

# EXHIBIT 1

12/20/2022

DAVID W. VOROS

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1	IN THE UNITED STATES DISTRICT COURT	1	Also Present:
2	DISTRICT OF SOUTH CAROLINA	2	Jaime Misenheimer
3	COLUMBIA DIVISION		Pam Bowers
4	Jaime Susanne Misenheimer, )C/A No.: 3:20-cv-04487-MGL-KDW	3	
5	Plaintiff, )	4	INDEX
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9	Voros, )	8	Certificate . . . . . 219
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18	DEPOSITION OF	19	Plaintiff's Exhibit Number 5 . . . . . 195
19	DAVID W. VOROS	20	(EOP Documents)
20	*****	21	Plaintiff's Exhibit Number 6 . . . . . 196
21	Tuesday, December 20, 2022	22	(Email Kissel/Voros)
22	9:39 a.m. - 4:36 p.m.	23	Plaintiff's Exhibit Number 7 . . . . . 197
23		24	(Email Parham/Kissel)
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1	The deposition of David W. Voros was taken	1	Plaintiff's Exhibit Number 8 . . . . . 201
2	before Kimberly C. Young, a notary public in and for the	2	(Emails)
3	State of South Carolina, commencing on December 20, 2022,	3	Plaintiff's Exhibit Number 9 . . . . . 216
4	at the law offices of Cromer Babb Porter & Hicks, 1418	4	(Emails)
5	Laurel Street, Columbia, South Carolina, pursuant to Notice	5	
6	of Deposition and/or agreement of counsel.	6	
7		7	
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<p>1 STIPULATIONS</p> <p>2 It is stipulated by and between counsel</p> <p>3 for the respective parties that all objections</p> <p>4 are reserved until the time of trial, except as</p> <p>5 to the form of the questions.</p> <p>6 This deposition is being taken pursuant to</p> <p>7 the Federal Rules of Civil Procedure.</p> <p>8 - - - -</p> <p>9 The reading and signing of this deposition</p> <p>10 is reserved by the deponent and counsel for the</p> <p>11 respective parties.</p> <p>12 Whereupon,</p> <p>13 DAVID W. VOROS, being duly sworn and cautioned to</p> <p>14 speak the truth, the whole truth, and nothing but</p> <p>15 the truth, testified as follows:</p> <p>16 EXAMINATION</p> <p>17 BY MS. BOWEN:</p> <p>18 Q. If you would please, state your full name for the</p> <p>19 record.</p> <p>20 A. My name is David Voros.</p> <p>21 Q. Okay. And I know that this is not your first</p> <p>22 time giving a deposition because I've read one of</p> <p>23 your depositions. The Civil Rules do require me</p> <p>24 to go through some ground rules and I'm going to</p> <p>25 add some specific recommendations. First, while</p>	<p>1 get to a stopping point to accommodate you.</p> <p>2 You'll have the option to review the transcript</p> <p>3 of your deposition or you can waive that</p> <p>4 decision. If you do review, you can make</p> <p>5 transcription notes but not substantive changes.</p> <p>6 Do you understand everything I've gone through?</p> <p>7 A. Yes, I do.</p> <p>8 Q. Are you sober, mentally competent, and able to</p> <p>9 truthfully answer my questions today?</p> <p>10 A. Yes, I am.</p> <p>11 Q. Do you have any issues with your recall or</p> <p>12 memory?</p> <p>13 A. No, I do not.</p> <p>14 Q. Did you do anything to prepare for today's</p> <p>15 deposition?</p> <p>16 A. I've reviewed some depositions, I spoke to my</p> <p>17 attorney, read some documents, correspondence.</p> <p>18 Q. Okay. What depositions did you review?</p> <p>19 A. Depositions from the Dunavant case, from the</p> <p>20 previous -- from the previous case.</p> <p>21 Q. Okay. And what documents did you review?</p> <p>22 A. Email correspondences. It was a variety of</p> <p>23 materials.</p> <p>24 Q. Outside of your attorney, have you talked to</p> <p>25 anyone else about your deposition?</p>
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<p>1 I'm the attorney deposing you, if you will,</p> <p>2 please ask me for any clarification --</p> <p>3 clarifications, definitions, or explanation of</p> <p>4 any words, questions, or documents presented</p> <p>5 during the course of the deposition. If need be,</p> <p>6 I'll rephrase or explain. Second, your attorneys</p> <p>7 may object to the form of my questions which</p> <p>8 you'll still need to answer unless specifically</p> <p>9 instructed not to do so. Third, you're not</p> <p>10 allowed to engage in private off-the-record</p> <p>11 conferences with your counsel during depositions</p> <p>12 or during breaks or recesses regarding the</p> <p>13 substance of your testimony. And if you do, I'm</p> <p>14 allowed to ask you about those conversations</p> <p>15 during the break. Additionally, I'd like to</p> <p>16 point out to you we do have a court reporter</p> <p>17 taking down everything that you and I say. We</p> <p>18 have tendencies to give nonverbal responses, nod</p> <p>19 and shake our heads. If you would, please try to</p> <p>20 verbalize responses for the benefit of the court</p> <p>21 reporter and the record. And I will also try to</p> <p>22 do my best to let you finish answering questions</p> <p>23 before I begin asking. I ask that you do the</p> <p>24 same. This isn't a marathon. So if at any point</p> <p>25 you do need a break, please let me know and we'll</p>	<p>1 A. No -- well, yes, Alex Stasko. I spoke to Alex</p> <p>2 Stasko about it.</p> <p>3 Q. What did you speak to her about?</p> <p>4 A. Just confirming that I had a deposition today.</p> <p>5 Q. Did you speak about what would be discussed at</p> <p>6 the deposition?</p> <p>7 A. Not particularly.</p> <p>8 Q. Okay. What is your current address?</p> <p>9 A. My current address is 125 Point South Lane,</p> <p>10 Lexington, South Carolina 29073.</p> <p>11 Q. How long have you lived there?</p> <p>12 A. Jeez, I don't know. Probably five years,</p> <p>13 something like that.</p> <p>14 Q. Where did you live before that?</p> <p>15 A. Oh, my -- my last stable address before that was</p> <p>16 105 San Paulo Court, Hopkins, South Carolina</p> <p>17 29073.</p> <p>18 Q. Who lives in the Lexington address with you?</p> <p>19 A. No one.</p> <p>20 Q. What is your date of birth?</p> <p>21 A. October 10, 1962.</p> <p>22 Q. Okay. And we're going to skip I think a lot of</p> <p>23 the information that you covered in your first</p> <p>24 deposition for what has not changed. Has your</p> <p>25 marital situation changed since that deposition?</p>

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<p>1 A. No.</p> <p>2 Q. What social media sites do you use?</p> <p>3 A. I have a Facebook account. I have an Instagram</p> <p>4 account. I don't -- I don't use social media. I</p> <p>5 -- I don't use social media.</p> <p>6 Q. What are your usernames on those accounts?</p> <p>7 A. I have absolutely no idea.</p> <p>8 Q. Okay. Do you know if it would be under your</p> <p>9 name, David Voros?</p> <p>10 A. I believe I have a Facebook account under David -</p> <p>11 - yes, I have a Facebook account under David</p> <p>12 Voros. I have an Instagram account I believe</p> <p>13 under David Voros. I have a website.</p> <p>14 Q. Are there any other accounts other than the two,</p> <p>15 the Facebook and Instagram? Do you have multiple</p> <p>16 accounts on those platforms?</p> <p>17 A. I have a business account on Instagram. I have a</p> <p>18 -- I believe I have a business account on</p> <p>19 Facebook, although I, again, I -- I'm not a fan</p> <p>20 of social media.</p> <p>21 Q. I understand. What would the business account be</p> <p>22 named?</p> <p>23 A. I don't know. ICA Italy. ICA Arts. I don't --</p> <p>24 I don't recall off the top of my head. Again, I</p> <p>25 have somebody that handles social media stuff for</p>	<p>1 social media. I think it's stupid.</p> <p>2 Q. Did you ever tell her what to post on social</p> <p>3 media?</p> <p>4 A. Never, no.</p> <p>5 Q. Did you ever ask her to post anything on social</p> <p>6 media?</p> <p>7 A. Never.</p> <p>8 Q. Did she ever show you any of her posts before she</p> <p>9 posted?</p> <p>10 A. Never.</p> <p>11 Q. What church do you -- well, do you attend a</p> <p>12 church?</p> <p>13 A. No, I do not.</p> <p>14 Q. Are you a member of any professional</p> <p>15 organizations?</p> <p>16 A. I don't believe so. I used to be a member of the</p> <p>17 College Art Association.</p> <p>18 Q. Any social organizations?</p> <p>19 A. I don't think so. I don't think so.</p> <p>20 Q. Okay. And I think that in the last deposition</p> <p>21 you gave a walkthrough of your employment</p> <p>22 history. To kind of catch us up to speed and so</p> <p>23 that I'm aware of what went on at USC, walk me</p> <p>24 through your time at USC, including dates,</p> <p>25 positions held, and any sabbaticals, or extended</p>
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<p>1 my business and I don't -- I can't recall that.</p> <p>2 Q. Who handles your social media stuff for your</p> <p>3 business?</p> <p>4 A. I have a colleague named Cornel Rubino who -- who</p> <p>5 handles our Instagram account.</p> <p>6 Q. Okay. And I do apologize, I should have</p> <p>7 introduced myself. My name is Beth Bowen and I</p> <p>8 represent -- I'm representing Jaime Misenheimer</p> <p>9 and Pam Bowers in the lawsuits they filed against</p> <p>10 the University of South Carolina and yourself.</p> <p>11 Have you posted anything about those cases, Pam</p> <p>12 Bowers, or Jaime Misenheimer on social media?</p> <p>13 A. I don't believe I've ever posted anything on</p> <p>14 social media to be completely honest with.</p> <p>15 Q. You don't believe you made any posts at all; is</p> <p>16 that what you're saying?</p> <p>17 A. I don't think so. Maybe. But I certainly</p> <p>18 couldn't tell you how to do it.</p> <p>19 Q. Have you and Alex Stasko had discussions about</p> <p>20 Alex Stasko's posts on social media?</p> <p>21 A. On occasion.</p> <p>22 Q. Tell me about those conversations.</p> <p>23 A. They're relatively -- they're relatively limited</p> <p>24 because I, as I say, I'm not a fan of social</p> <p>25 media and I'm not a fan of the discourse on</p>	<p>1 periods of leave.</p> <p>2 A. Well, the best I can with that, I was hired at</p> <p>3 USC in 2000 after teaching in a number of</p> <p>4 different institutions as an adjunct and visiting</p> <p>5 faculty member. I was hired at USC as an</p> <p>6 assistant professor. At one point I applied for</p> <p>7 promotion, was promoted to associate professor.</p> <p>8 And then applied for promotion to full professor</p> <p>9 and was promoted to full professor, which is my</p> <p>10 current status.</p> <p>11 Q. Have you worked in the School of Visual Arts and</p> <p>12 Design the whole time?</p> <p>13 A. I believe so, yeah. I mean, I -- yes. Yes, I</p> <p>14 have worked there the whole time. I applied</p> <p>15 occasionally for the South Carolina Honors</p> <p>16 College but I have not done that for many years.</p> <p>17 Q. Okay. Who hired you?</p> <p>18 A. The University of South Carolina. My hiring</p> <p>19 document, I believe, was signed by Joan Stewart,</p> <p>20 the dean of the College of Arts and Sciences.</p> <p>21 Q. Okay. What is your salary with the university?</p> <p>22 A. I don't know. I mean that's available online.</p> <p>23 You can look it up.</p> <p>24 Q. You don't know your current salary?</p> <p>25 A. I don't know.</p>

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<p>1 Q. Has your salary changed in the past five years?</p> <p>2 A. Probably. I think we were all given -- given</p> <p>3 cost of living increases after a long period</p> <p>4 where we didn't get them. You know, I mean, I</p> <p>5 I'm an artist and an academic. I'm not -- I'm</p> <p>6 not -- I've not been terribly fixated on finances</p> <p>7 in my career.</p> <p>8 Q. Has your pay been docked at all in the past five</p> <p>9 years?</p> <p>10 A. No, not that I'm aware of. Please let me know if</p> <p>11 it has.</p> <p>12 Q. And you say that you are a full professor. And</p> <p>13 do you have tenure in that position?</p> <p>14 A. Yes, I do.</p> <p>15 Q. When did you receive tenure?</p> <p>16 A. I don't recall. Approximately five years after I</p> <p>17 was -- four or five years after I was hired.</p> <p>18 When I was promoted to associate professor, I was</p> <p>19 I was promoted to associate professor with</p> <p>20 tenure.</p> <p>21 Q. Who is your supervisor?</p> <p>22 A. I guess my immediate supervisor would be Laura</p> <p>23 Kissel.</p> <p>24 Q. And then who would be above her?</p> <p>25 A. Dean of the College of Arts and Sciences, Joel</p>	<p>1 have been to maintain to a certain level the</p> <p>2 painting classrooms, maintain equipment, oversee</p> <p>3 the curriculum, make sure that the curriculum is</p> <p>4 -- is being followed, make recommendations about</p> <p>5 temporary faculty, to manage day-to-day</p> <p>6 activities as they come up, order supplies,</p> <p>7 coordinate visiting artists sometimes.</p> <p>8 Q. And while Pam and Jaime were employed, they would</p> <p>9 have to go through you for those things?</p> <p>10 A. For -- for what things?</p> <p>11 Q. Well, I guess what I should ask is they -- you</p> <p>12 were still serving as a coordinator in that</p> <p>13 position while Jaime and Pam were employed?</p> <p>14 A. Yes.</p> <p>15 Q. Okay.</p> <p>16 A. Yes. Although Pam and I had a unique</p> <p>17 relationship in that capacity because we were</p> <p>18 married for much of the time. We came here</p> <p>19 together and I considered her more of a</p> <p>20 colleague. She was responsible for a lot of her</p> <p>21 own -- what do I want to say -- more of her own</p> <p>22 physical supplies/equipment than -- than most</p> <p>23 people. I mean, we would certainly discuss</p> <p>24 things at home about what her needs were.</p> <p>25 Although, she pretty much just ordered things</p>
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<p>1 Samuels.</p> <p>2 Q. How long has Joel Samuels been there?</p> <p>3 A. I have no idea. I mean, I think he was in the</p> <p>4 law school for many years. I think -- my</p> <p>5 understanding is he's been at USC for his -- for</p> <p>6 many years, you know. I don't know. I would</p> <p>7 imagine -- my recollection is that he was an</p> <p>8 interim dean for a year and then he was</p> <p>9 relatively recently appointed, you know, dean on</p> <p>10 a more permanent basis. But I don't -- I don't</p> <p>11 know.</p> <p>12 Q. Okay.</p> <p>13 A. And we -- we've had a number of deans in the</p> <p>14 College of Arts and Sciences since I've been at</p> <p>15 USC.</p> <p>16 Q. And do you also serve as a coordinator?</p> <p>17 A. Yes. I was hired -- yes, I was hired as -- I was</p> <p>18 hired to coordinate the painting program. I</p> <p>19 don't remember exactly the terminology there.</p> <p>20 But that was -- that was part of my</p> <p>21 responsibility in my hire.</p> <p>22 Q. How long have you done that?</p> <p>23 A. Since 2000.</p> <p>24 Q. And what are your job duties in that position?</p> <p>25 A. Well, let's see, my job duties in that position</p>	<p>1 when she needed them. We worked collectively on</p> <p>2 -- on orders. I think that by and large we</p> <p>3 approached her articulation in the painting</p> <p>4 program as a team. Jaime was an adjunct, you</p> <p>5 know, she was a temporary faculty. They're</p> <p>6 referred to as TFAC. And in that capacity, like</p> <p>7 others who were working as TFAC in painting, they</p> <p>8 just came in and taught their classes or that was</p> <p>9 what was expected of them. It didn't always</p> <p>10 happen.</p> <p>11 Q. Okay. And did -- never mind, scratch that</p> <p>12 question. Have you ever been terminated from any</p> <p>13 employment?</p> <p>14 A. I don't think so.</p> <p>15 Q. Have you ever been reprimanded from -- by any</p> <p>16 employers?</p> <p>17 A. Not that I can recall, not in a substantive way</p> <p>18 that I can recall.</p> <p>19 Q. Ever been reprimanded by USC?</p> <p>20 A. No.</p> <p>21 Q. Okay. And we are going to get into the</p> <p>22 complaints from Jaime Misenheimer and Pam Bowers.</p> <p>23 But before we do that, I want to talk about any</p> <p>24 complaints that you've received or that you're</p> <p>25 aware of against you from any other faculty</p>

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<p>1 members or graduate students. So first we'll</p> <p>2 start with faculty members. Are you aware of any</p> <p>3 other complaints from any other female faculty</p> <p>4 members against you?</p> <p>5 A. I don't believe I've ever been informed by the</p> <p>6 university or by my chair of any formal</p> <p>7 complaints. You know, the -- I think faculties</p> <p>8 in higher education are notorious for squabbles,</p> <p>9 territorial disputes, and they compete for a</p> <p>10 limited range of monies from the department and</p> <p>11 from the college so there are a lot of</p> <p>12 contentions typically. So have I -- have I --</p> <p>13 yeah, have I had disputes with other faculty</p> <p>14 members? Yeah, I have. I think that's</p> <p>15 relatively normal. I think you'd be hard pressed</p> <p>16 to find an academic institution, a college or</p> <p>17 university level or high school level.</p> <p>18 Q. Okay. Let's narrow that down a little bit. When</p> <p>19 you say disputes, what are you referring to?</p> <p>20 A. I recall, for example, that there was an ongoing</p> <p>21 dispute about the use of oil paint in the</p> <p>22 classrooms because there was a perception that</p> <p>23 oil paint is somehow more toxic than other types</p> <p>24 of paint that are used in painting. This is not</p> <p>25 true. But there are solvents that are sometimes</p>	<p>1 I think that's appropriate, frankly. And,</p> <p>2 frankly, I believe that things were better when -</p> <p>3 - when -- when people were more -- were more free</p> <p>4 to express their -- their -- their beliefs,</p> <p>5 things they felt passionate about. I feel like</p> <p>6 it's good for the discipline. So I believe in</p> <p>7 the idea of a dialectic. You know, dialectic is</p> <p>8 when two people have opposing viewpoints and they</p> <p>9 argue those viewpoints forcefully and as a result</p> <p>10 of that forceful discourse they arrive at a</p> <p>11 conclusion that they would not have otherwise. I</p> <p>12 believe that to be a very vital part of the</p> <p>13 academic experience. So have I -- have I had</p> <p>14 spirited debates with my colleagues, as my -- as</p> <p>15 former chair Peter Chametzky described it, yes.</p> <p>16 Q. Okay.</p> <p>17 A. Yes, I have. And I think more often than not for</p> <p>18 the better for the faculty and the better for the</p> <p>19 students.</p> <p>20 Q. Do you recall specifically who ever complained</p> <p>21 about any spirited debates, as you've referred to</p> <p>22 them as?</p> <p>23 A. Not in particular.</p> <p>24 Q. Okay.</p> <p>25 A. I remember, you know, Chris Robinson was a</p>
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<p>1 used in oil paint, in dissolving oil paint, that</p> <p>2 are volatile. That is to say they may evaporate</p> <p>3 into the air. I don't know if evaporation is the</p> <p>4 right term. But -- and those -- those -- those</p> <p>5 fumes can be harmful.</p> <p>6 Q. Okay.</p> <p>7 A. You know, we've had disputes with -- among the</p> <p>8 faculty about things like that.</p> <p>9 Q. Let's narrow it down. I'm specifically</p> <p>10 interested in disputes about your conduct or</p> <p>11 behavior towards other faculty members or grad</p> <p>12 students. Do you recall any issues or disputes</p> <p>13 over that or complaints?</p> <p>14 A. I don't -- I don't -- no, I don't recall anything</p> <p>15 in particular. I was never called to my chair's</p> <p>16 office and -- and told that I needed to moderate</p> <p>17 my behavior? No, I don't believe so.</p> <p>18 Q. Okay.</p> <p>19 A. I mean, it's -- it's a passionate endeavor, the</p> <p>20 arts. You know, they're -- they're personal to</p> <p>21 people I think in a way that -- that is different</p> <p>22 than other academic disciplines but -- but not</p> <p>23 wholly. And I think that throughout academia,</p> <p>24 you know, there are -- people feel passionately.</p> <p>25 People feel passionately about their subject and</p>	<p>1 faculty member that I was frequently jousting</p> <p>2 with about various issues. I always felt that --</p> <p>3 that people appreciated our commitment.</p> <p>4 Q. Okay. And from graduate students, I understand</p> <p>5 that -- I have seen some complaints about</p> <p>6 tardiness and a syllabus. Do you recall any</p> <p>7 complaints from graduate students about</p> <p>8 specifically your conduct towards them or any</p> <p>9 kind of harassment?</p> <p>10 A. Graduate students in the arts go to graduate</p> <p>11 school to get feedback on their work, to improve</p> <p>12 as -- as an artist, to become a professional in</p> <p>13 their field. And I believe they have a</p> <p>14 responsibility to take and consider criticism.</p> <p>15 Sometimes they don't like that. I didn't</p> <p>16 sometimes like it as a graduate student and --</p> <p>17 but I considered it and I valued my professors'</p> <p>18 opinions. As I say, sometimes -- sometimes they</p> <p>19 don't. Regarding lateness, I -- well, I don't</p> <p>20 know. I'm not -- I'll address your questions as</p> <p>21 you ask them.</p> <p>22 Q. Okay. Do you recall complaints from Allison</p> <p>23 Dunavant?</p> <p>24 A. I recall complaints from -- Allison Dunavant? Do</p> <p>25 I recall complaints from Allison Dunavant?</p>

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1	Specifically --	1	Q. Okay. And I understand that she made two
2	Q. You were named in a lawsuit by Allison Dunavant,	2	complaints, or at least two complaints; one about
3	correct?	3	what occurred in Italy and there was another
4	A. Yes, I was named in a lawsuit. But you asked me	4	complaint and I don't think it was, now that I'm
5	if I remember complaints by Allison Dunavant.	5	thinking, was not lodged by her, but there was a
6	Yes, I'd be happy to talk to you about the	6	second complaint that you instructed Jaime
7	lawsuit that Allison Dunavant lodged against me.	7	Misenheimer to give her a bad grade.
8	But you asked me about complaints by graduate	8	A. Yeah, that is -- that is -- that is not true and
9	students. And as a graduate students do I recall	9	offensive, preposterous to the point of being
10	complaints about Allison Dunavant when she was a	10	offensive. First of all, when someone gives
11	graduate student in my classes? No, I do not.	11	someone a bad grade in academia, it needs to be
12	Q. Okay. Do you recall that she lodged a complaint	12	justified. Because in our culture today, in the
13	against you after she returned from Italy?	13	academic culture today, students complain if they
14	A. Of course.	14	get a B because they assume -- what is the saying
15	Q. Okay.	15	-- that an A is the new C, right? I mean
16	A. Yes.	16	everybody assumes that they should get an A and
17	Q. Were you ever made aware -- well, let me ask you	17	if they don't get an A, they get mad and they
18	this. Was any action ever taken against you as a	18	complain to the chair and then they complain to
19	result of Allison Dunavant's complaints?	19	the college and then you have to answer to that.
20	A. Well -- was any action taken against me? I was -	20	So it's -- having been in academia for 30 years,
21	- she made a bunch of complaints that were false.	21	it's preposterous to think that one could simply
22	She invented circumstances. She said a lot of	22	give -- it's idiotic, imaginary, that you can
23	things that she later -- she later recanted and	23	just give someone a bad grade; you can not. And,
24	admitted were not true. Yeah, what -- tell me	24	B, as I understand it, Allison Dunavant was never
25	your question again. I'm sorry.	25	registered for a class with Jaime Misenheimer.
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1	Q. I was asking whether the university ever took any	1	Q. Do you know if that was a course that she was
2	action against you as a result of Dunavant's	2	covering for someone else?
3	complaints?	3	A. I don't -- I don't -- was that a course she was
4	A. I don't -- I don't believe so, other than filling	4	covering for someone else? I -- I don't recall
5	out a lot of paperwork and answering a lot of	5	the particulars of that. I think my -- my -- let
6	questions because her complaints were false and	6	me think about this for a second. I'm trying to
7	they were lodged with the EOP and the various	7	be very, very specific in my answers here. So
8	offices within the university. They were	8	when you asked me earlier about graduate
9	reviewed on different various levels and they	9	students' complaints, when Allison Dunavant was a
10	were found to be without merit.	10	student in my classes as a graduate student, I
11	Q. Okay.	11	don't believe I received any complaints from her.
12	A. As they were.	12	I didn't -- that's why I didn't think about this
13	Q. And forgive me, I was not involved in those -- in	13	Italy issue, etcetera. With regard to Jaime
14	that case, other than trying to catch up from	14	Misenheimer filling in for someone, I -- you
15	what has occurred. So who is it you say that	15	know, I don't know. I don't recall the exact
16	found that those were false?	16	specifics of that.
17	A. Well, my recollection is the EOP office did a	17	Q. Okay. But it's your position that you never had
18	review, which she appealed, and then that -- that	18	that conversation that is cited in her complaint
19	appeal went to a committee of faculty and	19	where you asked --
20	administration, and at that level it was found to	20	A. It's my position that I never asked Jaime
21	be without merit. It went under a presidential	21	Misenheimer to give Allison Dunavant or anyone
22	review and was reviewed, I would assume, by a	22	else a bad grade because, A, it would be
23	committee that included the president, I don't	23	unethical and I'm not unethical. I've always
24	know, and at that level it was found to be	24	taken grading seriously and I've always given
25	without merit as well.	25	students the grade I felt they deserved and I



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<p>1 feel like that should be the way people approach</p> <p>2 things. Allison Dunavant wasn't, as I understand</p> <p>3 it, never registered for a class with Jaime</p> <p>4 Misenheimer and you cannot give a student a bad</p> <p>5 grade without justification. So no, I did not.</p> <p>6 And the -- that -- that that narrative is</p> <p>7 preposterous.</p> <p>8 Q. Okay. And I think we kind of got off track. So</p> <p>9 I was asking whether the EOP investigation that</p> <p>10 you were referring to that was found without</p> <p>11 merit, was that with respect to the Italy</p> <p>12 complaints or the complaints about the grade?</p> <p>13 A. Both.</p> <p>14 Q. Okay. And that's fine. I just wanted to make</p> <p>15 sure.</p> <p>16 A. There are two complaints. Let's be clear. There</p> <p>17 are two complaints. You're talking about two --</p> <p>18 two separate entities, right? As I understand</p> <p>19 it, Allison Dunavant and her complaints about</p> <p>20 Italy, which were preposterous and founded on</p> <p>21 fabrications, outrageous fabrications, and Jaime</p> <p>22 Misenheimer's complaint, which was equally</p> <p>23 meritless and founded on -- and was found to be</p> <p>24 without merit, as it should have been.</p> <p>25 Q. Okay. Who did you speak with about Dunavant's</p>	<p>1 filled out that indicated that I stuck my tongue</p> <p>2 in Lauren Chapman's mouths -- mouth. This would</p> <p>3 have occurred at a party in which my children</p> <p>4 were present. In fact, Lauren Chapman came, as I</p> <p>5 recall, to this -- well, no, I -- no. Yeah, she</p> <p>6 made a number of complaints that were false, yes,</p> <p>7 indeed. And I feel confident that she will be</p> <p>8 taken to task for telling untruths.</p> <p>9 Q. When you say you feel confident she'll be taken</p> <p>10 to task, what are you saying there?</p> <p>11 A. I think people who tell untruths, the -- it</p> <p>12 catches up with them.</p> <p>13 Q. Okay. Do you have any --</p> <p>14 A. Don't you think that?</p> <p>15 Q. Do you have any plans -- and I think what I meant</p> <p>16 to ask is do you -- are you -- do you have any</p> <p>17 plans to pursue any action against her?</p> <p>18 A. I don't -- I don't -- I would certainly think it</p> <p>19 appropriate.</p> <p>20 Q. Okay. And what kind of action are you referring</p> <p>21 to?</p> <p>22 A. I don't know. I'm not an attorney.</p> <p>23 Q. Okay. You're referring to the legal system?</p> <p>24 A. Yes.</p> <p>25 Q. Okay.</p>
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<p>1 complaints?</p> <p>2 A. What do you mean?</p> <p>3 Q. When those were investigated, who were those</p> <p>4 investigated -- they were investigated by EOP?</p> <p>5 A. Carl Wells.</p> <p>6 Q. Okay. As far as the complaints -- for both</p> <p>7 complaints?</p> <p>8 A. Yeah.</p> <p>9 Q. Okay. And I'm not trying to trip you up. I just</p> <p>10 am trying to understand.</p> <p>11 A. No, no, I know. I mean, you know, I'm not afraid</p> <p>12 of being tripped up. I mean I'm answering you</p> <p>13 honestly. I don't -- my recollection is that --</p> <p>14 that Carl investigated both of them. Dr. Wells</p> <p>15 investigated both of them.</p> <p>16 Q. Okay. Are you aware of any complaints against</p> <p>17 you from Lauren Chapman?</p> <p>18 A. Lauren Chapman made a number of false,</p> <p>19 defamatory, and damaging accusations that were</p> <p>20 preposterous. Among them, claiming that I --</p> <p>21 that that I kissed her in -- that I kissed her,</p> <p>22 that I tried to kiss her, that I put my tongue in</p> <p>23 her mouth. She -- she and your clients met with</p> <p>24 police officers and specifically, as I understand</p> <p>25 it, sat there while a police report was being</p>	<p>1 A. No, I wasn't referring to, you know, the media --</p> <p>2 Q. That's why I have to ask those questions.</p> <p>3 A. -- yes --</p> <p>4 Q. Okay.</p> <p>5 A. -- that I'm coordinating a media drop on her is</p> <p>6 false. That's an idea actually.</p> <p>7 Q. So as far as Lauren Chapman's complaints, I know</p> <p>8 that there was or someone has pointed out that at</p> <p>9 one point there is notes about it being on --</p> <p>10 with tongue or without tongue. Did you ever</p> <p>11 attempt to kiss Lauren Chapman?</p> <p>12 A. Have you ever been to Italy?</p> <p>13 Q. Yes.</p> <p>14 A. Okay. Have you ever seen Italians greet each</p> <p>15 other?</p> <p>16 Q. Yes.</p> <p>17 A. Okay. What do they do? They kiss each other on</p> <p>18 either side of the head, right?</p> <p>19 Q. Uh-huh.</p> <p>20 A. Lauren Chapman was twice in Italy. We sponsored</p> <p>21 her twice to go to Italy and -- and she -- my</p> <p>22 recollection was she came to a party at our house</p> <p>23 and I greeted her in Italian. I went up to her</p> <p>24 and greeted her with an Italian greeting, which</p> <p>25 does not involve actually placing your lips on a</p>



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<p>1 person. It simply involves blowing a kiss on</p> <p>2 either side of the head. She deliberately then,</p> <p>3 as my -- as far as I understand it, unless the</p> <p>4 police officer was making this up, filed a police</p> <p>5 report that indicated that I put my tongue in her</p> <p>6 mouth.</p> <p>7 Q. Okay.</p> <p>8 A. This is an allegation that my children were privy</p> <p>9 to, that my children -- an individual that my</p> <p>10 children were allowed to associate with. This is</p> <p>11 an individual who painted a painting of me with</p> <p>12 my head, a decapitated head laying on the ground.</p> <p>13 This is a person who associated with my children</p> <p>14 and affected my children's opinion of their</p> <p>15 father. I find that contemptible. I don't know</p> <p>16 about you.</p> <p>17 Q. And just to make sure, as far as what occurred,</p> <p>18 you say blow a kiss on each side of their head.</p> <p>19 And for the record, I want to make sure I'm</p> <p>20 understanding. Is that where you would go --</p> <p>21 essentially, your cheek would be against their</p> <p>22 cheek and you make a peck kiss?</p> <p>23 A. Typically hold their shoulders and kiss --</p> <p>24 Q. On each --</p> <p>25 A. -- on each side.</p>	<p>1 ceramics program that Virginia built at the</p> <p>2 University of South Carolina and her performance</p> <p>3 as a faculty member. She was here at Carolina</p> <p>4 several years before I and she -- I believe when</p> <p>5 I came in, she was an associate professor, she</p> <p>6 might have been a full professor. And I admired</p> <p>7 her professionalism. I admired the way she --</p> <p>8 she managed her research career in addition to</p> <p>9 teaching and building a program. And I, in many</p> <p>10 ways, modeled what I did after -- after her</p> <p>11 efforts. You know, on the other hand, you know,</p> <p>12 academics within an academic unit at a university</p> <p>13 are often competing for the same resources and so</p> <p>14 yeah, we were, in that sense, rivals for the same</p> <p>15 resources. Did we have spirited debates? Yes.</p> <p>16 Is Virginia Scotchie my enemy? No. My</p> <p>17 recollection is that last time I saw her she --</p> <p>18 she came up and hugged me. I did not kiss her.</p> <p>19 My tongue remained firmly in my mouth.</p> <p>20 Q. Do you -- do you have any reason to doubt</p> <p>21 Virginia Scotchie's truthfulness?</p> <p>22 A. I don't know. I don't know how to answer that.</p> <p>23 Q. To your knowledge, has Virginia Scotchie ever</p> <p>24 lied to you?</p> <p>25 A. I don't -- I don't know.</p>
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<p>1 Q. -- on each side of their head?</p> <p>2 A. That's correct.</p> <p>3 Q. Do you know if your cheek was touching her cheek?</p> <p>4 A. I don't know.</p> <p>5 Q. Okay.</p> <p>6 A. I mean, you know, you're talking about something</p> <p>7 that happened at a party ten years ago or -- I</p> <p>8 don't know.</p> <p>9 Q. Okay. And then Autumn Wertz --</p> <p>10 A. I can tell you my -- my -- I had absolutely --</p> <p>11 whatever. I'm not going to -- please.</p> <p>12 Q. Autumn Wertz, are you aware of any complaints</p> <p>13 that she has made against you?</p> <p>14 A. I am aware that Autumn Wertz has made complaints</p> <p>15 against me. But off the top of my head I can't -</p> <p>16 - I can't think of what those -- what those are.</p> <p>17 I mean, I'm sure you're aware of them and if</p> <p>18 you'd like to ask me about them, please do.</p> <p>19 Q. Okay. And then are you aware of any complaints</p> <p>20 against Virginia Scotchie -- or from Virginia</p> <p>21 Scotchie against you?</p> <p>22 A. Maybe. I don't know. I -- Virginia -- Virginia</p> <p>23 and I had a -- were something of -- I guess you'd</p> <p>24 describe us as sort of rivals in a collegial</p> <p>25 sense. Virginia -- I have great respect for the</p>	<p>1 Q. Okay. And then the last person I'm gonna ask you</p> <p>2 about and we can move on to what happened in this</p> <p>3 case, Jordan Sheridan --</p> <p>4 A. Uh-huh.</p> <p>5 Q. -- do you recall any complaints being -- being</p> <p>6 informed of any complaints from Jordan Sheridan?</p> <p>7 A. Never. No, no. I was -- I was quite surprised</p> <p>8 to find that she was -- that she had some</p> <p>9 concerns. And I found out about this through her</p> <p>10 recent deposition. No, I did not know that.</p> <p>11 It's unfortunate. I think it's unfortunate that,</p> <p>12 you know, there were many people who are harmed</p> <p>13 by lies told by individuals fabrications about</p> <p>14 sticking tongues in people's mouths and locking</p> <p>15 them in cages in Italy and things of that nature.</p> <p>16 And it's not just me and my children who are</p> <p>17 harmed profoundly but also students like Jordan</p> <p>18 Sheridan. I mean, I think that I probably could</p> <p>19 have helped Jordan with her work had she -- had</p> <p>20 she not been -- had concerns that were the result</p> <p>21 of false allegations, allegations that were then</p> <p>22 recanted as if they were not made. Allegations</p> <p>23 that were made through your law firm to the press</p> <p>24 that my children read, my daughter read. My</p> <p>25 daughter didn't want me to come to her high</p>

