

## Part 38

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

Q. Do you know when Mr. Hooks [of the law firm Adams and Reese] was employed concerning efforts to terminate Dr. DePree's employment and tenure? [Keep in mind that another external law firm, Mayo and Mallette, as well as USM internal attorney Lee Gore and several other state employed attorneys sought termination of Dr. DePree's tenure and employment.]

A. I don't know when Dr. Hooks was employed or the reasons why he was employed.

Q. Was he employed prior to August 2007?

A. I don't know.

Q. Do you know any other president sought funding to have Mr. Hooks attempt to find a mechanism to terminate Dr. DePree's employment?

A. I don't know.

Q. Do you know who authorized Mr. Hooks and Mr. Gore to meet with the accounting faculty?

A. I don't know that they met with the accounting faculty.

Q. Dr. Saunders, I don't believe you've reviewed Dr. Jackson's deposition have – or Dr. Jordan's deposition, have you?

A. No.

Q. I'm going to give you Dr. Jordan's deposition. I would like for you to go to page 37 of the deposition.

A. All right.

Q. If you would, go to line 12: Okay. [Attorney reading questions to Jordan in his deposition.] So you're telling me that nobody came to you and said look we're getting ready to take action against DePree and we need you to write a letter in support of us taking action against Dr. DePree. And what did he answer?

A. [Saunders reading Jordan's answer.] I had -- I had talked to legal counsel earlier in the summer.

Q. Okay. When did you speak to legal counsel?

A. [Saunders reading Jordan's answer.] I do not recall the date.

Q. Can you tell me the month?

A. [Saunders reading Jordan's answer.] It seems like it was early July, late June [2007].

Q. And to whom did you speak?

A. [Saunders reading Jordan's answer.] With my legal counsel.

Q. And who is that?

A. [Saunders reading Jordan's answer.] John Hooks and Lee Gore. [Hooks was outside counsel hired by USM and Gore is USM's internal counsel.]

Q. I'm going to show you -- since we seem to have lost it -- your Response to Request for Admission Number 4 filed in this case. Would you read the Request for Admission, Dr. Saunders?

A. Yes: Admit that John S. Hooks and/or Lee P. Gore met with certain faculty members of the college of business of the University of Mississippi --

Q. Southern Mississippi?

A. Southern is not in there.

Q. Okay.

A. -- to discuss matters related to Dr. Chauncey M. DePree, Jr. prior to August 2007. Response: Objection. This request invades the attorney-client privilege. Without waiving the objection, the request is admitted. [This is Dr. Saunders' and her counsel's representation to the Court and constitutes a binding admission. Dr. Saunders' representation in her discovery contradicts her testimony above. This lesson is learned over and over. Dr. Saunders, and other administrators, believe they are not responsible for the statements they may -- even false ones -- unless they are forced to read their own prepared sworn statements and forced to recognize their misconduct.]

Q. Normally, do your counsel go meet with faculty without your knowledge and consent?

A. I don't always know what counsel does when they are preparing for a case.

Q. Were they preparing for a case in June or July?

A. I don't know.

Q. Can any faculty on campus go to counsel, university's counsel, and seek advice?

A. Yes.

Q. Including Dr. DePree?

A. Yes.

Q. Anytime they need advice?

A. Well, if they can find the time with the counselors. They do.

Q. Would you look at faculty handbook -- well, let me back up. Who does university counsel work for?

A. University counsel reports to the president.

Q. Okay. And who is he supposed to advise?

A. The president. He is -- has responsibilities for advising the executive cabinet on a variety of matters including contracts that we're considering, any -- you know, it's a very broad spectrum of activities.

Q. Would you look at faculty handbook paragraph 2.8?

A. (Saunders looks at document.) I'm sorry. Which one?

Q. 2.8.

A. (Witness looks at document.) All right.

Q. Does faculty 2.8 tell you who the university counsel advises?

A. The university counsel and attorney at law advises the president, the vice-presidents and the director of intercollegiate athletics.

Q. You can stop there.

A. Okay.

Q. Does it say that they advise the faculty?

A. It does not.

Q. And are there any documentation you're aware of that authorizes university counsel to advise the faculty?

A. I'm not aware of any.

Unless Dr. Saunders is forced to read the documents that she prepares under oath or the rules of the University which are supposed to provide guidance to faculty and administrators, she will deny their existence. And when caught? She doesn't seem to care. Does she believe she is not accountable, not to the faculty, not to the Institutions of Higher Learning, not to the taxpayers of Mississippi? Does she believe she can abdicate responsibility, shielded by the claim that she does not know and does not care to find out? Does she believe she is immune from accountability to the extent she can mislead, dissemble, lie, even under oath?

What is your hard earned tenure really worth?