

THE GUNTHER CONTRACTS

This installment of **The Gunther File** supports documentation in the previous two installments by examining the Gunther's employment contracts with the University of Alabama. The insert below contains a letter to Jude & Jude from the University of Alabama's Office of Legal Counsel dated 4 December 2006:

OFFICE OF COUNSEL
THE UNIVERSITY OF ALABAMA SYSTEM

Ralph H. Smith II
Robert W. Rieder, Jr.
George B. Gordon
W. John Daniel
William B. Woodward, Jr.
John O. Cates
Michael I. Spearing

The University of Alabama Office
222 Rose Administration Building
Box 870106
Tuscaloosa, Alabama 35487-0106
(205) 348-5490
Fax (205) 348-8681

Norma M. Lemley
Gary C. Smith
Lisa Huggins
Edward J. Kennedy III
Kathleen D. Kauffman
Terri James-Alexander
M. Chad Tindol
Tyrone Quarles

4 December 2006

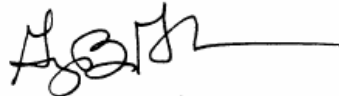
Ms. Kate Jude, Esquire
Jude & Jude
P.O. Box 17468
Hattiesburg, MS 39404

Re: Dr. DePree Public Records Request

Dear Ms. Jude:

I am acknowledging receipt of your check in the amount of \$8.25 to cover the copying costs. I am including with this cover letter copies of the records which were determined to be responsive to your client's request.

Sincerely yours,



George B. Gordon

Enclosures

cc Dr. Barry Mason (without enclosures)

The University of Alabama
System Office
1818 University Boulevard
Tuscaloosa, Alabama 35401-1518
(205) 348-8340
Fax (205) 348-0413

The University of Alabama
at Birmingham Office
AB 820
1530 Third Avenue South
Birmingham, Alabama 35294-0108
(205) 934-3474
Fax (205) 975-6079

The University of Alabama
at Birmingham Office
Health System Office
500 22nd Street South, Suite 408
Birmingham, Alabama 35233
(205) 975-4844
Fax (205) 975-0129

The University of Alabama
in Huntsville Office
235 Madison Hall
Huntsville, Alabama 35899
(256) 824-6633
Fax (256) 824-6187

The letter indicates that the U of AL is complying with the open records request made by Jude & Jude, and is making available a series of documents relating to work done for the U of AL by former CBA Dean William Gunther. Gunther is currently employed by USM as a professor of economics and the Director of the Bureau of Business and Economic Research.

What follows in this report the series of documents provided by the U of AL. There are a number of points of interest. The first document shows that Gunther taught in the U of AL's EMBA Program during the summer of 2004, the same summer he taught courses for the University of West Florida. In doing so, Gunther secured an additional \$8,500 from the U of AL, making his summer 2004 earnings from both institutions \$12,500.

The third document is page 1 of Gunther's vita (at the time he entered the 2004 contract with the U of AL). It is useful in developing his career timeline. The fourth document is a **Request for Personnel Action** form that was filed for Gunther's Dec '99 to April '00 teaching stint in the U of AL EMBA Program. Gunther earned \$8,000 during that contract period.

Document five is similar to the fourth, however it covers the 1-Oct-98 to 31-Jan-99 period, wherein Gunther earned \$4,800 for teaching EMBA course(s) for the U of AL. The **Request for Personnel Action** shown below as document six covers the Dec '98 to April '00 period. Gunther was paid \$7,500 for this teaching stint in the EMBA Program at the U of AL.

The seventh document is an **RPA** filed in preparation for Gunther's retirement from the U of AL. It indicates that Gunther left the U of AL in the summer of 1998 as an Associate Dean of the business school. At the time he left, Gunther was being paid a salary of \$107,855. The eighth document is a somewhat curious one. It suggests that preparations were being made in July of 1998 for Gunther's 1998-1999 EMBA teaching for the U of AL. At that time Gunther's official U of AL title was changed from "Professor" to "Consultant."

