

## *The Trellis Green Lawsuit: A Decade Later*

It has been about 12 years since then-assistant professor of economics Trellis G. Green filed suit against the University of Southern Mississippi and the Mississippi IHL, and a decade since that suit was settled. Given the current state of affairs in USM's College of Business, it seems fitting that USMPRIDE.COM presents a series on the Green lawsuit. This is part 10 in that series.

### **A Call for Vitae**

Part 6 in this series concluded with an interesting request filed by Green's attorney, Kim Chaze, in January of 1997. That request, inserted at the end of this issue, called for the defendants' production of a number of CBA faculty vitae. Green's case was apparently built on a "lowest common denominator theory" of tenure and promotion, wherein one's record simply has to be greater than only the weakest record to have received the award (tenure, promotion) that one is seeking. Green wanted to show that his own record exceeded that of some of the people listed in his request for vitae.

### **The Mark Klinedinst Denominator**

USMPRIDE.COM archives contain an issue of **CoB Confidential** that discusses an e-mail that EFIB Chair George Carter sent to EFIB faculty concerning the academic/professional qualifications of the same faculty. The headline from that issue is presented below:

**New Information Below**

**COB**

**Confidential**

We were sent an example of some of the details that CoB administrators provide to their faculty via e-mail and other forms of communication. We thought it would be instructive to share with our readers the following e-mail, written by EcoFinIB Chair George Carter on 9/29/2005 and sent to the 19 members of his department:

Among those EFIB faculty discussed in that issue was economics professor Mark Klinedinst, who Carter listed as Academically Qualified despite previous reports at USMPRIDE.COM indicating that Klinedinst has not produced a journal article since 1998 (EBSCO<sub>host</sub> search). The text of the Klinedinst portion of that issue of **CoB Confidential** is shown below:

Let's delve into the first part of the data just a little, by looking at the eight "research active" tenured faculty at the top of the report/memo from Carter. A recent report at usmpride.com indicates that for the period 1999-2006, Professor Mark Klinedinst failed to produce a refereed journal article. Our literature search using EBSCOhost (and covering the period since his PhD, or 1988-2006) confirms that assertion, as indicated by the exhibit below (other details using the *USM Bulletin*, various years):

1987 --- Received PhD; Began at USM  
1991 --- *Australian Bulletin of Labor; Economic Analysis and Workers' Management*  
1992 --- *European Economic Review; Journal of Economic Issues*  
1993 --- Tenure; Promotion to Associate Professor  
No refereed journal articles in 1987-1990, 1993.

1987-1993

1994 --- *Journal of Economic Issues*  
1996 --- *Journal of Economic Issues*  
1998 --- *Journal of Comparative Economics; Journal Of Comparative Economics*; Promoted to Professor  
No refereed journal articles in 1995, 1997, 1999-2006.

1994-2006

How is Carter applying the *objective standard* (i.e., 3 "refereed publications" in last 5 years) in this case? Depending on how 2006 is counted, Klinedinst requires 10-11 years to accumulate 3 refereed journal articles. Can all CoB faculty get by without having to produce refereed *journal articles*, or is this a "special case?" Is the CoB now counting book chapters as equivalent to journal articles in some, if not all, cases?

A number of USMPRIDE.COM readers responded to that issue, pointing out mistakes. However, in doing so the story involving Klinedinst's promotions to associate and full seemed to get more and more intriguing. The readers' comments are depicted below:

### **New Information from an Anonymous Reader**

I was at USM during the time frame you discuss above. If you check the 92-93 USM budget you will see that Mark Klinedinst began that year as an Associate Professor, which means that he was promoted to Associate at the end of the 91-92 academic year. He would have gotten a promotion raise at the beginning of 92-93. If you have access to Sedona you may also be able to check the date he began at USM. I believe it may be earlier (1986) than your report implies.

I am not taking issue with the point you are making above. If anything, the story gets a little spicier given that he was promoted one year before your report indicates. At the time his application for promotion was filed in 1991, he had only 2 articles published. They are listed above. Around the time his application was circulating, or shortly after, another 2 articles were published. What are the promotion standards in the College today? More, or less?

## Another Reader Responds

Your reader skipped over the most intriguing part of Mark Klinedinst's timeline by focusing on the promotion to associate. He was also promoted to full in May of 1998, and with four refereed publications, just like the promotion to associate. The final two of the four articles, the two in the JCE, were published in the Fall of 1998, over a year after Klinedinst put his promotion to full dossier into circulation (In one case it was almost 18 months). And no, you won't find anything after these two. Though we have learned he has gotten some nice raises in the past two cycles in 2004 and 2006.

The **CoB Confidential** author(s) and USMPRIDE.COM readers concluded that Klinedinst's promotions stood on shaky ground. The promotion to associate occurred well before Green's lawsuit, and would have likely served Green's case well. Klinedinst's promotion to full occurred contemporaneously with the Green lawsuit (roughly), adding further to the intrigue surrounding it (as described by **CoB Confidential** readers). The Klinedinst dossiers likely would have been favorable "denominators" for Green's lawyer, Kim Chaze.

The next issue in this series will examine another of the "denominators" in this case.

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

DR. TRELIS GREEN,

PLAINTIFF;

V.

CASE NO.: 6-94-4284

THE UNIVERSITY OF SOUTHERN  
MISSISSIPPI, ET AL.,

DEFENDANTS.

---

**REQUEST FOR PRODUCTION OF DOCUMENTS  
PROPOUNDED TO DEFENDANTS**

---

COMES NOW, the Plaintiff and propounds the following Request for Production of Documents to the Defendants pursuant to the Miss. Rules of Civil Procedure as follows, to-wit:

1. Please produce the Vitae, Personnel File, and Dossier of all persons who have been awarded Tenure and Promotion in the Department of Economics and International Business over the past eight (8) years.

2. Please produce all documents which were in fact reviewed by UNIVERSITY representatives when deciding which individuals would be awarded Tenure or Promotion in the Department of of Economics and International Business over the past eight (8) years.

3. Please produce the vitae, personnel file, and dossier of the following persons:

- A. James S. (Scott) McGruder;
- B. Chauncey M. (Mark) Depree;

- C. Ernest W. (Ernie) King;
- D. Farhang Niroomand;
- E. Charles W. Sawyer;
- F. Mark Klinedinst;
- G. George H. Carter III;
- H. Eddie Miley Lewis;
- I. Colleen O. Cameron;
- J. Frank C. Whitesell;
- K. Bille Morgan Allen;
- L. Forrest Durwood Ruegger;
- M. Gus Gordon;
- N. Lee P. Gore;
- O. James R. Henderson;
- P. Jerry G. King;
- Q. Davud Duhon;
- R. James L. Davis; and
- S. William Sirmon.

[For reference purposes, the foregoing persons, have been promoted or granted tenure in the College of Business Administration.]

RESPECTFULLY SUBMITTED on this the 16 day of January, A.D. 1997.



KIM T. CHAZE  
Attorney for Plaintiff  
MSB No. 5974  
912 West Pine Street  
Hattiesburg, MS 39401  
601/582-3947