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<p>1 school graduation because of things that -- lies</p> <p>2 that were told about me and lies that were</p> <p>3 perpetuated by your firm.</p> <p>4 Q. With respect to Jordan Sheridan, did -- do you</p> <p>5 ever recall touching a book that was laying in</p> <p>6 her lap?</p> <p>7 A. No, I don't. That's preposterous.</p> <p>8 Q. So you don't believe that ever happened?</p> <p>9 A. Did I ever touch a book that someone was holding?</p> <p>10 To the best of my recollection, I'll tell you --</p> <p>11 I'll tell you what I never did. I never did -- I</p> <p>12 never touched a book that a student in my 35</p> <p>13 years of teaching was holding with any intention</p> <p>14 other than to show them something nor should</p> <p>15 anybody have any feelings to the contrary. My --</p> <p>16 any intentions I had towards showing Jordan</p> <p>17 Sheridan anything in a book ever were completely</p> <p>18 honorable.</p> <p>19 Q. Okay. So out of everything that we've just</p> <p>20 discussed, did USC take any action against you</p> <p>21 for any of those complaints?</p> <p>22 A. I wasn't aware of any complaints from Jordan</p> <p>23 Sheridan.</p> <p>24 Q. From -- well, with respect to any of these</p> <p>25 complaints, and I understand that you weren't</p>	<p>1 about the complaints we just reviewed because I</p> <p>2 said, you remember, that we're going to address</p> <p>3 Misenheimer and Bowers but I first wanted to</p> <p>4 discuss the other ones that I was aware of.</p> <p>5 A. Right. I see. I see.</p> <p>6 Q. So outside of Misenheimer and Bowers and</p> <p>7 Dunavant, did any of the others allege</p> <p>8 retaliation?</p> <p>9 A. Not to my face.</p> <p>10 Q. Okay.</p> <p>11 A. I mean, I think this -- this also is</p> <p>12 preposterous. I can't remember having ever</p> <p>13 retaliated against anybody for anything, you</p> <p>14 know.</p> <p>15 Q. Okay.</p> <p>16 A. I'm not a retaliator.</p> <p>17 Q. Are you a mandatory Title IX reporter?</p> <p>18 A. I guess, yeah.</p> <p>19 Q. What type of Title IX training have you received?</p> <p>20 A. The normative type that the university gives to</p> <p>21 the faculty. I don't know. My recollection --</p> <p>22 it's not something I've committed to memory,</p> <p>23 although there were -- I believe that there was a</p> <p>24 quiz that we were periodically compelled to do to</p> <p>25 access our records and emails and things.</p>
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<p>1 aware, but did USC ever take any action to your</p> <p>2 knowledge against you --</p> <p>3 A. No.</p> <p>4 Q. -- as a result of a complaint?</p> <p>5 A. No. No.</p> <p>6 Q. Okay. Do you know if any of those complaints we</p> <p>7 just discussed were investigated by EOP? And I</p> <p>8 know that Dunavant's complaints, those two were.</p> <p>9 To your knowledge, were any of the others?</p> <p>10 A. I have -- I'm -- I am not aware of -- I was not</p> <p>11 made aware of -- of that, if they were.</p> <p>12 Q. Okay.</p> <p>13 A. They may have been but I don't -- I was not</p> <p>14 informed as such.</p> <p>15 Q. And did anyone -- other than the situation with</p> <p>16 Dunavant, did anyone allege that you retaliated</p> <p>17 against them after you made a complaint -- after</p> <p>18 they made a complaint? I'm sorry.</p> <p>19 A. Did anyone allege that I retaliated against them</p> <p>20 after -- yeah, I -- your client. Didn't Jaime</p> <p>21 Misenheimer allege -- didn't Jaime Misenheimer do</p> <p>22 that? Forgive me. I'm not --</p> <p>23 Q. No, you're fine.</p> <p>24 A. I think that's why I'm here.</p> <p>25 Q. Yeah. And that's part of -- I was more so asking</p>	<p>1 Q. Do you know how often that was?</p> <p>2 A. I don't know.</p> <p>3 Q. Have you ever made any Title IX reports on behalf</p> <p>4 of yourself or anyone else?</p> <p>5 A. Not that I -- not that I can recall.</p> <p>6 Q. Were you ever on campus on days that you were not</p> <p>7 scheduled to teach?</p> <p>8 A. Sure. Yeah. That's -- I mean, you know, I want</p> <p>9 to say as -- as little as possible, but in saying</p> <p>10 that, I -- I don't -- I don't want to give the</p> <p>11 impression that I was not an involved faculty</p> <p>12 member or I didn't care about my students. I --</p> <p>13 you know, the university places a great deal of</p> <p>14 weight on faculty research and, you know, that I</p> <p>15 was -- I was by and large trying to do my</p> <p>16 research when I was not there but I did have</p> <p>17 duties that -- that I -- that I was expected to</p> <p>18 do and I was expected to keep office hours</p> <p>19 outside of my teaching schedule.</p> <p>20 Q. Okay. Did -- you and Pam were married when you</p> <p>21 both began working at USC; is that correct?</p> <p>22 A. That's correct.</p> <p>23 Q. Were you the only two instructors that taught</p> <p>24 grad level painting courses at first?</p> <p>25 A. Well, that's an issue that's come up on numerous</p>

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<p>1 occasions. You know, the -- in the art</p> <p>2 department and then in SVAD -- before it became</p> <p>3 SVAD, it was the art department. But in both of</p> <p>4 those entities, the graduate program was -- was</p> <p>5 interdisciplinary. I think it remains so. And</p> <p>6 so the idea was that the students could pursue a</p> <p>7 concentration like painting but by and large they</p> <p>8 were to articulate with the faculty, with the</p> <p>9 graduate faculty, which was the entire full-time</p> <p>10 tenured faculty, tenure track faculty, and they</p> <p>11 articulated with them in a number of reviews,</p> <p>12 etcetera. So I would say, in a way, yes, but in</p> <p>13 a large way, no. I mean, someone could be a</p> <p>14 painter and come to USC as a painter and never</p> <p>15 take any painting classes with me. Just decide</p> <p>16 to specialize in video or specialize, you know,</p> <p>17 their practice would be in drawing or sculpture.</p> <p>18 It happens relatively frequently. And I think my</p> <p>19 colleagues, Chris -- Chris Robinson, for example,</p> <p>20 who I had many spirited debates with, would say</p> <p>21 that's a good thing, it's -- it would be better</p> <p>22 for people to specialize. So there's differences</p> <p>23 of opinion.</p> <p>24 Q. Okay. What was Pam's job title at USC?</p> <p>25</p>	<p>1 reasons. Why do people who are together for 35</p> <p>2 years no longer function effectively together? I</p> <p>3 don't know. It's multifaceted I guess.</p> <p>4 Q. Was it at least in part because you engaged in</p> <p>5 one or more improper sexual relations with former</p> <p>6 students?</p> <p>7 A. No -- oh, yeah, I'm sorry, I'm sorry, yes. I had</p> <p>8 a -- I had a romantic relationship with.</p> <p>9 Alexandra Stasko and I -- and no one else in</p> <p>10 those 35 years.</p> <p>11 Q. Okay.</p> <p>12 A. I'm under oath, right?</p> <p>13 Q. And can you clarify for me, and I think there's</p> <p>14 just been confusion on my end, how was Stasko --</p> <p>15 what is Stasko's involvement in SVAD? Was she a</p> <p>16 student of SVAD?</p> <p>17 A. She was a graduate student and then she</p> <p>18 graduated. And my recollection was that she was</p> <p>19 a sabbatical replacement, official sabbatical</p> <p>20 replacement, I think, for Virginia Scotchie, for</p> <p>21 a semester. And then she -- and then she did</p> <p>22 some TFAC classes.</p> <p>23 Q. When did she graduate?</p> <p>24 A. Jeez, I don't know. I think 2015 probably.</p> <p>25 Maybe -- 2015 I think. 2014 maybe, I don't know.</p>
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<p>1 A. She had various job titles. She was -- she was a</p> <p>2 temporary faculty member, a TFAC. And then she</p> <p>3 was -- she became an instructor as a result of a</p> <p>4 counteroffer by the University of South Carolina</p> <p>5 when I had an offer from -- or I had an</p> <p>6 opportunity to go to the University of Hawaii.</p> <p>7 The dean of College of Arts and Sciences -- I'm</p> <p>8 sorry, her name escapes me right now, I can't</p> <p>9 believe it -- but at any rate, I was -- Pam was</p> <p>10 given an instructorship as a result of this -- as</p> <p>11 part of this counteroffer. And then my</p> <p>12 recollection is that she remained an instructor</p> <p>13 for a number of years and then was promoted to</p> <p>14 senior instructor.</p> <p>15 Q. Would you say she was good at her job?</p> <p>16 A. Absolutely. And I said that often.</p> <p>17 Q. You and Pam separated on December 5, 2016; is</p> <p>18 that correct?</p> <p>19 A. Yeah, probably.</p> <p>20 Q. And was your divorce date September 12, 2017?</p> <p>21 A. Probably.</p> <p>22 Q. Why did you and Pam get a divorce?</p> <p>23 A. Why did Pam -- why did Pam and I get a divorce?</p> <p>24 Well, that's what she was determined to do. I</p> <p>25 guess there were many -- I guess there were many</p>	<p>1 Q. Did Pam make it clear to you that she was not</p> <p>2 interested in a romantic relationship with you</p> <p>3 after she learned about your relationship with</p> <p>4 Alex Stasko?</p> <p>5 A. I don't -- I don't remember her -- I don't</p> <p>6 remember her ever framing it like that, to be</p> <p>7 completely honest with you.</p> <p>8 Q. Were you aware that Pam no longer wished to</p> <p>9 engage in a romantic relationship with you at</p> <p>10 some point?</p> <p>11 A. Well, when I -- I suspected that to be the case</p> <p>12 when I got -- when I got the documents served to</p> <p>13 me by the sheriff indicating she wanted a</p> <p>14 divorce. I got the message and it was pretty</p> <p>15 clear. You know, Pam remained the mother of my</p> <p>16 children. And my children who were held in joint</p> <p>17 custody -- that sounds weird, "joint custody" or</p> <p>18 "held in joint custody" like they were in jail --</p> <p>19 they resided with her in our former marital home</p> <p>20 and remained our marital for some time after --</p> <p>21 remained in joint ownership for some time after</p> <p>22 our separation. I think we sold it, I wrote this</p> <p>23 down so I wouldn't forget, we sold the house in</p> <p>24 2020.</p> <p>25 Q. Okay. Did you continue to --</p>

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<p>1 A. I believe. That's my -- that's my recollection.</p> <p>2 Q. You're fine. Did you continue to pursue a</p> <p>3 romantic relationship with Pam after the divorce?</p> <p>4 A. No, we were divorced. I mean, as I say, she</p> <p>5 remained the mother -- she remained the mother of</p> <p>6 my children and it was necessary to have</p> <p>7 interactions. I felt that she was limited in her</p> <p>8 understanding of my -- my actions or feelings. I</p> <p>9 felt like it could have been more productive had</p> <p>10 she understood, but she was not interested in</p> <p>11 considering those things.</p> <p>12 Q. Do you recall sending her emails telling her you</p> <p>13 love her and that you wish that she would allow</p> <p>14 you to come back home after the separation?</p> <p>15 A. Yeah, of course. Of course. I missed my</p> <p>16 children. I missed my home. I didn't miss</p> <p>17 fighting with Pam all the time. But I missed my</p> <p>18 home, I missed my family. She certainly went out</p> <p>19 of her way to separate me from my children and my</p> <p>20 family.</p> <p>21 Q. And did she reject those advances?</p> <p>22 A. I don't -- I'm not -- I didn't identify any</p> <p>23 advances. I simply identified the fact that I</p> <p>24 missed my family and my children. Those are not</p> <p>25 advances.</p>	<p>1 was comfortable with it. And then -- so I just</p> <p>2 used that account. Yeah, I now regret that, I</p> <p>3 understand why I should not have.</p> <p>4 Q. And she specifically gave you a personal email</p> <p>5 account to email rather than her school email?</p> <p>6 A. I don't -- I don't recall it being part of the</p> <p>7 court order that Pam should have the authority to</p> <p>8 impose a means of communication, like an email</p> <p>9 account, on me. I don't recall the judge saying</p> <p>10 anything about that. So no, I -- I -- I -- yeah,</p> <p>11 I do recall that she had a whole bunch of email</p> <p>12 schemes. She -- she -- my recollection is that</p> <p>13 she enjoys electronic communication and she a --</p> <p>14 one was called Family Wizard that was, I thought,</p> <p>15 stupid and offensive.</p> <p>16 Q. Okay. So she -- what are you talking about,</p> <p>17 Family Wizard?</p> <p>18 A. Family Wizard is a kind of email service. I</p> <p>19 don't know how it works. But it's -- it's</p> <p>20 specifically for divorced parents to communicate,</p> <p>21 presumably, in an amicable way. I didn't -- I</p> <p>22 didn't find it such. I just -- I just found it</p> <p>23 irritating.</p> <p>24 Q. Okay. And you said that you understand now why</p> <p>25 you shouldn't have emailed her on the school</p>
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<p>1 Q. Okay. Did she respond to your emails and tell</p> <p>2 you that she wanted to resume any kind of</p> <p>3 personal or romantic relationship with you?</p> <p>4 A. My recollection is that by and large Pam ignored</p> <p>5 anything personal that I said to her. Any</p> <p>6 reminder that I was good father and that I was a</p> <p>7 good spouse and I was a good provider and I</p> <p>8 dedicated myself to my family, she -- those</p> <p>9 things seemed to have escaped her memory.</p> <p>10 Q. Did she ask you numerous times to stop emailing</p> <p>11 her about personal emails -- I mean personal</p> <p>12 matters?</p> <p>13 A. We have -- we have -- we had two children that we</p> <p>14 were raising which supposedly, according to the</p> <p>15 court, that we were supposed to be raising</p> <p>16 together. I would think it incumbent on a couple</p> <p>17 in that situation to exchange personal emails,</p> <p>18 wouldn't you?</p> <p>19 Q. On the school -- were those emails on the school</p> <p>20 email account?</p> <p>21 A. Sometimes. I used the school's email -- I'm not</p> <p>22 particularly savvy with electronic media, nor do</p> <p>23 I have any interest in being so. So my -- my --</p> <p>24 I knew how to use the university email account,</p> <p>25 which was, I believe, my first email account. I</p>	<p>1 email account. What is -- what do you mean by</p> <p>2 that?</p> <p>3 A. What do I mean by that? I mean I -- I mean I --</p> <p>4 that it would have been probably, in retrospect,</p> <p>5 better not to use my work email account for</p> <p>6 personal correspondence. Simple as that.</p> <p>7 Q. Did you understand from Pam's email that she was</p> <p>8 trying to keep communications, that she was</p> <p>9 trying to keep the personal matters and the</p> <p>10 school email separate?</p> <p>11 A. Did I understand that? Yeah, I guess I -- I</p> <p>12 guess I understood that she had a different</p> <p>13 perspective than I. We had a difference of</p> <p>14 opinion, as we did about many things.</p> <p>15 Q. Did you ever respond to Pam in a hostile manner?</p> <p>16 A. Sometimes. Sometimes, yeah.</p> <p>17 Q. Have you berated --</p> <p>18 A. I mean, you want to ask me why or -- I can tell</p> <p>19 you. I can give you a whole list. You know,</p> <p>20 principally centered around her -- her</p> <p>21 preoccupation with damaging my relationship with</p> <p>22 my children and associating with individuals who</p> <p>23 -- who spoke ill of me in front of my children,</p> <p>24 which is, in my opinion and I believe in many</p> <p>25 people's opinion, contemptible.</p>

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<p>1 Q. Okay. So her association with who -- with who is</p> <p>2 the issue?</p> <p>3 A. I didn't -- the issue with what?</p> <p>4 Q. You say that it was centered around her</p> <p>5 preoccupation with ruining your relationship with</p> <p>6 your children. How was she doing that?</p> <p>7 A. Well, I think she associated with people who had</p> <p>8 a negative opinion of me, who said negative</p> <p>9 things about me, who made false allegations about</p> <p>10 me, who created a false understanding of who</p> <p>11 their father was to my children. I think my --</p> <p>12 my interest in clarifying what led me in certain</p> <p>13 directions in our relationship was principally</p> <p>14 focused on that, you know, focused on clearing</p> <p>15 the record, with clearing the record.</p> <p>16 Q. Okay. And who are the people who you are saying</p> <p>17 she associated with that made false accusations</p> <p>18 against you?</p> <p>19 A. Allison Dunavant would be the first most</p> <p>20 spectacular example who made a lot of outrageous</p> <p>21 allegations; that walked in and saw me having sex</p> <p>22 with someone, invited her to participate, locked</p> <p>23 her in a room with bars on the windows,</p> <p>24 outrageous, absurd allegations that were</p> <p>25 fabricated and repeated by your firm to the press</p>	<p>1 uncommon.</p> <p>2 Q. One reason I try to stay away from family law. I</p> <p>3 understand that.</p> <p>4 A. I don't blame you. I don't know how --</p> <p>5 COURT REPORTER: I have to change batteries in a few</p> <p>6 minutes.</p> <p>7 MS. BOWEN: Certainly. Let me ask one more question</p> <p>8 and then we can get to a stopping point.</p> <p>9 COURT REPORTER: You're fine. We've got a little</p> <p>10 time. I just wanted to let you know.</p> <p>11 Q. Have you used profanity towards Pam at work?</p> <p>12 A. At work?</p> <p>13 Q. Yes.</p> <p>14 A. Maybe. I mean, we're grownups. Has Pam used</p> <p>15 profanity towards me at work? Yes. Yes. Do</p> <p>16 people use profanity with each other at work on</p> <p>17 occasion? Yes.</p> <p>18 Q. Have you berated Pam at work?</p> <p>19 A. Well, I don't know, it depends on how you define</p> <p>20 berated. I have expressed frustration with Pam</p> <p>21 at work. And what do you mean at work? In the</p> <p>22 building? Most likely. Regrettably, I think</p> <p>23 we've -- we -- we had a relationship that</p> <p>24 degenerated to a point where we were berating</p> <p>25 each other quite a bit, I believe. Did that ever</p>
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<p>1 to deliberately damage and embarrass me. You</p> <p>2 know, my children are not oblivious to this.</p> <p>3 It's shameful what they were put through by my</p> <p>4 ex-wife and her friends.</p> <p>5 Q. Okay. And then outside of Allison --</p> <p>6 A. Shameful.</p> <p>7 Q. Outside of Allison Dunavant, are you referring to</p> <p>8 anyone else?</p> <p>9 A. Jaime. I believe Jaime said -- said some things</p> <p>10 to my children that were inappropriate about me.</p> <p>11 How could she not? I mean, she was taking -- she</p> <p>12 was taking these actions against me. Lauren</p> <p>13 Chapman. Lauren Chapman made outrageous</p> <p>14 allegations; from -- from what I can gather, in</p> <p>15 my opinion, lied to the police. I mean, I -- can</p> <p>16 I say that's a lie. I don't know. In my</p> <p>17 opinion, that's what you would call it. Telling</p> <p>18 a police officer that someone put their tongue in</p> <p>19 your mouth, tried to put their tongue in your</p> <p>20 mouth, that's preposterous, first of all. Yeah.</p> <p>21 Q. Were you hostile towards Pam in response to the</p> <p>22 allegations that she made against you?</p> <p>23 A. Sometime -- we were -- we had a contentious</p> <p>24 relationship after our divorce, during our</p> <p>25 divorce. I think that is regrettably not</p>	<p>1 happen in front of a group of people, students,</p> <p>2 etcetera? I don't -- I don't believe so.</p> <p>3 Q. Let's go ahead and take a -- I think it's a good</p> <p>4 time to take a five-minute break anyway.</p> <p>5 (Off the record 10:41 a.m. until 10:55 a.m.)</p> <p>6 BY MS. BOWEN:</p> <p>7 Q. David, jumping right back into it. Do you recall</p> <p>8 visiting Pam's office in March and showing her a</p> <p>9 new large brush you had just ordered, a new large</p> <p>10 paintbrush?</p> <p>11 A. No. March of what year?</p> <p>12 Q. It would have been March of 2017. And this would</p> <p>13 have -- I'm sorry, this would have been in your</p> <p>14 office.</p> <p>15 A. No, I don't recall that.</p> <p>16 Q. Okay. Do you recall ever holding a large brush</p> <p>17 next to your crotch and telling her to come check</p> <p>18 out the brush?</p> <p>19 A. No.</p> <p>20 Q. Do you recall that she told you that she was</p> <p>21 going to have to leave at some point that -- when</p> <p>22 she was in your office and that you blocked the</p> <p>23 exit from her?</p> <p>24 A. No. No, I do not. I neither recall that, nor do</p> <p>25 I believe that it occurred.</p>

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<p>1 Q. Do you recall ever hugging her or trying to wrap</p> <p>2 her in a hug in your office after your divorce?</p> <p>3 A. No, I don't recall that.</p> <p>4 Q. Did you ever enter Pam's classroom uninvited</p> <p>5 while she was teaching?</p> <p>6 A. I'm trying to think of how to answer this. They</p> <p>7 -- I think the fundamental premise that Pam --</p> <p>8 that Pam had ownership over any particular</p> <p>9 classroom is misleading. We had two classrooms</p> <p>10 for painting, allocated to painting; one larger</p> <p>11 room, McMaster 245 was a room where we kept all</p> <p>12 our supplies and did demonstrations, things of</p> <p>13 that nature, and the smaller room, 241, was a</p> <p>14 room that was used for upper level students who</p> <p>15 met with the professor and tutorials. So did I</p> <p>16 ever enter the room when Pam was teaching you</p> <p>17 asked me?</p> <p>18 Q. Yes.</p> <p>19 A. On occasion, yes.</p> <p>20 Q. And did you ever tell her that you were looking</p> <p>21 for supplies when you entered the room?</p> <p>22 A. I, like -- like all faculty in the painting area,</p> <p>23 I would say all faculty in the department, tried</p> <p>24 to be respectful and discreet when entering the</p> <p>25 room. I can think of many times when Pam entered</p>	<p>1 teaching to take some supplies out of the cabinet</p> <p>2 for a class she was teaching in another area and</p> <p>3 I -- I told her that was inappropriate because</p> <p>4 those were supplies that were specifically</p> <p>5 allocated to painting. So we had one room that</p> <p>6 was pretty much a common use room where we --</p> <p>7 where we stored supplies. And one of the things</p> <p>8 that we did in that room was to teach many</p> <p>9 sections of beginning painting, which -- for</p> <p>10 which a lot of materials were required and the</p> <p>11 preparation of those materials was complex often.</p> <p>12 And so we would often stack -- stack the</p> <p>13 materials for multiple classes to use. So it was</p> <p>14 often necessary to go in the room and prepare a</p> <p>15 cluster of materials, if you will, for a group of</p> <p>16 beginning painting classes. I -- you know, yeah,</p> <p>17 I think all of us tried to be respectful about</p> <p>18 not disrupting the class and be discreet when we</p> <p>19 came in the room and got something.</p> <p>20 Q. Did you ever --</p> <p>21 A. It was relatively normal.</p> <p>22 Q. Did you ever glare at Pam when you went in --</p> <p>23 entered her classroom?</p> <p>24 A. I don't -- I don't know. I don't know. I</p> <p>25 imagine Pam probably -- I can -- I can think of</p>
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<p>1 the same room when I was teaching to get</p> <p>2 supplies. That's where we kept the supplies. We</p> <p>3 also had a room, which was once my office, that</p> <p>4 connected to MM245 through a doorway that was</p> <p>5 possible to enter directly from my office. On</p> <p>6 occasion I would need to get something out of the</p> <p>7 room. I was also responsible for the supplies</p> <p>8 that were stored in that room. And it's</p> <p>9 maintenance, I was officially charged with the</p> <p>10 maintenance of both of the painting rooms and</p> <p>11 expected to supervise the implementation of</p> <p>12 curriculum.</p> <p>13 Q. Did you ever call the police on a faculty member</p> <p>14 who continued to enter your classroom while you</p> <p>15 were teaching?</p> <p>16 A. I don't recall.</p> <p>17 Q. Okay.</p> <p>18 A. You know, I mean I think there's a difference.</p> <p>19 You know, I don't recall.</p> <p>20 Q. Did you ever --</p> <p>21 A. But I think that there's a difference between a</p> <p>22 faculty member entering one of the -- one of the</p> <p>23 classrooms that I was -- that I supervised and a</p> <p>24 painting faculty member. I can remember Jaime</p> <p>25 Misenheimer once entered the MM245 while I was</p>	<p>1 some times when Pam glared at me. Yeah, so it's</p> <p>2 not unlikely that I might have at one point.</p> <p>3 Q. Did you ever wait for Pam by her vehicle after</p> <p>4 the divorce?</p> <p>5 A. Maybe. Maybe. I can -- I can remember one time</p> <p>6 when I wasn't sure if I was picking up my son at</p> <p>7 -- for an after school event or she was, you know</p> <p>8 that -- but did I ever -- did I ever did I ever</p> <p>9 wait? So if what you're asking me is leading to</p> <p>10 did I ever wait, stalking Pam in the parking lot</p> <p>11 at the university? No, I did not. Nor did I</p> <p>12 have any reason to. I erroneously told you that</p> <p>13 we sold their house in April of 2020. I don't</p> <p>14 recall when that sold. Probably more like 2018.</p> <p>15 I remember she took a very long time to get an</p> <p>16 appraisal on the house and a very long time to</p> <p>17 make a decision about what she wanted to do. And</p> <p>18 I felt it was important for the kids to remain in</p> <p>19 the house. My point here is that I had access</p> <p>20 for some time after our divorce to the house, to</p> <p>21 the -- I was granted access to the garage on the</p> <p>22 property for a period. I picked up my kids at</p> <p>23 the house. My kids lived with her at the house.</p> <p>24 And so the idea that I would choose to stalk her</p> <p>25 at school is preposterous.</p>



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<p>1 Q. Okay. And I think the easiest way for me to do</p> <p>2 this is let's just mark this is Exhibit 1.</p> <p>3 (Plaintiff's Exhibit Number 1 was marked for</p> <p>4 identification purposes.)</p> <p>5 Q. It's the complaint.</p> <p>6 MR. WLODARCZYK: First one or the amended?</p> <p>7 Q. Oh goodness. You know, I think this is the first</p> <p>8 one that we've printed off. Let me see here,</p> <p>9 though. We don't necessarily -- I want to make</p> <p>10 sure that the paragraphs are the same because I</p> <p>11 don't think there's any change to this paragraph.</p> <p>12 Okay. So I want you to look at paragraphs 31 and</p> <p>13 32. This is our original complaint, but a look</p> <p>14 at the record will show that it's the same as our</p> <p>15 amended complaint for these two paragraphs. And</p> <p>16 I just want to get your take on whether you</p> <p>17 remember this occurring on paragraph 31 and 32.</p> <p>18 A. "Female students working ... 245 ... no classes</p> <p>19 to teach that day and no valid reason to be on</p> <p>20 campus." Well, I was -- that's -- no valid</p> <p>21 reason to be on campus is preposterous. You</p> <p>22 know, you're, as a full-time faculty member,</p> <p>23 you're not required to be at the university only</p> <p>24 when you're teaching. You know, we have an -- we</p> <p>25 have offices that we are allocated. We have</p>	<p>1 A. -- to answer your questions.</p> <p>2 Q. So do you recall standing over Pam Bowers and</p> <p>3 students while they were outside of Room 245 --</p> <p>4 A. No.</p> <p>5 Q. -- working on a project?</p> <p>6 A. No, I don't. No, I don't, and that's</p> <p>7 preposterous. I mean, it's just preposterous.</p> <p>8 Q. It's preposterous that you would stand over or be</p> <p>9 outside the hallway while they were working on a</p> <p>10 project?</p> <p>11 A. It's preposterous to think that I had some</p> <p>12 malicious intent and -- and some articulation</p> <p>13 with her while she's with a group of students. I</p> <p>14 think I was always -- I was always very concerned</p> <p>15 about the impressions of students and -- no, so I</p> <p>16 -- no, I --</p> <p>17 Q. So you --</p> <p>18 A. Is it possible that I was -- I could have been</p> <p>19 trying to communicate something to her without</p> <p>20 disturbing the class perhaps? Yeah, I would</p> <p>21 think that would be not unreasonable. Was I</p> <p>22 deliberately standing there to upset her, to piss</p> <p>23 her off, to create problems for her? No.</p> <p>24 Unequivocally, no.</p> <p>25 Q. So you think it may be possible that you were</p>
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<p>1 office hours we are expected to keep. We have</p> <p>2 meetings that we are expected to attend. In my</p> <p>3 capacity, I had to articulate with Kim Gore, the</p> <p>4 business manager, and make orders, organize</p> <p>5 classes. So yeah, I mean this is so, A, no valid</p> <p>6 reason to be on campus is preposterously false.</p> <p>7 Q. Okay. And what I'm looking at really is if</p> <p>8 you'll read through the full 31 and 32 and then</p> <p>9 I'll ask you questions about it.</p> <p>10 A. "However, while plaintiff was working, stood over</p> <p>11 plaintiff, pestered her. "Plaintiff gestured for</p> <p>12 defendant ..." Where is this supposedly</p> <p>13 occurring? Working on a project. I -- so what -</p> <p>14 - okay.</p> <p>15 Q. I think you'll need --</p> <p>16 A. They seem to be about two different subjects. So</p> <p>17 which one do you want me to address?</p> <p>18 Q. So I think to understand it, and that's why I</p> <p>19 handed it to you, is if you'll read through 31</p> <p>20 and 32 --</p> <p>21 A. Uh-huh.</p> <p>22 Q. -- and then just let me know when you're done and</p> <p>23 I'll ask you questions about it.</p> <p>24 A. Okay. Okay. Yeah. Okay, I am prepared --</p> <p>25 Q. Okay, perfect.</p>	<p>1 trying to tell or trying to summon her to your</p> <p>2 office while she was outside of the room of class</p> <p>3 -- with the class?</p> <p>4 A. Maybe I was trying to tell her that her beeswax</p> <p>5 was on fire. I don't -- I don't -- I have no</p> <p>6 recollection.</p> <p>7 Q. Okay. And that's --</p> <p>8 A. But -- but to assume some malicious intent on my</p> <p>9 part about looking -- looking at another faculty</p> <p>10 member or looking at Pam is, I don't know,</p> <p>11 paranoid would you say? I'm not a psychologist.</p> <p>12 Q. Okay. So, and moving on to paragraph 32. Do you</p> <p>13 recall that Pam came to your office to discuss --</p> <p>14 or do you recall her coming to your office and</p> <p>15 you discussing the travel exhibition to Norway?</p> <p>16 A. We discussed the -- no, I don't -- do I recall</p> <p>17 that? No. Do I -- do I recall discussing the</p> <p>18 exhibition in Norway? Yes.</p> <p>19 Q. Okay. When do you recall discussing that?</p> <p>20 A. Before it transpired. When? I don't -- I don't</p> <p>21 know. I mean, the data is not on here. I don't</p> <p>22 particularly know the date.</p> <p>23 Q. Do you know if that was in your office?</p> <p>24 A. Could it -- it could have been. I suspect it was</p> <p>25 probably in numerous places. I talked to her</p>



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<p>1 about it several times.</p> <p>2 Q. Do you recall commenting to Pam that you could</p> <p>3 see down her blouse while she was working with</p> <p>4 her students?</p> <p>5 A. I do. I do remember mentioning to her that her</p> <p>6 her blouse was unbuttoned and when she was</p> <p>7 leaning over the table, students were -- she</p> <p>8 seemed to be oblivious to the fact that students</p> <p>9 were looking down her blouse and seemed</p> <p>10 uncomfortable with it. I don't know. What's the</p> <p>11 appropriate thing to do in a situation like that?</p> <p>12 I don't know. Were we married, I would just say,</p> <p>13 you know, your shirt is on button, you ought to -</p> <p>14 - people can see down your top. I don't know as</p> <p>15 a -- as a colleague, what do you say? I don't</p> <p>16 know. If my zipper was open, I would like to</p> <p>17 think that one of my colleagues would say, hey,</p> <p>18 stupid, your zipper is open.</p> <p>19 Q. Did any of the students tell you that they could</p> <p>20 see down Pam's blouse?</p> <p>21 A. No. I -- it just seemed -- it seemed --</p> <p>22 appearance -- seemed hard to -- hard to miss, I</p> <p>23 mean.</p> <p>24 Q. Okay. And --</p> <p>25 A. My recollection is I just happened to be walking</p>	<p>1 Q. Did you ever enter -- was there a backdoor that</p> <p>2 led --</p> <p>3 A. I'm sorry. You know, she could have participated</p> <p>4 in that exhibition without going to Norway. She</p> <p>5 simply could have sent some things. You know, it</p> <p>6 simply seems to me that was something consistent</p> <p>7 with her experience as an artist, as a person.</p> <p>8 You know, the subject of the exhibition was seeds</p> <p>9 and the importance of seeds and seeds</p> <p>10 specifically were held at the Seed Vault in</p> <p>11 Svalbard, Norway, in the middle of the Arctic</p> <p>12 there. And her grandfather was a farmer. Her</p> <p>13 father and I had many discussions about farming.</p> <p>14 And I knew that seeds were an important thing to</p> <p>15 her family as they were to mine. My interest in</p> <p>16 general, broadly, was in -- was in getting a</p> <p>17 cohesive body of work together for the exhibition</p> <p>18 and it was something that came up sort of at the</p> <p>19 last minute and I saw value in it as an ongoing</p> <p>20 endeavor. In fact, it -- it worked -- it has</p> <p>21 gone on and it has been kind of a respected thing</p> <p>22 that --</p> <p>23 Q. Okay.</p> <p>24 A. -- I saw value in it.</p> <p>25 Q. Did you become angry when Pam told you that she</p>
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<p>1 by the -- Pam, like all of the faculty in</p> <p>2 painting would occasionally use the area outside</p> <p>3 of McMaster 245 as a meeting place, as a</p> <p>4 discussion place. And it was also happened to be</p> <p>5 adjacent to the men's room, you know.</p> <p>6 Q. And do you recall getting angry that she did not</p> <p>7 want to work on the Norway project or go to</p> <p>8 Norway?</p> <p>9 A. I remember feeling like it was something -- how</p> <p>10 can I say this? In spite of my frustrations with</p> <p>11 Pam as a partner and as a parent and other other</p> <p>12 aspects of our interpersonal life, I always had a</p> <p>13 great deal of respect for her as an artist and as</p> <p>14 a painter, and the Norway project was something</p> <p>15 that I -- I felt, I genuinely felt, that the</p> <p>16 topic was within her area of an understanding or</p> <p>17 experience. And I also had a responsibility to</p> <p>18 try to encourage artists to apply to participate</p> <p>19 in the exhibition.</p> <p>20 Q. Okay.</p> <p>21 A. In fact, a number of my colleagues from USC</p> <p>22 participated in the exhibition. Sara Schneckloth</p> <p>23 and Mary Robinson, and both of them went to</p> <p>24 Norway and considered it a very enriching</p> <p>25 experience.</p>	<p>1 was not interested in it?</p> <p>2 A. I don't know. Maybe. Maybe. I became angry</p> <p>3 about some of the people who were selected for it</p> <p>4 that I didn't -- that I didn't think highly of.</p> <p>5 I became happy that Sara Schneckloth decided to</p> <p>6 do it. I became happy -- I mean, you know, I --</p> <p>7 did I have normal emotions centered around the</p> <p>8 Norway exhibition, normal human emotions? Yes, I</p> <p>9 believe I did.</p> <p>10 Q. Okay. Did -- was there a door that led directly</p> <p>11 from your office to Pam's classroom?</p> <p>12 A. That was not Pam's classroom. There was a</p> <p>13 classroom --</p> <p>14 Q. And I'm sorry, let me rephrase, because I</p> <p>15 understand it's not her classroom. In the</p> <p>16 classroom that she used to lecture.</p> <p>17 A. Yes, there was a doorway in my -- in the office</p> <p>18 that I occupied for some time. I don't remember</p> <p>19 when I moved out of that office, but at a certain</p> <p>20 time -- at a certain time, in reference to</p> <p>21 walking into the classroom, at a certain point I</p> <p>22 got fed up with faculty coming into my office</p> <p>23 because that's where the books, art books, were</p> <p>24 stored, and I decided to turn my office with the</p> <p>25 permission of Peter Chametzky, who was our chair,</p>