AL PURPOSE OF PERSONNEL ACTION 8 Supplemental Pay
 Funding Code 2 Non-state Funded

FOR HR USE ONLY
 TO 4-15-2000 HD 1245
 LC N ST 4 RT 7,272.72

B) EMPLOYEE INFORMATION

SSN [REDACTED] Type of Employee: Faculty Staff Student
 Name (First, Middle, Last) **William Gunther** Suffix **PhD** Title **Dr.**
 Should this employee be included on the Deans, Directors, and Department Heads Mailing List? Yes Remove
 Date of Birth [REDACTED] Sex: Male Female Citizenship [REDACTED] Ethnic Code* [REDACTED]
 Veteran Status [REDACTED] e-mail **guntherprof@aol.com**
 Home Address **7034 South Bayou Drive** Emergency Contact Information
 City, State, Zip **Josephine, AL 36530** Name [REDACTED]
 Home Phone # **251-987-1652** Phone No [REDACTED]
 Is the employee currently enrolled or has he/she ever been enrolled in either the
 Teachers Retirement System or Employees Retirement System of Alabama?
 All employees are required to direct deposit their pay. Attach a Payroll Direct Deposit form and a voided check or use the deposit into currently on file.

C) ASSIGNMENT INFORMATION

FROM:
 Official Title/Rank
 Department and Division Name
 Dept. Number
 Job Code*
 Total Salary
 Monthly or Hourly Rate

APPOINT, REAPPOINT, OR CHANGE TO:
 Official Title/Rank **PROFESSOR**
 Department and Division Name **EMBA PROGRAM**
 Dept. Number **1208** Division Code* **12**
 ASSIGNMENT/LEAVE DATES BEGIN **6/8/2004** END **8/7/2004**
 EMPLOYMENT STATUS* (check one) APT TPT TPT CONTINGENT / ON CALL
 COMPOSITE FTE **0.25000** Hours in work week (only employee)
 TOTAL SALARY **\$8,500.00** Monthly or Hourly Rate **5 8,500.00**
 OCC. CODE **4001** EEO CODE* **2** JOB CODE*

1			
2			
3			
4			
5			
6			
7			
8			

1	388	1.00000	3-98038-2230	8,500.00	
2					
3					
4					
5					
6					
7					
8					
		1.00000		8,500.00	

D) FOR REPARATION USE ONLY

Termination Date [REDACTED] Type Termination* [REDACTED] Annual Leave Balance [REDACTED] Sick Leave Balance [REDACTED]
 Comp. Time Balance (for employee only) [REDACTED] Forwarding Address [REDACTED]
 Recommended for Rehire Yes No

E) Comments **payment for teaching special economics session for EMBA students--Summer 2004**
*** Retired- DO NOT DEDUCT TEACHERS RETIREMENT ***

DEGREE INFORMATION
 Highest earned degree [REDACTED] Year Received [REDACTED] Terminal Degree? Yes No Native language English? Yes No
 Tenure Status Not on Track On Track Tenured Reinstated Tenured Tenure Dept [REDACTED] Tenure Date [REDACTED]

Name **Amy R Smith** Phone Number **348-6958** Date Prepared **8/16/2004**
 EL APPROVALS
 Division/Department Head **[Signature]** Date **8/16/04** ROUTING (initials and date)
 Dean/Director **[Signature]** Date
 Vice President **[Signature]** Date
 Signature & Date **8/16/2004 11:14 AM** Date **8/24/04**

BUDGET AUG 23 2004

HER FILE

For Central Records Office Use Only

TEMPORARY ACADEMIC APPOINTMENT/REAPPOINTMENT MEMORANDUM
IN LIEU OF APPOINTMENT ACTIVITY REPORT

Department/Area: Economics, Finance and Legal Studies, Division: C&BA

I. **Type Appointment/Reappointment** (check one)

- | | | | |
|-------------------------------------|-----------------------------|-------------------------------------|---------------------|
| <input checked="" type="checkbox"/> | Temporary Part-time Faculty | <input type="checkbox"/> | (check one) |
| <input type="checkbox"/> | Temporary Full-time Faculty | <input checked="" type="checkbox"/> | Initial Appointment |
| <input type="checkbox"/> | Visiting | <input type="checkbox"/> | Reappointment |

Recommended Rank/Title: Lecturer

Name of Person Recommended: William D. Gunther, Race: White Sex: Male

Effective Dates: From: 06/08/04, To: 08/07/04, FTE%: 0.250, Salary: \$8,500
M/D/Y M/D/Y

Budget Account Number 3-98038-2230, Pos. No. 388, Distribution FTE 1.00

Budget Account Number _____, Pos. No. _____, Distribution FTE _____

Budget Account Number _____, Pos. No. _____, Distribution FTE _____

Meets SACS 18-hour rule* Yes No (Attach documentation of professional experience)

*Must have completed at least 18 graduate semester hours in the teaching discipline and hold at least a Master's degree or hold the minimum of a Master's degree with a major in the teaching discipline. In exceptional cases, outstanding professional experience and demonstrated contributions to the teaching discipline may be presented in lieu of formal academic preparation.

