

# **EXHIBIT 1**

12/20/2022

DAVID W. VOROS

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1	IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION	
2		1 Also Present:
3		2 Jaime Misenheimer Pam Bowers
4	Jaime Susanne Misenheimer, )C/A No.: 3:20-cv-04487-MGL-KDW	3
5	Plaintiff, )	4 INDEX
6	v. )	5 Stipulations . . . . . 5
7	University of South )	6 Examination by Ms. Bowen . . . . . 5
8	Carolina and David W. )	7 Signature Sheet . . . . . 218
9	Voros, )	8 Certificate . . . . . 219
10	Defendants. )	9
11	Jaime Susanne Misenheimer, )C/A No.: 3:20-cv-04486-MGL-KDW	10 EXHIBITS
12	Plaintiff, )	11 Plaintiff's Exhibit Number 1 . . . . . 52
13	v. )	12 (Summons and Complaint Bowers)
14	University of South )	13 Plaintiff's Exhibit Number 2 . . . . . 188
15	Carolina and David W. )	14 (Statement Misenheimer)
16	Voros, )	15 Plaintiff's Exhibit Number 3 . . . . . 189
17	Defendants. )	16 (Email Wells/Chametzky)
18	DEPOSITION OF	17 Plaintiff's Exhibit Number 4 . . . . . 192
19	DAVID W. VOROS	18 (Email chain Voros/Kissel)
20	*****	19 Plaintiff's Exhibit Number 5 . . . . . 195
21	Tuesday, December 20, 2022	20 (EOP Documents)
22	9:39 a.m. - 4:36 p.m.	21 Plaintiff's Exhibit Number 6 . . . . . 196
23		22 (Email Kissel/Voros)
24		23 Plaintiff's Exhibit Number 7 . . . . . 197
25		24 (Email Parham/Kissel)
		25
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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
8	APPEARANCES	8
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1	STIPULATIONS	1 get to a stopping point to accommodate you.
2	It is stipulated by and between counsel	2 You'll have the option to review the transcript
3	for the respective parties that all objections	3 of your deposition or you can waive that
4	are reserved until the time of trial, except as	4 decision. If you do review, you can make
5	to the form of the questions.	5 transcription notes but not substantive changes.
6	This deposition is being taken pursuant to	6 Do you understand everything I've gone through?
7	the Federal Rules of Civil Procedure.	7 A. Yes, I do.
8	-----	8 Q. Are you sober, mentally competent, and able to
9	The reading and signing of this deposition	9 truthfully answer my questions today?
10	is reserved by the deponent and counsel for the	10 A. Yes, I am.
11	respective parties.	11 Q. Do you have any issues with your recall or
12	Whereupon,	12 memory?
13	DAVID W. VOROS, being duly sworn and cautioned to	13 A. No, I do not.
14	speak the truth, the whole truth, and nothing but	14 Q. Did you do anything to prepare for today's
15	the truth, testified as follows:	15 deposition?
16	EXAMINATION	16 A. I've reviewed some depositions, I spoke to my
17	BY MS. BOWEN:	17 attorney, read some documents, correspondence.
18	Q. If you would please, state your full name for the	18 Q. Okay. What depositions did you review?
19	record.	19 A. Depositions from the Dunavant case, from the
20	A. My name is David Voros.	20 previous -- from the previous case.
21	Q. Okay. And I know that this is not your first	21 Q. Okay. And what documents did you review?
22	time giving a deposition because I've read one of	22 A. Email correspondences. It was a variety of
23	your depositions. The Civil Rules do require me	23 materials.
24	to go through some ground rules and I'm going to	24 Q. Outside of your attorney, have you talked to
25	add some specific recommendations. First, while	25 anyone else about your deposition?
Page 6		Page 8
1	I'm the attorney deposing you, if you will,	1 A. No -- well, yes, Alex Stasko. I spoke to Alex
2	please ask me for any clarification --	2 Stasko about it.
3	clarifications, definitions, or explanation of	3 Q. What did you speak to her about?
4	any words, questions, or documents presented	4 A. Just confirming that I had a deposition today.
5	during the course of the deposition. If need be,	5 Q. Did you speak about what would be discussed at
6	I'll rephrase or explain. Second, your attorneys	6 the deposition?
7	may object to the form of my questions which	7 A. Not particularly.
8	you'll still need to answer unless specifically	8 Q. Okay. What is your current address?
9	instructed not to do so. Third, you're not	9 A. My current address is 125 Point South Lane,
10	allowed to engage in private off-the-record	10 Lexington, South Carolina 29073.
11	conferences with your counsel during depositions	11 Q. How long have you lived there?
12	or during breaks or recesses regarding the	12 A. Jeez, I don't know. Probably five years,
13	substance of your testimony. And if you do, I'm	13 something like that.
14	allowed to ask you about those conversations	14 Q. Where did you live before that?
15	during the break. Additionally, I'd like to	15 A. Oh, my -- my last stable address before that was
16	point out to you we do have a court reporter	16 105 San Paulo Court, Hopkins, South Carolina
17	taking down everything that you and I say. We	17 29073.
18	have tendencies to give nonverbal responses, nod	18 Q. Who lives in the Lexington address with you?
19	and shake our heads. If you would, please try to	19 A. No one.
20	verbalize responses for the benefit of the court	20 Q. What is your date of birth?
21	reporter and the record. And I will also try to	21 A. October 10, 1962.
22	do my best to let you finish answering questions	22 Q. Okay. And we're going to skip I think a lot of
23	before I begin asking. I ask that you do the	23 the information that you covered in your first
24	same. This isn't a marathon. So if at any point	24 deposition for what has not changed. Has your
25	you do need a break, please let me know and we'll	25 marital situation changed since that deposition?