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<p>1 into a sort of a resource room. In fact, we</p> <p>2 called it painting resource room where we kept</p> <p>3 art books and some supplies that were easily</p> <p>4 damaged or easily stolen. Other supplies that no</p> <p>5 one could take were just kept in MM245. But</p> <p>6 yeah.</p> <p>7 Q. Okay. Did you ever enter the classroom, while</p> <p>8 Pam was lecturing, through that door?</p> <p>9 A. If I -- if I -- if I entered, I would not be</p> <p>10 surprised that I entered the classroom when</p> <p>11 numerous people were teaching in there on various</p> <p>12 missions to check on things or do things or grab</p> <p>13 something. Did I -- was I deliberately</p> <p>14 indiscreet in doing that? No, I don't believe</p> <p>15 so. Was I obviously indiscreet? I -- I --</p> <p>16 no. I think I always tried to be as unobtrusive</p> <p>17 as possible in entering another faculty member's</p> <p>18 classroom.</p> <p>19 Q. And that leads me to my next question. Did you</p> <p>20 ever enter, while she was lecturing, touch her</p> <p>21 shoulder and whisper in her ear that you needed</p> <p>22 to talk to her to discuss a painting matter?</p> <p>23 A. I don't know. I don't know. I mean that's --</p> <p>24 it's possible. Did she ever come in the</p> <p>25 classroom while I was lecturing and whisper</p>	<p>1 Q. Did you ever press her about personal matters</p> <p>2 when she went to your office to discuss painting</p> <p>3 matters?</p> <p>4 A. Well, we were married and together for 35 years</p> <p>5 and had two children together. I think that the</p> <p>6 occasion to discuss personal matters anywhere, as</p> <p>7 with any couple who had children between them,</p> <p>8 would have arisen from time to time, yeah. Did I</p> <p>9 -- did I ever do that to intentionally create, to</p> <p>10 make her feel uncomfortable or to create a</p> <p>11 problem or disturbance? No, never. Or to make</p> <p>12 unwanted, give her unwanted attention? No, I did</p> <p>13 not.</p> <p>14 Q. Did you complain to a grad student in early</p> <p>15 November 2017 that Pam had refused to discuss</p> <p>16 supply orders with you?</p> <p>17 A. I have no idea. No, I don't -- no, I would -- I</p> <p>18 did not discuss -- I would not -- I did not</p> <p>19 routinely discuss faculty interactions with</p> <p>20 students, nor did I routinely discuss</p> <p>21 interpersonal relationships with or issues with</p> <p>22 my family with students, no.</p> <p>23 Q. Okay. So your answer is no, that you didn't ever</p> <p>24 complain to a grad student that Pam had refused -</p> <p>25 -</p>
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<p>1 something into my ear and told me that something</p> <p>2 needed to be done or some -- there was something</p> <p>3 urgent that came up with the kids or something</p> <p>4 like that? Yeah, I mean, I -- I --</p> <p>5 Q. Do you --</p> <p>6 A. We had a normal dialogue in -- in that way, as I</p> <p>7 did with others who taught classes that were, you</p> <p>8 know, under my supervision in some capacity.</p> <p>9 Q. And would that have continued to occur after the</p> <p>10 divorce?</p> <p>11 A. Well, if -- if she was teaching in the room that</p> <p>12 I was supervising and she was living in the</p> <p>13 former marital residence with my children, yeah,</p> <p>14 I would imagine -- I'm sorry. Say your question</p> <p>15 again, I lost track.</p> <p>16 Q. I think I did too actually. I was asking if</p> <p>17 after the divorce, so, for example, in October</p> <p>18 2017, whether you would have entered her</p> <p>19 classroom and touched her shoulder and whispered</p> <p>20 something in her ear.</p> <p>21 A. Oh, yeah, I mean, it's entirely possible. Would</p> <p>22 I have done that to my late friend Khaldoune</p> <p>23 Bencheikh? Yeah, probably. I'd probably, you</p> <p>24 know, say, hey, your hair is on fire. Oh, holy</p> <p>25 shit.</p>	<p>1 A. I would -- I have trouble thinking of a context</p> <p>2 under which I would have done that.</p> <p>3 Q. Did you attempt to grope and hug Pam when she</p> <p>4 visited your office?</p> <p>5 A. No, I did not. Jesus.</p> <p>6 Q. Did you --</p> <p>7 A. Sorry.</p> <p>8 Q. So after --</p> <p>9 A. We were married for -- we were together for 35</p> <p>10 years. And no, I did not. I think there was</p> <p>11 ample opportunities for groping one another in</p> <p>12 those 35 years. No, I did not need to resort to</p> <p>13 that in my office, nor do I make a habit of</p> <p>14 groping people in offices.</p> <p>15 Q. Okay. Did you attempt to hug Pam in your office</p> <p>16 after the divorce at any point?</p> <p>17 A. I don't know. I don't know. I mean I don't</p> <p>18 recall. Nothing stands out in my memory. Did I</p> <p>19 -- did I have feelings of affection for Pam as</p> <p>20 the mother of my children? Did I -- did I have</p> <p>21 regrets? Did I regret hurting her feelings? Did</p> <p>22 I -- I did. And, you know, what -- did -- but</p> <p>23 did I ever intentionally hug her to make her feel</p> <p>24 uncomfortable or was I repeatedly hugging her?</p> <p>25 Would I make a practice of it? No, I did not.</p>

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<p>1 Q. Okay. Do you recall waiting for Pam by her car</p> <p>2 and smirking and laughing when she approached her</p> <p>3 car after attempting to hug her at any point?</p> <p>4 A. You know, I'm sorry to laugh. I understand this</p> <p>5 is a serious matter. But I think that is</p> <p>6 preposterous, just a preposterous question. I</p> <p>7 mean, I don't know. I mean, I feel like I -- I</p> <p>8 interacted with Pam in an appropriate and</p> <p>9 respectful manner, except when we were fighting,</p> <p>10 in which time I think that, you know, I think</p> <p>11 both of us have plenty of room for regrets, to be</p> <p>12 completely honest.</p> <p>13 Q. Do you recall a situation where you were in her,</p> <p>14 in Pam's class -- well, in the classroom where</p> <p>15 Pam taught when she arrived for a scheduled class</p> <p>16 and you were asking her about the funding for a</p> <p>17 class trip?</p> <p>18 A. I don't -- I don't know. Maybe. I don't know if</p> <p>19 I'm answering this right in terms of the context</p> <p>20 you just identified. But do I -- do I remember</p> <p>21 having some concerns about class trips? I do</p> <p>22 remember that she was taking students to the</p> <p>23 beach one time and she had not told me about it.</p> <p>24 And that's fine. I mean, I didn't -- I was -- my</p> <p>25 approval was not required, you know. Pam was</p>	<p>1 minor detail. I mean, did we get in a fist fight</p> <p>2 over it? No, I don't think so. I don't recall</p> <p>3 that.</p> <p>4 Q. Okay. Do you recall stating that you controlled</p> <p>5 the funding for the class -- for class trips and</p> <p>6 threatening to revoke the funding?</p> <p>7 A. I don't -- I don't -- I don't recall that. It's</p> <p>8 a little like asking me if I ever said anything</p> <p>9 stupid. Maybe, you know. I don't think so</p> <p>10 though. I don't recall that. It's not I didn't.</p> <p>11 You know, I mean, Pam was certainly free at any</p> <p>12 point to go to the chair and say, hey, I want to</p> <p>13 go on a -- I don't want to -- I want to go on a</p> <p>14 trip or I want to buy this and I don't want to --</p> <p>15 I don't want to have to talk to Dave about it, I</p> <p>16 hate that son of a bitch. Okay. You know, she</p> <p>17 could have done that.</p> <p>18 Q. And this may be another one of those questions</p> <p>19 that do you would call a dumb question. Do you</p> <p>20 recall telling Pam that you control the painting</p> <p>21 area?</p> <p>22 A. I -- well, I guess -- do I recall that? To</p> <p>23 answer your question, no, I do not recall that.</p> <p>24 Could I have said that? Yeah. Did I control the</p> <p>25 painting area? Well, in a manner of speaking,</p>
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<p>1 pretty autonomous within the painting program,</p> <p>2 even though officially I was supposed to be</p> <p>3 supervising what happened. It wasn't something</p> <p>4 you could really effectively do with somebody you</p> <p>5 were married to. So she did what she wanted</p> <p>6 pretty much. But the -- but there was -- there</p> <p>7 was -- one of the problems with the -- with</p> <p>8 programs within the School of Visual Art and</p> <p>9 Design was that at that time those of us who</p> <p>10 coordinated disciplines, this is a sort of</p> <p>11 nebulous idea, we didn't -- weren't really given</p> <p>12 a specific budget at the time, we were simply --</p> <p>13 we just had money to work with and we would be</p> <p>14 reprimanded if we were making too many requests</p> <p>15 and exceeding our budget, which we did not know</p> <p>16 what it was. But so if Pam was going to the</p> <p>17 beach without telling me there would be a cost</p> <p>18 involved there and it might prohibit doing</p> <p>19 something else, so it certainly would have been</p> <p>20 appropriate to discuss it on some level or -- or</p> <p>21 to discuss it through the chair, if she didn't</p> <p>22 want to discuss it with me. There was no</p> <p>23 discussion is my recollection.</p> <p>24 Q. Okay. Do you recall --</p> <p>25 A. But, you know, I mean, this is -- this is such a</p>	<p>1 yes. In a manner of speaking, no. My chair</p> <p>2 controlled the painting area and the dean</p> <p>3 controlled the painting area. I was sort of a</p> <p>4 middle level management controller of the</p> <p>5 painting area. That would be an accurate</p> <p>6 statement.</p> <p>7 Q. Do you recall Pam asking if Jaime could teach her</p> <p>8 painting class because she was on modified duties</p> <p>9 in January 2019?</p> <p>10 A. I do recall a conversation along those lines,</p> <p>11 yeah.</p> <p>12 Q. Do you recall telling Pam that Jaime complained</p> <p>13 about you and that you wouldn't allow her to</p> <p>14 teach the painting class?</p> <p>15 A. Well, I believe Pam has that -- has that</p> <p>16 interaction on videotape. And I -- my</p> <p>17 recollection is that it occurred at -- at our --</p> <p>18 at the marital residence, which we may or may not</p> <p>19 have still owned together at the time but my</p> <p>20 children certainly lived there. My recollection</p> <p>21 was that I was there to pick up my son or drop</p> <p>22 off my son and I asked her if the hot tub had</p> <p>23 been -- was ever fixed. And she said, well, the</p> <p>24 hot tub can't be fixed because they can't access</p> <p>25 the part that's broken. And I said, well, that's</p>

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<p>1 preposterous, I'll go under and I'll make it</p> <p>2 accessible if you like. And she said I could do</p> <p>3 that. And I went under there and fixed or I</p> <p>4 exposed whatever needed to be exposed on the hot</p> <p>5 tub and I -- I was leaving and she said something</p> <p>6 about Jaime teaching classes. And the long and</p> <p>7 the short of it is that I said I could not</p> <p>8 support that. Now, if the chair of the</p> <p>9 department wanted to hire Jaime -- and why?</p> <p>10 Because Jaime had made allegations regarding, in</p> <p>11 a complaint, regarding the Dunavant situation and</p> <p>12 I felt that was -- that it was dishonest. I felt</p> <p>13 that she was dishonest, being dishonest, in my</p> <p>14 opinion. I felt that she was in her classes not</p> <p>15 following the curriculum that was -- which was</p> <p>16 part of my job to make sure that people were</p> <p>17 following the curriculum. We submitted the</p> <p>18 curriculum in painting to the university</p> <p>19 committee on courses and curriculum and it was to</p> <p>20 be followed. And Jaime was also routinely</p> <p>21 starting her class late and was aware of this.</p> <p>22 And she and I, in fact, talked about it; that</p> <p>23 students were often, for 30 minutes, sitting</p> <p>24 outside of Jaime's classroom waiting for the</p> <p>25 class to start. So yeah, I thought there were a</p>	<p>1 curriculum. Yes, I can say that as an objective</p> <p>2 fact. In my opinion, she was not teaching the</p> <p>3 curriculum. I spoke to Pam about this on a</p> <p>4 number of occasions.</p> <p>5 Q. Did you speak to anyone else besides Pam about</p> <p>6 it?</p> <p>7 A. Yeah, Jaime. I said, Jaime, you really got to</p> <p>8 follow the curriculum, you know, I really want</p> <p>9 you to use this book, The Natural Way to Draw,</p> <p>10 and do the -- some of these exercises that are</p> <p>11 based on that, that book. Also, the class calls</p> <p>12 for an introduction to human anatomy, surface</p> <p>13 anatomy. And I didn't see any evidence that she</p> <p>14 was doing that. The students that came into my</p> <p>15 class having had her class did not understand</p> <p>16 certain precepts that were part of those courses,</p> <p>17 which were prerequisites. Yes.</p> <p>18 Q. Is there anything in writing to that effect?</p> <p>19 A. What do you mean, is there anything in writing to</p> <p>20 the effect that she wasn't doing that?</p> <p>21 Q. Yeah. Did you put anything in writing or can I</p> <p>22 find anything in writing about --</p> <p>23 A. No. I thought that it could be something that,</p> <p>24 you know, that could be resolved by reasonable</p> <p>25 people, you know. The -- her mission, if you</p>
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<p>1 number of reasons why she -- why I couldn't</p> <p>2 support that. Now, again, is it possible for Pam</p> <p>3 to go to the chair and say I really want Jaime to</p> <p>4 do this? Yeah. And could the chair have hired</p> <p>5 Jaime to do that with -- against my wishes or</p> <p>6 judgment or? Yes.</p> <p>7 Q. Do you have any evidence that Jaime was not</p> <p>8 following the curriculum?</p> <p>9 A. Yeah. A, I was -- I was -- I was supervising</p> <p>10 that. And, B, I wrote the curriculum and -- and</p> <p>11 submitted it to the university course committee</p> <p>12 for courses and curriculum and it was approved</p> <p>13 and she was not following the curriculum. How do</p> <p>14 I know that? Because I saw the drawings that she</p> <p>15 posted of student drawings in the -- in the</p> <p>16 hallway, and it was -- it was a -- she was</p> <p>17 essentially having students do what I had them do</p> <p>18 in the upper level class and they were not</p> <p>19 learning lessons that they should have learned in</p> <p>20 the lower level class. Why did that occur? I</p> <p>21 don't -- I don't know. But I'll tell you that</p> <p>22 the -- that the lessons that were part of the</p> <p>23 lower level curriculum were difficult, tedious,</p> <p>24 time consuming, harder in in some ways, because</p> <p>25 they -- yeah, she -- she wasn't teaching the</p>	<p>1 will, in being a TFAC in that class was to teach</p> <p>2 the curriculum. And I think I felt like simply</p> <p>3 pointing it out that the class should begin when</p> <p>4 the class is supposed to begin or relatively so</p> <p>5 and that you follow the curriculum seems like a</p> <p>6 given to me. I mean, you can't get a job at</p> <p>7 Jimmy Johns and say I don't want -- I don't like</p> <p>8 avocado, I'm not gonna put avocado on this guy's</p> <p>9 sandwich. Well, yeah, but the sandwich calls for</p> <p>10 avocados. If I don't get avocados on my</p> <p>11 sandwich, then --</p> <p>12 Q. Do you recall stating that Misenheimer is a lying</p> <p>13 sack of shit during that conversation with Pam?</p> <p>14 A. I am a colorful guy, aren't I? I -- I -- yeah,</p> <p>15 maybe. Maybe. I think in my estimation she was</p> <p>16 lying sack of shit. I mean, I don't know. Let's</p> <p>17 -- I mean maybe let's consider that term, that</p> <p>18 concept for a minute. Lying sack of shit. Okay.</p> <p>19 So she went to my chair a year or almost nearly a</p> <p>20 year after an alleged incident occurred.</p> <p>21 Coincidentally, that reporting to my chair</p> <p>22 occurred just after, like a day after I asked her</p> <p>23 -- I told her that she needed to justify some of</p> <p>24 her hours because she wasn't -- didn't appear to</p> <p>25 be getting anything done for the hours she was</p>

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<p>1 turning in. So it appeared to me to be</p> <p>2 retaliatory. So she she made a preposterous</p> <p>3 claim to my chair about somebody who was never</p> <p>4 registered for her class and said that despite</p> <p>5 the fact that I had been teaching for 35 years</p> <p>6 and knows it's impossible to give somebody a bad</p> <p>7 grade because you want to, claimed all that,</p> <p>8 yeah, I would say that probably a lot of people</p> <p>9 like on a multiple choice would choose lying</p> <p>10 piece of shit -- sack of shit. I'm sorry.</p> <p>11 Q. You say that you asked her to justify her hours.</p> <p>12 Was that a conversation in person or did you</p> <p>13 email her about that?</p> <p>14 A. I emailed her and copied the -- not justified. I</p> <p>15 mean justify is a word I'm using, but I'm not</p> <p>16 saying -- you have the email. I mean you know</p> <p>17 what it said.</p> <p>18 Q. Well, and that's the --</p> <p>19 A. It simply --</p> <p>20 Q. -- that was my next question is do you know if</p> <p>21 that email has been produced in discovery?</p> <p>22 A. Yes. Well, I believe so. Do I know? I'm not --</p> <p>23 I don't have access to your notes, but I believe</p> <p>24 yeah.</p> <p>25 Q. If not, we'll need to make sure it is.</p>	<p>1 understanding of anatomy and drawing the human</p> <p>2 figure, etcetera, etcetera, outside of a</p> <p>3 supervised class period. But since there was a</p> <p>4 nude model involved and since the model was being</p> <p>5 paid and needed to be kept on task, we needed</p> <p>6 somebody to do it so Jaime did it. And then I</p> <p>7 found -- and she was supposed to be doing it at</p> <p>8 school. Well, I found out later that she was</p> <p>9 doing it at her house and that a naked person was</p> <p>10 walking around while she and her friends, people</p> <p>11 she invited, as I understood it, were coming and</p> <p>12 drinking beer and having campfires and drawing</p> <p>13 this naked person who was being paid by the</p> <p>14 university. And I remember going to Peter</p> <p>15 Chametzky and saying, you know, there is -- I'd</p> <p>16 hate to see this in the State Paper. Little did</p> <p>17 I know. Yeah, so I think I had very valid</p> <p>18 concerns. And I spoke to my friend John Logue</p> <p>19 who had been a former administrator and asked him</p> <p>20 for advice on what I should do. And John said,</p> <p>21 well, you should write to your chair and tell him</p> <p>22 what your concerns are and let him handle it,</p> <p>23 which is precisely what I did.</p> <p>24 Q. When was that?</p> <p>25 A. Oh, I don't know. I don't know.</p>
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<p>1 MR. WLODARCZYK: I'll confirm you produced it in</p> <p>2 discovery.</p> <p>3 MS. BOWEN: Good. Thank you.</p> <p>4 A. I'm sorry. What were we just talking about?</p> <p>5 Q. I was asking whether you put that in an email</p> <p>6 where you were asking for hours.</p> <p>7 A. Oh, yeah, yeah. No, I -- yeah, there were two</p> <p>8 things that I was disturbed about. One thing is</p> <p>9 that she -- she didn't seem to be. Again, this</p> <p>10 is relative to being a mid-level manager. You</p> <p>11 know, I mean, I -- I would -- was in jeopardy of</p> <p>12 -- of always being called in to the chair's</p> <p>13 office or the business manager's office to</p> <p>14 justify what this person who is working under my</p> <p>15 supervision, you know, in quotes, was doing and</p> <p>16 what their hours were for. And I didn't see her</p> <p>17 doing things. She certainly wasn't doing what I</p> <p>18 asked her to do, A, and I forgot the other part</p> <p>19 of what I was gonna -- oh -- oh, yeah. Oh, yeah.</p> <p>20 And the other thing that she was supposed to be</p> <p>21 doing was she was supposed to be coordinating a</p> <p>22 an independent workshop with a nude model and the</p> <p>23 idea was that these -- we wanted to provide an</p> <p>24 opportunity for students to work independently</p> <p>25 from a nude model as an expansion of their</p>	<p>1 Q. Do you know if it was before or after she made</p> <p>2 the complaint about Dunavant?</p> <p>3 A. It was -- it was immediately -- yeah, I do know</p> <p>4 that. Yes, immediately before. And you can</p> <p>5 check the email sequence. She -- I wrote to the</p> <p>6 chair questioning her hours and saying that she</p> <p>7 needed to keep track of her hours and within days</p> <p>8 she went to the -- she made a complaint about me</p> <p>9 allegedly telling her in August to give a student</p> <p>10 who had never registered for her class a bad</p> <p>11 grade. Yes.</p> <p>12 Q. So, and I think we got a little bit mixed --</p> <p>13 A. And that's documented in the email</p> <p>14 correspondence.</p> <p>15 Q. We got mixed up there. As far as your report</p> <p>16 about the nude model being at her home, when was</p> <p>17 that?</p> <p>18 A. Same time.</p> <p>19 Q. Would have been before after her complaint?</p> <p>20 A. At the same -- no, no, before her complaint, yes.</p> <p>21 Q. Okay.</p> <p>22 A. Yes.</p> <p>23 Q. Do you have any documentation of that?</p> <p>24 A. Should be in the emails. If it's not in the</p> <p>25 emails, I mean, you can ask Peter Chametzky if he</p>

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<p>1 remembers when I talked to him about it. I --</p> <p>2 you know, I don't have -- I -- as Peter said, you</p> <p>3 know, we were all -- we were all nice to Jaime.</p> <p>4 I did a lot of things for Jaime. I thought at</p> <p>5 one point of Jaime as a promising student and a</p> <p>6 committed artist. I don't feel that way any</p> <p>7 longer. But, and I think we all tried to help</p> <p>8 Jaime. And Jaime, I believe, took advantage of</p> <p>9 us, in my estimation, in my opinion.</p> <p>10 Q. Do you recall getting angry and stating that you</p> <p>11 control the books and resources when Pam entered</p> <p>12 a room to retrieve a book in the end of January</p> <p>13 2019?</p> <p>14 A. I don't remember that. January 2019? I -- no, I</p> <p>15 don't. I don't remember that. But I do remember</p> <p>16 that -- that the university and Laura, to her</p> <p>17 credit, tried to keep us separate, teaching</p> <p>18 separate days, working in separate rooms,</p> <p>19 etcetera. And I forgot where I was going with</p> <p>20 that. And, oh, that I walked into the painting</p> <p>21 resource room to get some books for my class on a</p> <p>22 day that I was teaching and on -- on let's just</p> <p>23 call it my day, where it was my day as opposed to</p> <p>24 her day. And I walked into the painting resource</p> <p>25 room and I found her and Jaime in that room on my</p>	<p>1 slam a door? Yeah. Yes. Did I ever? I tried</p> <p>2 to -- I tried to behave professionally in the</p> <p>3 building in front of students and -- yeah.</p> <p>4 Q. So you said that you recall Pam has slammed a</p> <p>5 door at the university?</p> <p>6 A. Oh, I don't recall. No, I don't -- I was -- I</p> <p>7 recall Pam slamming many doors. Do I recall her</p> <p>8 slamming a door specifically at the university</p> <p>9 like on March 23, 2019? No.</p> <p>10 Q. Do you recall going to Pam's house and raising</p> <p>11 your fist at her in February 2019?</p> <p>12 A. Well, I'm not sure in 2019 that it was Pam's</p> <p>13 house, number one.</p> <p>14 Q. Okay. I'm sorry. We get into the weeds about</p> <p>15 the possession thing. So do you recall going to</p> <p>16 the home where Pam was residing in February --</p> <p>17 A. Shaking my fist? I don't recall that. I mean,</p> <p>18 is it possible that I would have been mad at her</p> <p>19 about something? Yes, there were many things to</p> <p>20 be mad at her about. But do I recall</p> <p>21 specifically doing that? No, I do not.</p> <p>22 Q. Were you informed that USC would be responding to</p> <p>23 a FOIA request from the state in March 2019 prior</p> <p>24 to USC responding?</p> <p>25 A. Maybe.</p>
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<p>1 day looking at art books. And my recollection is</p> <p>2 I told her that this was my day and I needed</p> <p>3 books for my students and I didn't feel</p> <p>4 comfortable being in that room when they were in</p> <p>5 there. And I went to Laura Kissel and I told her</p> <p>6 immediately that this happened. By the time she</p> <p>7 got there, they had already left.</p> <p>8 Q. Did you discourage students from taking Pam's</p> <p>9 courses?</p> <p>10 A. Never. Never. Never. That is preposterous,</p> <p>11 yeah.</p> <p>12 Q. Did you ever tell students in your grad level</p> <p>13 courses that Pam was to blame for you not having</p> <p>14 a syllabus prepared?</p> <p>15 A. No. No. That's preposterous.</p> <p>16 Q. Did you ever tell students that you were late</p> <p>17 because of Pam after the divorce?</p> <p>18 A. No. No. I would -- I would not -- I mean who</p> <p>19 would do that? I can't imagine a situation in</p> <p>20 which I would have done that.</p> <p>21 Q. Do you recall glaring at Pam and slamming your</p> <p>22 door when you saw her speaking with Jaime outside</p> <p>23 of the painting room in February 2019?</p> <p>24 A. I don't recall that. I mean I don't know. I</p> <p>25 don't recall that. Did Pam ever glare at me and</p>	<p>1 Q. Do you know who you had that conversation with?</p> <p>2 A. No, I don't recall. I do recall that a guy who</p> <p>3 seems to have collaborated with your firm, Louis</p> <p>4 Deprill, I do -- I do recall him submitting FOIA</p> <p>5 requests in the interest of digging up dirt,</p> <p>6 which he didn't find because there was none.</p> <p>7 Q. Did you refer to your issues with Pam as divorce</p> <p>8 issues when speaking with any faculty and staff?</p> <p>9 A. I don't know. I didn't -- I didn't -- there were</p> <p>10 -- there were few of my colleagues, either in</p> <p>11 terms of faculty or staff, that I felt close</p> <p>12 enough to discuss personal issues with. So I</p> <p>13 think it's highly unlikely. You know, I -- I</p> <p>14 would be surprised about any faculty member who</p> <p>15 would come forward and say that I ever said</p> <p>16 anything about Pam that was not positive. I had</p> <p>17 a great deal of respect for her as an artist.</p> <p>18 Q. Okay. What about the faculty members who were</p> <p>19 investigating or -- well, scratch that. We'll</p> <p>20 get to that. I think that that's something we</p> <p>21 need to address down the road before we get into</p> <p>22 it. Did you tell faculty that Pam or Jaime was</p> <p>23 behind the activism?</p> <p>24 A. I don't -- I don't recall that. I don't -- I</p> <p>25 don't recall thinking specifically that they were</p>



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<p>1 behind, either of them, the activism. I feel --</p> <p>2 do I believe that they were engaged in it and</p> <p>3 supported it? Yeah, I do. But did I go around</p> <p>4 telling people that? No, I don't think I did.</p> <p>5 Q. Did you have any conversations with any</p> <p>6 colleagues about the activism or protests?</p> <p>7 A. Yeah, lots.</p> <p>8 Q. Tell me about those conversations.</p> <p>9 A. Oh, well, the conversations would have been</p> <p>10 relative -- relegated to what the fuck, you know.</p> <p>11 I mean, how is this possible that these brats can</p> <p>12 be doing this? They have no idea what they are -</p> <p>13 - what they are talking about. They're</p> <p>14 responding to allegations -- allegations, A, not</p> <p>15 facts, and B, allegations that were lies and, C,</p> <p>16 allegations that were lies that were admitted by</p> <p>17 the perpetrators to be lies. So, yeah, it was a</p> <p>18 grotesquely and remains a grotesquely unfair</p> <p>19 situation to be in. You know, I can't, in most</p> <p>20 professional cases, give people my last name</p> <p>21 because it's associated with activities by a</p> <p>22 group of students who -- who don't care whether</p> <p>23 or not allegations against me were true. They're</p> <p>24 simply interested in blowing off steam. I think</p> <p>25 that's not something -- it's antithetical to our</p>	<p>1 Q. Okay. And you said that they have admitted that</p> <p>2 these things are lies. Who has admitted that</p> <p>3 they have lied about any allegations?</p> <p>4 A. Allison Dunavant admitted that -- she didn't</p> <p>5 admit she lied. She admitted that certain things</p> <p>6 were exaggerations or -- or not reported by your</p> <p>7 colleague Samantha Albrecht to the press</p> <p>8 accurately. I'm not sure how that exactly</p> <p>9 worked. But she made outrageous allegations,</p> <p>10 outrageous false allegations; she was left by the</p> <p>11 side of the road, she was starved, she was in a</p> <p>12 village where there was no food, a place where</p> <p>13 there was catch shit everywhere. It was</p> <p>14 preposterous.</p> <p>15 Q. Okay. Just to be clear, Pam Bowers and Jaime</p> <p>16 Misenheimer have not admitted that anything was a</p> <p>17 lie; is that correct?</p> <p>18 A. Well, in my experience, Pam seldom admits to</p> <p>19 doing anything wrong. And I don't -- I don't</p> <p>20 keep -- I don't know. Did either of them admit</p> <p>21 that something was a lie? No, I don't think so.</p> <p>22 Q. I saw an email between you and a colleague about</p> <p>23 the activism where you state that you don't</p> <p>24 believe that Pam is behind it but refer to a</p> <p>25 friend from the last case being behind it.</p>
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<p>1 mission in higher education, you know. It's</p> <p>2 antithetical to the Carolina Creed. It's</p> <p>3 antithetical to human behavior that we find</p> <p>4 appropriate.</p> <p>5 Q. When you earlier said "brats," are you referring</p> <p>6 to the students?</p> <p>7 A. Well, it's a little like -- like saying lying</p> <p>8 sack of shit. I -- you know, I don't really</p> <p>9 think that Jaime is literally a lying sack of</p> <p>10 shit. Does she have things in common with a</p> <p>11 lying sack of shit? Maybe. But do -- do -- are</p> <p>12 -- yeah, so I think our -- most, you know,</p> <p>13 students at the University of South Carolina are</p> <p>14 clients in a sense, you know, customer. And --</p> <p>15 yeah. But they were behaving, a group of them</p> <p>16 were behaving like brats. And how do I define</p> <p>17 that? Well, not understanding situations and</p> <p>18 reacting in a prejudiced way, a prejudicial way,</p> <p>19 you know, because they -- they wanted to feel</p> <p>20 like they were dealing with Harvey Weinstein or</p> <p>21 something. And I'm not Harvey Weinstein. I</p> <p>22 didn't go around harassing people. I didn't go</p> <p>23 around sleeping with students. I didn't go</p> <p>24 around cheating on my wife at the time. You</p> <p>25 know, I didn't do these things.</p>	<p>1 A. I don't remember that.</p> <p>2 Q. Okay. Do you know who you were referring to?</p> <p>3 A. I have no idea. I don't recall that at all.</p> <p>4 Q. Did you access Pam's social media accounts --</p> <p>5 A. No.</p> <p>6 Q. -- in spring 2019?</p> <p>7 A. No, I did not.</p> <p>8 Q. Have you accessed her social media account at any</p> <p>9 point?</p> <p>10 A. No. I'm sorry. What are you -- in -- in I guess</p> <p>11 it would have been 2019 when I was -- I had a</p> <p>12 website designer in Baltimore named Andrew</p> <p>13 Walters who was working on the website for my</p> <p>14 business and he wanted to link or he needed for</p> <p>15 some reason to link it to the Facebook account</p> <p>16 for the business. And so I told Andrew I did not</p> <p>17 have -- he said he needed the sign in or login</p> <p>18 information. I said, jeez, I don't -- I really</p> <p>19 don't know what the login information is. And he</p> <p>20 said at one point to, okay, well, here, I'm in</p> <p>21 this and I'm -- I'm -- it's asking me for your</p> <p>22 birth date and I told him my birth date. And he</p> <p>23 said, well, this is not right. And I said, well,</p> <p>24 that's my birth date. And he said, well, you</p> <p>25 know -- and I say, oh, well, it was -- Pam</p>



