

## How does a Q&A dialogue unfold when an attorney catches a witness lying?

Here's one of many examples from our usmnews.net's archives of how a Q&A unfolds when an attorney catches a witness lying.

The following is the actual sworn testimony of Roderick Burl Posey, Professor, School of Accountancy, College of Business, University of Southern Mississippi, taken on June 10, 2008, in the case, *DePree v. University of Southern Mississippi* (Q. is DePree's attorney's questions directed to Posey; A. is Posey's responses):

- Q. **You would agree with me that Marc was within the top two publishers as far as the quality of publications –**
- A. **No.**
- Q. You would not? And as far as the school of accountancy goes, he was probably within the top two?
- A. No.
- Q. No?
- A. No, that would have been Charles Jordan and Stan Clark in the top two.
- Q. Were they hitting A [the highest rated] journals?
- A. No.
- Q. Who hit the most A journals in the School of Accounting?
- A. **I would guess Marc hit the most A journals...**
- Q. At some point ... you [Posey] seized upon two negative comments [in DePree's student teacher evaluations] by certain -- by two students [from over 100 evaluations] to level some criticism at Marc; is that correct?
- MR. HOOKS (USM attorney): Object to the form of the question.
- MR. FOUNTAIN: Q. Do you understand my question?
- A. I understand your question. I believe I mentioned two of the comments. The problem with Marc's evaluations was not that. **It was that the students**, going through them [DePree's student teacher evaluations], **mentioned nowhere that his course was difficult**. Going through, whatever, 100 evaluation... **Marc's had nothing ... where the student said, boy, he is a good teacher... but this is a tough class. It just**

**wasn't there... they said nothing about him [Marc] being a difficult teacher...**

**Q. So you were looking to students to tell you this [DePree's] is a difficult course to tell you what? You are willing to live with the answer you've given me?**

**A. Uh-huh. [Affirmative]**

Q. I hand you a document and ask you if you can identify that?

A. This is from Marc to me, March 4, 2004. This is comments on his faculty activity report **and demonstration of rigor.**

Q. And attached to that I think you will find Marc's student comments for the period of time that was covered by that evaluation.

A. Okay.

Q. Look at Number 5 and read it for me, please.

A. He [DePree] needs to slow down a little. He goes a little fast for normal students.

Q. Read the positive comments, Number 5.

A. Number 5, [DePree] Explains content with clarity, difficult course but made the material fun and interesting.

Q. So there is one student that said it was a difficult course.

**A. One student.**

Q. Okay. Well, let's look at 11.

A. Eleven, this material was difficult to learn but repetitive use of material was very helpful.

Q. Let's look at 42.

A. This professor [DePree] is the first professor I had -- I have had that could teach a class that is difficult and still make it relevant, informative, and enjoyable. I wish USM had more of his caliber.

Q. Let's look at 44.

A. Thoroughly enjoyed this [DePree's] class. He presented difficult material in a way that you could follow and learn.

- Q. How about 48? [Editor's note: *Posey was furious at this point.*]
- A. Dr. DePree has the ability to take an incredibly complex subject and break it down into logical steps. His method of teaching is wonderful. I really learn what he says instead of memorizing it.
- Q. Let's look at Number 57, what's it say?
- A. His [DePree's] ability to explain. The patience he used while teaching. Explaining the complicated material until you understand...

My attorney could have continued for an hour but he made the point. And let's review Posey's lie. At the beginning of this line of questions, Posey said, **"The problem with Marc's evaluations was ... that the students ... mentioned nowhere that his course was difficult. Going through, whatever, 100 evaluation... Marc's had nothing ... where the student said, boy, he is a good teacher... but this is a tough class. It just wasn't there... they said nothing about him [Marc] being a difficult teacher..."**

Posey's purpose was to lie about the facts so as to have testimony that would support firing me. Posey got caught as did many of the other USM mobbers. He and they failed, but their disreputable behavior cost USM, that is students and taxpayers, better that \$2,500,000. If students should wonder why tuition continues to rise or taxpayers wonder why their taxes continue to rise without seeing improvement in USM or state services, all you need to do is review the archives at [usmnews.net](http://usmnews.net).

And, let's not ignore one additional fact -- this man who flatly lied to support having a colleague fired is a preacher who claims to be a man of God.