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

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

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<p>1 members or graduate students. So first we'll  2 start with faculty members. Are you aware of any  3 other complaints from any other female faculty  4 members against you?</p> <p>5 A. I don't believe I've ever been informed by the  6 university or by my chair of any formal  7 complaints. You know, the -- I think faculties  8 in higher education are notorious for squabbles,  9 territorial disputes, and they compete for a  10 limited range of monies from the department and  11 from the college so there are a lot of  12 contentions typically. So have I -- have I --  13 yeah, have I had disputes with other faculty  14 members? Yeah, I have. I think that's  15 relatively normal. I think you'd be hard pressed  16 to find an academic institution, a college or  17 university level or high school level.</p> <p>18 Q. Okay. Let's narrow that down a little bit. When  19 you say disputes, what are you referring to?</p> <p>20 A. I recall, for example, that there was an ongoing  21 dispute about the use of oil paint in the  22 classrooms because there was a perception that  23 oil paint is somehow more toxic than other types  24 of paint that are used in painting. This is not  25 true. But there are solvents that are sometimes</p>	<p>Page 17</p> <p>1 I think that's appropriate, frankly. And,  2 frankly, I believe that things were better when --  3 when -- when people were more -- were more free  4 to express their -- their -- their beliefs,  5 things they felt passionate about. I feel like  6 it's good for the discipline. So I believe in  7 the idea of a dialectic. You know, dialectic is  8 when two people have opposing viewpoints and they  9 argue those viewpoints forcefully and as a result  10 of that forceful discourse they arrive at a  11 conclusion that they would not have otherwise. I  12 believe that to be a very vital part of the  13 academic experience. So have I -- have I had  14 spirited debates with my colleagues, as my -- as  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  18 the better for the faculty and the better for the  19 students.</p> <p>20 Q. Do you recall specifically who ever complained  21 about any spirited debates, as you've referred to  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>
<p>Page 18</p> <p>1 used in oil paint, in dissolving oil paint, that  2 are volatile. That is to say they may evaporate  3 into the air. I don't know if evaporation is the  4 right term. But -- and those -- those -- those  5 fumes can be harmful.</p> <p>6 Q. Okay.</p> <p>7 A. You know, we've had disputes with -- among the  8 faculty about things like that.</p> <p>9 Q. Let's narrow it down. I'm specifically  10 interested in disputes about your conduct or  11 behavior towards other faculty members or grad  12 students. Do you recall any issues or disputes  13 over that or complaints?</p> <p>14 A. I don't -- I don't -- no, I don't recall anything  15 in particular. I was never called to my chair's  16 office and -- and told that I needed to moderate  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  20 arts. You know, they're -- they're personal to  21 people I think in a way that -- that is different  22 than other academic disciplines but -- but not  23 wholly. And I think that throughout academia,  24 you know, there are -- people feel passionately.  25 People feel passionately about their subject and</p>	<p>Page 20</p> <p>1 faculty member that I was frequently jousting  2 with about various issues. I always felt that --  3 that people appreciated our commitment.</p> <p>4 Q. Okay. And from graduate students, I understand  5 that -- I have seen some complaints about  6 tardiness and a syllabus. Do you recall any  7 complaints from graduate students about  8 specifically your conduct towards them or any  9 kind of harassment?</p> <p>10 A. Graduate students in the arts go to graduate  11 school to get feedback on their work, to improve  12 as -- as an artist, to become a professional in  13 their field. And I believe they have a  14 responsibility to take and consider criticism.  15 Sometimes they don't like that. I didn't  16 sometimes like it as a graduate student and --  17 but I considered it and I valued my professors'  18 opinions. As I say, sometimes -- sometimes they  19 don't. Regarding lateness, I -- well, I don't  20 know. I'm not -- I'll address your questions as  21 you ask them.</p> <p>22 Q. Okay. Do you recall complaints from Allison  23 Dunavant?</p> <p>24 A. I recall complaints from -- Allison Dunavant? Do  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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1	feel like that should be the way people approach	1	filled out that indicated that I stuck my tongue
2	things. Allison Dunavant wasn't, as I understand	2	in Lauren Chapman's mouths -- mouth. This would
3	it, never registered for a class with Jaime	3	have occurred at a party in which my children
4	Misenheimer and you cannot give a student a bad	4	were present. In fact, Lauren Chapman came, as I
5	grade without justification. So no, I did not.	5	recall, to this -- well, no, I -- no. Yeah, she
6	And the -- that -- that that narrative is	6	made a number of complaints that were false, yes,
7	preposterous.	7	indeed. And I feel confident that she will be
8	Q. Okay. And I think we kind of got off track. So	8	taken to task for telling untruths.
9	I was asking whether the EOP investigation that	9	Q. When you say you feel confident she'll be taken
10	you were referring to that was found without	10	to task, what are you saying there?
11	merit, was that with respect to the Italy	11	A. I think people who tell untruths, the -- it
12	complaints or the complaints about the grade?	12	catches up with them.
13	A. Both.	13	Q. Okay. Do you have any --
14	Q. Okay. And that's fine. I just wanted to make	14	A. Don't you think that?
15	sure.	15	Q. Do you have any plans -- and I think what I meant
16	A. There are two complaints. Let's be clear. There	16	to ask is do you -- are you -- do you have any
17	are two complaints. You're talking about two --	17	plans to pursue any action against her?
18	two separate entities, right? As I understand	18	A. I don't -- I don't -- I would certainly think it
19	it, Allison Dunavant and her complaints about	19	appropriate.
20	Italy, which were preposterous and founded on	20	Q. Okay. And what kind of action are you referring
21	fabrications, outrageous fabrications, and Jaime	21	to?
22	Misenheimer's complaint, which was equally	22	A. I don't know. I'm not an attorney.
23	meritless and founded on -- and was found to be	23	Q. Okay. You're referring to the legal system?
24	without merit, as it should have been.	24	A. Yes.
25	Q. Okay. Who did you speak with about Dunavant's	25	Q. Okay.
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1	complaints?	1	A. No, I wasn't referring to, you know, the media --
2	A. What do you mean?	2	Q. That's why I have to ask those questions.
3	Q. When those were investigated, who were those	3	A. -- yes --
4	investigated -- they were investigated by EOP?	4	Q. Okay.
5	A. Carl Wells.	5	A. -- that I'm coordinating a media drop on her is
6	Q. Okay. As far as the complaints -- for both	6	false. That's an idea actually.
7	complaints?	7	Q. So as far as Lauren Chapman's complaints, I know
8	A. Yeah.	8	that there was or someone has pointed out that at
9	Q. Okay. And I'm not trying to trip you up. I just	9	one point there is notes about it being on --
10	am trying to understand.	10	with tongue or without tongue. Did you ever
11	A. No, no, I know. I mean, you know, I'm not afraid	11	attempt to kiss Lauren Chapman?
12	of being tripped up. I mean I'm answering you	12	A. Have you ever been to Italy?
13	honestly. I don't -- my recollection is that --	13	Q. Yes.
14	that Carl investigated both of them. Dr. Wells	14	A. Okay. Have you ever seen Italians greet each
15	investigated both of them.	15	other?
16	Q. Okay. Are you aware of any complaints against	16	Q. Yes.
17	you from Lauren Chapman?	17	A. Okay. What do they do? They kiss each other on
18	A. Lauren Chapman made a number of false,	18	either side of the head, right?
19	defamatory, and damaging accusations that were	19	Q. Uh-huh.
20	preposterous. Among them, claiming that I --	20	A. Lauren Chapman was twice in Italy. We sponsored
21	that that I kissed her in -- that I kissed her,	21	her twice to go to Italy and -- and she -- my
22	that I tried to kiss her, that I put my tongue in	22	recollection was she came to a party at our house
23	her mouth. She -- she and your clients met with	23	and I greeted her in Italian. I went up to her
24	police officers and specifically, as I understand	24	and greeted her with an Italian greeting, which
25	it, sat there while a police report was being	25	does not involve actually placing your lips on a