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<p>1 started the business Facebook account and she</p> <p>2 probably used her birth date and her birth date</p> <p>3 is this and he tried it and he accessed it. And</p> <p>4 he says, oh, wait a minute, this is -- this looks</p> <p>5 like a personal account. And I said, holy shit,</p> <p>6 you're in -- you're in her personal Facebook</p> <p>7 account, just just logout, just get out of it.</p> <p>8 And I immediately wrote her a message or called</p> <p>9 her and told her that we had -- that Andrew had</p> <p>10 inadvertently gone into her Facebook account,</p> <p>11 that he didn't look at anything, but it was an</p> <p>12 accident. I -- I had nothing to do with it, in</p> <p>13 fact. I mean, I was -- he was in Baltimore doing</p> <p>14 this and I was in my house in South Carolina. I</p> <p>15 -- you know, as I said earlier, I have no</p> <p>16 interest in social media. I have no interest in</p> <p>17 Pam's social media. And I had, yeah, no</p> <p>18 interest.</p> <p>19 Q. Did you tell Pam that you read all of her</p> <p>20 correspondence?</p> <p>21 A. Her what?</p> <p>22 Q. Her correspondence.</p> <p>23 A. Oh, I told her that I read -- I remember telling</p> <p>24 her once that I read all of her correspondence</p> <p>25 with her attorney on her phone or something. And</p>	<p>1 knowing that they were in that room. I was</p> <p>2 teaching in, as I recall, I was teaching in MM245</p> <p>3 and I was also teaching in MMM240 where they were</p> <p>4 meeting with the police officer. Why they were</p> <p>5 in that room I don't know. But I went into the</p> <p>6 room and I was shocked to see a police officer</p> <p>7 with these three women. As I found out later,</p> <p>8 that was when Lauren Chapman told the police</p> <p>9 officer that I tried to kiss her and put my</p> <p>10 tongue in her mouth. And then she said that the</p> <p>11 police officer wrote that down wrong and she</p> <p>12 really didn't say that. So there's a lie there</p> <p>13 somewhere but I -- I'm, you know, I'm not one to</p> <p>14 point fingers.</p> <p>15 Q. How many times did you enter that classroom while</p> <p>16 they were meeting with the USC police officer?</p> <p>17 A. Once. Maybe I -- maybe I came back later to see</p> <p>18 if I could retrieve what I had gone in there for</p> <p>19 in the beginning and they were still there. Is</p> <p>20 that -- is that possible? Yeah. Is it -- do I</p> <p>21 recall that? No. My recollection is I walked in</p> <p>22 and I was like holy shit and then I walked out.</p> <p>23 Q. Did you question or make fun of Pam for taking</p> <p>24 FMLA leave?</p> <p>25 A. No. I don't know -- I don't know -- you took</p>
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<p>1 I did not. But it seemed -- you know, that's one</p> <p>2 of those things you do when you're fighting with</p> <p>3 someone. I just -- it seemed like it could, you</p> <p>4 know --</p> <p>5 Q. So you don't recall telling her that you had read</p> <p>6 all of her correspondence in connection with her</p> <p>7 social media account being accessed?</p> <p>8 A. No. No, I would not have. I would not have said</p> <p>9 it in that context. I wouldn't because I was</p> <p>10 sensitive to the fact that Andrew actually did</p> <p>11 inadvertently go into her thing and then</p> <p>12 immediately logged off. I would not have said it</p> <p>13 in that context. Now, did I ever say that I read</p> <p>14 all your correspondence and I know exactly what's</p> <p>15 going on here? Yeah. That would have been a</p> <p>16 lie. But would I have said it? Maybe, if I was</p> <p>17 mad or something.</p> <p>18 Q. Did you --</p> <p>19 A. Was it stupid, a stupid thing to do? Yeah, I</p> <p>20 think so.</p> <p>21 Q. Did you enter a classroom where Pam was meeting</p> <p>22 with a USC police officer in spring 2019?</p> <p>23 A. I went into a classroom when Pam was meeting with</p> <p>24 Lauren Chapman and Jaime Misenheimer with a --</p> <p>25 with a police officer, and I had no way of</p>	<p>1 FMLA leave? No, I don't recall that.</p> <p>2 Q. Did you question --</p> <p>3 A. You know, I have to say, you know, Pam is, in</p> <p>4 spite of all the things that she's deliberately</p> <p>5 tried to do to me, I feel like I have retained</p> <p>6 the understanding that Pam is the mother of my</p> <p>7 children and that my children love her and I</p> <p>8 don't -- I don't believe that I have done ever</p> <p>9 anything deliberately to harm her. That includes</p> <p>10 making fun over about taking FMLA leave or</p> <p>11 something or whatever it's called.</p> <p>12 Q. Did you ever make any statements to the effect</p> <p>13 of, "People have to cover for you, jerk," about</p> <p>14 her FMLA leave or any leave?</p> <p>15 A. I remember -- yeah, I remember being frustrated</p> <p>16 with her about the fact that I was notified just</p> <p>17 a couple of weeks before school started that she</p> <p>18 was not going to be teaching and someone needed</p> <p>19 to cover her classes. And that was dumped in my</p> <p>20 lap to try to come up with a solution and</p> <p>21 rearrange my schedule and rearrange the adjunct</p> <p>22 schedules. Yes, I remember -- I remember -- do I</p> <p>23 remember what I said to her about it? No, I</p> <p>24 don't.</p> <p>25 Q. Have you told others that Pam has lied in her</p>

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<p>1 complaints about you?</p> <p>2 A. I don't -- I don't -- I don't recall that, no. I</p> <p>3 do -- have I -- have I -- have I ever said to</p> <p>4 anyone what she's saying is not true? Yeah,</p> <p>5 lots. Because a lot of times she said things</p> <p>6 that weren't true. Deliberately I don't know, or</p> <p>7 just based on -- on, you know, her</p> <p>8 misunderstanding of things, the effect is the</p> <p>9 same.</p> <p>10 Q. Do you know with respect to what you were talking</p> <p>11 about?</p> <p>12 A. No, I don't have any idea.</p> <p>13 Q. Did you ever state that --</p> <p>14 A. I was sleeping with students, I don't know. You</p> <p>15 know, I don't know, I didn't sleep with students.</p> <p>16 Q. Did you ever state that Pam influenced another to</p> <p>17 make sexual harassment complaints against you --</p> <p>18 A. No.</p> <p>19 Q. -- because of her divorce?</p> <p>20 A. No. No. I don't -- no, I would not have said</p> <p>21 that.</p> <p>22 Q. Have you ever stated that she has ulterior</p> <p>23 motives for her complaints against you?</p> <p>24 A. I think she does have ulterior motives for her</p> <p>25 complaints against me. I think she's angry with</p>	<p>1 Q. Okay.</p> <p>2 A. No, as I said, you know, we -- I mean I don't</p> <p>3 have any faculty members that I'm particularly</p> <p>4 close to.</p> <p>5 Q. Did David Chametzky ever speak to you about your</p> <p>6 -- about the treatment between you and Pam</p> <p>7 Bowers?</p> <p>8 A. Peter Chametzky. No, I don't think so. I think</p> <p>9 Peter tried to be pretty neutral I think.</p> <p>10 Q. Did you ever have any conversations with him</p> <p>11 about Pam Bowers?</p> <p>12 A. I wouldn't -- I don't know. I would imagine I</p> <p>13 probably would have, but I -- I can't -- I can't</p> <p>14 think of anything off the top of my head that I -</p> <p>15 - I certainly didn't see him with any complaints</p> <p>16 or see him in response or in order to be</p> <p>17 reprimanded.</p> <p>18 Q. Okay.</p> <p>19 A. I don't recall anything of any significance.</p> <p>20 Q. When did you -- and we're going to switch gears</p> <p>21 here to Jaime Misenheimer. And I know there's</p> <p>22 overlap and that's -- that's fine. When did you</p> <p>23 first meet Jaime Misenheimer?</p> <p>24 A. I don't remember what year it was. I imagine</p> <p>25 that it would be like 2006 or something like</p>
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<p>1 me and she doesn't like me and so she makes</p> <p>2 complaints about me. You know, I mean, how --</p> <p>3 and how can I justify it because -- or how can I</p> <p>4 -- how can I demonstrate that? Well, because I</p> <p>5 didn't do these things, you know.</p> <p>6 Q. Do you believe that she has lied in any of her</p> <p>7 complaints about you?</p> <p>8 A. Well, that depends on what you mean by a lie, you</p> <p>9 know. I mean, if you say something that you feel</p> <p>10 is the truth or you deduce to be the truth and</p> <p>11 you -- you say that and it's not true, is that a</p> <p>12 lie? Well, my dad used to say maybe yes and</p> <p>13 maybe no. Maybe yes and maybe no, I don't know.</p> <p>14 Q. I think now's a good time for us to take a break</p> <p>15 for lunch.</p> <p>16 (Off the record from 11:57 a.m. until 12:36 p.m.)</p> <p>17 BY MS. BOWEN:</p> <p>18 Q. Okay. David, will you tell me when did you first</p> <p>19 learn of Pam Bowers' complaints against you?</p> <p>20 A. Complaint? You mean like the divorce?</p> <p>21 Q. And so that's what I want to make sure. Did the</p> <p>22 University of South Carolina, did any faculty</p> <p>23 members ever speak with you about complaints that</p> <p>24 Pam Bowers was making to anyone at USC?</p> <p>25 A. No.</p>	<p>1 that. She came to USC with her soon-to-be</p> <p>2 husband, I don't think they were married at the</p> <p>3 time, who was in our graduate program.</p> <p>4 Q. Okay. And did you hire Jaime for the painting</p> <p>5 area? Or did you recommend Jaime to be hired for</p> <p>6 the painting area?</p> <p>7 A. Well, yeah, I imagine at some point I did. I</p> <p>8 don't -- I don't recall too much about that, but</p> <p>9 I imagine at some point I probably did.</p> <p>10 Q. Okay. And what was her position with the School</p> <p>11 of Visual Art and Design?</p> <p>12 A. She was a TFAC and occasionally she worked as an</p> <p>13 assistant.</p> <p>14 Q. And a TFAC I have learned through this case that</p> <p>15 that means temporary faculty.</p> <p>16 A. It does, yes.</p> <p>17 Q. Okay. And you say she worked as an assistant?</p> <p>18 A. She worked as an assistant I think for two</p> <p>19 summers and then again towards -- towards the</p> <p>20 end.</p> <p>21 Q. Do you recall which classes she taught while she</p> <p>22 was serving as a TFAC?</p> <p>23 A. Well, let's see. So she really -- she would have</p> <p>24 taught 232 and 233, either together or</p> <p>25 separately. And she would have -- I believe she</p>

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<p>1 taught 210 once.</p> <p>2 Q. How many classes would she teach per semester?</p> <p>3 A. It just varied according to what the need was. I</p> <p>4 mean, you know, it was not like -- she was one of</p> <p>5 a pool of people who -- who would teach. You</p> <p>6 know, there were -- I think all of the faculty</p> <p>7 had sort of a similar objective in that, you</p> <p>8 know, we tried to -- or when we had openings for,</p> <p>9 needs for TFAC, that we would try to find a</p> <p>10 recent graduate student to take that position for</p> <p>11 a semester or something, just to give them a</p> <p>12 little teaching experience.</p> <p>13 Q. Okay. Do you recall that Jaime Misenheimer was</p> <p>14 teaching two courses per semester?</p> <p>15 A. May have been.</p> <p>16 Q. Would you say that Jaime was good at her job?</p> <p>17 A. Would I say Jaime was -- in my opinion -- in my</p> <p>18 opinion, no.</p> <p>19 Q. Why not?</p> <p>20 A. You know, well, it's -- well, first of all,</p> <p>21 following the curriculum as required.</p> <p>22 Q. We've gone over that one.</p> <p>23 A. Another thing, regular class times are not</p> <p>24 optional. And not -- you know, at one point I</p> <p>25 recall Jaime leaving -- not -- not showing up for</p>	<p>1 income over the summer. And I came back and I</p> <p>2 told Pam it looked like very little had been done</p> <p>3 while we were away. This happened again the</p> <p>4 second -- the next summer. And, no, I couldn't -</p> <p>5 - I couldn't fire her, nor could I compel her to</p> <p>6 --</p> <p>7 COURT REPORTER: Just -- that's the one I have to give</p> <p>8 to the judge, so.</p> <p>9 THE WITNESS: Sorry. I have a bad habit of that.</p> <p>10 COURT REPORTER: It's okay. It's fine. It's fine.</p> <p>11 Here, you need some stickers to play with?</p> <p>12 THE WITNESS: Can I? Thank you.</p> <p>13 BY MS. BOWEN:</p> <p>14 Q. Okay. And so you say you reported that to Pam.</p> <p>15 Did Pam have the ability to hire --</p> <p>16 A. No, no.</p> <p>17 Q. -- or fire or discipline?</p> <p>18 A. No. I simply talked to Pam about it. But I --</p> <p>19 but, you know, on a number of occasions, you</p> <p>20 know, I mean, I asked Pam to talk to Jaime about</p> <p>21 -- about things, like not observing class hours,</p> <p>22 not following the curriculum, simply because I</p> <p>23 thought that she would feel less, I don't know,</p> <p>24 threatened in a way having that come from a</p> <p>25 female rather than coming from me.</p>
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<p>1 class, teaching 210 in fact, and students were</p> <p>2 doing a type of painting that requires hot wax</p> <p>3 that's heated up on a hot plate and they were</p> <p>4 essentially working unsupervised because she</p> <p>5 didn't come in that day. And Autumn Wertz was</p> <p>6 her -- was the graduate assistant who was working</p> <p>7 in that class and Autumn was supervising the</p> <p>8 students. But, you know, she had not been</p> <p>9 trained for that and so it was a dangerous</p> <p>10 situation. I would say that that is -- merits</p> <p>11 being considered as not doing a good job.</p> <p>12 Q. Did you have the authority to reprimand any TFAC</p> <p>13 members?</p> <p>14 A. No, I didn't have -- again, this is the problem</p> <p>15 with the kind of a mid-level management thing,</p> <p>16 you don't -- you don't really have any</p> <p>17 opportunity, you don't have any -- there's not --</p> <p>18 I'm sorry, authority really. You can't penalize</p> <p>19 them in any way. I mean, you know --</p> <p>20 Q. Did you report those issues to anyone else?</p> <p>21 A. Initially I reported them to Pam. I talked to</p> <p>22 Pam about it. You know, we had gone away for one</p> <p>23 summer and Jaime was working as an assistant and</p> <p>24 they did -- assigned her that or requested that</p> <p>25 for her to help her out so she had some means of</p>	<p>1 Q. When did you notice these issues about Jaime?</p> <p>2 A. I think I first became aware of it when we were</p> <p>3 away in the summertime in the, I don't know what</p> <p>4 year it would have been.</p> <p>5 Q. Did you hire Jaime to serve as your replacement</p> <p>6 in spring 2015 while you were on sabbatical?</p> <p>7 A. Well, you know, again, I don't mean to be beating</p> <p>8 a dead horse here, but I don't -- I don't hire</p> <p>9 anybody. I mean I recommend, you know,</p> <p>10 recommended people. So I recommended Jaime. You</p> <p>11 know, the college, the College of Arts and</p> <p>12 Sciences, had a weird, I thought, weird sort of</p> <p>13 relationship with faculty going on sabbatical and</p> <p>14 that, you know, they -- at the time they -- we</p> <p>15 were told repeatedly that they do not provide</p> <p>16 sabbatical replacements. Sorry, I got a cramp in</p> <p>17 my leg.</p> <p>18 Q. No problem. If you need to take a break for it -</p> <p>19 -</p> <p>20 A. Could I just stand up?</p> <p>21 Q. Absolutely. Yeah.</p> <p>22 A. Is that okay?</p> <p>23 Q. I've people pace and talk. It's perfectly fine.</p> <p>24 A. Yeah, than you. Forgive me, I lost my place now.</p> <p>25 Can you repeat the question, please?</p>

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<p>1 Q. Yeah. And you were telling me that you</p> <p>2 recommended Jaime to be hired in spring 2015 and</p> <p>3 explaining that they don't provide your own</p> <p>4 replacement.</p> <p>5 A. Oh, yeah, they don't provide a sabbatical</p> <p>6 replacement. Yeah. And I -- I just -- I was</p> <p>7 looking for a way to either combine my classes or</p> <p>8 find someone to -- well, as I recall, the college</p> <p>9 wanted us to try to combine as much as possible</p> <p>10 or to seek to run the classes, you know, every</p> <p>11 other semester or some means like that; that they</p> <p>12 didn't want -- that they didn't have resources to</p> <p>13 hire someone. And I was as -- as I say, people</p> <p>14 tried to help Jaime. And I tried, like others,</p> <p>15 tried to help Jaime. And yeah, I suggested that</p> <p>16 she could do some of my classes.</p> <p>17 Q. Okay. Are you aware of any issues with her</p> <p>18 performance during that time?</p> <p>19 A. I'm not, no. I'm not.</p> <p>20 Q. Do you recall Jaime taking a break from teaching</p> <p>21 during spring 2016 semester to care for her</p> <p>22 spouse who was battling stage four cancer?</p> <p>23 A. I knew that she had a spouse who was -- who had</p> <p>24 cancer and was very sick and then ultimately</p> <p>25 succumbed to it. We were all sympathetic to that</p>	<p>1 relationship with Alex Stasko?</p> <p>2 A. In 2016 after Allison Dunavant left.</p> <p>3 Q. In Italy?</p> <p>4 A. Yes.</p> <p>5 Q. That would have been the summer of 2016?</p> <p>6 A. That's correct.</p> <p>7 Q. What was your relationship with Stasko in spring</p> <p>8 of 2016?</p> <p>9 A. Let's see, that's before summer of 2016. She was</p> <p>10 a friend not unlike Jaime who worked for us for a</p> <p>11 summer as an assistant in Italy. You know, she's</p> <p>12 a very likable person, you know, very competent,</p> <p>13 very dutiful, did a good job working for us.</p> <p>14 Q. Okay. Was she working for the university in some</p> <p>15 capacity in spring 2016?</p> <p>16 A. I don't know. Could be. I don't know.</p> <p>17 Q. Do you recall whether -- well, let me back up.</p> <p>18 Was she a painting student?</p> <p>19 A. Well, again, she was a graduate student. And the</p> <p>20 graduate program is by and large</p> <p>21 interdisciplinary. So was she specifically</p> <p>22 defining herself as a painter? No, she was</p> <p>23 defining herself as sort of an anatomical</p> <p>24 sculptor, a figurative sculptor, working in</p> <p>25 ceramics. And even there you have to understand</p>
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<p>1 situation. But, yeah, I don't recall much beyond</p> <p>2 that.</p> <p>3 Q. Do you recall seeing Jaime at Discovery Day at</p> <p>4 USC in April 2016?</p> <p>5 A. No, I don't know. I know -- I remember -- no, I</p> <p>6 don't -- I don't recall going to Discovery Day.</p> <p>7 If my memory serves me right, I thought Discovery</p> <p>8 -- there was a study abroad fair, a study abroad</p> <p>9 event, that Jaime helped us with one time. I</p> <p>10 don't remember the year. I thought Discovery Day</p> <p>11 was -- I'm sorry, I didn't -- it's when students</p> <p>12 present their research I think is -- is -- I</p> <p>13 think. I don't remember.</p> <p>14 Q. Okay. And that was gonna be my next question is</p> <p>15 what is Discovery Day?</p> <p>16 A. I don't -- I don't -- my recollection is that it</p> <p>17 was a day for students to present their research</p> <p>18 and Magellan Scholars, people who had -- students</p> <p>19 who had a Magellan Scholarship would present</p> <p>20 their research, I think. But I -- I don't</p> <p>21 recall. It wasn't something that I routinely --</p> <p>22 it was the sort of thing that I, you know, I</p> <p>23 didn't think was a particularly useful dimension</p> <p>24 to our teaching.</p> <p>25 Q. At what point did you begin a romantic</p>	<p>1 that ceramics itself is sort of an entity outside</p> <p>2 of sculpture. It's -- and so, you know, some</p> <p>3 students define themselves as ceramicists, some</p> <p>4 as sculptors, some as various types of sculptors.</p> <p>5 Q. Did you recommend Alex Stasko's hiring to serve</p> <p>6 as a lab technician in the painting area for Pam</p> <p>7 Bowers in spring 2016?</p> <p>8 A. I remember how that worked. Oh, in 16, I don't --</p> <p>9 -- I don't know. She served as an assistant for</p> <p>10 Pam in a previous semester when she was a</p> <p>11 student. That probably would have been like 2014</p> <p>12 or something. I don't recall. She and Antonio</p> <p>13 Griffith were -- I apologize for this. I'm</p> <p>14 trying to fix this here.</p> <p>15 Q. You're fine.</p> <p>16 A. And then, yeah, in 2016, I don't -- I don't</p> <p>17 recall.</p> <p>18 Q. Okay. Do you recall ever recommending Stasko to</p> <p>19 serve as a lab technician?</p> <p>20 A. Probably. Do I recall it specifically? No, I do</p> <p>21 not. But I recall recommending her for a TFAC</p> <p>22 position, but I -- I'm not sure I recall the</p> <p>23 other, I'm sorry.</p> <p>24 Q. How were lab technicians typically hired?</p> <p>25 A. The faculty member went to the chair and it was a</p>

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<p>1 pretty unofficial sort of practice. Faculty</p> <p>2 member in charge of the area went -- of the, you</p> <p>3 know, of the discipline went to the chair and</p> <p>4 said, you know, hey, we really need help, you</p> <p>5 know, we got X number of students. Often there</p> <p>6 are art history classes with 100 students or</p> <p>7 thereabouts and they have a graduate student, an</p> <p>8 assistant, assigned as a grader or something like</p> <p>9 that. Peter Chametzky would have students in</p> <p>10 that capacity.</p> <p>11 Q. Do you know if that's the process that was</p> <p>12 followed for Stasko?</p> <p>13 A. For -- for specifically being an assistant or for</p> <p>14 being a TFAC?</p> <p>15 Q. For being a lab technician or assistant.</p> <p>16 A. Oh, boy, I -- again, I don't recall it but I</p> <p>17 would think. Yeah, I would think.</p> <p>18 Q. Do you know if anyone else was considered for the</p> <p>19 lab technician position?</p> <p>20 A. I don't recall. I mean, again, I think that the</p> <p>21 one semester -- one semester Alex did it within</p> <p>22 Antonio Griffith. I mean it -- I mean, this was</p> <p>23 not some exalted position, you know, or honorific</p> <p>24 position. It was, you know, I mean, essentially,</p> <p>25 if you had a need for someone in that capacity</p>	<p>1 mean, it's just a work/study job. It was not --</p> <p>2 you know, it's considered optimal to find someone</p> <p>3 who -- for whom that experience would come in</p> <p>4 handy, but, you know, I don't -- I don't -- you</p> <p>5 know, it wasn't some big thing.</p> <p>6 Q. What -- when was done Dunavant, Allison Dunavant,</p> <p>7 in Italy? What semester was that?</p> <p>8 A. She was there in 2016.</p> <p>9 Q. Was that summer of 2016?</p> <p>10 A. Summer. I'm sorry, summer of 2016, yes.</p> <p>11 Q. Okay.</p> <p>12 A. And she was there maybe for -- she wasn't -- she</p> <p>13 wasn't slated to even be there that long. I</p> <p>14 believe she wanted to -- she wanted to take part</p> <p>15 in the USC in Italy program and they -- they --</p> <p>16 they didn't have funding for graduate students</p> <p>17 and so she wasn't unable to secure funding and so</p> <p>18 we tried to help her out.</p> <p>19 Q. Okay. And Dunavant filed that Title IX complaint</p> <p>20 against you about what happened in Italy in</p> <p>21 August 2016; is that correct?</p> <p>22 A. I believe so, yeah. I believe so.</p> <p>23 Q. And in that, did she allege that you exchanged</p> <p>24 employment benefits to female faculty or grad</p> <p>25 students in exchange for sexual favors? And I'm</p>
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<p>1 and you thought the chair would be sympathetic</p> <p>2 and fund it, you know, you sort of ask around to</p> <p>3 your students, you know, is anybody interested in</p> <p>4 this. You know, it wasn't something people</p> <p>5 jumped up and down about.</p> <p>6 Q. Who served in the lab technician position in the</p> <p>7 past?</p> <p>8 A. Who served in the lab technician's position in</p> <p>9 the past? Oh, a lot of people. Jeez, I mean a</p> <p>10 lot of people.</p> <p>11 Q. Were they typically painting students?</p> <p>12 A. They could be anything.</p> <p>13 Q. Okay.</p> <p>14 A. They could be anything. And, you know, some of</p> <p>15 the -- some of the -- you know, sometimes you'd</p> <p>16 have a student who was good in a beginning</p> <p>17 painting class maybe or a lower level painting</p> <p>18 class who might be, you know, I don't know, a</p> <p>19 chemistry major or something. Oh, yeah, I did in</p> <p>20 fact have a student from the Honors College who</p> <p>21 was a chemistry major who was a lab tech for us</p> <p>22 too, in fact. One of them I don't remember. The</p> <p>23 name of the other was also maybe Alex, Alex</p> <p>24 Denyka, a Russian, a girl from Russia. So, you</p> <p>25 know, it was -- it was just a job. You know, I</p>	<p>1 not asking you if you did these things. I'm</p> <p>2 asking if she alleged them.</p> <p>3 A. No, no, I understand. No, I understand your</p> <p>4 question. I don't recall, to be completely</p> <p>5 honest with you. I don't think so. Somehow I</p> <p>6 don't think so. But, I mean, you would know</p> <p>7 that. We could --</p> <p>8 Q. We can look back at the complaint certainly.</p> <p>9 A. Yeah, I don't recall. Perhaps. Again, I know</p> <p>10 you're not asking, but it's inaccurate.</p> <p>11 Q. Do you recall that she alleged that you and</p> <p>12 Stasko were engaging in an inappropriate</p> <p>13 relationship?</p> <p>14 A. I don't know when she alleged that.</p> <p>15 Q. Okay.</p> <p>16 A. If it was during the course of her suit or in the</p> <p>17 -- oh, I believe it was in the course of her suit</p> <p>18 because she -- she seems to have grown, like a</p> <p>19 crystal in her mind, a whole bunch of new</p> <p>20 allegations after the EOP complaint failed and</p> <p>21 she wanted to make a lawsuit.</p> <p>22 Q. What was -- let me ask it this way rather. What</p> <p>23 do you recall about what she alleged in her Title</p> <p>24 IX complaint in August 2016?</p> <p>25 A. It seemed like there was a lot of attention</p>

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<p>1 devoted to whether or not I called her a bitch,</p> <p>2 which I did not do. And then there was the fact</p> <p>3 that she thought she was enrolled in a USC class</p> <p>4 while she was in Italy, for which, again, she</p> <p>5 didn't register. She seems -- the idea that you</p> <p>6 actually have to register and pay for classes</p> <p>7 seemed to have escaped Ms. Dunavant and her</p> <p>8 educational background. Yeah.</p> <p>9 Q. Do you recall telling Jaime that Allison Dunavant</p> <p>10 was crazy during a conversation in Jaime's office</p> <p>11 when you returned?</p> <p>12 A. I don't recall that. I don't -- I don't recall.</p> <p>13 I mean I don't recall that specifically. I mean,</p> <p>14 I -- I don't recall.</p> <p>15 Q. Do you recall telling Jaime that you had a lot of</p> <p>16 trouble with Allison Dunavant in Italy when you</p> <p>17 returned?</p> <p>18 A. I don't recall. This is a long time ago.</p> <p>19 Q. Do you recall any conversations with Jaime about</p> <p>20 Allison?</p> <p>21 A. I think it was -- I don't. I don't recall any</p> <p>22 specific conversations. I mean, I think we</p> <p>23 covered these extensively during this --</p> <p>24 extensively during the Dunavant case and put the</p> <p>25 matter to rest. But I -- the -- but it was</p>	<p>1 Q. Was there a no contact issue ordered by EOP with</p> <p>2 respect to Dunavant?</p> <p>3 A. You would know that. I don't -- I don't recall.</p> <p>4 I seem to remember that but that was a long time</p> <p>5 ago and I don't remember the intricacies of it.</p> <p>6 I wouldn't be surprised if there was. I suspect</p> <p>7 there probably was. I can tell you I certainly</p> <p>8 didn't have any interest in having any contact</p> <p>9 with her on any level.</p> <p>10 Q. And this is one of those things that I would have</p> <p>11 known if I had handled that case previously. Did</p> <p>12 Allison Dunavant dispute a bad grade you gave</p> <p>13 her?</p> <p>14 A. She did at one point, yeah. Yeah, yeah, yeah.</p> <p>15 She and Josh Knight, another graduate student who</p> <p>16 are in my upper level figure drawing class, and</p> <p>17 neither of them came to the lecture sections of</p> <p>18 the class. They, in fact, during the lecture</p> <p>19 sections of the class, my recollection was Josh</p> <p>20 would go outside and smoke and Allison would hang</p> <p>21 around in the stairwell and chat. And I spoke to</p> <p>22 them both several times about it and said the</p> <p>23 lectures were a required component of the course</p> <p>24 and I expected them to participate, and they did</p> <p>25 not. And they were -- they were graded</p>
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<p>1 common knowledge that -- that there were -- that</p> <p>2 there were problems, in quotation marks, with</p> <p>3 Allison Dunavant in a number of aspects. I mean,</p> <p>4 my understanding is that she made a lot of</p> <p>5 allegations about faculty on her thesis</p> <p>6 committee.</p> <p>7 Q. Do you recall telling Jaime that Dunavant was not</p> <p>8 going to be able to take any courses with you</p> <p>9 that semester?</p> <p>10 A. I don't remember that. I don't remember.</p> <p>11 Q. Is it true that she wasn't going to be able to</p> <p>12 take any courses with you in --</p> <p>13 A. She could have -- she could have taken courses,</p> <p>14 as far as I'm concerned. I mean, I think I'm --</p> <p>15 I think I'm a fair and ethical person. I don't</p> <p>16 think I ever gave a student a grade that they</p> <p>17 didn't deserve, unless it was higher than what</p> <p>18 they probably deserved. And I certainly wouldn't</p> <p>19 have deprived her of an opportunity to take a</p> <p>20 class. Had she, you know, wanted to, I think</p> <p>21 that I could -- you know, I mean, you don't have</p> <p>22 to particularly like, you know, your students,</p> <p>23 like you don't have to like your customers at</p> <p>24 Jimmy John's, but you have to be behave</p> <p>25 appropriately to them.</p>	<p>1 accordingly. And then, as I recall, they</p> <p>2 complained to Andrew Graciano, who asked me to</p> <p>3 justify why I gave them the grade, and I</p> <p>4 explained what I just explained to you and he was</p> <p>5 sympathetic, the university was sympathetic, and</p> <p>6 they felt that I was justified in the grade I</p> <p>7 assessed.</p> <p>8 Q. What semester was that?</p> <p>9 A. I don't know. You know, maybe fall 2015, maybe</p> <p>10 spring 2016. No, no, it would have been -- it</p> <p>11 would have been earlier. It would have -- I bet</p> <p>12 you it would -- probably would have been fall</p> <p>13 2015.</p> <p>14 Q. So this was before she went to Italy?</p> <p>15 A. Yeah, it would have been. Yeah.</p> <p>16 Q. When did you learn about the report to EOP</p> <p>17 regarding the conversation with Jaime and giving</p> <p>18 Allison Dunavant a bad grade? And I can clean up</p> <p>19 that question if you don't understand it.</p> <p>20 A. Well, no, I think I do. When did I find out</p> <p>21 about that? My recollection is that I was</p> <p>22 working in the backyard on something at the</p> <p>23 Hopkins house. Well, I was -- I was working on a</p> <p>24 trailer that I was intending to live in and --</p> <p>25 it's a bleak period. Yeah, and I got a call from</p>



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<p>1 EOP, I think, is how it happened is my --</p> <p>2 Q. Well --</p> <p>3 A. -- that's my recollection. I could be mistaken</p> <p>4 on that.</p> <p>5 Q. Would that have been right around the time that</p> <p>6 the EOP complaint was filed?</p> <p>7 A. My recollection is that I got a call from Carl</p> <p>8 Wells I -- is my recollection, but I'm not sure</p> <p>9 about that.</p> <p>10 Q. And that was during while it was still being</p> <p>11 investigated or was Carl Wells investigating it</p> <p>12 at that time?</p> <p>13 A. I think he was investigating it at the time, yes.</p> <p>14 Q. Did you tell Jaime in September 2016 that you</p> <p>15 wanted to change the courses she would be</p> <p>16 teaching during the spring 2017 semester to allow</p> <p>17 Stasko to teach a course in the painting area?</p> <p>18 A. I recall that I had a conversation with her about</p> <p>19 what I was going to recommend to the chair. And</p> <p>20 I thought that, you know -- you know, there's --</p> <p>21 there's -- there's some -- there's some idea that</p> <p>22 Jaime propagated that somehow that she had this</p> <p>23 class, that she was hired to teach this class,</p> <p>24 that she -- that it was her class. And in fact,</p> <p>25 you know, we had -- we had -- typically, that</p>	<p>1 Q. So you mentioned that you were saying what you</p> <p>2 were going to -- you told her what you were going</p> <p>3 to recommend. What was that?</p> <p>4 A. I don't recall, to be honest with you. It was a</p> <p>5 mixture of one class, as I recall, and being a</p> <p>6 monitor for -- I mean, being an assistant for the</p> <p>7 painting classes. And, you know, again, I</p> <p>8 actually went so far as to calculate what -- what</p> <p>9 the, you know -- but we just tried to help her</p> <p>10 out. You know, I mean --</p> <p>11 Q. Would she have made as much at having a mixture</p> <p>12 of one class and assistant as she would have if</p> <p>13 she was teaching two?</p> <p>14 A. I thought so. I thought so. In all -- in all</p> <p>15 honesty and all fairness, I thought -- I thought</p> <p>16 so, yes. I mean, that was certainly -- I thought</p> <p>17 it was appropriate to give somebody else a chance</p> <p>18 to get a different perspective in the class. You</p> <p>19 know, it's not -- you know, there's -- there's a</p> <p>20 -- there's an ongoing problem that I experienced</p> <p>21 myself working for seven years as an adjunct, you</p> <p>22 know, you feel like you're part of the faculty,</p> <p>23 that you belong, you're a TFAC, if you will.</p> <p>24 And, you know, you try to do a good job. You</p> <p>25 know, students get used to it, then but you're</p>
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<p>1 class would rotate between there was a guy named</p> <p>2 Brian Rego who taught it for a couple semesters,</p> <p>3 before that, Jaime's former husband, Blake</p> <p>4 Morgan, taught it for -- I think, I could be</p> <p>5 wrong about that, but I think he did. And then a</p> <p>6 guy named Dylan Critchfield-Sales taught it for a</p> <p>7 couple semesters. Another guy -- you know, I</p> <p>8 mean, it was -- I mean, the long the short of it</p> <p>9 is we tried to, when we had a need for something</p> <p>10 like that, we tried to fill it with a recent</p> <p>11 graduate or someone who could, you know, be</p> <p>12 helped by having something under their belt. And</p> <p>13 that's, you know, how I -- you know, I -- I knew</p> <p>14 Alex's work with the figure from her being in my</p> <p>15 class for years and then dealing with the figure</p> <p>16 in her own work on a very ambitious scale. And</p> <p>17 so, you know, I thought it was appropriate to --</p> <p>18 to give her a chance and that she would be good</p> <p>19 at it. I was, same time, I was sympathetic to,</p> <p>20 as Peter said, I keep coming back to the same</p> <p>21 thing, all of us tried to be nice to Jaime, you</p> <p>22 know, and I tried to find out other things that</p> <p>23 she could do to help her out. At the time, I</p> <p>24 thought she was a talented painter and an okay</p> <p>25 person.</p>	<p>1 not part of the faculty. And I think the one --</p> <p>2 I always tried to be straightforward with</p> <p>3 adjuncts and to tell them, you know, this is a --</p> <p>4 look, you're -- this is -- this is not a</p> <p>5 permanent job, you're not going to -- you don't</p> <p>6 have a job. You know, you're filling in for --</p> <p>7 you're responding to a need. You are a contract</p> <p>8 employee.</p> <p>9 Q. What does the assistant position make compared to</p> <p>10 a TFAC over a class?</p> <p>11 A. I have no idea.</p> <p>12 Q. Okay.</p> <p>13 A. I have no idea. I mean, I -- I think that I -- I</p> <p>14 -- at the time, I felt like I sorted it out</p> <p>15 equitably. If I -- if I did not, if I was</p> <p>16 mistaken in that, I can tell you, in all honesty,</p> <p>17 what my intention was.</p> <p>18 Q. Do you think at that time you looked at what she</p> <p>19 would have made in both positions?</p> <p>20 A. I think that I -- I tried to be -- I did my best</p> <p>21 to try to be fair with Jaime and -- and just to</p> <p>22 help her out as best I could. I mean, simple as</p> <p>23 that.</p> <p>24 Q. Did you have any conversations with anyone about</p> <p>25 what she was making previously and what she would</p>