II. **Recruitment Process** - Complete Only If Initial Appointment

- How was the opportunity for appointment made known to potential candidates?
- Department posting of general announcement/invitation
- Department posting of specific position
- Personal contacts
- Other:

Describe special efforts to identify and attract minority and female potential candidates.

What application procedure and selection criteria were used for the appointment?

III. **Previous Temporary Appointment Record** - Attach a list, by name, of temporary appointments of similar title in the department/unit during the past 12 months. Include race and sex of each appointee.

Department Head <u>Billy P. Nelson</u>	Date _____
Unit AA Coordinator _____	Date _____
Dean/Director _____	Date _____
Academic Compliance Officer _____	Date _____

LR FILE

William David Gunther

Office:

Box 5072
Hattiesburg, MS 39402
Tel: (O) 601 266-5049
Email: william.gunther@usm.edu

Home:

17 Rosemont Drive
Hattiesburg, MS 39406
Phone: (H) 601-261-5436

Education

Ph.D. (Economics) University of Kentucky, 1969.
M.A. (Economics) Kent State University, 1965.
B.S. (Accounting) Kent State University, 1962

Academic Experience

Professor of Economics, College of Business and Economic Development,
University of Southern Mississippi, August 2003 – Current

Dean and Professor of Economics, College of Business Administration, The
University of Southern Mississippi, August 1998- July 2003

Associate Dean for Research and Service, Director of the Center for Business
and Economic Research and Professor of Economics, The University of
Alabama, July 1988 – August 1998

Professor of Economics, The University of Alabama, August 1976-1998.

Economics Coordinator, The University of Alabama, August 1976-August
1980.

Visiting Fellow, Center for Contemporary European Studies, The University
of Sussex (England), January 1976 – July 1976

Senior Fulbright Scholar, University of Amazonas, Brazil, June – July 1972

Visiting Fulbright Professor, Univesity of Veracruz, Mexico, Janauary 1972

Assistant Professor of Economics, The University of Alabama, August 1969 –
August 1972.

Lecturer in Economics, The University of Alabama, July 1968 – August 1969.

Graduate Teaching Assistant (Accounting and Economics), The University of
Kentucky, 1965-1967

Other Experience

Executive Secretary-Treasurer, Omicron Delta Epsilon, International Honor
Society in Economics, 1976 to present.

INFORMATION SHOULD BE TYPEWRITTEN THE UNIVERSITY OF ALABAMA REQUEST FOR PERSONNEL ACTION Date Prepared 11/22/99

CHECK THE APPROPRIATE BOX BELOW FOR THE TYPE OF ACTION REQUESTED (ONE ONLY) -01 NEW EMPLOYEE (See definition) -03 SALARY CHANGE -05 DISTRIBUTION CHANGE -08 SUPPLEMENTAL PAY -10 SABBATICAL LEAVE -02 EXEMPTION OF TEMPORARY APPOINTMENT -04 PROMOTION/TRANSFER/DEMOTION -06 STATUS CHANGE (See definition) -09 REASSIGNMENT SURVIVALSHIP GRANT -11 SEPARATION

SOC. SEC. NUMBER [redacted] TITLE Dr. Gunther LAST NAME (15 Pos.) FIRST NAME (10 Pos.) William M.I. D. HOME DEPT. 1245 Type Action 2 IB Line A|B

Table with columns: OFFICIAL POSITION/RANK, DEPT. AND DIVISION NAME, SALARY, Line. Row 1: Professor, C&BA/EMBA, \$1818.18, Line A|D.