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

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

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

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

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

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

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1	Q. Okay. And I think the easiest way for me to do	1 A. -- to answer your questions.
2	this is let's just mark this is Exhibit 1.	2 Q. So do you recall standing over Pam Bowers and
3	3 (Plaintiff's Exhibit Number 1 was marked for	3 students while they were outside of Room 245 --
4	4 identification purposes.)	4 A. No.
5	5 Q. It's the complaint.	5 Q. -- working on a project?
6	6 MR. WLODARCZYK: First one or the amended?	6 A. No, I don't. No, I don't, and that's
7	7 Q. Oh goodness. You know, I think this is the first	7 preposterous. I mean, it's just preposterous.
8	8 one that we've printed off. Let me see here,	8 Q. It's preposterous that you would stand over or be
9	9 though. We don't necessarily -- I want to make	9 outside the hallway while they were working on a
10	10 sure that the paragraphs are the same because I	10 project?
11	11 don't think there's any change to this paragraph.	11 A. It's preposterous to think that I had some
12	12 Okay. So I want you to look at paragraphs 31 and	12 malicious intent and -- and some articulation
13	13 32. This is our original complaint, but a look	13 with her while she's with a group of students. I
14	14 at the record will show that it's the same as our	14 think I was always -- I was always very concerned
15	15 amended complaint for these two paragraphs. And	15 about the impressions of students and -- no, so I
16	16 I just want to get your take on whether you	16 -- no, I --
17	17 remember this occurring on paragraph 31 and 32.	17 Q. So you --
18	18 A. "Female students working ... 245 ... no classes	18 A. Is it possible that I was -- I could have been
19	19 to teach that day and no valid reason to be on	19 trying to communicate something to her without
20	20 campus." Well, I was -- that's -- no valid	20 disturbing the class perhaps? Yeah, I would
21	21 reason to be on campus is preposterous. You	21 think that would be not unreasonable. Was I
22	22 know, you're, as a full-time faculty member,	22 deliberately standing there to upset her, to piss
23	23 you're not required to be at the university only	23 her off, to create problems for her? No.
24	24 when you're teaching. You know, we have an -- we	24 Uequivocally, no.
25	25 have offices that we are allocated. We have	25 Q. So you think it may be possible that you were
	Page 54	Page 56
1	1 office hours we are expected to keep. We have	1 trying to tell or trying to summon her to your
2	2 meetings that we are expected to attend. In my	2 office while she was outside of the room of class
3	3 capacity, I had to articulate with Kim Gore, the	3 -- with the class?
4	4 business manager, and make orders, organize	4 A. Maybe I was trying to tell her that her beeswax
5	5 classes. So yeah, I mean this is so, A, no valid	5 was on fire. I don't -- I don't -- I have no
6	6 reason to be on campus is preposterously false.	6 recollection.
7	7 Q. Okay. And what I'm looking at really is if	7 Q. Okay. And that's --
8	8 you'll read through the full 31 and 32 and then	8 A. But -- but to assume some malicious intent on my
9	9 I'll ask you questions about it.	9 part about looking -- looking at another faculty
10	10 A. "However, while plaintiff was working, stood over	10 member or looking at Pam is, I don't know,
11	11 plaintiff, pestered her. "Plaintiff gestured for	11 paranoid would you say? I'm not a psychologist.
12	12 defendant ..." Where is this supposedly	12 Q. Okay. So, and moving on to paragraph 32. Do you
13	13 occurring? Working on a project. I -- so what -	13 recall that Pam came to your office to discuss --
14	14 - okay.	14 or do you recall her coming to your office and
15	15 Q. I think you'll need --	15 you discussing the travel exhibition to Norway?
16	16 A. They seem to be about two different subjects. So	16 A. We discussed the -- no, I don't -- do I recall
17	17 which one do you want me to address?	17 that? No. Do I -- do I recall discussing the
18	18 Q. So I think to understand it, and that's why I	18 exhibition in Norway? Yes.
19	19 handed it to you, is if you'll read through 31	19 Q. Okay. When do you recall discussing that?
20	20 and 32 --	20 A. Before it transpired. When? I don't -- I don't
21	21 A. Uh-huh.	21 know. I mean, the data is not on here. I don't
22	22 Q. -- and then just let me know when you're done and	22 particularly know the date.
23	23 I'll ask you questions about it.	23 Q. Do you know if that was in your office?
24	24 A. Okay. Okay. Yeah. Okay, I am prepared --	24 A. Could it -- it could have been. I suspect it was
25	25 Q. Okay, perfect.	25 probably in numerous places. I talked to her