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<p>1 be making with the changes?</p> <p>2 A. I don't -- I don't recall that.</p> <p>3 Q. Had Alex Stasko taught a course in the painting</p> <p>4 area before?</p> <p>5 A. Well, you know, the figure drawing classes are</p> <p>6 drawing classes. The reason that the figure</p> <p>7 drawing classes were under my supervision sort of</p> <p>8 quasi unofficially, I mean, I was -- I did submit</p> <p>9 the schedule for those classes, but they were</p> <p>10 drawing classes and they were taught by a former</p> <p>11 colleague named Deanna Lahman who did a really</p> <p>12 wonderful job in that area and taught them as</p> <p>13 drawing classes. She was a drawer and that's</p> <p>14 what she did. She understood human anatomy. You</p> <p>15 know, I -- so -- so, yeah, I mean, did Alex teach</p> <p>16 -- Alex was teaching a drawing class that had to</p> <p>17 do with an understanding of the anatomy of the</p> <p>18 human figure, which, you know, she's very good</p> <p>19 at, as Peter said.</p> <p>20 Q. Okay. And let me make sure I'm understanding.</p> <p>21 So when you're saying she was teaching a drawing</p> <p>22 class, are you talking about once you -- when was</p> <p>23 she teaching this drawing class?</p> <p>24 A. The one I recommended her for.</p> <p>25 Q. Okay.</p>	<p>1 to the chair. And at the time, my recollection</p> <p>2 was that she seemed okay with it. I was -- I was</p> <p>3 -- I mean, I remember being shocked that there</p> <p>4 was a problem about the whole thing.</p> <p>5 Q. You don't recall her questioning your decision to</p> <p>6 hire Stasko to teach in the painting?</p> <p>7 A. I don't -- I don't recall. I don't recall</p> <p>8 anything particularly memorable about any</p> <p>9 conversations about it, to be honest with you.</p> <p>10 Q. Was Jaime Misenheimer scheduled to teach Arts 210</p> <p>11 and 232 for spring 2017?</p> <p>12 A. In fall 2017?</p> <p>13 Q. I've got spring 2017. But --</p> <p>14 A. I mean, no. I mean, you know, nobody, no TFAC</p> <p>15 are scheduled to teach anything. In fact, the</p> <p>16 university is quite clear and the department is</p> <p>17 quite clear about the fact that classes -- and</p> <p>18 often the college will not approve a class if</p> <p>19 it's not being taught by a full-time faculty</p> <p>20 member. This is one of the problems we ran into</p> <p>21 with Pam's schedule when she was an instructor</p> <p>22 and when she was TFAC is that, you know, the --</p> <p>23 it was continually an argument with the college</p> <p>24 about whether or not we had sufficient -- whether</p> <p>25 or not we had sufficient enrollment to run a</p>
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<p>1 A. Yes.</p> <p>2 Q. As the TFAC.</p> <p>3 A. That's right.</p> <p>4 Q. So before that, she had not had any experience</p> <p>5 teaching?</p> <p>6 A. Well, yeah, she was teaching -- she was</p> <p>7 sabbatical replacement of sorts -- I don't know</p> <p>8 in what capacity, what the official setup was --</p> <p>9 for Virginia Scotchie. And she taught as a</p> <p>10 graduate student and -- and she took my classes a</p> <p>11 number of times. As Peter -- as Peter said -- I</p> <p>12 told Peter at the time that she was, as far as I</p> <p>13 was concerned, she knew as much about the figure</p> <p>14 as anybody I knew of in town by virtue of having</p> <p>15 taken my class and going to the gross anatomy lab</p> <p>16 and drawing from cadavers and drawing from a</p> <p>17 skeleton. And there was the fact that Jaime was</p> <p>18 not following the curriculum, you know, and I --</p> <p>19 you know, this is something I spoke to Pam about</p> <p>20 repeatedly.</p> <p>21 Q. Did you tell Jaime that you were removing her</p> <p>22 because she was not following the curriculum?</p> <p>23 A. I simply told Jaime what I was -- what I thought</p> <p>24 would be a good idea for the classes that we</p> <p>25 needed to cover and what I was going to recommend</p>	<p>1 course.</p> <p>2 Q. When does the schedule come out?</p> <p>3 A. It varies. You know, they -- it seemed like it</p> <p>4 was irritating because they, the college, seemed</p> <p>5 to make it further and further away from the time</p> <p>6 of the class, you know. Earlier and earlier is</p> <p>7 what I'm trying to get at. You know, it seemed</p> <p>8 like we were no sooner -- no sooner had we turned</p> <p>9 in a schedule than we were required to start</p> <p>10 working on a new schedule. So it varied.</p> <p>11 Q. How far in advance of classes beginning?</p> <p>12 A. Again, it varied. I mean, I don't recall</p> <p>13 specifically but I think in principle, you could</p> <p>14 say it would be sort of, if you're talking about</p> <p>15 spring, it would probably be in the beginning of</p> <p>16 the fall semester, early in the fall semester is</p> <p>17 my recollection. And then what we would get, we</p> <p>18 would -- we would turn in the full-time</p> <p>19 faculties' course loads is my recollection and</p> <p>20 then we would request additional courses that</p> <p>21 would be taught by TFAC, if we can justify the</p> <p>22 need for those courses. So we could say, well,</p> <p>23 we're anticipating big enrollment or we're always</p> <p>24 over enrolled in this class, we need another</p> <p>25 section, or we -- this is an important</p>

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<p>1 prerequisite and we don't have any full-time</p> <p>2 faculty to cover it. And then the college would</p> <p>3 look at those and we would get a response from</p> <p>4 the college about whether or not they funded</p> <p>5 those. So there was not -- there was never a</p> <p>6 situation, to my recollection, where anybody ever</p> <p>7 said, you know, there's a -- there's a class for,</p> <p>8 you know -- this is a TFAC named Charlie Brown,</p> <p>9 this is his -- this is his class, you know. It</p> <p>10 was simply having a class, a TFAC -- a class that</p> <p>11 was approved to be taught by TFAC who would be</p> <p>12 identified later. And those were identified, is</p> <p>13 my recollection, on the basis of a recommendation</p> <p>14 by the disciplinary board there.</p> <p>15 Q. At some point was Misenheimer teaching Arts 232?</p> <p>16 A. I believe so. 232 or 233 or a combination of 232</p> <p>17 and 233.</p> <p>18 Q. Did you recommend that Stasko teach Arts 232 in</p> <p>19 spring 2017?</p> <p>20 A. I don't -- I -- well, I recommended that Stasko</p> <p>21 teach a section of figure drawing. I don't</p> <p>22 recall if it was 232 or 233. And I'll tell you I</p> <p>23 may have initially -- I may have initially</p> <p>24 recommended that one of them teach 232 and the</p> <p>25 other teach 233. But often the college would not</p>	<p>1 Q. When you say she was making something -- that she</p> <p>2 was demanding and difficult, making it difficult</p> <p>3 to operate, what are you talking about?</p> <p>4 A. Well, again, this was all covered in that case.</p> <p>5 But, you know, she would seem to be constantly</p> <p>6 fiddling with her phone music or, you know,</p> <p>7 taking a lot of breaks. You know, it wasn't</p> <p>8 terribly difficult work and she just -- and she</p> <p>9 seems to be creating problems for the other two</p> <p>10 assistants, Cody Unkart and Antonio Griffith. I</p> <p>11 almost said Banderas. Antonio Griffith. And</p> <p>12 then what -- what kind of problems? She would be</p> <p>13 very demanding. She would, you know, continually</p> <p>14 have them do things. She was, I don't know,</p> <p>15 harsh with them. I don't know. She was</p> <p>16 difficult. She was difficult. I was, you know,</p> <p>17 responding to complaints from those two guys</p> <p>18 primarily in my assessment.</p> <p>19 Q. How did they complain?</p> <p>20 A. Just said, you know, I mean, Allison is not, you</p> <p>21 know, carrying her load, she's not doing this,</p> <p>22 you know, we're having to do everything.</p> <p>23 Q. Were these verbal complaints or written</p> <p>24 complaints?</p> <p>25 A. Well, it was a -- there were no written</p>
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<p>1 run those as standalone classes and would combine</p> <p>2 them. So I don't recall.</p> <p>3 Q. And that was going to be my next question is</p> <p>4 whether you also recommended Stasko to teach Arts</p> <p>5 233 in spring 2017.</p> <p>6 A. Yeah, again, I mean, I -- you know, I mean I</p> <p>7 don't know. I mean, I -- as best I could, I just</p> <p>8 described the matrix of my considerations.</p> <p>9 Q. Do you recall Peter Chametzky opposing your</p> <p>10 recommendation that Stasko teach?</p> <p>11 A. Yes. Yes, I do. Yes. I thought it was unfair.</p> <p>12 Q. Did anyone else oppose that recommendation?</p> <p>13 A. There would have been nobody else involved in it.</p> <p>14 It was Peter's decision.</p> <p>15 Q. Okay. And did you continue to push her hiring</p> <p>16 after Chametzky opposed it?</p> <p>17 A. I did. Because it was -- I thought it was</p> <p>18 unfair. I mean, I thought that she did the</p> <p>19 university a favor by assisting with Dunavant who</p> <p>20 I felt believed was being -- behaving</p> <p>21 irrationally. And I believe, in my opinion, in</p> <p>22 my opinion, she was -- she was making a situation</p> <p>23 that made it difficult for us to operate, that</p> <p>24 she was very demanding, that she wasn't, in my</p> <p>25 opinion, a particularly good worker.</p>	<p>1 complaints. I mean, you know, it's just a bunch</p> <p>2 of kids. You know, like college kids being house</p> <p>3 painters. You know, it's like a very -- it was a</p> <p>4 very -- I don't know what you want to say -- not</p> <p>5 particularly official.</p> <p>6 Q. Did you ever talk to her about their complaints?</p> <p>7 A. Yeah. Yeah, I did. I said -- yeah, I did.</p> <p>8 Q. When was that?</p> <p>9 A. I don't now. You know, at some point. I mean,</p> <p>10 we're talking about Allison Dunavant here, right?</p> <p>11 I'm not sure I understand the relevance of that,</p> <p>12 but --</p> <p>13 Q. I'm sorry, I thought we were talking about Jaime</p> <p>14 Misenheimer that you were just --</p> <p>15 A. Oh, I'm sorry, I thought you were talking about</p> <p>16 Dunavant. Okay. Scratch all that.</p> <p>17 Q. Because this is -- these were all things I'm just</p> <p>18 now hearing. So, okay, what --</p> <p>19 A. Oh, I'm so sorry.</p> <p>20 Q. When you were talking about fiddling with the</p> <p>21 phone music and all of those things --</p> <p>22 A. Oh, that was --</p> <p>23 Q. -- that was not Jaime Misenheimer?</p> <p>24 A. I'm so sorry. That was Allison Dunavant.</p> <p>25 Q. Okay. And I --</p>

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<p>1 A. I'm glad I said something because I couldn't</p> <p>2 figure out why you were still talking about</p> <p>3 Allison Dunavant.</p> <p>4 Q. Me too. Okay. Okay.</p> <p>5 A. I'm sorry. I'm trying to forget about it. I</p> <p>6 make it my business to try to forget about it.</p> <p>7 Q. I got it. Okay.</p> <p>8 A. No, I never -- I never saw Jaime fiddling with</p> <p>9 her phone.</p> <p>10 Q. Okay.</p> <p>11 A. And I never had any complaints from Antonio</p> <p>12 Griffith about Jaime.</p> <p>13 Q. Okay.</p> <p>14 A. So scratch all that. Forgive me.</p> <p>15 Q. Outside of Chametzky, did you speak with anyone</p> <p>16 else about Alex Stasko's hiring for the TFAC</p> <p>17 position?</p> <p>18 A. There would have been no one to speak to in -- at</p> <p>19 that level.</p> <p>20 Q. Did you speak with Chametzky's supervisors or</p> <p>21 anybody or the president about your desire to</p> <p>22 have Stasko teach?</p> <p>23 A. Oh, I didn't mention it to the president, yes, I</p> <p>24 did, as part of a larger conversation about Italy</p> <p>25 and plans for Italy. Yes, I did.</p>	<p>1 involved in the Dunavant case. It simply was</p> <p>2 visited on us, you know.</p> <p>3 Q. Okay. And did you tell Peter Chametzky that you</p> <p>4 and Alex -- I mean, yes, you and Alex Stasko had</p> <p>5 a romantic relationship?</p> <p>6 A. I didn't. I never told him, no.</p> <p>7 Q. Did you --</p> <p>8 A. I would never have -- I would never have told</p> <p>9 anybody that.</p> <p>10 Q. Did you tell President Pastides that you and Alex</p> <p>11 Stasko had an ongoing romantic --</p> <p>12 A. No.</p> <p>13 Q. -- relationship?</p> <p>14 A. No. I mean, I would -- who would do something</p> <p>15 like that? Of course not.</p> <p>16 Q. And it's my understanding it started in summer</p> <p>17 2016. Did your relationship with Alex Stasko</p> <p>18 stop at any point between summer of 2016 and</p> <p>19 present day?</p> <p>20 A. No.</p> <p>21 Q. Okay.</p> <p>22 A. Oh, yeah, when I was away in Italy. Well, I</p> <p>23 don't know. I was away in Italy for a summer in</p> <p>24 2017 and she remained here.</p> <p>25 Q. And Alex Stasko was ultimately hired to teach</p>
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<p>1 Q. When did that conversation occur?</p> <p>2 A. I don't recall. It would have been in just the</p> <p>3 neighborhood of that time frame.</p> <p>4 Q. Was it while Chametzky was opposing the hiring?</p> <p>5 A. Yes.</p> <p>6 Q. How did the president respond?</p> <p>7 A. Well, he -- my recollection is that he had met</p> <p>8 Alex as a graduate student or had come to her</p> <p>9 exhibition and was impressed by it. This is my</p> <p>10 recollection.</p> <p>11 Q. And this is Pastides?</p> <p>12 A. Yeah. And, you know, again, I -- and my</p> <p>13 recollection is that he met her in Italy when he</p> <p>14 was there. Again, I could be wrong about it. It</p> <p>15 was a long time ago. But in any event, he knew</p> <p>16 her and knew of her. And I remember telling him</p> <p>17 I thought it was unfair; that, you know, she did</p> <p>18 the university a good turn and it seemed like she</p> <p>19 was not being considered for this position that I</p> <p>20 thought -- this opportunity. It's not really a</p> <p>21 position. It's not a position. It's simply a</p> <p>22 job teaching a class, you know. I mean, it's not</p> <p>23 an ongoing position. But it was unfair for her</p> <p>24 not to be considered on the basis of her being</p> <p>25 involved in this case. Nobody asked to be</p>	<p>1 Arts 232 and 233 in spring 2017?</p> <p>2 A. Probably. I mean, I think it was 2017. She was</p> <p>3 ultimately -- she ultimately taught those classes</p> <p>4 a couple semesters, for a couple -- several</p> <p>5 semesters. And her reviews, teaching reviews,</p> <p>6 were excellent, student work was excellent, and</p> <p>7 she followed the curriculum.</p> <p>8 Q. How and when did you communicate with Alex about</p> <p>9 which classes you would recommend her to teach?</p> <p>10 A. I don't know. I don't recall. I mean, I -- I --</p> <p>11 I'm sure I told her numerous times over a long</p> <p>12 period of time, probably when she was a grad</p> <p>13 student, that she would be a good teacher of</p> <p>14 figure drawing, figure sculpture, that she would</p> <p>15 be a good -- she should perhaps consider, you</p> <p>16 know, teaching at an academic, you know,</p> <p>17 figurative program. There are several around the</p> <p>18 country that, you know, where students really</p> <p>19 focus on the -- on the human figure, on</p> <p>20 representing the human figure. I always felt</p> <p>21 she'd be good at that and she was.</p> <p>22 Q. Did you ever communicate with her via text or</p> <p>23 email about which classes she wanted to teach or</p> <p>24 which classes you would recommend her for?</p> <p>25 A. I don't think so. I don't think so. I mean, you</p>

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<p>1 know, you can recommend somebody to teach a class</p> <p>2 without telling that person. I mean you can just</p> <p>3 -- I mean I could have gone to the chair and I --</p> <p>4 and say, you know, I'd like Damon to teach this</p> <p>5 figure drawing class, I think he'd be good at it.</p> <p>6 You know, and Damon might never have known about</p> <p>7 that.</p> <p>8 MR. WLODARCZYK: You haven't seen my drawing.</p> <p>9 MS. BOWEN: I was going to say Damon and I might</p> <p>10 object to him being a figure drawer.</p> <p>11 MR. WLODARCZYK: Imagine Hangman.</p> <p>12 MS. BOWEN: I think now is a good point to take a</p> <p>13 quick break.</p> <p>14 (Off the record from 1:26 p.m. until 1:36 p.m.)</p> <p>15 BY MS. BOWEN:</p> <p>16 Q. Did Jaime Misenheimer work directly under you</p> <p>17 when she was serving as a lab technician?</p> <p>18 A. Well, I -- I guess -- I guess in a manner of</p> <p>19 speaking, yes.</p> <p>20 Q. Did you require Jaime Misenheimer to repair your</p> <p>21 artwork while she was serving as a lab tech?</p> <p>22 A. No. No. This is another irritating -- it was</p> <p>23 another irritating -- well, I don't even know. I</p> <p>24 don't even know how to describe it. I had a</p> <p>25 class -- in my -- in my classes, my painting</p>	<p>1 want students to see how to do this because I</p> <p>2 think it's a useful skill and I'll volunteer my</p> <p>3 materials to be used in the class. Yeah, those</p> <p>4 were -- so were those my materials, yes. Were</p> <p>5 they -- was that my work, yes. Was my intention</p> <p>6 to get free work out of Jaime, no. I think</p> <p>7 Jaime, however, felt that she was not being paid</p> <p>8 -- not being compensated sufficiently for sharing</p> <p>9 her conservation knowledge. I mean my idea was</p> <p>10 for students to -- to observe the process on week</p> <p>11 one, and then on week two, to bring in drawings</p> <p>12 that they were going to glue together with --</p> <p>13 with these skills that they had observed. And my</p> <p>14 recollection is that after initiating a</p> <p>15 demonstration she didn't show up the following</p> <p>16 week and so students were frustrated because they</p> <p>17 showed up with things that they were eager to</p> <p>18 experiment with and they could not, so. And</p> <p>19 again, in this situation, yes, it was -- it was</p> <p>20 my material provided under a grant that I was</p> <p>21 working on and in accordance with the</p> <p>22 university's mission of research based education,</p> <p>23 I was trying to incorporate my research into the</p> <p>24 class as much as possible. And I was also</p> <p>25 volunteering parts of my materials for students</p>
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<p>1 classes I often advise students to work on paper</p> <p>2 and because -- for a student, rather than canvas</p> <p>3 or something because it's inexpensive and it's</p> <p>4 malleable. One can take a piece of paper and</p> <p>5 glue it to other papers or add paper or cut it</p> <p>6 down, etcetera. It can be manipulated so it's</p> <p>7 good for students, I think, and easy to store,</p> <p>8 etcetera. The problem is the paper is fragile,</p> <p>9 A, and B -- and it's easily damaged, and B, that</p> <p>10 it is -- it is -- when you do one and glue it</p> <p>11 together, it's difficult to do so without having</p> <p>12 it ripple and get all squirrely. And I knew that</p> <p>13 Jaime was -- had worked in conservation for</p> <p>14 someone I think we introduced her to, I think, it</p> <p>15 doesn't matter, but -- and knew something about</p> <p>16 paper conservation and I told her, you know, I</p> <p>17 would like to, A, I need some -- some adhesive</p> <p>18 that a conservator would recommend on a project</p> <p>19 I'm working on, I also would like to demonstrate</p> <p>20 to my students how to do this stuff. So I -- I</p> <p>21 said, well, okay, I'm going to bring in an old</p> <p>22 drawing of mine that I would like -- that's torn,</p> <p>23 that I would like to repair and show the students</p> <p>24 how to do this. And also, a -- some paper that I</p> <p>25 wanted to adhere to a Styrofoam support and I</p>	<p>1 to us, which I would think would be pretty decent</p> <p>2 of me if somebody else were describing the</p> <p>3 situation.</p> <p>4 Q. What was your relationship with John Henry</p> <p>5 Tecklenburg?</p> <p>6 A. A student, an undergraduate student, that I met</p> <p>7 in Italy and then he -- he was from South</p> <p>8 Carolina but he was studying in Chicago. He was</p> <p>9 a very serious student, very committed, very</p> <p>10 talent -- extremely talented young guy. And he</p> <p>11 came -- transferred from Chicago to South</p> <p>12 Carolina to -- because he thought it would be</p> <p>13 more productive to study with -- to work with me.</p> <p>14 And -- and then he decided to continue on, after</p> <p>15 he finished his undergraduate studies, to do his</p> <p>16 graduate studies here.</p> <p>17 Q. Were you aware of accusations that John Henry</p> <p>18 Tecklenburg had been reported for assaulting a</p> <p>19 model?</p> <p>20 A. I became aware of that at some point and I -- I</p> <p>21 think it's -- it's offensive and a product of a</p> <p>22 clique of individuals seeking deliberately to</p> <p>23 defame and harm other people. I believe that the</p> <p>24 individuals who made the complaints, who made</p> <p>25 these allegations, which I don't believe ever</p>

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<p>1 materialized into complaints about him, I mean on</p> <p>2 any official level, were the same individuals who</p> <p>3 are involved in all this mayhem in my life.</p> <p>4 Q. And who specifically are you referring to?</p> <p>5 A. Well, you know, I -- I -- I think it's a clique</p> <p>6 of individuals that include your clients and</p> <p>7 Lauren Chapman, Autumn Wertz, are all individuals</p> <p>8 who made untrue, unfair and defamatory</p> <p>9 allegations about me.</p> <p>10 Q. Okay. And then as far as with relation to John</p> <p>11 Henry Tecklenburg, which of those people made a</p> <p>12 complaint against him?</p> <p>13 A. Again, I don't know that there was ever any</p> <p>14 complaint made officially. That I don't know</p> <p>15 about. I know that there were some allegations</p> <p>16 and some rumors, one of -- one of the makers of</p> <p>17 which I understood to be a young woman who came</p> <p>18 and worked or participated in our program in</p> <p>19 Italy at one point. I don't remember her name,</p> <p>20 Alexandra something.</p> <p>21 Q. Okay. I think I saw her name somewhere in the</p> <p>22 documentation. As far as the accusations, what</p> <p>23 is your understanding of the accusations that</p> <p>24 were raised against John Henry?</p> <p>25 A. I -- you know, I only know things through word of</p>	<p>1 considerate. You know, when he would come around</p> <p>2 as a student, you know, occasionally he would</p> <p>3 come by the house for something or other to my</p> <p>4 studio and he would play -- always shoot a few</p> <p>5 baskets with my son. He was very kind with him.</p> <p>6 You know, it's unfortunate. I think that my</p> <p>7 knowledge of John Henry is just as a -- just</p> <p>8 kind, very decent young man. And -- and same</p> <p>9 with Peter. And I think people -- Peter</p> <p>10 Chametzky. And I think people probably said the</p> <p>11 same thing about me at one point before all of</p> <p>12 this nonsense. And I think it's really</p> <p>13 unfortunate that good people have been so damaged</p> <p>14 by irresponsible, self-seeking complaints.</p> <p>15 Q. Who told you about the accusations against John</p> <p>16 Henry?</p> <p>17 A. I don't think anybody ever told me, "Hey, you</p> <p>18 know what I heard about John Henry?" I -- I</p> <p>19 don't recall.</p> <p>20 Q. You don't know where you heard that?</p> <p>21 A. No.</p> <p>22 Q. Did you speak with John Henry about the</p> <p>23 allegations?</p> <p>24 A. It seems like I did. I believe that I did. I</p> <p>25 can't say that with certainty. I believe that I</p>
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<p>1 mouth and I'd be -- I'd be hesitant to repeat</p> <p>2 that.</p> <p>3 Q. Well, I'm going to have to ask you. What did you</p> <p>4 hear?</p> <p>5 A. What I -- what I heard was that some young woman</p> <p>6 who was modeling for him fell asleep and either</p> <p>7 accused him or drugging her or accused him of</p> <p>8 being inappropriate with her. And I can't</p> <p>9 clarify that any more. I don't know. But while</p> <p>10 she was sleeping. I will tell you that same</p> <p>11 young woman modeled for me in my class and one of</p> <p>12 the irritations with her was that she repeatedly</p> <p>13 fell asleep, which is one of the more irritating</p> <p>14 things. I mean it's a job, you know, and it's --</p> <p>15 it's -- modeling is hard work and it's a job.</p> <p>16 And the model was expected to hold a pose and not</p> <p>17 unreasonably so but to hold a pose and to not</p> <p>18 fall asleep and talk and -- you know.</p> <p>19 Q. Do you know if John Henry was inappropriate</p> <p>20 towards this female?</p> <p>21 A. I was not there. I've never -- I've never known</p> <p>22 him to do anything inappropriate, to be truly</p> <p>23 honest with you. I've -- I've known him a long</p> <p>24 time. I've always known him to be an</p> <p>25 exceptionally gentle young man, kind and</p>	<p>1 did obliquely. John Henry is a very shy fellow</p> <p>2 and he's not one to volunteer personal</p> <p>3 information easily and he easily seems to become</p> <p>4 uncomfortable discussing personal matters. So I</p> <p>5 never pushed him on that sort of thing.</p> <p>6 Q. Did you speak with any faculty members about the</p> <p>7 allegations that you heard?</p> <p>8 A. No. No.</p> <p>9 Q. Did you continue to -- was John Henry an employee</p> <p>10 of the university or was he a grad student?</p> <p>11 A. He was a grad student who was also employed by</p> <p>12 the university as a graduate assistant. In that</p> <p>13 -- within that role, he was -- he assisted with a</p> <p>14 class. It may have been with me. It may have</p> <p>15 been with Pam. I don't recall. And for -- as</p> <p>16 training and then he would have taught that class</p> <p>17 himself.</p> <p>18 Q. And would that have been -- when these</p> <p>19 allegations came up, what was his role with the</p> <p>20 university?</p> <p>21 A. I have no idea. I have no idea when the</p> <p>22 allegations came up. I mean, you know, I had the</p> <p>23 -- I guess if I had to guess, I would say that I</p> <p>24 -- I became aware of that situation well after it</p> <p>25 had gone through the rumor mill.</p>

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<p>1 Q. Okay.</p> <p>2 A. And I deliberately tried to -- generally I'm not</p> <p>3 a small talker, I don't gossip or I don't, you</p> <p>4 know.</p> <p>5 Q. Did you recommend him for hire by the university?</p> <p>6 A. Probably.</p> <p>7 Q. Do you know when that would have been?</p> <p>8 A. No.</p> <p>9 Q. Okay.</p> <p>10 A. I mean at some -- at some point where we needed a</p> <p>11 TFAC for something. And John Henry, in fact,</p> <p>12 however, in contrast to your client Misenheimer,</p> <p>13 John Henry actually trained for the class that he</p> <p>14 taught. And I never observed him do anything</p> <p>15 like leave a class unattended with hazardous</p> <p>16 materials.</p> <p>17 Q. Okay. And now I'm going to move on. Did you</p> <p>18 tell Jaime that you wanted to show her something</p> <p>19 in a closet of an unused classroom around</p> <p>20 February 2017?</p> <p>21 A. No, I didn't. I didn't tell her I wanted to show</p> <p>22 her something in a closet.</p> <p>23 Q. Do you recall ever going into a closet with Jaime</p> <p>24 Misenheimer?</p> <p>25 A. I remember going into a storage room in the</p>	<p>1 same way. We have an aperture in our eye, a</p> <p>2 pupil, and we have a lens, and we have a dark</p> <p>3 chamber, our eyeball. And the light comes in and</p> <p>4 it's projected on the back of our retina and then</p> <p>5 it's transmitted to the brain by virtue of the</p> <p>6 optic nerve. So inside we have a -- in our eye,</p> <p>7 we have a darkened chamber. Well, in this</p> <p>8 device, which has -- is a human head like a</p> <p>9 mannequin head with the top of the head cut off,</p> <p>10 there are two glass eyes with an aperture and a</p> <p>11 lens and there's a frosted glass behind each eye.</p> <p>12 So when you look in the -- when you point the</p> <p>13 head at something and look in from the top of the</p> <p>14 head, you're effectively seeing what happens</p> <p>15 inside a human eye on the retina. And so you can</p> <p>16 see two little images of the world outside. But</p> <p>17 in order to see this, you have to -- you have to</p> <p>18 have a bright light source and you have to be in</p> <p>19 a darkened space. So, typically, when I would</p> <p>20 show this to my students, and presumably Jaime</p> <p>21 would have shown it to her students, were she</p> <p>22 following the curriculum, would have been the</p> <p>23 students I would have line up in front of this</p> <p>24 storage closet or storage room inside of the</p> <p>25 figure drawing room, MM240. Students would come</p>
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<p>1 figure drawing room to show her how an anatomical</p> <p>2 model of a human head functions so that she could</p> <p>3 use it for her classroom -- classroom</p> <p>4 demonstrations. The model, anatomical model, is</p> <p>5 -- demonstrates two principles. One is a</p> <p>6 function of the human eye and the other is a</p> <p>7 device called a camera obscura. And a camera</p> <p>8 obscura is the name of a natural phenomenon from</p> <p>9 which the camera, as we know it, the old kind</p> <p>10 with film, gets its name, it's a phenomenon in</p> <p>11 which you have a dark chamber, to use kind of a</p> <p>12 cryptic term, with little or no light enters the</p> <p>13 chamber. And then if one were to drill a hole in</p> <p>14 the side of the wall so that light can come in,</p> <p>15 that light that was coming in would be light</p> <p>16 reflecting off of objects. And we see those</p> <p>17 objects by virtue of the light that is reflected</p> <p>18 and absorbed by the wavelengths. And so in this</p> <p>19 same dark room I'm describing, you would see</p> <p>20 projected on the wall across from that hole I</p> <p>21 described drilling, you would see an image of</p> <p>22 what was going outside -- on outside, like a</p> <p>23 video projection. It's a -- it's an</p> <p>24 extraordinary experience. It's upside down. So</p> <p>25 this device -- and the human eye functions in the</p>	<p>1 in one at a time and I would go in and point out</p> <p>2 what to look at. It's not easy to see it at</p> <p>3 first. And then once your eyes become</p> <p>4 acclimated, you can see the image. So it's</p> <p>5 necessary to stand near someone and point to</p> <p>6 look, like photos, of students using a device.</p> <p>7 And when -- I came by it in a curious way. I</p> <p>8 went to university salvage, it's called</p> <p>9 consolidated services where every unused</p> <p>10 materials just go and faculty are free to go</p> <p>11 there and take things that they feel could be</p> <p>12 used for their classes. I went to find some</p> <p>13 bookcases. And I happened to see this thing and</p> <p>14 I thought it was extraordinary because it was</p> <p>15 what I -- you know, the device, teaching device,</p> <p>16 that I would have always dreamed of, you know.</p> <p>17 And, I mean, there's a high level of dorkiness</p> <p>18 here. And so I brought it back to McMaster and I</p> <p>19 was just elated with this. And I walked to</p> <p>20 Jaime's office and I said, "You won't" -- or the</p> <p>21 office that Jaime was occupying at the time and I</p> <p>22 said, "You wouldn't believe what I found, look at</p> <p>23 this, that is a camera obscura and you can look</p> <p>24 in and you see. And I'm gonna take it in the</p> <p>25 closet in the next room, you want to see?" And</p>