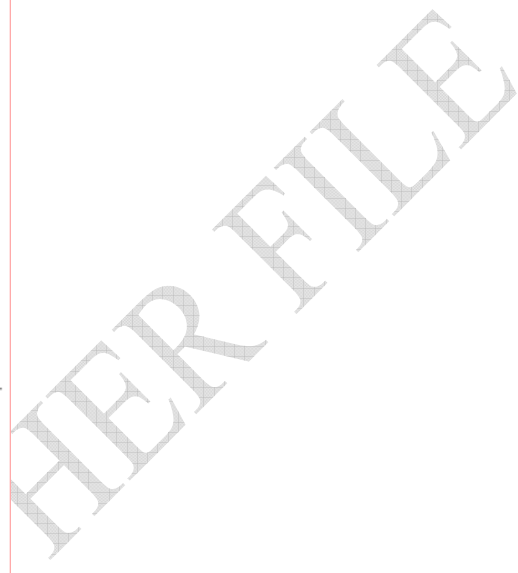
Table with columns: POSITION, S.S. CODE, Description, FTE, OTHER AMOUNT, ACCOUNT NUMBER, Line. Row 1: 303, 1.00, \$1818.18, 3-98038-2230, Line A|F.

Table with columns: PRI OCC CODE, SEC OCC CODE-1, SEC OCC CODE-2, MAILING ADDRESS LINE, CITY AND STATE, PURPOSE, CHECKING ACCT. NO., INDIVIDUAL CHECKING ACCOUNT DEPOSIT NAME.

Table with columns: Values To Be Filled In By Submitting Dept., Values To Be Filled In By Payroll/Personnel Dept., Line. Row 1: [various codes], Line A|O.

Requests for changes in the monthly payroll must reach the Payroll Office by the 15th of the month, for the bi-weekly payroll, by Friday of the first week of the bi-weekly pay period. Personnel Actions submitted are subject to approval regardless of the effective date.

RECEIVED stamp and signatures: Robert J. Allen, Division/Department Head; Col. [redacted], Account Control; [redacted], Vice President.



INFORMATION SHOULD BE TYPEWRITTEN THE UNIVERSITY OF ALABAMA REQUEST FOR PERSONNEL ACTION Date Prepared 7-14-98

CHECK THE APPROPRIATE BOX BELOW FOR THE TYPE OF ACTION REQUESTED (ONE ONLY)
- 01 NEW EMPLOYEE
- 02 EXTENSION OF TEMPORARY ASSIGNMENT
- 03 SALARY CHANGE
- 04 PROMOTION/TRANSFER/DEMOTION
- 05 DISTRIBUTION CHANGE
- 06 STATUS CHANGE
- 08 SUPPLEMENTAL PAY
- 10 SABBATICAL LEAVE
- 11 SEPARATION

SOC. SEC. NUMBER DR TITLE DR LAST NAME (15 Pos.) GUNTHER FIRST NAME (10 Pos.) WILLIAM M.I. HOME DEPT. 1202 117 Type Action A or D Line A B

Table with columns: POSITION, S.S. Code, Distribution PTC, Monthly Rate, OTHER AMOUNT, ACCOUNT NUMBER, Salary, Last Effective Date, Line. Rows include Associate Dean, 101, 702, 701.

Table for RETIREMENT and FOR SEPARATIONS ONLY. Includes fields for Reason, Pay, and Line. Row 2: 073198, U, 461, 01, 11, A, C.

APPOINT, REAPPOINT OR CHANGE TO:

Form with fields for OFFICIAL POSITION/RANK, DEPT. AND DIVISION NAME, EFFECTIVE DATE, POSITION, PRI OCC CODE, MAILING ADDRESS LINE, CITY AND STATE, CHECKING ACCT. NO., INDIVIDUAL CHECKING ACCOUNT DEPOSIT NAME.

Table with columns for Values To Be Filled in By Submitting Dept. and Values To Be Filled in By Payroll/Personnel Dept. Includes fields for Agency, Position, Salary, etc.

Requests for changes in the monthly payroll must reach the Payroll Office by the 15th of the month, for the bi-weekly payroll, by Friday of the first week of the bi-weekly pay period.

APPROVAL section with signatures of Division/Department Head (W.D. Gunther) and Dean/Director (Barry Mean). Includes Director For Personnel Services and Account Control.