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

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

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

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1 preposterous, I'll go under and I'll make it 2 accessible if you like. And she said I could do 3 that. And I went under there and fixed or I 4 exposed whatever needed to be exposed on the hot 5 tub and I -- I was leaving and she said something 6 about Jaime teaching classes. And the long and 7 the short of it is that I said I could not 8 support that. Now, if the chair of the 9 department wanted to hire Jaime -- and why? 10 Because Jaime had made allegations regarding, in 11 a complaint, regarding the Dunavant situation and 12 I felt that was -- that it was dishonest. I felt 13 that she was dishonest, being dishonest, in my 14 opinion. I felt that she was in her classes not 15 following the curriculum that was -- which was 16 part of my job to make sure that people were 17 following the curriculum. We submitted the 18 curriculum in painting to the university 19 committee on courses and curriculum and it was to 20 be followed. And Jaime was also routinely 21 starting her class late and was aware of this. 22 And she and I, in fact, talked about it; that 23 students were often, for 30 minutes, sitting 24 outside of Jaime's classroom waiting for the 25 class to start. So yeah, I thought there were a	Page 69 1 curriculum. Yes, I can say that as an objective 2 fact. In my opinion, she was not teaching the 3 curriculum. I spoke to Pam about this on a 4 number of occasions. 5 Q. Did you speak to anyone else besides Pam about 6 it? 7 A. Yeah, Jaime. I said, Jaime, you really got to 8 follow the curriculum, you know, I really want 9 you to use this book, The Natural Way to Draw, 10 and do the -- some of these exercises that are 11 based on that, that book. Also, the class calls 12 for an introduction to human anatomy, surface 13 anatomy. And I didn't see any evidence that she 14 was doing that. The students that came into my 15 class having had her class did not understand 16 certain precepts that were part of those courses, 17 which were prerequisites. Yes. 18 Q. Is there anything in writing to that effect? 19 A. What do you mean, is there anything in writing to 20 the effect that she wasn't doing that? 21 Q. Yeah. Did you put anything in writing or can I 22 find anything in writing about -- 23 A. No. I thought that it could be something that, 24 you know, that could be resolved by reasonable 25 people, you know. The -- her mission, if you
Page 70 1 number of reasons why she -- why I couldn't 2 support that. Now, again, is it possible for Pam 3 to go to the chair and say I really want Jaime to 4 do this? Yeah. And could the chair have hired 5 Jaime to do that with -- against my wishes or 6 judgment or? Yes. 7 Q. Do you have any evidence that Jaime was not 8 following the curriculum? 9 A. Yeah. A, I was -- I was -- I was supervising 10 that. And, B, I wrote the curriculum and -- and 11 submitted it to the university course committee 12 for courses and curriculum and it was approved 13 and she was not following the curriculum. How do 14 I know that? Because I saw the drawings that she 15 posted of student drawings in the -- in the 16 hallway, and it was -- it was a -- she was 17 essentially having students do what I had them do 18 in the upper level class and they were not 19 learning lessons that they should have learned in 20 the lower level class. Why did that occur? I 21 don't -- I don't know. But I'll tell you that 22 the -- that the lessons that were part of the 23 lower level curriculum were difficult, tedious, 24 time consuming, harder in in some ways, because 25 they -- yeah, she -- she wasn't teaching the	Page 70 1 will, in being a TFAC in that class was to teach 2 the curriculum. And I think I felt like simply 3 pointing it out that the class should begin when 4 the class is supposed to begin or relatively so 5 and that you follow the curriculum seems like a 6 given to me. I mean, you can't get a job at 7 Jimmy Johns and say I don't want -- I don't like 8 avocado, I'm not gonna put avocado on this guy's 9 sandwich. Well, yeah, but the sandwich calls for 10 avocados. If I don't get avocados on my 11 sandwich, then -- 12 Q. Do you recall stating that Misenheimer is a lying 13 sack of shit during that conversation with Pam? 14 A. I am a colorful guy, aren't I? I -- I -- yeah, 15 maybe. Maybe. I think in my estimation she was 16 lying sack of shit. I mean, I don't know. Let's 17 -- I mean maybe let's consider that term, that 18 concept for a minute. Lying sack of shit. Okay. 19 So she went to my chair a year or almost nearly a 20 year after an alleged incident occurred. 21 Coincidentally, that reporting to my chair 22 occurred just after, like a day after I asked her 23 -- I told her that she needed to justify some of 24 her hours because she wasn't -- didn't appear to 25 be getting anything done for the hours she was

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

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

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

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

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1	taught 210 once.	
2	Q. How many classes would she teach per semester?	
3	A. It just varied according to what the need was. I	
4	mean, you know, it was not like -- she was one of	
5	a pool of people who -- who would teach. You	
6	know, there were -- I think all of the faculty	
7	had sort of a similar objective in that, you	
8	know, we tried to -- or when we had openings for,	
9	needs for TFAC, that we would try to find a	
10	recent graduate student to take that position for	
11	a semester or something, just to give them a	
12	little teaching experience.	
13	Q. Okay. Do you recall that Jaime Misenheimer was	
14	teaching two courses per semester?	
15	A. May have been.	
16	Q. Would you say that Jaime was good at her job?	
17	A. Would I say Jaime was -- in my opinion -- in my	
18	opinion, no.	
19	Q. Why not?	
20	A. You know, well, it's -- well, first of all,	
21	following the curriculum as required.	
22	Q. We've gone over that one.	
23	A. Another thing, regular class times are not	
24	optional. And not -- you know, at one point I	
25	recall Jaime leaving -- not -- not showing up for	
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1	class, teaching 210 in fact, and students were	
2	doing a type of painting that requires hot wax	
3	that's heated up on a hot plate and they were	
4	essentially working unsupervised because she	
5	didn't come in that day. And Autumn Wertz was	
6	her -- was the graduate assistant who was working	
7	in that class and Autumn was supervising the	
8	students. But, you know, she had not been	
9	trained for that and so it was a dangerous	
10	situation. I would say that that is -- merits	
11	being considered as not doing a good job.	
12	Q. Did you have the authority to reprimand any TFAC	
13	members?	
14	A. No, I didn't have -- again, this is the problem	
15	with the kind of a mid-level management thing,	
16	you don't -- you don't really have any	
17	opportunity, you don't have any -- there's not --	
18	I'm sorry, authority really. You can't penalize	
19	them in any way. I mean, you know --	
20	Q. Did you report those issues to anyone else?	
21	A. Initially I reported them to Pam. I talked to	
22	Pam about it. You know, we had gone away for one	
23	summer and Jaime was working as an assistant and	
24	they did -- assigned her that or requested that	
25	for her to help her out so she had some means of	