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<p>1 she walked in. Did I force Jaime to go in the</p> <p>2 closet with me? No. Did I have any ulterior</p> <p>3 motives for having Jaime do that to make her feel</p> <p>4 uncomfortable or to -- to, you know, impose some</p> <p>5 sexual thing? No, absolutely not. You know, I</p> <p>6 mean, this was a teaching device and this is</p> <p>7 where you look at it. And it was something that,</p> <p>8 in spite of what she said, she was told should be</p> <p>9 used for her classes.</p> <p>10 Q. Okay. And I --</p> <p>11 A. You know, I want to point out also that, you</p> <p>12 know, Jaime at that point for many years had</p> <p>13 babysat for our kids. Jaime had been in our</p> <p>14 house on numerous occasions. Jaime was around</p> <p>15 during her divorce when her husband was dying.</p> <p>16 She was around, you know. The idea that I would</p> <p>17 have this -- this friend that I would suddenly</p> <p>18 become irresistibly either sexually attracted to</p> <p>19 or irresistibly want to harass in a closet at</p> <p>20 school is, you know, is beyond me.</p> <p>21 Q. Okay. And at this point I'm just going to ask</p> <p>22 you details about the circumstances of what was</p> <p>23 going on when you were in the closet. Was the</p> <p>24 door shut? And I'm sorry, I think I should say</p> <p>25 storage room.</p>	<p>1 A. No --</p> <p>2 Q. -- in the closet?</p> <p>3 A. -- I did not. That's preposterous.</p> <p>4 Q. And were you holding the plastic head in front of</p> <p>5 her face?</p> <p>6 A. Maybe. I may have. But --</p> <p>7 Q. And you said you were --</p> <p>8 A. No, I would have -- I don't know how to do this</p> <p>9 without drawing a picture or something. It's</p> <p>10 just a head and -- and, you know, I would have</p> <p>11 been holding it in some way so as not to block</p> <p>12 the eyes, which are over here, and looking into</p> <p>13 the top of the head. So I would have been</p> <p>14 standing like this and pointing like this most</p> <p>15 probably.</p> <p>16 Q. In close proximity with her?</p> <p>17 A. You have to -- I -- as I was with all the</p> <p>18 students that I taught. I mean, yes. I mean, I</p> <p>19 have I have pictures of me standing sort of</p> <p>20 shoulder to shoulder with many students --</p> <p>21 Q. Okay.</p> <p>22 A. -- demonstrating in the same way.</p> <p>23 Q. Did --</p> <p>24 A. And again, this was something that she was</p> <p>25 supposed to be using in her classes. And if</p>
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<p>1 A. No. I can -- I can -- I can describe exactly.</p> <p>2 Can I stand up?</p> <p>3 Q. Certainly. If you will, just try to verbalize</p> <p>4 anything that you do for the court reporter.</p> <p>5 A. All right. So inside the room there's a --</p> <p>6 there's a little closet that's about from the</p> <p>7 table about, I imagine it's about six feet by</p> <p>8 eight feet. And there's a small window in the</p> <p>9 closet. And -- and there's a door. There's a</p> <p>10 door to the right. And Jaime would have been</p> <p>11 looking through the thing at the window and I</p> <p>12 would have been standing on her right nearest to</p> <p>13 the door to point out what she was -- she was</p> <p>14 seeing. So, you know, if she felt uncomfortable</p> <p>15 about that, she certainly didn't bring it to my</p> <p>16 attention. I explained what my interests and</p> <p>17 motivations were. It is a model that's used for</p> <p>18 educational purposes for that purpose. And, you</p> <p>19 know, I would certainly have thought that she, if</p> <p>20 she felt uncomfortable, she should have brought</p> <p>21 it to my attention. "Hey, I feel weird, you</p> <p>22 know, being in this closet I walked into with</p> <p>23 you." You know, I didn't force her to walk in</p> <p>24 the closet.</p> <p>25 Q. Did you put your arm around her --</p>	<p>1 she's saying that she -- this is -- you know,</p> <p>2 this -- "I never use this for my classes," it</p> <p>3 seems she said at one point. You know, that's --</p> <p>4 she wasn't following the curriculum.</p> <p>5 Q. Did anyone speak to you after that about her</p> <p>6 feeling uncomfortable?</p> <p>7 A. No.</p> <p>8 Q. Did you instruct Jaime in February 2017 to send</p> <p>9 you details regarding her hours and activities</p> <p>10 she handled as a painting lab tech?</p> <p>11 A. Well, I'm not sure about the dates, but I did at</p> <p>12 one point.</p> <p>13 Q. Did you require Alex Stasko to send you details</p> <p>14 regarding her hours and activities when she</p> <p>15 served as a lab tech?</p> <p>16 A. Alex Stasko served as a lab tech working for Pam,</p> <p>17 assisting Pam. And Pam would have been</p> <p>18 responsible for making sure that she was occupied</p> <p>19 with what she was doing. I was responsible for</p> <p>20 what was the -- what Jaime was -- for keeping</p> <p>21 Jaime busy and justifying her hours. So were a</p> <p>22 colleague to have complained that, well, you</p> <p>23 know, Dave's got a student employee who is not</p> <p>24 doing anything and I need a student employee, you</p> <p>25 know, that was something that would certainly</p>



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<p>1 come up, an inter-faculty dispute, you know. So,</p> <p>2 yeah, I was quite conscious that she was working</p> <p>3 for me and she didn't appear to be doing</p> <p>4 anything. Things were not getting done. And so,</p> <p>5 yeah, I spoke to her about it. I asked Pam to</p> <p>6 speak to her about it. And I -- I -- or just</p> <p>7 about what she was doing. You know, "What are</p> <p>8 you doing?" And finally I went to the chair.</p> <p>9 But when I became aware of the model situation,</p> <p>10 that she had a nude model that was paid by the</p> <p>11 university at her house with alcohol present and</p> <p>12 other students present, I thought it was time to</p> <p>13 go to the chair. I sought advice from my friends</p> <p>14 and colleague -- my colleagues about it, you</p> <p>15 know, about what -- what to do in a situation</p> <p>16 obliquely like this. And the advice was always</p> <p>17 go to your chair, so that's what I did.</p> <p>18 Q. So who did you speak with about that?</p> <p>19 A. Peter Chametzky.</p> <p>20 Q. Who were the colleagues?</p> <p>21 A. Well, no, I don't know. I spoke to my friend</p> <p>22 John Logan who was a neighbor. And I said,</p> <p>23 "John" -- you know, he was the chair of the</p> <p>24 biology department for many years at USC Sumter -</p> <p>25 - and I said, "John, you know, I have a problem</p>	<p>1 Q. Did Peter Chametzky tell you that Jaime</p> <p>2 Misenheimer was complaining about you providing</p> <p>3 the art course to Alex Stasko in March 2017?</p> <p>4 A. I don't think so.</p> <p>5 Q. Did you ever hear that?</p> <p>6 A. I don't think so. That's certainly not the sort</p> <p>7 of thing Peter would -- Peter was -- I think</p> <p>8 there were a lot of things I didn't agree with</p> <p>9 him about but I always felt that Peter was a very</p> <p>10 ethical guy and that he was very sensitive to</p> <p>11 privacy issues about that.</p> <p>12 Q. Did USC ever investigate any claims that you were</p> <p>13 providing Alex Stasko with courses in exchange</p> <p>14 for sexual favors?</p> <p>15 A. No. No. That's preposterous.</p> <p>16 Q. Did USC ever question you about Alex Stasko's</p> <p>17 qualifications or the reason for your selection</p> <p>18 of her?</p> <p>19 A. No. There was no reason to. I mean, everybody</p> <p>20 knew Alex had been a graduate student at USC and</p> <p>21 her thesis project she made, I don't know, five</p> <p>22 or six life size and larger than life size</p> <p>23 sculptures that were quite anatomically accurate</p> <p>24 and impressive. I think -- I think it was widely</p> <p>25 known that she was very talented and had a great</p>
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<p>1 and I have a student, somebody working under my</p> <p>2 supervision." I was careful not to mention</p> <p>3 names, you know. I -- and, you know, "I -- I</p> <p>4 don't know what to do. You know, I have to</p> <p>5 justify these hours and the work is not getting</p> <p>6 done. What should I do?" And he says, "Go to</p> <p>7 your chair and say, you know, he should</p> <p>8 investigate it."</p> <p>9 Q. Do you recall telling Jaime in February 2017,</p> <p>10 that you were going to start a figure sculpture</p> <p>11 program?</p> <p>12 A. No, I don't remember that. I mean, I may have</p> <p>13 expressed that I wanted to -- I wanted to offer</p> <p>14 some figure sculpture classes. I trained in</p> <p>15 undergraduate school, as did Pam, in the</p> <p>16 figurative sculptor with a -- sculpture with a</p> <p>17 famous figurative sculptor. And I taught a class</p> <p>18 in that as a May-mester class one semester at</p> <p>19 USC. The students responded very positively, it</p> <p>20 was fun to do, and I thought there was a need for</p> <p>21 it. So I may have. I don't recall that but I</p> <p>22 may have.</p> <p>23 Q. Do you recall ever telling Jaime that she and</p> <p>24 Alex would work well together?</p> <p>25 A. Probably.</p>	<p>1 breadth of information and knowledge about the</p> <p>2 human figure and anatomy.</p> <p>3 Q. Were you present when Richard Spivey made</p> <p>4 inappropriate sexual comments to a female student</p> <p>5 while he was acting as a nude model?</p> <p>6 A. No. This is our friend Lauren Chapman. No, I</p> <p>7 was not present. My recollection is that I had</p> <p>8 students working in two rooms and in spite of</p> <p>9 what Lauren said, I believe there were other</p> <p>10 students working in the room that she was in with</p> <p>11 Richard. And Richard was the same nude model who</p> <p>12 was nude at Jaime Misenheimer's house, as I</p> <p>13 understood it, with Lauren Chapman there. I</p> <p>14 don't know why she would have felt more</p> <p>15 uncomfortable being with him in the classroom</p> <p>16 than she did at a backyard party with alcohol</p> <p>17 present. But I don't know. I never -- I never</p> <p>18 saw anything inappropriate from Richard. You</p> <p>19 know, when Peter told me what happened, I told</p> <p>20 him I thought he made, you know, a good call and</p> <p>21 that he did what was appropriate. But I wasn't</p> <p>22 there, I didn't witness it.</p> <p>23 Q. When did you first learn of the report to -- or</p> <p>24 when did you first learn of Lauren Chapman's</p> <p>25 complaint against Richard Spivey?</p>

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<p>1 A. I would assume that it would have been within a</p> <p>2 day or two where, you know, it might have been</p> <p>3 like over a weekend or something that has passed,</p> <p>4 you know, but shortly after Peter called me to</p> <p>5 his office.</p> <p>6 Q. Okay. So you didn't learn of it directly from</p> <p>7 Lauren Chapman?</p> <p>8 A. No.</p> <p>9 Q. Okay.</p> <p>10 A. No. Once again, had she had a problem like that</p> <p>11 in the model -- with the model during class that</p> <p>12 I was teaching, it would seem appropriate to</p> <p>13 bring it to my attention. You know, I will</p> <p>14 remind you that Lauren Chapman also told the</p> <p>15 police that I put my tongue in her mouth and then</p> <p>16 she decided that well I didn't really put my</p> <p>17 tongue in her mouth. You know, that -- that's --</p> <p>18 there's not a lot of middle ground there. Either</p> <p>19 you put your tongue in someone's mouth or you do</p> <p>20 not. There's not like halfway.</p> <p>21 Q. Debatable though, right?</p> <p>22 A. It's pretty clear cut.</p> <p>23 Q. Okay. So did anyone ever question you about</p> <p>24 whether you were present and what you saw during</p> <p>25 that interaction?</p>	<p>1 A. Yeah, I think it was. They were very kind. I</p> <p>2 mean, you know, just weirdly suspicious. And</p> <p>3 then I found out like the details of what</p> <p>4 allegations had been made to them and I -- you</p> <p>5 know, it was preposterous and offensive and</p> <p>6 hurtful. I did speak to -- I spoke to a police</p> <p>7 officer that I know who I explained my situation</p> <p>8 to about the false report about the tongue</p> <p>9 incident and was informed that I could charge</p> <p>10 someone like Lauren Chapman with making a false</p> <p>11 police report. And I spoke to the police about</p> <p>12 how I would go about doing that. I did not do</p> <p>13 that. But I -- I'm going to stand up again.</p> <p>14 Q. Okay.</p> <p>15 A. What I -- I wish I would have.</p> <p>16 Q. Any other conversations with the police?</p> <p>17 A. I don't think so.</p> <p>18 Q. Okay. Do you recall entering Jaime Misenheimer's</p> <p>19 classroom while she was teaching after she</p> <p>20 submitted the EOP complaint in April 2017?</p> <p>21 A. No. No. I mean, I -- I mean, I wouldn't have</p> <p>22 been Jaime -- again, I'm sorry but --</p> <p>23 Q. No in her classroom.</p> <p>24 A. Yeah.</p> <p>25 Q. I gotcha.</p>
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<p>1 A. With Richard Spivey?</p> <p>2 Q. Yes.</p> <p>3 A. Peter probably did. I mean, he's a very thorough</p> <p>4 guy. Although he had already done -- you know,</p> <p>5 done the deed, as they say. I mean, he fired</p> <p>6 him. So anything --</p> <p>7 Q. So you didn't speak with Peter until after he had</p> <p>8 fired --</p> <p>9 A. I didn't know about it until Peter talked to me</p> <p>10 and it was already a done deal. And I probably</p> <p>11 said something to the effect of, you know, I</p> <p>12 mean, if Lauren had a problem with it -- with</p> <p>13 him, I wish she would have said something to me.</p> <p>14 Q. And you've brought up a lot about what was</p> <p>15 reported to the police. Did you -- have you had</p> <p>16 any conversations with USC Police or any other</p> <p>17 police departments about any reports that were</p> <p>18 made by Misenheimer, Bowers, or Chapman?</p> <p>19 A. I met with the police direct -- the director of</p> <p>20 USC Police after the vandalism occurred at</p> <p>21 school. And I spoke to --</p> <p>22 Q. Was that at your request? I'm sorry to interrupt</p> <p>23 real quick.</p> <p>24 A. I believe so. I think it was.</p> <p>25 Q. Okay.</p>	<p>1 A. So had I -- did I -- did I enter one of the</p> <p>2 painting classrooms while she was teaching? I</p> <p>3 don't recall doing so. You know, I certainly</p> <p>4 wouldn't have had, A, any interest in getting in</p> <p>5 trouble or, B, any interest in harassing Jaime.</p> <p>6 It's not that important. You know, I'm not</p> <p>7 interested in -- I have no interest in harassing</p> <p>8 her.</p> <p>9 Q. Did you tell grad students around May 2017 that</p> <p>10 Jaime Misenheimer may not be teaching in the fall</p> <p>11 2017 semester?</p> <p>12 A. No, I don't recall that. I don't know why I</p> <p>13 would do that.</p> <p>14 Q. Did you recommend the Autumn Wertz teach a course</p> <p>15 that Jaime Misenheimer normally taught and to</p> <p>16 keep the information to herself?</p> <p>17 A. Autumn Wertz, as I recall, was -- was training</p> <p>18 with Jaime Misenheimer in addition to someone</p> <p>19 else, because Jaime Misenheimer was never really</p> <p>20 fully trained to teach that class. But Autumn</p> <p>21 Wertz was working with her and it would have been</p> <p>22 a natural course of events for Autumn Wertz to go</p> <p>23 on and teach a class of her own as part of her</p> <p>24 graduate assistantship, as it would have been for</p> <p>25 any graduate student with an assistantship. And</p>

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<p>1 I would imagine it's similar across the</p> <p>2 university. So, yeah, you know, the university's</p> <p>3 preference, the college's preference, was always,</p> <p>4 and rightfully so, to hire a graduate, have a</p> <p>5 graduate student with an assistantship teaching a</p> <p>6 class once they were trained rather than hiring a</p> <p>7 TFAC. So had Autumn finished her training and</p> <p>8 Jaime been anticipating another semester of</p> <p>9 teaching the same class, she would -- she would</p> <p>10 have found just by natural -- natural course of</p> <p>11 events that -- that Autumn would be teaching the</p> <p>12 class and she would not. You know, and again,</p> <p>13 TFAC are -- are there to fill -- I don't agree</p> <p>14 with it, I don't like it, I don't think it's a</p> <p>15 good thing, I don't think it's fair. I don't</p> <p>16 think it's fair in general across the board in</p> <p>17 higher education for adjunct faculty to be -- to</p> <p>18 have the role that they do, but it is -- but it</p> <p>19 is the role that they accept, I accepted it, and</p> <p>20 it's part of the territory.</p> <p>21 Q. Okay. And I think we've gone over this. Do you</p> <p>22 recall not this specific but issues with the</p> <p>23 scheduling, do you recall whether Misenheimer,</p> <p>24 whether a schedule was sent out with Misenheimer</p> <p>25 teaching Arts 210 and Arts 230 for fall 2017?</p>	<p>1 about her or me making -- being upset about her</p> <p>2 late notification that she wouldn't be teaching.</p> <p>3 Yeah, my recollection is that Pam notified the</p> <p>4 department late that she wasn't going to be</p> <p>5 coming back is my recollection. I could be</p> <p>6 wrong. But, and the chair, whoever it was, Peter</p> <p>7 I guess, telling me to fix it and cover the --</p> <p>8 make sure the classes are covered. And, you</p> <p>9 know, yeah, and again, you know, I mean, adjunct</p> <p>10 faculty are, for better or worse, are used to or</p> <p>11 should be used to the fact that -- that schedules</p> <p>12 change and when they change, that they may or may</p> <p>13 not have -- there may or may not be need for</p> <p>14 them. It's just the nature of the thing.</p> <p>15 Q. Okay. Were you informed that you would need to</p> <p>16 be teaching -- that you would need to teach other</p> <p>17 courses because the enrollment in your courses in</p> <p>18 2017 was down or the courses that you were</p> <p>19 scheduled to teach, I should say?</p> <p>20 A. Maybe. Maybe. I don't remember specifically.</p> <p>21 Have I ever been in that situation? Yeah,</p> <p>22 everybody is. I mean, you know, the -- the, you</p> <p>23 know, the -- and this is not -- I'm not being</p> <p>24 defensive here. I'm just saying they know this</p> <p>25 is not relative -- I mean it happened to Pam a</p>
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<p>1 A. I don't know. I don't know. I don't recall.</p> <p>2 Q. Do you know what courses you were originally</p> <p>3 scheduled to teach fall 2017?</p> <p>4 A. I have no idea. My courses were generally a</p> <p>5 graduate course, an upper level figure drawing</p> <p>6 course, and a beginning painting course.</p> <p>7 Q. Did Peter Chametzky ever tell you that your</p> <p>8 enrollment for your classes was down around 2017?</p> <p>9 A. He -- he may have told me that at one point.</p> <p>10 It's not an uncommon thing for -- for a chair or</p> <p>11 director to tell faculty if, you know, -- and,</p> <p>12 you know, there can be a variety of causes for</p> <p>13 that. You know, one is that -- is, you know, you</p> <p>14 teach the same course over and over and it</p> <p>15 becomes kind of routine and you're not as</p> <p>16 energetic. I mean, there's -- so there's --</p> <p>17 there's a good sound rationale for having people</p> <p>18 alternate through classes.</p> <p>19 Q. Do you -- were you involved in the decision to --</p> <p>20 well, let me ask it this way. Do you recall how</p> <p>21 it was determined that you would be teaching Arts</p> <p>22 210 in 2017?</p> <p>23 A. Oh, I know what you're getting at here. This is</p> <p>24 the -- this would have been the -- this relates</p> <p>25 to your other thing about Pam, me complaining</p>	<p>1 number of times. It happens to a lot of people.</p> <p>2 Students matriculate through the program, through</p> <p>3 the course offering, and through required courses</p> <p>4 and optional courses at different rates and</p> <p>5 sometimes you have a good crop and sometimes --</p> <p>6 you know, the enrollment ebbs and flows.</p> <p>7 Sometimes, you know, despite people's best</p> <p>8 intentions and best teaching, it fluctuates.</p> <p>9 Q. And has that ever happened to your courses in the</p> <p>10 past?</p> <p>11 A. Sure. It happens to everybody's courses.</p> <p>12 Q. And what is the protocol when that happens?</p> <p>13 A. It varies. You know, it varies. You know, the -</p> <p>14 - sometimes courses are combined if the</p> <p>15 curriculum is sympathetic, you know, if they're -</p> <p>16 - so with 232 and 233, for example, you know,</p> <p>17 they were often combined into the same -- the</p> <p>18 same -- same time frame, even though they were</p> <p>19 separate sequential courses. I didn't like that.</p> <p>20 I don't like it. I don't think it's a good idea.</p> <p>21 But, you know, it happens. That was one -- one</p> <p>22 thing --</p> <p>23 Q. Would you have been involved in any -- would you</p> <p>24 have been involved in any conversations about the</p> <p>25 combining of courses or what other courses you</p>

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<p>1 would teach?</p> <p>2 A. Sometimes. You know, sometimes. And sometimes</p> <p>3 it's just imposed on you and then people have a</p> <p>4 big fight and yell and scream and stomp around.</p> <p>5 I'm being theatrical here, but, you know, again</p> <p>6 it -- people don't like it. It's generally a</p> <p>7 decision that's imposed by the chair or director</p> <p>8 and faculty generally don't like things that are</p> <p>9 imposed on them, you know, so. But it does</p> <p>10 happen to everybody.</p> <p>11 Q. Were you involved in any conversations with</p> <p>12 Chametzky about how they were going to solve your</p> <p>13 enrollment being down in 2017?</p> <p>14 A. I'm sure. I'm sure. But again, this is a</p> <p>15 routine thing, you know, and me -- and -- you</p> <p>16 know, one semester probably -- it was when a</p> <p>17 woman named Jody Salter worked for us, I was -- I</p> <p>18 believe I added a section of 232 and 233 to my</p> <p>19 532 course because the enrollment was down. And</p> <p>20 why was the enrollment down? Well, sometimes the</p> <p>21 enrollment was down because the university</p> <p>22 refused to run to 232 and 233 each semester in</p> <p>23 the same semester and so students could not</p> <p>24 effectively matriculate through the class to fill</p> <p>25 the upper level class. That happens sometimes.</p>	<p>1 course and it certainly would have been something</p> <p>2 that a chair would impose on a faculty member,</p> <p>3 yeah.</p> <p>4 Q. Do you know if there were any other classes at</p> <p>5 that time that you would have been able to take</p> <p>6 over and teach that were taught by other adjunct</p> <p>7 or TFAC?</p> <p>8 A. Well, you know, again, I have to say that the --</p> <p>9 the adjunct or TFAC, same thing -- I don't like</p> <p>10 the word TFAC, sounds stupid -- but adjuncts are</p> <p>11 -- are -- are there to teach a class that full-</p> <p>12 time faculty cannot teach. And if there is any</p> <p>13 possible configuration that the college can --</p> <p>14 can impose on a faculty member to make sure they</p> <p>15 can avoid hiring a temporary faculty member, they</p> <p>16 will do that. And it makes sense. I mean, you</p> <p>17 know, they don't want to spend extra money when</p> <p>18 they get somebody on the payroll.</p> <p>19 Q. Well, certainly. And so what I'm asking is in --</p> <p>20 in fall of 2017 whether there were any other</p> <p>21 TFACs, other -- or adjuncts other than Jaime</p> <p>22 Misenheimer teaching?</p> <p>23 A. Most likely.</p> <p>24 Q. Okay.</p> <p>25 A. Most likely. There was a guy named Khaldoune</p>
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<p>1 And I think, frankly, I think it's poor planning.</p> <p>2 But it's -- you know, I'm not privy to all the</p> <p>3 decisions that are made by the dean and, you</p> <p>4 know, I see only the discipline, I don't see -- I</p> <p>5 don't understand, you know, his factors that he</p> <p>6 has to consider.</p> <p>7 Q. Do you recall whether you told Chametzky that you</p> <p>8 wanted to teach Arts 210 in fall of 2017?</p> <p>9 A. I don't -- I wouldn't say that I ever, you know --</p> <p>10 -- I --</p> <p>11 Q. I'm sorry. Let's go off the record real quick.</p> <p>12 Okay. They shouldn't be able to get directly</p> <p>13 through to us, but sometimes spam callers get our</p> <p>14 number right.</p> <p>15 A. I taught Arts 210 for 20 some years and I can't --</p> <p>16 -- it's a demanding course to teach. The student</p> <p>17 body that takes it is -- it's a Carolina Core</p> <p>18 course so you have a lot of non-majors taking the</p> <p>19 course for humanities credit. So it's not --</p> <p>20 it's not -- it's not the most -- sometimes it's</p> <p>21 not the most rewarding class to teach and there's</p> <p>22 a high level of burnout, I think, with faculty</p> <p>23 teaching the course in my experience. So I</p> <p>24 wouldn't have ever really wanted at that point to</p> <p>25 teach the class. But it is a highly enrolled</p>	<p>1 Bencheikh who was a friend of mine who both --</p> <p>2 who died recently who taught -- who taught -- who</p> <p>3 was a graduate assistant under me, he was trained</p> <p>4 to teach the class as a graduate student and he</p> <p>5 taught at nighttime section for many years. So I</p> <p>6 imagine Khaldoune was teaching it. I'm sure we</p> <p>7 had graduate students teaching it. And if we had</p> <p>8 need for others, I -- I wouldn't think that at</p> <p>9 that time, though, besides Khaldoune and Jaime,</p> <p>10 there would be any other adjuncts we would have</p> <p>11 drawn from. And again, if it was -- if there was</p> <p>12 a decision, I can tell you, if there was a</p> <p>13 decision about who I would recommend, I would</p> <p>14 have recommended someone who trained for the</p> <p>15 course, which would have been Khaldoune, you</p> <p>16 know. And he -- Jaime did not.</p> <p>17 Q. Were you involved in any discussions about how</p> <p>18 Jaime would be paid for the Arts 230 course?</p> <p>19 A. No. No. If somebody would have asked me, I</p> <p>20 would say -- I would have said, you know, pay her</p> <p>21 as much as possible. I had nothing to gain from</p> <p>22 any other perspective on the matter.</p> <p>23 Q. Do you recall threatening to sue Misenheimer for</p> <p>24 making up stories about you and JT in an email?</p> <p>25 And I'm sorry, I should say John Henry, in an</p>

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<p>1 email to Pam?</p> <p>2 A. Maybe, yeah. Maybe. I think I should sue her.</p> <p>3 Q. And how was she making up -- I think you've told</p> <p>4 me about the grading that you disagree with. Is</p> <p>5 that the only thing that you're saying she is</p> <p>6 making up?</p> <p>7 A. Well, no. The idea that I -- that -- you know, I</p> <p>8 mean the -- I -- the idea that I had some</p> <p>9 ulterior motives with this -- with this mannequin</p> <p>10 head that I'm talking.</p> <p>11 Q. Okay.</p> <p>12 A. I mean, you know, I mean that's preposterous.</p> <p>13 You know, it's preposterous. I mean, it's gross.</p> <p>14 It's just gross.</p> <p>15 Q. Did you ever assign a course to John Henry rather</p> <p>16 -- well, let me scratch that question.</p> <p>17 A. John Henry did train for Arts 210 as a graduate</p> <p>18 student in the appropriate way, and he was quite,</p> <p>19 quite, quite qualified.</p> <p>20 Q. Do you recall selecting him over a female</p> <p>21 applicant?</p> <p>22 A. I would have -- I would have -- you have to</p> <p>23 remember that any shortfalls or student</p> <p>24 complaints would have been visited on me by my</p> <p>25 chair in response to whoever was teaching a</p>	<p>1 A. Oh, geez, I don't know.</p> <p>2 Q. Okay.</p> <p>3 A. I don't recall. I mean not in any way that</p> <p>4 struck me significant.</p> <p>5 Q. Do you recall emailing Bowers with threats</p> <p>6 towards Jaime like "I'm going to get her"</p> <p>7 referring to Jaime Misenheimer?</p> <p>8 A. I don't -- I don't recall that. But based on --</p> <p>9 based on the defamatory and fictitious things</p> <p>10 that she visited on me, I would think that it</p> <p>11 would be appropriate to feel that one should</p> <p>12 certainly take legal recourse against somebody</p> <p>13 like that, yeah.</p> <p>14 Q. Do you --</p> <p>15 A. Do I remember saying that? No, I don't.</p> <p>16 Q. Do you recall accusing Misenheimer of being a</p> <p>17 criminal?</p> <p>18 A. I don't recall that.</p> <p>19 Q. Do you know -- well, do you believe Misenheimer</p> <p>20 is a criminal?</p> <p>21 A. I don't -- I don't know. I don't know. You</p> <p>22 know, is -- is the damage that she did to my</p> <p>23 reputation and my children and my family, my</p> <p>24 relationship with my children, my name, my</p> <p>25 reputation, is that -- is that criminal? I don't</p>
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<p>1 class. So the first person to hear about it and</p> <p>2 get called to the boss's office would not be the</p> <p>3 TFAC person, it would be me. So I would have</p> <p>4 always, always tried to hire the most effective</p> <p>5 individual for the job. And I cared about the</p> <p>6 discipline. I care about the discipline, I mean,</p> <p>7 you know.</p> <p>8 Q. Did you and Chametzky have any discussions about</p> <p>9 removing Misenheimer for teaching -- from</p> <p>10 teaching for incompetence?</p> <p>11 A. I don't recall that. I don't recall that. My</p> <p>12 recollection is that, you know, I have always --</p> <p>13 I always thought very highly of Jaime and I</p> <p>14 recommended her for an extraordinary number of</p> <p>15 things. And I -- my recollection is that I only</p> <p>16 said good things about her. I, you know, I</p> <p>17 recommended her to my friend Wim Roefs, who also</p> <p>18 died, for, you know, somebody whose work you</p> <p>19 should look at. He looked at her thesis or her</p> <p>20 thesis showing what some of her paintings were.</p> <p>21 I mean, you know, I recommended her for many,</p> <p>22 many things.</p> <p>23 Q. Did you see Jaime Misenheimer on campus while she</p> <p>24 was teaching the Arts courses? This would have</p> <p>25 been fall 2018?</p>	<p>1 know if -- if anybody can go to jail for that.</p> <p>2 Is it something someone should go to jail for it?</p> <p>3 When I think about the time I lost with my son</p> <p>4 and daughter, I would like someone to go to jail</p> <p>5 for it.</p> <p>6 Q. Okay. What is the Monkey Wrench Gang?</p> <p>7 A. The Monkey Wrench Gang is a book from a '60s</p> <p>8 about group of people who go around doing</p> <p>9 mischief in the name of social justice or some</p> <p>10 deluded hippie vision of social justice. And</p> <p>11 yeah, that's -- is my understanding. I never</p> <p>12 read it.</p> <p>13 Q. And I've read correspondence about the Monkey</p> <p>14 Wrench Gang that you -- when you were talking to</p> <p>15 Pam. Who are you referring to?</p> <p>16 A. I don't know specifically who I was referring to.</p> <p>17 But I'll tell you that I remember seeing a</p> <p>18 painting done by Lauren Chapman of what I</p> <p>19 understood to be a memory in which she vandalized</p> <p>20 a car with some of her friends that belonged to a</p> <p>21 guy that she considered a jerk as if that sort of</p> <p>22 thing was justified. And this is something I</p> <p>23 became aware of at the time when students were</p> <p>24 coming into the place where I worked and posting</p> <p>25 slanderous statements about me, posting my name</p>

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<p>1 all over, writing my name on balloons all around</p> <p>2 the building in a Monkey Wrench Gang sort of way.</p> <p>3 I suspected at the time and still suspect that</p> <p>4 part of that gang was involved in it. And I --</p> <p>5 we will see. I believe we will see. I believe</p> <p>6 we will know that.</p> <p>7 Q. Outside of the emails that you sent to Pam</p> <p>8 Bowers, who else did you make these statements</p> <p>9 to?</p> <p>10 A. What statements?</p> <p>11 Q. Calling Jaime Misenheimer a liar?</p> <p>12 A. No one.</p> <p>13 Q. Okay.</p> <p>14 A. I mean, who -- who would I say that to? I mean I</p> <p>15 don't -- I don't -- I don't know.</p> <p>16 Q. Well, you said it to Pam and that's why I'm</p> <p>17 asking if there were other people you were saying</p> <p>18 that to.</p> <p>19 A. Well, I was -- I said it to Pam at times when I</p> <p>20 was angry with her or we were angry at each other</p> <p>21 or she asked me to do something like -- or</p> <p>22 insisted that Jaime have a job after -- fill in</p> <p>23 for her after she both told untrue things about</p> <p>24 me and had a number of deficiencies in her</p> <p>25 teaching, yeah. And, you know, again, this is</p>	<p>1 what was your question?</p> <p>2 Q. We'll go back to my question. That led me to a</p> <p>3 follow-up, though. All of those things that you</p> <p>4 just mentioned that you did as far as the</p> <p>5 positive recommendations, when was -- when did</p> <p>6 those occur?</p> <p>7 A. Oh, for years.</p> <p>8 Q. Okay. Did you give her any positive</p> <p>9 recommendations after August of -- well, after</p> <p>10 that EOP complaint was submitted about the</p> <p>11 grading?</p> <p>12 A. I was shocked by that. And I just didn't -- I</p> <p>13 just didn't communicate with her after that. I</p> <p>14 was shocked and hurt, as one would expect.</p> <p>15 Q. Okay.</p> <p>16 A. You know, I treated her kindly and I -- I think</p> <p>17 we've heard other people say similar things about</p> <p>18 their articulations with her; that they treated</p> <p>19 her kindly and she done 'em wrong, as they say.</p> <p>20 Q. Did -- and going back on to my next question that</p> <p>21 we jumped back from. Did anyone from USC speak</p> <p>22 to you about the email communications you were</p> <p>23 sending to Bowers about Bowers or Misenheimer?</p> <p>24 A. I don't think so. I'm not sure. I completely</p> <p>25 understand though.</p>
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<p>1 coming from someone who was a fierce defender of</p> <p>2 Jaime's teaching and somebody who I feel assisted</p> <p>3 Jaime in her career a good deal.</p> <p>4 Q. Did anyone from USC speak to you about the email</p> <p>5 communications you were sending to Pam Bowers</p> <p>6 regarding both Pam Bowers or Jaime Misenheimer?</p> <p>7 A. I'm sorry. I was thinking about -- can you --</p> <p>8 Q. Yes, I can --</p> <p>9 A. Before you do, you know, I want to -- I want to</p> <p>10 say in terms of me speaking ill of Jaime or</p> <p>11 making defamatory comments about Jaime, I'll tell</p> <p>12 you I recommended Jaime as a candidate to one of</p> <p>13 the top graduate programs in the country. I</p> <p>14 recommended her for numerous, numerous tasks at</p> <p>15 the university. I recommended her to be a</p> <p>16 Student Fellow at the American Academy of</p> <p>17 Classical Studies in Athens. I recommended her</p> <p>18 as an assistant at the International School of</p> <p>19 Painting, Drawing and Sculpture for two</p> <p>20 semesters. I recommended her for many, many</p> <p>21 things. And you're asking me if I said</p> <p>22 defamatory things about her? I have volumes of</p> <p>23 evidence of positive things that I said about</p> <p>24 her. So no, I don't believe I am responsible for</p> <p>25 any derogatory comments about her. I'm sorry,</p>	<p>1 Q. Did anyone, for example, tell you that you should</p> <p>2 not be sending emails to Pam Bowers of this</p> <p>3 nature?</p> <p>4 A. I don't -- I don't know. I mean, I -- I think</p> <p>5 that -- I think that I don't remember that. But</p> <p>6 -- but if -- if -- if I had to guess, I would say</p> <p>7 that, you know, you know, Peter Chametzky is a</p> <p>8 very ethical guy and a very, very compassionate</p> <p>9 individual, I don't -- I didn't always agree with</p> <p>10 him, but I think that -- did he -- if he felt it</p> <p>11 appropriate, he would have.</p> <p>12 Q. Okay.</p> <p>13 A. But I don't know. I -- yeah, I don't recall.</p> <p>14 Q. Do you recall Laura Kissel filing an EOP</p> <p>15 complaint regarding an email you sent to Pam</p> <p>16 Bowers?</p> <p>17 A. I do not. I was made aware of that recently and</p> <p>18 I don't -- I don't recall anything at all about</p> <p>19 that. First of all, I don't know how someone can</p> <p>20 file an EOP complaint on someone else's behalf.</p> <p>21 My understanding was that that needs to be done</p> <p>22 by the individual making the -- or who the</p> <p>23 infraction was visited upon, let's say. And I</p> <p>24 know that Peter talked to someone, I don't recall</p> <p>25 who, a number of times about "Did you make your</p>



