reply, which said something like "you didn't die this time." I saved it and gave it to the police after Harper was killed.

Harper was serious about turning Grayson in. After dinner on September 11, Logan and I went to Harper's room and saw Harper reading the ZIP pledge against hazing on the national site. Logan got agitated and said that we Zippers had to stick together and Harper should learn to suck it up and be quiet. I just knew Logan would go tell Grayson what Harper planned, and I was worried. But Harper was determined not to be intimidated.

On September 15, Grayson called the three of us together for our final Feat of Fortitude. Grayson talked about a recent fad – "planking" – where people lie down in random places as though they were a plank (or a corpse, as Grayson said). That was supposed to be our last Feat. But frankly, I thought it sounded stupid, and so did Harper. Then Harper had a great idea. "Why don't we start our own fad? Like

owling, or batmanning, but even better. We'll do 'pandaing' to raise money for Utopia Zoo to purchase pandas!" I was intrigued and asked what it would involve. Harper said, "Pandas like to climb trees and lay on a branch with all four legs dangling down. It'll be a lot cooler than planking. What do you say?"

Logan and I thought starting a new fad could be pretty cool – maybe we'd even become memes. Grayson said okay, if we did our pandaing at the locations Grayson had already chosen. I had to panda at the Student Union. Logan had to panda at the football stadium. And Harper had to panda at the Friendship *Paifang* in the UU Botanical Gardens next to the biology building. I walked by the *Paifang* whenever I went to my Bio 101 class. It was a really old wooden gate given to UU by our sister campus in Beijing. Evidently all the rich alumni liked it. I guess they thought it was exotic. And Harper was excited about it because it would be a great photo for our panda fundraiser. Grayson reminded us all that this was our final Feat to complete our pledge project, so we had to make it good, like we'd promised.

We set out after dinner to get it done. I pandaed on the top of the big wooden wall outside the Union, where people posted want-ads, concert invitations, and such. The wall was maybe 8 feet high – and seemed higher! We'd made a big sign that said "Panda for the Pandas. Support Utopia Zoo!" and tacked it on the wall for the photo. Lots of students gathered around and clapped, so I was psyched. Logan, trying to outdo me, shimmied up the football goal post and pandaed there. It looked cool but seemed risky to me. Lastly, we went to the *Paifang*. Clearly this was the biggest challenge. The gate had narrow legs and an ornamental top, and it was probably 30 feet high. The only place to panda was at the very top. I told Harper to forget about it; we'd just go to a tree in the garden that had lower branches. But Harper insisted, saying it was just the kind of thing to make a name among the Zippers, and besides, it would tie the whole video together. So Harper started climbing to the top of the gate.

As Harper climbed higher, the gate started creaking, and it kept getting louder. I told Harper again to forget about it, but Logan urged Harper on, saying, "You're not a coward, are you? Show Grayson you've got fortitude." As Harper reached the top and began to panda, she exclaimed, "What are all these bugs?!" Just then there was an awful cracking sound, almost like a rifle shot, and the entire part of the *Paifang* where Harper was pandaing snapped in half. Harper had to be at least 25 feet off the ground. She screamed in terror. I was frozen in place, stunned by what I was seeing. At the last second I tried to dash forward, but it was too late. Harper hit head-first, and her spine crumpled just like a rag-doll flung by an angry child. Logan and I gasped. Harper was gone at the moment of impact. I'm sure of that.

The next months were a blur of police interviews, reporters, and questions from students who were shocked by the tragedy. I moved out of the ZIP house immediately – or, I should say my parents came and moved me out. I never set foot in the place again. I couldn't sleep because of nightmares, and I dropped out in November. Hopefully starting over at Davidson will help me to get my life back. I still

can't believe Harper's gone. Even if Grayson goes to prison for life, it won't be a severe enough punishment for what Grayson did.

Of the available exhibits, I am familiar with the following and only the following: Exhibits 1 & 2 (the ZIP Bylaws and Pledge Promise); Exhibit 3 (the national ZIP webpage); Exhibit 4 (the photo of Grayson's milkweed paper); Exhibit 6 (the emails between Grayson and Harper), and Exhibit 11 (photos of "planking" and pandas). My attorney also showed me Exhibit 7, and the photos of the *Paifang* gate look right to me.

I swear or affirm to the truthfulness of everything stated in this affidavit. Before giving this statement, I was told it should contain everything I knew that may be relevant to my testimony, and I followed those instructions. I also understand that I must update this affidavit if anything new occurs to me until the moment before opening statements begin in this case.

Avery Koltasch
SIGNATURE

December 8, 2014
DATE

Subscribed and sworn before me this 8th day of December, 2014

Christi Lea
Christi Lea
Notary Public in and for the State of Utopia