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

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

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1        devoted to whether or not I called her a bitch, 2        which I did not do. And then there was the fact 3        that she thought she was enrolled in a USC class 4        while she was in Italy, for which, again, she 5        didn't register. She seems -- the idea that you 6        actually have to register and pay for classes 7        seemed to have escaped Ms. Dunavant and her 8        educational background. Yeah.	1        Q.    Was there a no contact issue ordered by EOP with 2        respect to Dunavant? 3        A.    You would know that. I don't -- I don't recall. 4        I seem to remember that but that was a long time 5        ago and I don't remember the intricacies of it. 6        I wouldn't be surprised if there was. I suspect 7        there probably was. I can tell you I certainly 8        didn't have any interest in having any contact 9        with her on any level.
9        Q.    Do you recall telling Jaime that Allison Dunavant 10      was crazy during a conversation in Jaime's office 11      when you returned?	10      Q.    And this is one of those things that I would have 11      known if I had handled that case previously. Did 12      Allison Dunavant dispute a bad grade you gave 13      her?
12      A.    I don't recall that. I don't -- I don't recall. 13      I mean I don't recall that specifically. I mean, 14      I -- I don't recall.	14      A.    She did at one point, yeah. Yeah, yeah, yeah. 15      She and Josh Knight, another graduate student who 16      are in my upper level figure drawing class, and 17      neither of them came to the lecture sections of 18      the class. They, in fact, during the lecture 19      sections of the class, my recollection was Josh 20      would go outside and smoke and Allison would hang 21      around in the stairwell and chat. And I spoke to 22      them both several times about it and said the 23      lectures were a required component of the course 24      and I expected them to participate, and they did 25      not. And they were -- they were graded
1        Page 106 2        common knowledge that -- that there were -- that 3        there were problems, in quotation marks, with 4        Allison Dunavant in a number of aspects. I mean, 5        my understanding is that she made a lot of 6        allegations about faculty on her thesis 7        committee.	1        Page 108 8        accordingly. And then, as I recall, they 9        complained to Andrew Graciano, who asked me to 10      justify why I gave them the grade, and I 11      explained what I just explained to you and he was 12      sympathetic, the university was sympathetic, and 13      they felt that I was justified in the grade I 14      assessed.
7        Q.    Do you recall telling Jaime that Dunavant was not 8        going to be able to take any courses with you 9        that semester?	8        Q.    What semester was that?
10      A.    I don't remember that. I don't remember.	9        A.    I don't know. You know, maybe fall 2015, maybe 10      spring 2016. No, no, it would have been -- it 11      would have been earlier. It would have -- I bet 12      you it would -- probably would have been fall 13      2015.
11      Q.    Is it true that she wasn't going to be able to 12      take any courses with you in --	14      Q.    So this was before she went to Italy?
13      A.    She could have -- she could have taken courses, 14      as far as I'm concerned. I mean, I think I'm -- 15      I think I'm a fair and ethical person. I don't 16      think I ever gave a student a grade that they 17      didn't deserve, unless it was higher than what 18      they probably deserved. And I certainly wouldn't 19      have deprived her of an opportunity to take a 20      class. Had she, you know, wanted to, I think 21      that I could -- you know, I mean, you don't have 22      to particularly like, you know, your students, 23      like you don't have to like your customers at 24      Jimmy John's, but you have to be behave 25      appropriately to them.	15      A.    Yeah, it would have been. Yeah. 16      Q.    When did you learn about the report to EOP 17      regarding the conversation with Jaime and giving 18      Allison Dunavant a bad grade? And I can clean up 19      that question if you don't understand it. 20      A.    Well, no, I think I do. When did I find out 21      about that? My recollection is that I was 22      working in the backyard on something at the 23      Hopkins house. Well, I was -- I was working on a 24      trailer that I was intending to live in and -- 25      it's a bleak period. Yeah, and I got a call from

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

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1	be making with the changes?	
2	A. I don't -- I don't recall that.	
3	Q. Had Alex Stasko taught a course in the painting	
4	area before?	
5	A. Well, you know, the figure drawing classes are	
6	drawing classes. The reason that the figure	
7	drawing classes were under my supervision sort of	
8	quasi unofficially, I mean, I was -- I did submit	
9	the schedule for those classes, but they were	
10	drawing classes and they were taught by a former	
11	colleague named Deanna Lahman who did a really	
12	wonderful job in that area and taught them as	
13	drawing classes. She was a drawer and that's	
14	what she did. She understood human anatomy. You	
15	know, I -- so -- so, yeah, I mean, did Alex teach	
16	-- Alex was teaching a drawing class that had to	
17	do with an understanding of the anatomy of the	
18	human figure, which, you know, she's very good	
19	at, as Peter said.	
20	Q. Okay. And let me make sure I'm understanding.	
21	So when you're saying she was teaching a drawing	
22	class, are you talking about once you -- when was	
23	she teaching this drawing class?	
24	A. The one I recommended her for.	
25	Q. Okay.	
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1	A. Yes.	
2	Q. As the TFAC.	
3	A. That's right.	
4	Q. So before that, she had not had any experience	
5	teaching?	
6	A. Well, yeah, she was teaching -- she was	
7	sabbatical replacement of sorts -- I don't know	
8	in what capacity, what the official setup was --	
9	for Virginia Scotchie. And she taught as a	
10	graduate student and -- and she took my classes a	
11	number of times. As Peter -- as Peter said -- I	
12	told Peter at the time that she was, as far as I	
13	was concerned, she knew as much about the figure	
14	as anybody I knew of in town by virtue of having	
15	taken my class and going to the gross anatomy lab	
16	and drawing from cadavers and drawing from a	
17	skeleton. And there was the fact that Jaime was	
18	not following the curriculum, you know, and I --	
19	you know, this is something I spoke to Pam about	
20	repeatedly.	
21	Q. Did you tell Jaime that you were removing her	
22	because she was not following the curriculum?	
23	A. I simply told Jaime what I was -- what I thought	
24	would be a good idea for the classes that we	
25	needed to cover and what I was going to recommend	