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<p>1 EOP complaint?" You know, I don't know. I was</p> <p>2 not -- I don't recall being made -- made aware of</p> <p>3 it, no.</p> <p>4 Q. We will take a quick five-minute break.</p> <p>5 (Off the record from 2:35 p.m. until 2:46 p.m.)</p> <p>6 BY MS. BOWEN:</p> <p>7 Q. Okay. David, were you involved in making the</p> <p>8 schedule for -- off the record for a second.</p> <p>9 Were you involved in making the schedule for</p> <p>10 SVAD?</p> <p>11 A. For --</p> <p>12 Q. Were you involved -- well, let me ask you this.</p> <p>13 Did you have access to the schedule in the School</p> <p>14 of Visual Arts and Design?</p> <p>15 A. I don't think so. I don't -- I mean, I'm not</p> <p>16 sure I understand what you mean.</p> <p>17 Q. Okay. Were you involved at all in making the</p> <p>18 schedule, for coming up with the schedule for</p> <p>19 courses in SVAD?</p> <p>20 A. In a general -- in a general -- like the students</p> <p>21 core curriculum of courses or?</p> <p>22 Q. No. As in, for example, in the painting area, I</p> <p>23 understand you were the coordinator of the</p> <p>24 painting area. Did you have any involvement in</p> <p>25 the scheduling of classes?</p>	<p>1 Q. Did you tell Laura Kissel that Jaime Misenheimer</p> <p>2 was incompetent?</p> <p>3 A. No. No. No, not -- no, I did not.</p> <p>4 Q. Did you recommend Jaime Misenheimer to teach any</p> <p>5 courses in the painting department following her</p> <p>6 complaint, her EOP -- following the EOP complaint</p> <p>7 about grading?</p> <p>8 A. I don't -- I don't recall doing so. You know,</p> <p>9 what -- I don't recall not either. I mean, I --</p> <p>10 I don't recall. I -- you know, I mean, again,</p> <p>11 you know, I have -- beyond -- I like to think</p> <p>12 that I would not use a personal frustration to</p> <p>13 justify a pragmatic decision like that. I would</p> <p>14 be more inclined to say, you know, Jaime left</p> <p>15 your class unattended while they were working</p> <p>16 with melted wax that is flammable. You know,</p> <p>17 that's something quantifiable that just can't</p> <p>18 happen. You know, people can become -- be</p> <p>19 seriously burned, you know. It's a fire concern.</p> <p>20 You now, there are real dangers. There are some</p> <p>21 materials that we work with that need to be</p> <p>22 carefully -- its use needs to be carefully</p> <p>23 monitored. You can't just leave your class up to</p> <p>24 somebody else. You can't start your class</p> <p>25 routinely an hour late because you decide to do</p>
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<p>1 A. Oh, yeah. Yeah, sure. Yes. I'm sorry.</p> <p>2 Q. And these are follow-up questions, so they may</p> <p>3 seem sporadic. Did Autumn Wertz ever teach</p> <p>4 painting?</p> <p>5 A. I don't recall that.</p> <p>6 Q. Do you recall that she was told that she would be</p> <p>7 teaching and then was replaced by John Henry</p> <p>8 Tecklenburg?</p> <p>9 A. I don't -- I don't recall that.</p> <p>10 Q. Did you rev your truck engine at Jaime</p> <p>11 Misenheimer at any point during your employment?</p> <p>12 A. I like to think that I have better things to do</p> <p>13 and better things on my mind, so I don't believe</p> <p>14 I did. I drive a truck that's -- is distinctive</p> <p>15 and it's more than 20 years old, so it's a</p> <p>16 massive manual transmission and I think if I</p> <p>17 don't rev my truck when I back up or put it in</p> <p>18 gear and go forward, it stalls out. So did I --</p> <p>19 would -- did I purposely rev my engine at Jaime?</p> <p>20 I can't see myself doing that.</p> <p>21 Q. Okay. Do you recall referring to Jaime</p> <p>22 Misenheimer as a bitter, mindless, ungrateful</p> <p>23 liar to Pam Bowers?</p> <p>24 A. I don't -- I don't recall that but -- but it may</p> <p>25 be something I said to Pam.</p>	<p>1 that. You know, you can't not follow the</p> <p>2 curriculum. There were plenty of reasons to not</p> <p>3 think Jaime would be an appropriate</p> <p>4 recommendation from my perspective.</p> <p>5 Q. When did those things occur?</p> <p>6 A. What? Each of those things specifically? I</p> <p>7 can't -- I can't tell you. I mean, what did I</p> <p>8 just talk about? Jeez, I don't -- I don't know.</p> <p>9 I can't recall. I mean I -- you know, Peter</p> <p>10 mentioned the timeline when her evaluations were</p> <p>11 abysmal, you know, those would have come to</p> <p>12 Peter, not to me. But I -- I would not be</p> <p>13 surprised if the time that the students were</p> <p>14 frequently found sitting outside of the classroom</p> <p>15 an hour into the scheduled class time, that I</p> <p>16 wouldn't be surprised if that was the same</p> <p>17 semester. So that would probably be easy to</p> <p>18 track down.</p> <p>19 Q. Did you ever tell Chametzky that you did not want</p> <p>20 to -- that you would not recommend Misenheimer</p> <p>21 for a course for those reasons?</p> <p>22 A. I don't recall that. I don't think, you know,</p> <p>23 the director of the School of Visual Art and</p> <p>24 Design would be dealing with, just in the studio</p> <p>25 area, would be dealing, I don't know, eight or</p>

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<p>1 nine faculty members like myself who all had a</p> <p>2 number of TFAC working for them, and I don't</p> <p>3 think that -- I think he probably had better</p> <p>4 things to do than to worry too much about it.</p> <p>5 Q. Have you told anyone that Misenheimer is</p> <p>6 conspiring with other individuals who complained</p> <p>7 about you?</p> <p>8 A. I don't know who I would tell that to. I mean,</p> <p>9 it's not like -- you know, I've been essentially</p> <p>10 in isolation for some time now. I don't really</p> <p>11 see much of other people. So no, I don't think</p> <p>12 so.</p> <p>13 Q. Have you told anyone that Misenheimer is engaging</p> <p>14 in a witch hunt?</p> <p>15 A. I don't think so. I don't think I would say that</p> <p>16 -- would have said that specifically about her,</p> <p>17 no.</p> <p>18 Q. Have you told anyone that Misenheimer has</p> <p>19 ulterior motives for her complaints?</p> <p>20 A. If you're asking my opinion does she have</p> <p>21 ulterior motives for her complaints, I would -- I</p> <p>22 would say yeah, I guess that's my opinion. Have</p> <p>23 I ever said that to anybody? Not that I can</p> <p>24 think of. What -- who -- I'm at a loss to</p> <p>25 imagine who I would say that to or who would</p>	<p>1 A. Well, I can explain that. As I understood it,</p> <p>2 Pam and some of her -- some of her associates,</p> <p>3 among them Lauren Chapman as always, formed a</p> <p>4 group called the "clitiroti," or something to</p> <p>5 that effect. And the -- I mean, you can't make</p> <p>6 this stuff up. And the -- and I -- what I --</p> <p>7 what I suggested was a bastardization of that to</p> <p>8 deliberately harass her, a childish and</p> <p>9 adolescent, you know -- I mean, it is kind of</p> <p>10 embarrassing to have -- more than kind of</p> <p>11 embarrassing to have all the most childish and</p> <p>12 adolescent things you've ever expressed made</p> <p>13 public.</p> <p>14 Q. So outside of your emails to Pam Bowers, did you</p> <p>15 ever make those statements to anyone else?</p> <p>16 A. No. God, no. No, I would never admit to saying</p> <p>17 Gene Trzcinski is a boger eater in the third</p> <p>18 grade either, but I -- you know, I mean, it's --</p> <p>19 it's -- no. I mean, they're absurd. Absurd.</p> <p>20 It's just absurd.</p> <p>21 Q. Okay. And then I'm going to go through the list</p> <p>22 and just tell me if any of these are ones that</p> <p>23 you did not say. Did you refer to either of them</p> <p>24 as bitches, damaged women, sleazy lying friends?</p> <p>25 Are all of those applicable?</p>
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<p>1 care.</p> <p>2 Q. And I'm pulling names that you have -- that I've</p> <p>3 seen about Bowers and Misenheimer. I want to</p> <p>4 know about your conversations with other people.</p> <p>5 Have you referred to Bowers or Misenheimer as</p> <p>6 lesbians to anyone?</p> <p>7 A. I don't -- I don't -- I don't think so. I mean,</p> <p>8 did I say something like that to Pam ever?</p> <p>9 Maybe. I mean, I -- maybe. I -- you say a lot</p> <p>10 of things to someone you've known for a long time</p> <p>11 and you're angry and it was a time of heightened</p> <p>12 emotion. I don't think that's an unusual thing</p> <p>13 for people going through a divorce.</p> <p>14 Q. Do you believe Pam Bowers or Jaime Misenheimer</p> <p>15 are lesbians?</p> <p>16 A. I would not venture an opinion on that in any</p> <p>17 way. I could care less.</p> <p>18 Q. You don't know one way or another?</p> <p>19 A. I don't know. I don't know and I don't care to</p> <p>20 know.</p> <p>21 Q. Do you recall using the word "cuntasaurus" in</p> <p>22 emails to Pam Bowers?</p> <p>23 A. Yes, I did. Yes.</p> <p>24 Q. I grew up with two older brothers and that's a</p> <p>25 new one I like.</p>	<p>1 A. Have I ever uttered those words? I would say</p> <p>2 with some certainty I probably have.</p> <p>3 Q. Okay.</p> <p>4 A. Who were the recipients of those? I don't know.</p> <p>5 You know, I imagine sometimes it's just general</p> <p>6 raving.</p> <p>7 Q. Okay. And have you ever made those comments</p> <p>8 about Pam Bowers or Jaime Misenheimer in front of</p> <p>9 anybody else?</p> <p>10 A. No. No, I mean, you know, come on, these are --</p> <p>11 these are things that are, as I just said,</p> <p>12 adolescent and humiliating. It's humiliating to</p> <p>13 have a public record of saying such things, just</p> <p>14 as the Gene Trzcinski comment that's embarrassing</p> <p>15 a child issue.</p> <p>16 Q. Okay. And next I want to find out who spoke to</p> <p>17 you about the complaints or your interactions</p> <p>18 with Pam or Jaime from USC.</p> <p>19 A. You're going to have to give me that one again.</p> <p>20 I'm sorry.</p> <p>21 Q. Yes. So we've gone through a list of complaints</p> <p>22 that Pam Bowers and Jaime Misenheimer have made</p> <p>23 against you to USC employees and others, right?</p> <p>24 A. Okay.</p> <p>25 Q. Who has spoken to you about any of those</p>

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<p>1 complaints that we've covered today from USC?</p> <p>2 A. You mean like a list of people?</p> <p>3 Q. And I can go through the ones that I would</p> <p>4 expect. I just want to make sure that, you know,</p> <p>5 if you had a conversation with --</p> <p>6 A. Well, I would -- I would -- who have I spoken to</p> <p>7 at USC who would -- I -- who would -- I would</p> <p>8 have made -- talked to you about --</p> <p>9 Q. Well, let me break it down because I don't want</p> <p>10 to spend --</p> <p>11 A. I'm sorry.</p> <p>12 Q. -- all day on it. So as far as Chametzky --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- I think we've gone over -- have you -- did you</p> <p>15 have any conversations with Chametzky about Pam</p> <p>16 Bowers or Jaime Misenheimer that we haven't</p> <p>17 talked about today?</p> <p>18 A. I don't believe so. I mean, other than to -- I</p> <p>19 always say that -- and both (incomprehensible),</p> <p>20 you know -- that Pam certainly was very qualified</p> <p>21 to be teaching what she was teaching and the</p> <p>22 university was fortunate to have her teaching it.</p> <p>23 Q. Did you ever speak to a Lieutenant Jessica</p> <p>24 Velders?</p> <p>25 A. Yes.</p>	<p>1 Wells.</p> <p>2 A. I did speak to Carl Wells about several things on</p> <p>3 several occasions but always relative to a, you</p> <p>4 know, an EOP complaint.</p> <p>5 Q. Did you have any conversations with Jamar</p> <p>6 Mitchell?</p> <p>7 A. No. I've heard of him.</p> <p>8 Q. And Andrew Graciano?</p> <p>9 A. I have had many conversations with Andrew</p> <p>10 Graciano but about -- I mean, you'd have to be</p> <p>11 pretty specific.</p> <p>12 Q. About Pam Bowers or Jaime Misenheimer?</p> <p>13 A. No. No. No. No, I mean, you talked to Andrew</p> <p>14 and he's the -- he's the mildest like fairest guy</p> <p>15 he could be. He would never --</p> <p>16 Q. I didn't have the pleasure of deposing him but I</p> <p>17 imagine --</p> <p>18 A. Oh, he's a very nice guy. He's not a rumor</p> <p>19 spreader, gossip kind of guy.</p> <p>20 Q. Jan Breuer, did you have any conversation with</p> <p>21 her?</p> <p>22 A. I don't think I know who that is. That name</p> <p>23 sounds familiar but I don't -- I don't -- I can't</p> <p>24 --</p> <p>25 Q. And then the dean of Arts and Sciences at any</p>
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<p>1 Q. What did you speak to her about?</p> <p>2 A. A lot of stuff. She was the -- she was the</p> <p>3 officer who I was referred to when the vandalism</p> <p>4 took place at USC. She was also the officer who</p> <p>5 at one point when I went to campus -- anytime I</p> <p>6 would go to campus, Laura -- Laura asked me to</p> <p>7 let her know and she felt that it would be a good</p> <p>8 idea for a police -- a police person, I guess, to</p> <p>9 accompany me, because there were concerns about</p> <p>10 my safety. Jessica Velders accompanied me, as I</p> <p>11 recall, on two occasions. She seemed like a nice</p> <p>12 person, reasonable -- a very reasonable officer.</p> <p>13 Q. Did she ever question you about any complaints</p> <p>14 that Pam made to her?</p> <p>15 A. No. No. She was very on task about things.</p> <p>16 Q. Did Susan Bon ever have any conversations with</p> <p>17 you --</p> <p>18 A. Never.</p> <p>19 Q. -- about Pam or Jaime?</p> <p>20 A. No, never. I never -- I never -- I had heard the</p> <p>21 name before but I'd never -- I had no face to</p> <p>22 match with that name before the other day.</p> <p>23 Q. Clifford Scott?</p> <p>24 A. Same.</p> <p>25 Q. And you told me about that you spoke with Carl</p>	<p>1 time, and I know that you've gone through</p> <p>2 several, tell me about your conversations with</p> <p>3 the deans about Pam Bowers or Jaime Misenheimer</p> <p>4 and their allegations.</p> <p>5 A. Nonexistent, I think. I mean, I don't -- I can't</p> <p>6 -- nonexistent.</p> <p>7 Q. Okay. So they never addressed any concerns or</p> <p>8 complaints with you about Pam Bowers or Jaime</p> <p>9 Misenheimer?</p> <p>10 A. No. There were some interim -- I don't recall.</p> <p>11 I don't recall that. I think my -- but, again,</p> <p>12 as you -- as you rightly pointed out, we've been</p> <p>13 through a number of deans and we had a number of</p> <p>14 interim deans, Lacy Ford, etcetera, who -- I</p> <p>15 don't know where they came from or where they</p> <p>16 went. But they're not anybody I had anything to</p> <p>17 do with. And Joel Samuels I've only spoken to a</p> <p>18 couple of times, specifically about other issues.</p> <p>19 I don't -- I would not have spoken to him about</p> <p>20 either of these guys.</p> <p>21 Q. Okay.</p> <p>22 A. I mean, you know, this is -- I have to say that,</p> <p>23 you know, from my perspective, you know, it's --</p> <p>24 it's -- it's personally embarrassing. You know,</p> <p>25 it's -- it's -- you know, I mean, it's someone</p>

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<p>1 that I had a long-term relationship with and I --</p> <p>2 and someone that I trusted and thought highly of</p> <p>3 at one point and which, you know, I would -- I</p> <p>4 would prefer not to talk about either of them</p> <p>5 with anyone.</p> <p>6 Q. Okay. As far as your -- well, one last one.</p> <p>7 Have you spoken to Brad Collins about any of the</p> <p>8 allegations made by Pam Bowers or Jaime</p> <p>9 Misenheimer?</p> <p>10 A. No. I don't -- I mean, Brad, Brad is a very good</p> <p>11 hearted guy who's been kind of a mentor of sorts.</p> <p>12 And he's someone that I have a pleasant banter</p> <p>13 with but he's not somebody who likes to get</p> <p>14 involved in things. You know, has the subject</p> <p>15 ever, ever come up with -- with Brad? I would --</p> <p>16 I would imagine it would have. But is it</p> <p>17 something that I would -- I would -- it's not</p> <p>18 something that I would seek to, what do you call</p> <p>19 it, make responsible -- to make response --</p> <p>20 liable -- a liability that I wouldn't want to</p> <p>21 impose on a friend really.</p> <p>22 Q. Did you ever --</p> <p>23 A. So did it ever come up? Yeah. Perhaps. In what</p> <p>24 context or to what extent? Probably as little as</p> <p>25 possible.</p>	<p>1 A. That I wasn't teaching on campus?</p> <p>2 Q. Yes.</p> <p>3 A. I think Laura told me that she felt it was in</p> <p>4 everybody's best interest if I did not come to</p> <p>5 campus -- not teach in a particular semester.</p> <p>6 And I can't remember, it seems like at one point</p> <p>7 I taught online, I can't remember if that was</p> <p>8 during COVID or afterwards. I had some duties,</p> <p>9 you know, that I was assigned; you know, kind of</p> <p>10 pencil sharpening duties, I reviewed all the</p> <p>11 syllabi, that was fun, stuff like that, busy</p> <p>12 work.</p> <p>13 Q. Okay. And that would have been -- I don't have</p> <p>14 my dates in front of me, and I don't think</p> <p>15 they're -- I think it was post complaint.</p> <p>16 A. I won't remember probably the dates real</p> <p>17 specific. A, I'm not particularly good with</p> <p>18 numbers and, B, it's been -- it's been a very</p> <p>19 difficult last few years, very painful. And I am</p> <p>20 a little disoriented with specifics of years.</p> <p>21 It's been something of a blur, as they say.</p> <p>22 Q. I understand. As you can see, I'm not the best</p> <p>23 with the dates either. Okay. So Laura tells you</p> <p>24 that it's in everyone's best interest for you not</p> <p>25 to teach. Did she give you a reason?</p>
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<p>1 Q. Did you ever tell Brad Collins that Jaime</p> <p>2 Misenheimer was lying?</p> <p>3 A. I don't -- I don't know. I don't think so.</p> <p>4 Q. Did you ever tell Brad Collins that Pam Bowers</p> <p>5 was lying?</p> <p>6 A. I don't think that -- I would think that Brad is</p> <p>7 someone that I've known a long time and knows me</p> <p>8 very well and I think that he considers me an</p> <p>9 honorable person. And I think that he would have</p> <p>10 whatever -- whatever conclusions he has come to</p> <p>11 about -- about Jaime or Pam or anyone are</p> <p>12 conclusions Brad would come to. He doesn't need</p> <p>13 my help with that.</p> <p>14 Q. Okay. And so I understand that you were out on</p> <p>15 sabbatical and you came back to teach. Can you</p> <p>16 tell me -- you return, I think, in -- well, I</p> <p>17 think you returned after summer 2016 from Italy,</p> <p>18 right? From --</p> <p>19 A. Yeah.</p> <p>20 Q. -- fall 2016, at what point were you no longer</p> <p>21 teaching at USC?</p> <p>22 A. I can't tell you. I mean, it would be like,</p> <p>23 jeez, I don't know, three semesters ago. I don't</p> <p>24 know. I don't recall.</p> <p>25 Q. Okay. And how did that come about?</p>	<p>1 A. No. I just -- well, it was, you know, self</p> <p>2 explanatory. You know, the students were --</p> <p>3 students who I never met were walking around with</p> <p>4 picket signs with my name on it. You know, I</p> <p>5 would joke that I was gonna go down and join them</p> <p>6 with a sign that said "Fire Voros" because none</p> <p>7 of them know what I look like anyway. You know,</p> <p>8 I mean, they're just picketing an idea, just an</p> <p>9 abstract concept.</p> <p>10 Q. Okay. And so this occurred during the protests?</p> <p>11 A. Yes.</p> <p>12 Q. And so you -- were you removed from campus during</p> <p>13 the protests?</p> <p>14 A. I believe that was the -- I think so.</p> <p>15 Q. Okay. And they -- you went to collect your</p> <p>16 things from campus; is that correct?</p> <p>17 A. Yeah, several times.</p> <p>18 Q. Okay. And was a police officer given to you to</p> <p>19 escort --</p> <p>20 A. Jessica. In the beginning --</p> <p>21 Q. Okay.</p> <p>22 A. -- Jessica. And then after a while Laura didn't</p> <p>23 feel like it was necessary anymore, I would</p> <p>24 notify her that I was, you know, needing</p> <p>25 something from campus or -- but my appearance --</p>

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<p>1 but the times when I needed something from campus</p> <p>2 were very infrequent. I mean, I had no reason to</p> <p>3 be going there.</p> <p>4 Q. Okay. And other than the times you were visiting</p> <p>5 to collect things, did you go to campus for any</p> <p>6 other reasons?</p> <p>7 A. No. No. I went, yeah, I mean, to get things,</p> <p>8 like, you know, I told you I reviewed the</p> <p>9 syllabi. And, you know, it's my recollection I</p> <p>10 can -- I can't say this with absolute certainty,</p> <p>11 but my recollection was that, you know, sometimes</p> <p>12 I would drop things off to be printed or, you</p> <p>13 know, drop off a pile of printed materials.</p> <p>14 Q. Outside of Laura, did you have any conversations</p> <p>15 with anybody else about your continued teaching?</p> <p>16 A. Joel Samuels, the dean, I spoke to and the</p> <p>17 interim provost I spoke to.</p> <p>18 Q. Tell me about those conversations.</p> <p>19 A. There is not much to tell. You know, "This</p> <p>20 sucks." "Yeah, this sucks." "What are we going</p> <p>21 to do?" I don't know, what are we going to do?"</p> <p>22 "I don't know." You know, I mean, it was, you</p> <p>23 know, not a situation that anybody is really</p> <p>24 particularly equipped to deal with, you know.</p> <p>25 You know, I felt that the -- I felt that -- that</p>	<p>1 laser beams would come out of my eyes and I could</p> <p>2 somehow damage people who saw me or something. I</p> <p>3 don't know, you know. I don't recall. I just</p> <p>4 know that I -- I taught online some and then that</p> <p>5 seemed untenable.</p> <p>6 Q. And so since then you have not taught at all?</p> <p>7 A. I have not taught recently.</p> <p>8 Q. How long -- do you know how long it's been since</p> <p>9 you've taught?</p> <p>10 A. No. I have done, I believe they call it, a kind</p> <p>11 of administrative leave. I do tasks.</p> <p>12 Q. Okay. And that was my next question is what are</p> <p>13 you doing now for the university?</p> <p>14 A. Tasks. Like I reviewed all the syllabi. I</p> <p>15 developed an online course curriculum for a</p> <p>16 course. Tasks. I think they've been quite</p> <p>17 reasonable about the tasks that I've had to do,</p> <p>18 but I mean they're not -- it's not why I got into</p> <p>19 this.</p> <p>20 Q. Okay. Has there been any discussion about when</p> <p>21 you can expect to return to the university?</p> <p>22 A. No, not particularly.</p> <p>23 Q. Has anyone told you that if these lawsuits are</p> <p>24 cleared up you'll be able to return?</p> <p>25 A. No one has told me that.</p>
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<p>1 these students ought to be instructed and taken</p> <p>2 to task for the fact that they were doing sloppy</p> <p>3 research. I mean, I just feel like there's a</p> <p>4 completely academic justification for telling</p> <p>5 these students to, you know, it's fine if you</p> <p>6 want to protest somebody's doing something that's</p> <p>7 not right, Harvey Weinstein or Donald Trump or</p> <p>8 whatever, whoever you want to protest, if they're</p> <p>9 doing something wrong and it's justifiable, it's</p> <p>10 proven, it's demonstrated. But these students</p> <p>11 were responding to allegations that were not</p> <p>12 true. They were demonstrated to be not true and</p> <p>13 they were recanted by the person who made them.</p> <p>14 You know, it's -- it's outrageous. And profound</p> <p>15 damage not just to me, but, you know, as I say,</p> <p>16 to my children, to my friends, to my family has</p> <p>17 been done.</p> <p>18 Q. Okay. And so the protests happen. Are you -- do</p> <p>19 you immediately start teaching online or do you</p> <p>20 not teach for the semester that the protests</p> <p>21 occurred?</p> <p>22 A. I don't remember. I'd have to think for a while</p> <p>23 on that. It seems like I taught online for a</p> <p>24 semester and somebody -- and then students were</p> <p>25 complaining about me teaching online. You know,</p>	<p>1 Q. Were you told that you were removed because of</p> <p>2 the protests?</p> <p>3 A. I was -- I was told that it was best for me not</p> <p>4 to be on campus because of student activities</p> <p>5 around my name and identity. Again, these are</p> <p>6 from students by and large who I not know, I've</p> <p>7 never had classes with, never sat in a room with</p> <p>8 me, I've never spoken to.</p> <p>9 Q. Were you told that this was for your protection?</p> <p>10 A. Yeah, I was at one time or another. I mean, was</p> <p>11 I told that by every person I spoke to? Probably</p> <p>12 not. But by and large it was made clear -- it</p> <p>13 was -- it was made to be my understanding that I</p> <p>14 was being looked after for my own protection.</p> <p>15 Q. When did you learn that Jaime Misenheimer was</p> <p>16 Native American?</p> <p>17 A. I don't know. I don't know. I didn't know she</p> <p>18 was a Native American. And then it seemed to</p> <p>19 become an issue that was in the air. I don't --</p> <p>20 I don't know. I don't know. I mean, I -- I</p> <p>21 don't know that.</p> <p>22 Q. Okay. You don't have any recollection of her</p> <p>23 involvement in any Native American works or</p> <p>24 exhibits during her employment?</p> <p>25 A. No, I don't. I mean, I know that when she -- now</p>

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<p>1 that you say that, I remember that she -- I</p> <p>2 remember that she, when she went to graduate</p> <p>3 school, there was someone who was teaching there</p> <p>4 that had a Native American ancestry or was</p> <p>5 interested in researching Native American</p> <p>6 something and Jaime had a connection to her. I</p> <p>7 don't think that lasted very long. But I, you</p> <p>8 know, I seem to remember something around that --</p> <p>9 that time. But I don't -- you know, when she was</p> <p>10 a student in painting classes, did I -- did I see</p> <p>11 her making works that identified her as a Native</p> <p>12 American? No, not that I can recall.</p> <p>13 Q. Have you other -- have you told others that</p> <p>14 plaintiff is -- that, I'm sorry, Jaime</p> <p>15 Misenheimer is not Native American?</p> <p>16 A. No.</p> <p>17 Q. Have you told anyone that Jaime --</p> <p>18 A. I wouldn't -- I wouldn't know that. I mean I</p> <p>19 would not know that.</p> <p>20 Q. Have you told anyone that she has used the status</p> <p>21 of her being Native American to gain employment?</p> <p>22 A. No.</p> <p>23 Q. Or benefits?</p> <p>24 A. No. I would not have said that. I mean, first</p> <p>25 of all, who would I say that to? And second of</p>	<p>1 A. Say that one more time, slowly, if you would,</p> <p>2 please.</p> <p>3 Q. Yeah. Were you involved in any conversations</p> <p>4 regarding whether you would be terminated or</p> <p>5 whether the university was considering taking</p> <p>6 action against your tenure?</p> <p>7 A. I've never had any discussions about being</p> <p>8 terminated.</p> <p>9 Q. Any discussions about taking any action towards</p> <p>10 your tenure?</p> <p>11 A. I don't know what the university would take</p> <p>12 action against my tenure about. There were some</p> <p>13 allegations against me made by Allison Dunavant</p> <p>14 that were proven to be false, admitted by her to</p> <p>15 be false. There were a number of EOP complaints</p> <p>16 from your clients that were, as I recall, all</p> <p>17 rejected after review. I don't think that that -</p> <p>18 - I don't know what they would seek to revoke my</p> <p>19 tenure over. They have to have a cause.</p> <p>20 Q. Do you know why Misenheimer no longer teaches</p> <p>21 that USC?</p> <p>22 A. I have no idea. I could care less.</p> <p>23 Q. Do you know why Pam Bowers no longer teaches?</p> <p>24 A. I don't have any idea.</p> <p>25 Q. Do you recall asking George Hetherington to teach</p>
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<p>1 all, I don't care.</p> <p>2 Q. Have you ever had any discussions with the Laura</p> <p>3 Kissel about whether Misenheimer was Native</p> <p>4 American?</p> <p>5 A. I think that would be covered under the last</p> <p>6 response.</p> <p>7 Q. Okay. I just wanted to make sure.</p> <p>8 A. Yeah. No, I would not have.</p> <p>9 Q. How would I find out what classes you have been</p> <p>10 teaching since -- as far as your dates there?</p> <p>11 You know, you haven't been able to provide me</p> <p>12 dates. Is that listed somewhere?</p> <p>13 A. Yeah, you could -- you could -- the registrar's</p> <p>14 office.</p> <p>15 Q. Okay. Is that posted online?</p> <p>16 A. Probably the college. You could probably go to</p> <p>17 the College of Arts and Sciences and ask -- I</p> <p>18 can't remember what her name was. Latasha?</p> <p>19 Maybe it's Latasha.</p> <p>20 Q. Do you know if that would be posted online?</p> <p>21 A. Probably. Probably.</p> <p>22 Q. Have you been a part of any discussions regarding</p> <p>23 potential termination or action taken against</p> <p>24 your tenure as a result of the allegations or the</p> <p>25 protest?</p>	<p>1 a class that was normally taught by Jaime</p> <p>2 Misenheimer?</p> <p>3 A. You know, again, I -- there are no classes that</p> <p>4 are normally taught by Jaime Misenheimer. Jaime</p> <p>5 Misenheimer was a number of individuals who</p> <p>6 taught classes. I will say that George</p> <p>7 Hetherington taught many classes -- I'm sorry.</p> <p>8 As a graduate student was trained in many</p> <p>9 classes, voluntarily attended a number of my</p> <p>10 classes just to -- just to learn the curriculum,</p> <p>11 without the intention of teaching, and then was</p> <p>12 reluctant about teaching at one point in the</p> <p>13 beginning, and then proved to be an outstanding</p> <p>14 teacher I think. I think the world of George. I</p> <p>15 think he's a -- from what I know. You know, he</p> <p>16 could have turned evil, but I don't think so.</p> <p>17 Q. Okay. Let's take a break. I think I can</p> <p>18 probably dwindle down my exhibits and we'll hop</p> <p>19 back in about five minutes.</p> <p>20 (Off the record from 3:21 p.m. until 3:30 p.m.)</p> <p>21 BY MS. BOWEN:</p> <p>22 Q. I want to hand you what we're marking as Exhibit</p> <p>23 2.</p> <p>24 (Plaintiff's Exhibit Number 2 was marked for</p> <p>25 identification purposes.)</p>



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<p>1 Q. Have you ever seen this document before?</p> <p>2 A. I don't know. Maybe. I guess this is the</p> <p>3 Misenheimer complaint about Dunavant being given</p> <p>4 a bad grade.</p> <p>5 Q. Okay.</p> <p>6 MR. WLODARCZYK: And just to clarify, we may need to</p> <p>7 ask if he's seen it before this litigation.</p> <p>8 Because I know --</p> <p>9 Q. Certainly. Have you seen this document before</p> <p>10 this litigation?</p> <p>11 A. I can't -- I can't say absolutely. But I believe</p> <p>12 I have.</p> <p>13 Q. Okay.</p> <p>14 A. Haven't I? I think this would have come to me</p> <p>15 from either --</p> <p>16 Q. Okay.</p> <p>17 A. Probably.</p> <p>18 Q. And next I'm gonna hand you what we're marking as</p> <p>19 Exhibit 3.</p> <p>20 (Plaintiff's Exhibit Number 3 was marked for</p> <p>21 identification purposes.)</p> <p>22 Q. And you are not copied on this email so you may</p> <p>23 not have seen it prior to this litigation. This</p> <p>24 appears to be an email from Carl Wells to Peter</p> <p>25 Chametzky.</p>	<p>1 A. I don't -- I can't say with certainty. I</p> <p>2 suspect. But I think, looking at it again, I</p> <p>3 think a bunch of crap is a fair assessment. I</p> <p>4 think this -- you could match this intake form to</p> <p>5 the email that I sent to Peter about Jaime's</p> <p>6 hours and it occurred eight months after the</p> <p>7 alleged incident, which again, and which someone</p> <p>8 who was not registered for her class was supposed</p> <p>9 to have gotten a bad grade, etcetera, etcetera.</p> <p>10 Q. Okay. And let's go off the record very quickly.</p> <p>11 I just realized that I do not have Jaime on the</p> <p>12 line.</p> <p>13 (Off the record)</p> <p>14 BY MS. BOWEN:</p> <p>15 A. And we'll go back on the record. Before I get</p> <p>16 too far on these documents, I do have a few</p> <p>17 follow-up questions. Do you recall recommending</p> <p>18 Jaime Misenheimer for that the McNair Minority</p> <p>19 Fellowship or Scholarship?</p> <p>20 Q. I don't remember. I don't remember.</p> <p>21 A. Do you recall her project for the Magellan</p> <p>22 Project was on Native American mythology?</p> <p>23 Q. I don't recall that, no.</p> <p>24 A. Did you -- were you present for Alex Stasko's</p> <p>25 deposition when I deposed her?</p>
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<p>1 A. Uh-huh.</p> <p>2 Q. And it references a phone call that Peter is</p> <p>3 saying he had with you.</p> <p>4 A. Yeah.</p> <p>5 Q. Do you recall calling Peter in response to a</p> <p>6 letter saying that it's a bunch of crap, her word</p> <p>7 against mine, and promising to take legal action</p> <p>8 against Peter?</p> <p>9 A. I don't recall that like, jeez, I remember what</p> <p>10 color shirt I was wearing. But I -- yeah, I</p> <p>11 believe that this occurred, yeah.</p> <p>12 Q. Okay.</p> <p>13 A. I think it's a fair assessment; a bunch of crap</p> <p>14 and her word against mine. I'm noting that the</p> <p>15 date of the submission of this form is April --</p> <p>16 April 10, 2017, about something that she didn't</p> <p>17 choose to report from April 19th so it's -- I'm</p> <p>18 sorry, 8/19. So let's see, April is four so it's</p> <p>19 nine, ten, 11, 12, one, two, three, four. By my</p> <p>20 finger count, that's eight, eight months after</p> <p>21 the alleged incident, yeah.</p> <p>22 Q. Okay. And so I just want to make sure. When</p> <p>23 you're talking about a bunch of crap and her word</p> <p>24 against mine, are you referring to Jaime, the</p> <p>25 complaint from Jaime Misenheimer?</p>	<p>1 Q. When was that?</p> <p>2 A. It has been a while. This case has been going on</p> <p>3 for quite some time. Regardless, I was going to</p> <p>4 ask you about something in her deposition. Do</p> <p>5 you recall talking to Alex and Blake in Italy</p> <p>6 about whether Jaime Misenheimer is Native</p> <p>7 American?</p> <p>8 Q. No. I don't -- I don't know why I would care, to</p> <p>9 be completely honest with you. I could care less</p> <p>10 if she's a Martian. I mean, I don't care.</p> <p>11 A. Okay.</p> <p>12 Q. She may be a Martian.</p> <p>13 (Plaintiff's Exhibit Number 4 was marked for</p> <p>14 identification purposes.)</p> <p>15 Q. Next I'm going to hand you what we're marking as</p> <p>16 Exhibit 4. Do you recall this email chain with</p> <p>17 Laura Kissel?</p> <p>18 A. I think that I -- I recall the -- this is kind of</p> <p>19 typical Laura.</p> <p>20 Q. And the email, the first email, you were asking</p> <p>21 for a copy of the Graduate Student Report</p> <p>22 document that you read from yesterday at your</p> <p>23 earliest convenience.</p> <p>24 A. Yesterday at your earliest convenience. Uh-huh.</p> <p>25 Q. And on the back of the document that you have,</p>

