

Part 19

Questions directed to President Martha Saunders at her deposition on April 12 and 13, 2010--Q is question; A is President Saunders' answer.

Q. Would you read the first sentence of that (from Saunders sworn affidavit) paragraph?

A. In light of the apparent sincerity of the letters and the urgency of the threat potentially arising from Dr. Depree's continued presence at the college and in light of Dr. Depree's research deficiencies, I made the decision to relieve Dr. Depree from his teaching and service obligations to the university. (Note from reporter: See Dr. DePree's research record posted on [USM's School of Accountancy](#) webpage. Please compare Dr. DePree's research record with those of his colleagues in the department.)

Q. Okay...How did you test the apparent sincerity of the letters?

A. I'm not sure what you mean by testing, but the impression was in the fact that they were written at all, in the fact that they were reviewed and affirmed at two different administrative levels.

Q. What were those two different administrative levels?

A. The interim department chair [Jackson] and the interim dean [Williams], and they had been reviewed by the provost before they got to me.

Q. And that was Dr. Middlebrooks?

A. Correct.

Q. Did you know if the claims in these letters were true?

A. No.

Q. Do you still know if they are true [three years later]?

A. No.

Q. You mentioned the urgency of the threat. What was the urgency of the threat?

A. I felt like if -- again, judging from the strength of the letters -- and that's a subjective view on my part -- that would be what I would have thought.

Q. Were there any specific allegations concerning actions taken by Dr. Depree in those letters?

A. Yes.

Q. What were the specifics that Dr. Depree had done that created the sense of urgency?

A. (Saunders looks at document.) Well – that created the sense of urgency?

Q. Yes.

A. Let me refer to them.

Q. Please do.

A. (Saunders looks at document.) In just reflecting on them, I think they did mention increasing behavior.

Q. And what were those increasing behaviors, Dr. Saunders?

A. Well, the letters referred to disruptive behavior.

Q. What specific disruptive behaviors?

A. They referred to specifically a faculty meeting [May 4, 2007].

Q. But we, again, confirmed that the ombudsman was not able to confirm their claims; is that correct?

A. He said -- as I recall the ombudsman said he was not able to get -- well, let me go back to the ombudsman's report.

Q. Please.

A. (Saunders looks at document.) Actually, he didn't dispute the claim, if I'm reading this correctly. Let's see he said while every faculty member I interviewed said they had experienced to one degree or another Dr. Depree's volatile temper these allegations are often vaguely described and impossible to substantiate.

Q. So we have no specific acts on the part of Dr. Depree?

A. I think the original questions were what were they saying.

Q. No. What were the specific allegations of acts taken by Dr. Depree?

A. In their letters, which were what I had when I made my decision [in August 2007], the specific allegations were disruptive behaviors --

Q. What disruptive behavior?

MR. GORE, USM Counsel: Ms. Jude, you've asked that question probably four dozen times.

MS. JUDE: I'm still trying to get an answer, Mr. Gore.

MR. GORE: Well, I think you've gotten the best answer you're going to get.

BY MS. JUDE: Q. Well, let's humor Mr. Gore, and let me ask you another question. This meeting occurred when?

A. Oh, the meeting occurred in May [2007].

Q. And you took action in August [2007]?

A. I did.

Q. Why did this become urgent -- May, June, July -- four months later?

A. Well August was when I learned about it.

Q. The faculty apparently didn't consider it urgent until four months later, did they?

A. I don't know.

Q. What urgency is conveyed to you in those letters [from DePree's accusers]?

A. Well -- (looks at document). Well, again, the impression -- I'm reading the dean's letter of increasing behaviors. I'm looking at the chair's letter.

Q. Did he give you an example of the increasing behaviors?

A. He gave me examples of behaviors.

Q. And those were?

A. And those were -- (Saunders looks at documents, again) -- the perceived recording device.

Q. There was no recording device that you know of was there Dr. Saunders?

A. But I didn't know it then.

Q. You know it now, don't you?

A. I know it was testified.

Q. So you would accept what the dean said over sworn testimony [contradicting the dean's letter given at Federal Court in September 2007]?

A. I accepted what the dean said when I took my action [in August 2007].

Q. You are continuing to take action, aren't you Dr. Saunders?

A. I have not changed my action, yes.

Q. Which is continuing action? Are you still relying on that as the basis for telling Dr. Depree he cannot teach and he cannot enter Joseph Greene Hall?

A. No.

Q. What are you currently relying on?

A. I'm relying on the ombudsman's report [December 2007].

Q. And where in the ombudsman's report does it say that Dr. Depree should not be permitted to return to his office and his classroom?

A. It does not.

Q. So you're not relying on that?

A. No. The ombudsman's report cites --

Q. Dr. Saunders, I think my question was: Is there any --

MR. GORE: Why don't you let her answer the question, Ms. Jude?

MS. JUDE: I would like for her to answer my question, Mr. Gore.

MR. GORE: She's looking right now to find the answer that you asked for.

MS. JUDE: Let me ask the question and make sure we're all clear.

BY MS. JUDE: Q. Is there anyplace in that report where Dr. Cannon says Dr. Depree should not be permitted to teaching and service?

A. No.

Q. Thank you. Dr. Saunders, is there another tenured full professor [other than DePree] who is denied access to an office?

A. I don't know that. I don't think so, but I don't know.

President Saunders acted “[i]n light of the apparent sincerity of the letters ... Let me repeat that, Saunders acted three years ago “[i]n light of the apparent sincerity of the letters...” and did nothing else then or since then to determine if the apparently sincere letters were truthful. She admits she took actions that were not recommended by the Ombudsman.

After three years, let me repeat that—after three years—and millions in costs squandered in a failed attempt to fire a tenured full professor, President Saunders couldn't look at the evidence she had readily available to her. Saunders hired two outside law firms, incurred costs of IHL attorneys and USM attorneys and half a dozen “expert witnesses”, hundreds of hours of faculty time and she couldn't find cause to fire Professor DePree. She also didn't take the time to review the evidence while incurring millions in costs in failed efforts over three years to fire Professor DePree. Tell me you wouldn't be held to account for that degree of incompetence. Tell me she can't do the same to you, dear colleagues. There's little doubt faculty are too insecure because of the recession and threatened faculty terminations to insist on calling Saunders to account. However, squandering millions of dollars during a recession is precisely the time to insist that USM be lead by competent administrators.