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

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

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1 know, you can recommend somebody to teach a class 2 without telling that person. I mean you can just 3 -- I mean I could have gone to the chair and I -- 4 and say, you know, I'd like Damon to teach this 5 figure drawing class, I think he'd be good at it. 6 You know, and Damon might never have known about 7 that.	1 want students to see how to do this because I 2 think it's a useful skill and I'll volunteer my 3 materials to be used in the class. Yeah, those 4 were -- so were those my materials, yes. Were 5 they -- was that my work, yes. Was my intention 6 to get free work out of Jaime, no. I think 7 Jaime, however, felt that she was not being paid 8 -- not being compensated sufficiently for sharing 9 her conservation knowledge. I mean my idea was 10 for students to -- to observe the process on week 11 one, and then on week two, to bring in drawings 12 that they were going to glue together with -- 13 with these skills that they had observed. And my 14 recollection is that after initiating a 15 demonstration she didn't show up the following 16 week and so students were frustrated because they 17 showed up with things that they were eager to 18 experiment with and they could not, so. And 19 again, in this situation, yes, it was -- it was 20 my material provided under a grant that I was 21 working on and in accordance with the 22 university's mission of research based education, 23 I was trying to incorporate my research into the 24 class as much as possible. And I was also 25 volunteering parts of my materials for students
15 BY MS. BOWEN:	
16 Q. Did Jaime Misenheimer work directly under you 17 when she was serving as a lab technician?	16
18 A. Well, I -- I guess -- I guess in a manner of 19 speaking, yes.	17
20 Q. Did you require Jaime Misenheimer to repair your 21 artwork while she was serving as a lab tech?	18
22 A. No. No. This is another irritating -- it was 23 another irritating -- well, I don't even know. I 24 don't even know how to describe it. I had a 25 class -- in my -- in my classes, my painting	19
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1 classes I often advise students to work on paper 2 and because -- for a student, rather than canvas 3 or something because it's inexpensive and it's 4 malleable. One can take a piece of paper and 5 glue it to other papers or add paper or cut it 6 down, etcetera. It can be manipulated so it's 7 good for students, I think, and easy to store, 8 etcetera. The problem is the paper is fragile, 9 A, and B -- and it's easily damaged, and B, that 10 it is -- it is -- when you do one and glue it 11 together, it's difficult to do so without having 12 it ripple and get all squirrely. And I knew that 13 Jaime was -- had worked in conservation for 14 someone I think we introduced her to, I think, it 15 doesn't matter, but -- and knew something about 16 paper conservation and I told her, you know, I 17 would like to, A, I need some -- some adhesive 18 that a conservator would recommend on a project 19 I'm working on, I also would like to demonstrate 20 to my students how to do this stuff. So I -- I 21 said, well, okay, I'm going to bring in an old 22 drawing of mine that I would like -- that's torn, 23 that I would like to repair and show the students 24 how to do this. And also, a -- some paper that I 25 wanted to adhere to a Styrofoam support and I	1 to us, which I would think would be pretty decent 2 of me if somebody else were describing the 3 situation.
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1	materialized into complaints about him, I mean on	1	considerate. You know, when he would come around
2	any official level, were the same individuals who	2	as a student, you know, occasionally he would
3	are involved in all this mayhem in my life.	3	come by the house for something or other to my
4	Q. And who specifically are you referring to?	4	studio and he would play -- always shoot a few
5	A. Well, you know, I -- I -- I think it's a clique	5	baskets with my son. He was very kind with him.
6	of individuals that include your clients and	6	You know, it's unfortunate. I think that my
7	Lauren Chapman, Autumn Wertz, are all individuals	7	knowledge of John Henry is just as a -- just
8	who made untrue, unfair and defamatory	8	kind, very decent young man. And -- and same
9	allegations about me.	9	with Peter. And I think people -- Peter
10	Q. Okay. And then as far as with relation to John	10	Chametzky. And I think people probably said the
11	Henry Tecklenburg, which of those people made a	11	same thing about me at one point before all of
12	complaint against him?	12	this nonsense. And I think it's really
13	A. Again, I don't know that there was ever any	13	unfortunate that good people have been so damaged
14	complaint made officially. That I don't know	14	by irresponsible, self-seeking complaints.
15	about. I know that there were some allegations	15	Q. Who told you about the accusations against John
16	and some rumors, one of -- one of the makers of	16	Henry?
17	which I understood to be a young woman who came	17	A. I don't think anybody ever told me, "Hey, you
18	and worked or participated in our program in	18	know what I heard about John Henry?" I -- I
19	Italy at one point. I don't remember her name,	19	don't recall.
20	Alexandra something.	20	Q. You don't know where you heard that?
21	Q. Okay. I think I saw her name somewhere in the	21	A. No.
22	documentation. As far as the accusations, what	22	Q. Did you speak with John Henry about the
23	is your understanding of the accusations that	23	allegations?
24	were raised against John Henry?	24	A. It seems like I did. I believe that I did. I
25	A. I -- you know, I only know things through word of	25	can't say that with certainty. I believe that I
	Page 130		Page 132
1	mouth and I'd be -- I'd be hesitant to repeat	1	did obliquely. John Henry is a very shy fellow
2	that.	2	and he's not one to volunteer personal
3	Q. Well, I'm going to have to ask you. What did you	3	information easily and he easily seems to become
4	hear?	4	uncomfortable discussing personal matters. So I
5	A. What I -- what I heard was that some young woman	5	never pushed him on that sort of thing.
6	who was modeling for him fell asleep and either	6	Q. Did you speak with any faculty members about the
7	accused him or drugging her or accused him of	7	allegations that you heard?
8	being inappropriate with her. And I can't	8	A. No. No.
9	clarify that any more. I don't know. But while	9	Q. Did you continue to -- was John Henry an employee
10	she was sleeping. I will tell you that same	10	of the university or was he a grad student?
11	young woman modeled for me in my class and one of	11	A. He was a grad student who was also employed by
12	the irritations with her was that she repeatedly	12	the university as a graduate assistant. In that
13	fell asleep, which is one of the more irritating	13	-- within that role, he was -- he assisted with a
14	things. I mean it's a job, you know, and it's --	14	class. It may have been with me. It may have
15	it's -- modeling is hard work and it's a job.	15	been with Pam. I don't recall. And for -- as
16	And the model was expected to hold a pose and not	16	training and then he would have taught that class
17	unreasonably so but to hold a pose and to not	17	himself.
18	fall asleep and talk and -- you know.	18	Q. And would that have been -- when these
19	Q. Do you know if John Henry was inappropriate	19	allegations came up, what was his role with the
20	towards this female?	20	university?
21	A. I was not there. I've never -- I've never known	21	A. I have no idea. I have no idea when the
22	him to do anything inappropriate, to be truly	22	allegations came up. I mean, you know, I had the
23	honest with you. I've -- I've known him a long	23	-- I guess if I had to guess, I would say that I
24	time. I've always known him to be an	24	-- I became aware of that situation well after it
25	exceptionally gentle young man, kind and	25	had gone through the rumor mill.