FORM NO. 87 6143

INFORMATION SHOULD BE TYPEWRITTEN

USE NUMBERED DATES (E.G. 8/24/78)

UNIVERSITY OF ALABAMA

REQUEST FOR PERSONNEL ACTION

DATE PREPARED 07/23/98

CHECK THE APPROPRIATE BOX BELOW FOR THE TYPE OF ACTION REQUESTED (USE ONLY FOR PERMANENT USE ONLY)

41 NEW EMPLOYER

43 SALARY CHANGE

46 DISTRIBUTION CHANGE

48 SUPPLEMENTAL PAY

49 SABBATICAL LEAVE

A EXTENSION OF TEMPORARY APPT

B RETURN FROM LEAVE CAL YR

C RETURN FROM LEAVE

44 PROMOTION/TRANSFERRATION

45 STATUS CHANGE

47 NEW SCHOLARSHIP STIPEND

49 REAPPT SCHOLARSHIP STIPEND

51 SEPARATION

A - 1ST TERM NUMBER: 7-31-98

B - 1ST TERM NUMBER: 1202

C - 2ND TERM NUMBER: J

D - DURING PROBATION

BT 8987.91

DOC NO	DOC NUMBER	TITLE	LAST NAME	FIRST NAME	MI	HOME DEPT	TYPE ACTION
		Dr.	Gunther	William	D	1202	2-B
FROM		CHANGE OR SEPARATE					
OFFICIAL POSITION/RANK		DEPT. AND DIVISION NAME		SALARY		MONTHLY OR HR RATE	
				1.00		1.00	
POS.	S.S. CODE	DISTRIB	MONTHLY RATE	OTHER AMT	ACCOUNT NUMBER	LAST EFF DATE	

COMMENTS

RETIRED: DO NOT DEDUCT TEACHER'S RETIREMENT

No break in service.

FOR SEPARATIONS ONLY

SEPT PAY	TERMINATION DATE	TYPE TERM	REASON	FINAL EVAL	TYPE ACTION

APPOINT, REAPPOINT OR CHANGE TO:

OFFICIAL POSITION/RANK	DEPT AND DIVISION NAME		TYPE ACTION
Professor	Center for Business & Economic Research		2-B
EFFECTIVE DATE	TYPE RPK	EMP STAT	COMPOSITE FTE
08/01/98	2	4	0.12000
TOTAL SALARY		MONTHLY OR HRLY RATE	UNTL
7200.00		1200.00	01/31/99
POS	S.S. CODE	DISTRIB	MONTHLY RATE
670		1.00000	
OTHER AMOUNT		ACCOUNT NUMBER	TYPE ACTION
		6-38882-2210	2-B

MAILING ADDRESS LINE

CITY AND STATE

ZIP CODE

PURPOSE

CHECK DISP

CHECKING ACCOUNT NUMBER

INDIVIDUAL CHECKING ACCOUNT DEPOSIT NAME

ENTER APPROPRIATE CODES IN SPACES BELOW - SEE INSTRUCTIONS & TABLES OF CODES

VALUES TO BE FILLED IN BY SUBMITTING DEPT				VALUES TO BE FILLED IN BY PAYROLL/PERSONNEL DEPT												TYPE ACTION	
SEX	RACE	MAR STAT	HOURS IN WORK WEEK	MONTHS APPOINT	UNCLD CMLD	TYPE APPLICATION	CITIZENSHIP	FED TAX	STATE TAX	FICA TAX	TEA RET	EEO	FED TAX	STATE TAX	CITY TAX	CAL D	TYPE ACTION
													3				

REQUESTS FOR CHANGES IN THE MONTHLY PAYROLL MUST REACH THE PAYROLL OFFICE BY THE 15TH OF THE MONTH. FOR THE BI-MONTHLY PAYROLL, BY THE 15TH OF THE FIRST WEEK OF THE BI-MONTHLY PAYROLL. PERSONNEL ACTIONS SUBMITTED ARE SUBJECT TO APPROVAL, REGARDLESS OF THE EFFECTIVE DATE.

EMPLOYMENT AND PROMOTIONAL DECISIONS REPRESENTED BY THIS PERSONNEL ACTION WERE MADE IN ACCORDANCE WITH APPLICABLE FEDERAL LAWS AND REGULATIONS, AND WITH KNOWLEDGE OF THE UNIVERSITY'S EMPLOYMENT POLICIES AND ITS CURRENT AFFILIATION PLAN.

APPROVAL

DATE 7/27/98

DEPARTMENT HEAD

DATE 7-24-98

DIRECTOR FOR PERSONNEL SERVICES

DATE

ACCT CONTROL

DATE

OTHER FILE