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<p>1 there's a list of three bullet points.</p> <p>2 A. Oh, oh, yeah. Yeah, I remember this. Yeah. I</p> <p>3 mean, I thought it was outrageous that graduate</p> <p>4 students should be allowed, in context of a</p> <p>5 university event, to talk about faculty members'</p> <p>6 personal lives, I think that's preposterous.</p> <p>7 Q. Okay. And so --</p> <p>8 A. I think that they should have been told it's none</p> <p>9 of their business and they should mind their</p> <p>10 business.</p> <p>11 Q. Okay. And so tell me about the meeting that led</p> <p>12 to this email with Laura Kissel.</p> <p>13 A. My recollection, if we're on the same page about</p> <p>14 this, is my recollection is that I was -- I was</p> <p>15 understandably angry that a group of students</p> <p>16 were sitting around with the graduate studies</p> <p>17 director talking about my personal life or</p> <p>18 anybody's personal life. I don't care if it was</p> <p>19 Virginia Scotchie's personal life. You know, I</p> <p>20 think it's inappropriate. I think those students</p> <p>21 should have been reprimanded and told that it's</p> <p>22 none of their business and that the university's</p> <p>23 business is not to delve into faculty's personal</p> <p>24 lives. Preposterous.</p> <p>25 Q. If you look at the last bullet point, it says the</p>	<p>1 something else I -- it says one of two, but it's</p> <p>2 just numbered oddly.</p> <p>3 MS. BOWEN: No, and I think I recognized that as I was</p> <p>4 --</p> <p>5 COURT REPORTER: I just wanted to make sure it was</p> <p>6 clear. You know, somebody didn't think there was</p> <p>7 a page missing.</p> <p>8 MR. WLODARCZYK: Saboteur.</p> <p>9 MS. BOWEN: Yeah, and I'll double check on that --</p> <p>10 COURT REPORTER: Okay.</p> <p>11 MS. BOWEN: -- because I don't want to have any</p> <p>12 confusion.</p> <p>13 COURT REPORTER: You see what I'm saying?</p> <p>14 MS. BOWEN: Yeah.</p> <p>15 COURT REPORTER: Okay.</p> <p>16 MS. BOWEN: That must be -- there must be another</p> <p>17 email that's attached.</p> <p>18 COURT REPORTER: Yeah. And it's strange because it</p> <p>19 says one of two so there's probably another page</p> <p>20 two, and then this.</p> <p>21 MS. BOWEN: I agree.</p> <p>22 COURT REPORTER: Okay, you'll let me know. Thank you.</p> <p>23 (Plaintiff's Exhibit Number 5 was marked for</p> <p>24 identification purposes.)</p> <p>25 BY MS. BOWEN:</p>
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<p>1 one-person area situation heightens the threat of</p> <p>2 retaliation and career sabotage.</p> <p>3 A. Right.</p> <p>4 Q. What -- the one-person area situation, what does</p> <p>5 that mean?</p> <p>6 A. That means one person coordinates painting, one</p> <p>7 person coordinates ceramics, and by and large, as</p> <p>8 I recall, there were mostly one tenured faculty</p> <p>9 member in each of those areas. You know, I</p> <p>10 suspect that if the enrollments justified more</p> <p>11 faculty, they might get more faculty. But you</p> <p>12 know, again, we have a -- we have an</p> <p>13 interdisciplinary -- we have an interdisciplinary</p> <p>14 faculty. And frankly, in my opinion, my opinion</p> <p>15 would be that these are, you know, immature</p> <p>16 students who ought to devote themselves to their</p> <p>17 studies and development rather than spreading</p> <p>18 rumors and engaging in nonsense like this. It's</p> <p>19 offensive.</p> <p>20 Q. Okay.</p> <p>21 A. The extent to which students at the University of</p> <p>22 South Carolina were able or allowed to -- to</p> <p>23 engage in this kind of discourse is beyond me.</p> <p>24 COURT REPORTER: Am I missing a page? This goes from</p> <p>25 25 to 27. Just wanted to make sure there's not</p>	<p>1 Q. Okay. Next we are giving you what is marked as</p> <p>2 Exhibit 5. And this should be a document marked</p> <p>3 USC FOIA 053 to FOIA 057. And just let me know</p> <p>4 once you've had a chance to review.</p> <p>5 A. Okay.</p> <p>6 Q. Did anyone from EOP speak to you about this</p> <p>7 report to EOP?</p> <p>8 A. I don't recall. To be completely honest with</p> <p>9 you, I don't recall.</p> <p>10 Q. Okay. Do you know -- do you recall whether Laura</p> <p>11 Kissel ever spoke to you about the EOP report or</p> <p>12 about the allegations raised in Pam's email?</p> <p>13 A. I don't recall. I would -- I would have thought</p> <p>14 that Dr. Wells would have contacted me. I don't</p> <p>15 -- I don't -- yeah, I don't know.</p> <p>16 (Plaintiff's Exhibit Number 6 was marked for</p> <p>17 identification purposes.</p> <p>18 Q. Okay. Next I'm handing you what we're marking as</p> <p>19 Exhibit 6. Just let me know once you've had a</p> <p>20 chance to look at it.</p> <p>21 A. Okay.</p> <p>22 Q. And it looks here like Laura Kissel is talking to</p> <p>23 you about proposed times and parameters with Pam</p> <p>24 Bowers. And you respond, "Let's discuss it. Are</p> <p>25 you free this afternoon?" Do you recall what</p>

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<p>1 occurred in that discussion?</p> <p>2 A. No.</p> <p>3 Q. Do you know why you felt the need to -- or why a</p> <p>4 discussion was needed?</p> <p>5 A. No.</p> <p>6 Q. Okay.</p> <p>7 A. No, I mean, maybe to assure that I have no</p> <p>8 interest in forcing any interaction on Pam or</p> <p>9 Jaime or anybody else for that matter. I don't</p> <p>10 know. I mean I can only speculate on it. I</p> <p>11 would think that probably would be the most</p> <p>12 likely.</p> <p>13 Q. Did you agree to the guidelines outlined in</p> <p>14 Kissel's email? Or classroom parameters as she</p> <p>15 titles the subject?</p> <p>16 A. Yeah, I think that these are pretty much normal.</p> <p>17 I mean, I don't know., a normal procedure I</p> <p>18 guess. I don't know.</p> <p>19 (Plaintiff's Exhibit Number 7 was marked for</p> <p>20 identification purposes.)</p> <p>21 Q. Okay. Next I'm handing you what we've marked as</p> <p>22 Exhibit 7. Just let me know once you've gotten</p> <p>23 through it.</p> <p>24 A. Okay.</p> <p>25 Q. Do you recall sending this email to Laura Kissel?</p>	<p>1 that ever put in place?</p> <p>2 A. I did -- I didn't communicate with any faculty</p> <p>3 members after this I don't think. You know, I</p> <p>4 might have, you know, run into Brad or talked to</p> <p>5 Brad at some point or -- I can't think of anybody</p> <p>6 else I would have had any interest in having any</p> <p>7 contact with.</p> <p>8 Q. Okay. But as far as the communication with other</p> <p>9 faculty members, did USC ever tell you that you</p> <p>10 could not have communication with other faculty</p> <p>11 members?</p> <p>12 A. I don't recall. I don't believe so but I don't</p> <p>13 recall.</p> <p>14 Q. And I saw that, at some point, Joel Samuels sends</p> <p>15 out a ban saying that you were banned from</p> <p>16 campus; is that correct?</p> <p>17 A. I -- do you have that document? I don't -- I</p> <p>18 don't --</p> <p>19 Q. I'm not sure I've got it in my stack. But I</p> <p>20 didn't know if you had seen that.</p> <p>21 A. I don't believe -- I don't believe so. I don't</p> <p>22 recall it. I would have -- I would -- it</p> <p>23 certainly would have gotten my dander up. There</p> <p>24 was no reason to ban me from campus and no reason</p> <p>25 for these concerns. You know, I'm not a serial</p>
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<p>1 A. I don't recall it, but I guess I did.</p> <p>2 Q. Okay. And it looks like you have CC'd Damon on</p> <p>3 this. That's Damon, your attorney, correct?</p> <p>4 A. Yeah.</p> <p>5 Q. And then Lyn Hensel, who is Lyn Hensel?</p> <p>6 A. She was my divorce attorney and friend.</p> <p>7 Q. Did she respond and -- with any restrictions on</p> <p>8 your activities?</p> <p>9 A. I don't recall. I mean, I would think that you</p> <p>10 would have documentation on that. You guys have</p> <p>11 been through the email accounts. I mean, I don't</p> <p>12 recall.</p> <p>13 Q. And that's why I'm asking. I haven't seen what</p> <p>14 I'm trying to find out; what restrictions, if</p> <p>15 any, they put on your activities.</p> <p>16 A. I don't know. I don't know. You know, I</p> <p>17 remember being particularly wounded by not</p> <p>18 communicating with any female faculty members,</p> <p>19 you know.</p> <p>20 Q. Was that -- did that continue after you sent this</p> <p>21 email?</p> <p>22 A. What? I'm sorry, what? Did what?</p> <p>23 Q. And I guess what I should ask is, it sounds like</p> <p>24 she proposed in your conversation that you not</p> <p>25 communicate with female faculty members. Was</p>	<p>1 killer, you know, and there's no record of me</p> <p>2 having done anything diabolical in my 22 years at</p> <p>3 the university that would merit these things.</p> <p>4 There were some allegations for the proof to be</p> <p>5 false admitted to be false but they proved to be</p> <p>6 false, admitted to be false by the plaintiff.</p> <p>7 Q. And you're talking about Dunavant?</p> <p>8 A. Yeah, Dunavant. There were a bunch of EOP</p> <p>9 complaints by Misenheimer that were made eight</p> <p>10 months after the alleged incident that were</p> <p>11 dismissed. You know, there were a bunch of</p> <p>12 things that were dismissed. And I -- yeah,</p> <p>13 whatever, I would not have felt that it was fair</p> <p>14 to impose restrictions on me on the basis of, A,</p> <p>15 allegations and, B, allegations particularly that</p> <p>16 were proven to be false or not plausible.</p> <p>17 Q. Okay. I understand that you would disagree if</p> <p>18 there were any restrictions placed on you. I'm</p> <p>19 trying to find out do you know --</p> <p>20 A. I don't recall.</p> <p>21 Q. Okay.</p> <p>22 A. I don't recall.</p> <p>23 Q. And then you don't recall ever receiving notice</p> <p>24 of that you were banned from campus?</p> <p>25 A. I received a phone call from Laura Kissel that</p>

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<p>1 stated -- in the phone call, Laura said that she</p> <p>2 didn't want me to be on campus, that -- and I</p> <p>3 don't remember if she said the college or the</p> <p>4 department or just her, I don't remember how she</p> <p>5 phrased it. But simply that I shouldn't be on</p> <p>6 campus and her quickly saying, but now this is</p> <p>7 for your own safety, this is for your safety.</p> <p>8 Q. Okay.</p> <p>9 A. And, you know, I would likely have said something</p> <p>10 like -- excuse me, I'm going to stand up again --</p> <p>11 I would likely have said something like --</p> <p>12 there's something about this chair, it's just --</p> <p>13 the likely -- I'm sorry, I lost my train of</p> <p>14 thought.</p> <p>15 Q. That's okay. And I'm not sure exactly -- I was</p> <p>16 just asking whether you had known about the ban.</p> <p>17 A. Yeah, I don't --</p> <p>18 Q. Okay.</p> <p>19 A. -- I would have -- you know, I would have felt</p> <p>20 that it was unfair and unjustified. I, you know,</p> <p>21 I do not have a record of assaulting people or</p> <p>22 any such thing that would support such a thing.</p> <p>23 Q. Okay. Let's go off the record for this.</p> <p>24 (Off the record)</p> <p>25 (Plaintiff's Exhibit Number 8 was marked for</p>	<p>1 MR. AYER: Okay.</p> <p>2 MS. BOWEN: -- that is not from either of them. And</p> <p>3 we can get to it. I'm not, I'm not asking him to</p> <p>4 characterize the entire packet because of that.</p> <p>5 BY MS. BOWEN:</p> <p>6 Q. Okay. And here on June 10, 2017, 264.</p> <p>7 A. I'm sorry, what?</p> <p>8 Q. You're fine. On 264 -- and we'll go -- we'll go</p> <p>9 through these and I'll ask specific questions</p> <p>10 about what I've got.</p> <p>11 MR. WLODARCZYK: Look at the bottom numbers. See</p> <p>12 where it says 264?</p> <p>13 MS. BOWEN: Thank you.</p> <p>14 THE WITNESS: Oh, thank you.</p> <p>15 MS. BOWEN: Yes.</p> <p>16 THE WITNESS: Uh-huh.</p> <p>17 BY MS. BOWEN:</p> <p>18 Q. Here on June 10, 2017, you say, it looks like,</p> <p>19 "Even though you're really smart, you're stupid</p> <p>20 sometimes, Pam. I wanted to make a big gushy</p> <p>21 introduction and hug you and sit by you at dinner</p> <p>22 but you would have no part of it."</p> <p>23 A. Uh-huh.</p> <p>24 Q. What -- and it looks like this is talking about</p> <p>25 things that happened in Italy or is that in Italy</p>
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<p>1 identification purposes.)</p> <p>2 BY MS. BOWEN:</p> <p>3 Q. Okay. David, I have handed you a document that</p> <p>4 we will have to defer to once it is scanned in</p> <p>5 because it is ranged Bowers PPD 262 through 1399.</p> <p>6 But it skips throughout those pages to the</p> <p>7 relevant ones because I did not think it would be</p> <p>8 good to print four copies of a thousand pages.</p> <p>9 Okay. So looking at this first page, starting</p> <p>10 with 262, the email voros@mailbox.sc.edu, is that</p> <p>11 your university email?</p> <p>12 A. Yeah.</p> <p>13 Q. Okay. And then the Pam --</p> <p>14 Bowersp@mailbox.sc.edu, that's Pam's university</p> <p>15 email?</p> <p>16 A. Yeah.</p> <p>17 Q. Okay. And just to confirm these are emails as</p> <p>18 far as, if you look, from 262 to 266, emails</p> <p>19 between you and Pam?</p> <p>20 A. Apparently.</p> <p>21 Q. Okay.</p> <p>22 MR. AYER: These are all -- Exhibit 8, these are all</p> <p>23 emails between David and Pam?</p> <p>24 MS. BOWEN: They are -- I think that there is a text</p> <p>25 in here as well --</p>	<p>1 that that occurred?</p> <p>2 A. Yeah, most of that. Oh, this was -- this was</p> <p>3 when we were separated before we were divorced</p> <p>4 and -- yeah, I mean, I don't -- I'm not sure --</p> <p>5 I'm not sure what your objective in showing me</p> <p>6 this could be or what your objective in bringing</p> <p>7 this in could be.</p> <p>8 Q. Well, I'm trying to understand, there are</p> <p>9 conversations in your emails where you are</p> <p>10 referencing things that occurred. For example,</p> <p>11 do you recall making a big gushy introduction and</p> <p>12 hugging her and sitting by her at dinner?</p> <p>13 A. No. No.</p> <p>14 Q. Okay.</p> <p>15 A. I remember her being particularly -- particularly</p> <p>16 hostile in summer of 2017 to the point where my</p> <p>17 manager was considering resigning because he</p> <p>18 couldn't deal with this. I mean, you know, these</p> <p>19 are -- I'm seeing -- what I'm seeing is a bunch</p> <p>20 of emails between two people who are getting a</p> <p>21 divorce and it's painful to look at it and</p> <p>22 painful to think about. Why these would be</p> <p>23 introduced into this context, I have no idea.</p> <p>24 Q. Okay.</p> <p>25 A. What is the relevance of this?</p>

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<p>1 Q. Well, unfortunately, I get to answer the question</p> <p>2 -- ask the questions and you have to answer them</p> <p>3 today. I assure you that it is not to embarrass</p> <p>4 you or make you feel bad or any of those things.</p> <p>5 It's more so because the allegations are that you</p> <p>6 were emailing her about your romantic</p> <p>7 relationship on school emails and so that is what</p> <p>8 we are looking at.</p> <p>9 A. Okay. I don't -- I think that I'm emailing</p> <p>10 someone who I had a relationship with for 35</p> <p>11 years and I have two children with and it has</p> <p>12 nothing to do with the University of South</p> <p>13 Carolina.</p> <p>14 Q. Okay. Let's take a quick five-minute break. I'm</p> <p>15 going to dwindle these down and not waste</p> <p>16 anyone's time or make this more adversarial than</p> <p>17 it needs to be.</p> <p>18 (Off the record from 4:07 p.m. until 4:15 p.m.)</p> <p>19 BY MS. BOWEN:</p> <p>20 Q. David, you refer to someone in here as</p> <p>21 "porkchop." Who are you referring to?</p> <p>22 A. Lauren Chapman.</p> <p>23 Q. Why did you call her porkchop?</p> <p>24 A. I don't know. It just popped in my head. Seemed</p> <p>25 to have stuck.</p>	<p>1 that we didn't have children, that her children,</p> <p>2 they were her children and not our children, that</p> <p>3 I could just be sort of cut out of the life of</p> <p>4 our family and she could pack it up in a little</p> <p>5 box and take it away.</p> <p>6 Q. Sure.</p> <p>7 A. And I think that that's, you know, the idea of</p> <p>8 dreaming --when my father died, I dreamt of my</p> <p>9 father every night for years -- I understand that</p> <p>10 to be a normal part of the grieving process. And</p> <p>11 I was grieving the loss of my family, a loss of a</p> <p>12 relationship, separation from my children that</p> <p>13 became a preoccupation with her and her friends</p> <p>14 as a means of punishing me. Yeah, I mean, I</p> <p>15 think that relatively normal intimate</p> <p>16 communications, intimate in the sense of my</p> <p>17 intimacy, you know, in terms of my dreams, my</p> <p>18 experiences, my feelings. You know, again, why</p> <p>19 someone would feel it appropriate to make these</p> <p>20 public, whether you or her or your firm or</p> <p>21 whoever else, is beyond me. I think it's</p> <p>22 offensive. What can I say about this? I -- I</p> <p>23 missed my life as it was, but my life as it was</p> <p>24 untenable. And I think I'm simply expression</p> <p>25 that. I mean, you have a collection here of</p>
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<p>1 Q. Because I think multiple times I saw that, so I</p> <p>2 didn't know.</p> <p>3 A. Yeah.</p> <p>4 Q. Okay. If you will turn to it, it's labeled</p> <p>5 Bowers PPD 522.</p> <p>6 MR. WLODARCZYK: 522?</p> <p>7 MS. BOWEN: Yes. I'm sorry, 522. I don't know if</p> <p>8 that's what I said originally.</p> <p>9 A. Okay.</p> <p>10 Q. And I'm looking at the top paragraph.</p> <p>11 A. Uh-huh.</p> <p>12 Q. And you were telling Pam Bowers that you dream</p> <p>13 about her every night and that she's telling you</p> <p>14 to come home. And in another email, and I can</p> <p>15 track it down if you need to, but you're -- here</p> <p>16 at 520, you're telling her that you love her, and</p> <p>17 you miss her and that you smirked at her because</p> <p>18 she caught your eyes and smiled.</p> <p>19 A. Uh-huh.</p> <p>20 Q. Did you ever make these kinds of conversation</p> <p>21 directly to Pam in person?</p> <p>22 A. I don't think so. I don't think that Pam would</p> <p>23 have been receptive to -- wasn't receptive to</p> <p>24 much communication and preferred to act as though</p> <p>25 it seemed that we didn't have a relationship,</p>	<p>1 unrelated -- unrelated topics, related subjects,</p> <p>2 all the way from a guy who took my then 16 year</p> <p>3 old daughter to a disco until two o'clock in the</p> <p>4 morning to, you know, a whole range of things.</p> <p>5 You know, what can I say?</p> <p>6 Q. So from --</p> <p>7 A. Part of my -- part of my challenge, and forgive</p> <p>8 me --</p> <p>9 Q. No, go ahead.</p> <p>10 A. -- was, as an individual, was reconciling</p> <p>11 something in my life that I thought was permanent</p> <p>12 and understanding what was impermanent about it.</p> <p>13 I don't think that's so unusual. I don't think</p> <p>14 that's so unusual. You know, it was clear that</p> <p>15 Pam was not interested in reconciliation at that</p> <p>16 point. Prior to our separation and divorce, our</p> <p>17 -- our relationship had deteriorated to the point</p> <p>18 where it was -- it was difficult to know what to</p> <p>19 do to fix it.</p> <p>20 Q. And did you attempt to reconcile with her for</p> <p>21 some time?</p> <p>22 A. As I understood it, the point of the period</p> <p>23 between when someone files for divorce and the</p> <p>24 divorce is realized in South Carolina is for the</p> <p>25 express purpose of the hopes of reconciliation.</p>

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<p>1 Would I have at the time wanted to go back to the</p> <p>2 way things were before things became -- before</p> <p>3 the summer of 2016? No, I would not have. I --</p> <p>4 I've -- we had a very difficult relationship that</p> <p>5 was very difficult for the children and they</p> <p>6 should not have been around it. And I was</p> <p>7 confused about what to do about that, you know.</p> <p>8 I mean, this is just a reflection of -- of</p> <p>9 people's thoughts, my thoughts and feelings. I</p> <p>10 don't see what it has to do with this case. I</p> <p>11 think it's kind of shameful, to be honest with</p> <p>12 you. Shameful.</p> <p>13 Q. Okay. Now if you'll turn to 673.</p> <p>14 A. 673. I don't -- I don't find --</p> <p>15 MR. WLODARCZYK: You talking about the text?</p> <p>16 MS. BOWEN: Yes.</p> <p>17 Q. And this, I think, is kind of misplaced in here.</p> <p>18 But it looks like a text that is labeled "Autumn"</p> <p>19 between -- and it says "Hey, Pam" here. And I</p> <p>20 know that you haven't probably seen this text.</p> <p>21 And if you have, it's only been in the case of</p> <p>22 this litigation. I more so am going to ask you</p> <p>23 about that last text message under Tuesday, March</p> <p>24 20th --</p> <p>25 A. Uh-huh.</p>	<p>1 assistantships, was -- and their location of</p> <p>2 their teaching assistantships was primarily made</p> <p>3 for the benefit of student, where people thought</p> <p>4 they would fit in best. I don't know. I mean, I</p> <p>5 don't recall the discussion on that day. I'm</p> <p>6 just getting the hypothetical that --</p> <p>7 Q. Okay.</p> <p>8 A. Yeah, I don't --</p> <p>9 Q. Do you know -- do you recall having an</p> <p>10 involvement as far as removing Autumn from a --</p> <p>11 from teaching?</p> <p>12 A. As far as I know, Autumn was never removed from</p> <p>13 teaching. I mean, and the only context I would</p> <p>14 understand that as a realistic possibility would</p> <p>15 be if Autumn did something or did not do</p> <p>16 something, didn't show up to class or something</p> <p>17 like that, and was removed from teaching. But as</p> <p>18 far as I know, Autumn was not removed from</p> <p>19 anything.</p> <p>20 Q. Let me let me rephrase. Do you know why you</p> <p>21 chose Kayla and John Henry over Autumn in March</p> <p>22 of 20 -- well, we don't have a year.</p> <p>23 A. No, I don't. But I would say that I could</p> <p>24 speculate on it. And I would say, in speculating</p> <p>25 on it, that both John Henry and Kayla had a</p>
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<p>1 Q. -- where it looks like Autumn is saying "I found</p> <p>2 out that Kayla and John Henry will be teaching</p> <p>3 because there's only two spots open and David</p> <p>4 made the call."</p> <p>5 A. Well, like many things in my experience with</p> <p>6 Autumn Wertz, this seems to reveal something that</p> <p>7 has escaped her understanding, which seems to be</p> <p>8 -- it seems to have escaped her understanding.</p> <p>9 You know, the faculty -- I think numerous people</p> <p>10 have explained the situation in which graduate</p> <p>11 students are assigned assistantships. And the --</p> <p>12 the disciplinary coordinator, such as myself in</p> <p>13 painting, makes a recommendation to the faculty</p> <p>14 in the studio area as a whole. And the studio</p> <p>15 faculty debates those assignments and tries to</p> <p>16 determine where an individual would have been</p> <p>17 best. So one could look at something like this</p> <p>18 and say that Autumn was when not given, ripped</p> <p>19 off, cheated out of, I don't know, I can't think</p> <p>20 of the word I'm trying to think of, cheated out</p> <p>21 of an opportunity to teach painting, that one can</p> <p>22 also say that, you know, Autumn was given</p> <p>23 something that the faculty felt she was better</p> <p>24 at. I mean, in my -- in my experience, the</p> <p>25 assignment of graduate students, for teaching</p>	<p>1 compelling interest in artist materials, painting</p> <p>2 materials, and it did not seem to me that Autumn</p> <p>3 shared that. This is not, as I said before, not</p> <p>4 necessarily evaluative, it's simply placing</p> <p>5 people where it is most appropriate. You know,</p> <p>6 that was my -- that was my, probably my thinking.</p> <p>7 And if it transpired, it was probably concurred</p> <p>8 by -- on by the rest of the faculty, you know. I</p> <p>9 know that Kayla and John Henry both had a</p> <p>10 compelling interest in artist materials of the</p> <p>11 kind we were exploring and were making</p> <p>12 explorations on their own. I didn't see Autumn</p> <p>13 making explorations on her own in the same way</p> <p>14 that I recall.</p> <p>15 Q. Okay. You refer to a boyfriend named Forest when</p> <p>16 you're talking to Pam. Who is Forest?</p> <p>17 A. I don't know. Forest is a mythical character in</p> <p>18 Pam's life who she -- who she later came to</p> <p>19 realize that -- mythical, I shouldn't say it in</p> <p>20 that way. An individual in Pam's life that I</p> <p>21 understood her to have had, that I understand her</p> <p>22 to have had, a romantic relationship with, who</p> <p>23 turned out to be a, according to her, a kind of</p> <p>24 sexual predator, a violent individual. And, you</p> <p>25 know, it was my suspicion that this individual</p>



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<p>1 was involved in criminal activities, violent</p> <p>2 criminal -- criminal activities. I mean I can</p> <p>3 only speculate on that. But an individual from</p> <p>4 Pam's past, a romantic -- something -- an</p> <p>5 individual that was introduced to me as a</p> <p>6 romantic engagement and then later as someone who</p> <p>7 was not a particularly nice individual.</p> <p>8 Q. So on 745 where you say, "Reminisce about your</p> <p>9 boyfriend Forest who you are too weak to face or</p> <p>10 your other abusers and blame it on your</p> <p>11 children's father," that's who you're referring</p> <p>12 to?</p> <p>13 A. Yes. Yes, indeed. Yes, and -- and I'm</p> <p>14 struggling to understand what would compel</p> <p>15 someone to address something like that in public.</p> <p>16 I mean, I will say that I felt always the Pam had</p> <p>17 traumatic experiences in her life that she did</p> <p>18 not or was not able to deal with at the time or,</p> <p>19 I don't know, at the time we were together. And</p> <p>20 that the effects of those traumatic experiences</p> <p>21 were visited on our relationship. I felt like I</p> <p>22 was a good spouse, a good father, and I didn't --</p> <p>23 I didn't deserve that. Again, why we're talking</p> <p>24 about that in the context of the University of</p> <p>25 South Carolina is beyond me.</p>	<p>1 Q. You're fine. I was asking you to turn to 1293.</p> <p>2 A. 1293.</p> <p>3 Q. And if you'll look over this email and just let</p> <p>4 me know once you're done.</p> <p>5 A. Okay.</p> <p>6 Q. Do you recall receiving this email from Pam</p> <p>7 Bowers?</p> <p>8 A. No, not entirely. But she wrote it. I don't</p> <p>9 know. What can I say about it?</p> <p>10 Q. Okay. Do you know whether you responded to this</p> <p>11 email?</p> <p>12 A. I don't know. Did I -- I can tell you that I</p> <p>13 never in any way would have barged in and</p> <p>14 interrupted a class to talk about personal</p> <p>15 issues. If there was something, some emergency</p> <p>16 having to do with picking up the kids or a kid,</p> <p>17 the kids being sick, or something of that nature,</p> <p>18 I would not have -- I would not -- yeah, I don't</p> <p>19 know. I'm gonna -- I don't know. I can't -- I</p> <p>20 don't -- I don't know the context of this. I</p> <p>21 mean, as I say, you handed me a bunch of stuff</p> <p>22 that is from a wide time frame that is seemingly</p> <p>23 unrelated to one another. I don't know what to</p> <p>24 say about it. You know, it's sort of unrelated</p> <p>25 pages from my life, you know. I don't know what</p>
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<p>1 Q. Do you know whether Pam was teaching when you</p> <p>2 were sending her emails to the university email?</p> <p>3 A. I don't -- you know, you showed me how many</p> <p>4 emails here? I don't know. I believe this is 20</p> <p>5 pages, 25 pages of emails. I was -- I -- from</p> <p>6 diverse time periods. I don't -- I don't know</p> <p>7 what was going on at the time. And I haven't</p> <p>8 even read through all these emails. And I don't</p> <p>9 know. I don't know. I know that my university</p> <p>10 email account was the email account that I</p> <p>11 communicated, for better or worse. It was my --</p> <p>12 was my email account, my only email account. And</p> <p>13 I was communicating through that email account.</p> <p>14 I don't know. I ordered things from Amazon using</p> <p>15 that email account as my contact, you know. I</p> <p>16 mean, I -- yeah, I guess it wasn't a good idea.</p> <p>17 I don't recall anybody ever telling me not to. I</p> <p>18 would tell myself not to if I could advise</p> <p>19 myself.</p> <p>20 Q. And then last I want you to look at 1293.</p> <p>21 A. Nonetheless, I mean, I'm sorry, I have to say</p> <p>22 that these are not -- I mean, we're talking about</p> <p>23 our children, we're talking about a wide range of</p> <p>24 personal issues, regardless of the format. I'm</p> <p>25 sorry I interrupted you. Forgive me.</p>	<p>1 to say.</p> <p>2 Q. Okay.</p> <p>3 A. Why Pam would share this with you or you guys</p> <p>4 would find this significant in this context I</p> <p>5 don't know. I don't know. I think some people</p> <p>6 ought to be ashamed of themselves, to be honest</p> <p>7 with you.</p> <p>8 Q. Is Alex Stasko's email stasko@email.sc.edu?</p> <p>9 A. I don't know that. I don't know that. I don't</p> <p>10 know what her university email is, was, is. I</p> <p>11 don't know.</p> <p>12 (Plaintiff's Exhibit Number 9 was marked for</p> <p>13 identification purposes.)</p> <p>14 Q. And make this as painless as possible. I just</p> <p>15 want you to look at this and tell me if these are</p> <p>16 your emails with Alex Stasko.</p> <p>17 A. Yeah, well, I mean, they appear to be. Yeah,</p> <p>18 okay. Like I -- again, the possible relevance of</p> <p>19 this to anything is beyond me. But it just</p> <p>20 strikes me as a kind of vendetta or something. I</p> <p>21 don't know.</p> <p>22 Q. Okay. This was not produced by Pam Bowers. This</p> <p>23 was produced by USC. I just wanted to establish</p> <p>24 whether these are -- this is the email chain</p> <p>25 between you and Alex Stasko.</p>

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<p style="text-align: right;">Page 217</p> <p>1 A. Yeah. Okay. Whoever produced it, I would</p> <p>2 question their motives in producing it. What</p> <p>3 kind of possible relevance could this have to</p> <p>4 anything.</p> <p>5 Q. Okay. I have no further questions for you. I'm</p> <p>6 sure these fine attorneys do.</p> <p>7 MR. AYER: I don't.</p> <p>8 MR. WLODARCZYK: No. We're finished. We're going to</p> <p>9 read and sign.</p> <p>10 (There being nothing further, the deposition concluded at</p> <p>11 4:36)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 219</p> <p>1 CERTIFICATE</p> <p>2 Be it known that I, Kimberly C. Young, do hereby</p> <p>3 certify that David Voros appeared before me and I took</p> <p>4 the foregoing deposition at the time and place aforesaid</p> <p>5 by means of stenomask with backup; that I was then and</p> <p>6 there a notary public in and for the State of South</p> <p>7 Carolina and that by virtue thereof, I was duly</p> <p>8 authorized to administer an oath; and that the witness</p> <p>9 was by me first duly sworn to testify to the truth, the</p> <p>10 whole truth, and nothing but the truth.</p> <p>11 I further certify that the foregoing transcript</p> <p>12 represents a true, accurate, and complete transcript of</p> <p>13 said deposition. This transcript may contain quoted</p> <p>14 material; said material is transcribed as read or quoted</p> <p>15 by the speaker.</p> <p>16 I further certify that pursuant to Federal Rule</p> <p>17 30(f)(1), a review of this deposition was requested.</p> <p>18 Should the signature of the witness not be affixed to the</p> <p>19 deposition, the witness shall not have availed</p> <p>20 himself/herself of the opportunity to sign.</p> <p>21 I further certify that I am neither employed by</p> <p>22 nor related to any of the parties in this matter nor</p> <p>23 their counsel; nor do I have any interest, financial or</p> <p>24 otherwise, in the outcome of this action.</p> <p>25 Witness my hand and seal this 1st day of January,</p> <p>26 2023.</p> <p>27</p> <p>28 S: /Kimberly C. Young/ Kimberly C. Young Notary Public for South Carolina My Commission Expires: 08/14/2030</p>
<p style="text-align: right;">Page 218</p> <p>1 SIGNATURE</p> <p>2 I have read the foregoing deposition, and confirm</p> <p>3 that it is a true and accurate transcript of my</p> <p>4 testimony. Any errors I may have noticed have been</p> <p>5 listed below and returned to the court reporter.</p> <p>6</p> <p>7 _____</p> <p>8 David Voros</p> <p>9 Date: _____</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25 RE: Bowers/Misenheimer v USC/Voros</p>	