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

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

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1 come up, an inter-faculty dispute, you know. So, 2 yeah, I was quite conscious that she was working 3 for me and she didn't appear to be doing 4 anything. Things were not getting done. And so, 5 yeah, I spoke to her about it. I asked Pam to 6 speak to her about it. And I -- I -- or just 7 about what she was doing. You know, "What are 8 you doing?" And finally I went to the chair. 9 But when I became aware of the model situation, 10 that she had a nude model that was paid by the 11 university at her house with alcohol present and 12 other students present, I thought it was time to 13 go to the chair. I sought advice from my friends 14 and colleague -- my colleagues about it, you 15 know, about what -- what to do in a situation 16 obliquely like this. And the advice was always 17 go to your chair, so that's what I did.	1 Q. Did Peter Chametzky tell you that Jaime 2 Misenheimer was complaining about you providing 3 the art course to Alex Stasko in March 2017? 4 A. I don't think so. 5 Q. Did you ever hear that? 6 A. I don't think so. That's certainly not the sort 7 of thing Peter would -- Peter was -- I think 8 there were a lot of things I didn't agree with 9 him about but I always felt that Peter was a very 10 ethical guy and that he was very sensitive to 11 privacy issues about that.
18 Q. So who did you speak with about that? 19 A. Peter Chametzky. 20 Q. Who were the colleagues? 21 A. Well, no, I don't know. I spoke to my friend 22 John Logan who was a neighbor. And I said, 23 "John" -- you know, he was the chair of the 24 biology department for many years at USC Sumter - - and I said, "John, you know, I have a problem	12 Q. Did USC ever investigate any claims that you were 13 providing Alex Stasko with courses in exchange 14 for sexual favors? 15 A. No. No. That's preposterous. 16 Q. Did USC ever question you about Alex Stasko's 17 qualifications or the reason for your selection 18 of her? 19 A. No. There was no reason to. I mean, everybody 20 knew Alex had been a graduate student at USC and 21 her thesis project she made, I don't know, five 22 or six life size and larger than life size 23 sculptures that were quite anatomically accurate 24 and impressive. I think -- I think it was widely 25 known that she was very talented and had a great
1 and I have a student, somebody working under my 2 supervision." I was careful not to mention 3 names, you know. I -- and, you know, "I -- I 4 don't know what to do. You know, I have to 5 justify these hours and the work is not getting 6 done. What should I do?" And he says, "Go to 7 your chair and say, you know, he should 8 investigate it." 9 Q. Do you recall telling Jaime in February 2017, 10 that you were going to start a figure sculpture 11 program? 12 A. No, I don't remember that. I mean, I may have 13 expressed that I wanted to -- I wanted to offer 14 some figure sculpture classes. I trained in 15 undergraduate school, as did Pam, in the 16 figurative sculptor with a -- sculpture with a 17 famous figurative sculptor. And I taught a class 18 in that as a May-mester class one semester at 19 USC. The students responded very positively, it 20 was fun to do, and I thought there was a need for 21 it. So I may have. I don't recall that but I 22 may have. 23 Q. Do you recall ever telling Jaime that she and 24 Alex would work well together? 25 A. Probably.	1 Page 142 2 breadth of information and knowledge about the 3 human figure and anatomy. 4 Q. Were you present when Richard Spivey made 5 inappropriate sexual comments to a female student 6 while he was acting as a nude model? 7 A. No. This is our friend Lauren Chapman. No, I 8 was not present. My recollection is that I had 9 students working in two rooms and in spite of 10 what Lauren said, I believe there were other 11 students working in the room that she was in with 12 Richard. And Richard was the same nude model who 13 was nude at Jaime Misenheimer's house, as I 14 understood it, with Lauren Chapman there. I 15 don't know why she would have felt more 16 uncomfortable being with him in the classroom 17 than she did at a backyard party with alcohol 18 present. But I don't know. I never -- I never 19 saw anything inappropriate from Richard. You 20 know, when Peter told me what happened, I told 21 him I thought he made, you know, a good call and 22 that he did what was appropriate. But I wasn't 23 there, I didn't witness it. 24 Q. When did you first learn of the report to -- or 25 when did you first learn of Lauren Chapman's complaint against Richard Spivey?

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

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

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

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

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

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

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

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1	complaints that we've covered today from USC?	1	Wells.
2	A. You mean like a list of people?	2	A. I did speak to Carl Wells about several things on
3	Q. And I can go through the ones that I would	3	several occasions but always relative to a, you
4	expect. I just want to make sure that, you know,	4	know, an EOP complaint.
5	if you had a conversation with --	5	Q. Did you have any conversations with Jamar
6	A. Well, I would -- I would -- who have I spoken to	6	Mitchell?
7	at USC who would -- I -- who would -- I would	7	A. No. I've heard of him.
8	have made -- talked to you about --	8	Q. And Andrew Graciano?
9	Q. Well, let me break it down because I don't want	9	A. I have had many conversations with Andrew
10	to spend --	10	Graciano but about -- I mean, you'd have to be
11	A. I'm sorry.	11	pretty specific.
12	Q. -- all day on it. So as far as Chametzky --	12	Q. About Pam Bowers or Jaime Misenheimer?
13	A. Uh-huh.	13	A. No. No. No, I mean, you talked to Andrew
14	Q. -- I think we've gone over -- have you -- did you	14	and he's the -- he's the mildest like fairest guy
15	have any conversations with Chametzky about Pam	15	he could be. He would never --
16	Bowers or Jaime Misenheimer that we haven't	16	Q. I didn't have the pleasure of deposing him but I
17	talked about today?	17	imagine --
18	A. I don't believe so. I mean, other than to -- I	18	A. Oh, he's a very nice guy. He's not a rumor
19	always say that -- and both (incomprehensible),	19	spreader, gossip kind of guy.
20	you know -- that Pam certainly was very qualified	20	Q. Jan Breuer, did you have any conversation with
21	to be teaching what she was teaching and the	21	her?
22	university was fortunate to have her teaching it.	22	A. I don't think I know who that is. That name
23	Q. Did you ever speak to a Lieutenant Jessica	23	sounds familiar but I don't -- I don't -- I can't
24	Velders?	24	--
25	A. Yes.	25	Q. And then the dean of Arts and Sciences at any
		Page 174	Page 176
1	Q. What did you speak to her about?	1	time, and I know that you've gone through
2	A. A lot of stuff. She was the -- she was the	2	several, tell me about your conversations with
3	officer who I was referred to when the vandalism	3	the deans about Pam Bowers or Jaime Misenheimer
4	took place at USC. She was also the officer who	4	and their allegations.
5	at one point when I went to campus -- anytime I	5	A. Nonexistent, I think. I mean, I don't -- I can't
6	would go to campus, Laura -- Laura asked me to	6	-- nonexistent.
7	let her know and she felt that it would be a good	7	Q. Okay. So they never addressed any concerns or
8	idea for a police -- a police person, I guess, to	8	complaints with you about Pam Bowers or Jaime
9	accompany me, because there were concerns about	9	Misenheimer?
10	my safety. Jessica Velders accompanied me, as I	10	A. No. There were some interim -- I don't recall.
11	recall, on two occasions. She seemed like a nice	11	I don't recall that. I think my -- but, again,
12	person, reasonable -- a very reasonable officer.	12	as you -- as you rightly pointed out, we've been
13	Q. Did she ever question you about any complaints	13	through a number of deans and we had a number of
14	that Pam made to her?	14	interim deans, Lacy Ford, etcetera, who -- I
15	A. No. No. She was very on task about things.	15	don't know where they came from or where they
16	Q. Did Susan Bon ever have any conversations with	16	went. But they're not anybody I had anything to
17	you --	17	do with. And Joel Samuels I've only spoken to a
18	A. Never.	18	couple of times, specifically about other issues.
19	Q. -- about Pam or Jaime?	19	I don't -- I would not have spoken to him about
20	A. No, never. I never -- I never -- I had heard the	20	either of these guys.
21	name before but I'd never -- I had no face to	21	Q. Okay.
22	match with that name before the other day.	22	A. I mean, you know, this is -- I have to say that,
23	Q. Clifford Scott?	23	you know, from my perspective, you know, it's --
24	A. Same.	24	it's -- it's personally embarrassing. You know,
25	Q. And you told me about that you spoke with Carl	25	it's -- it's -- you know, I mean, it's someone

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1	that I had a long-term relationship with and I --	1 A. That I wasn't teaching on campus?
2	and someone that I trusted and thought highly of	2 Q. Yes.
3	at one point and which, you know, I would -- I	3 A. I think Laura told me that she felt it was in
4	would prefer not to talk about either of them	4 everybody's best interest if I did not come to
5	with anyone.	5 campus -- not teach in a particular semester.
6	Q. Okay. As far as your -- well, one last one.	6 And I can't remember, it seems like at one point
7	Have you spoken to Brad Collins about any of the	7 I taught online, I can't remember if that was
8	allegations made by Pam Bowers or Jaime	8 during COVID or afterwards. I had some duties,
9	Misenheimer?	9 you know, that I was assigned; you know, kind of
10	A. No. I don't -- I mean, Brad, Brad is a very good	10 pencil sharpening duties, I reviewed all the
11	hearted guy who's been kind of a mentor of sorts.	11 syllabi, that was fun, stuff like that, busy
12	And he's someone that I have a pleasant banter	12 work.
13	with but he's not somebody who likes to get	13 Q. Okay. And that would have been -- I don't have
14	involved in things. You know, has the subject	14 my dates in front of me, and I don't think
15	ever, ever come up with -- with Brad? I would --	15 they're -- I think it was post complaint.
16	I would imagine it would have. But is it	16 A. I won't remember probably the dates real
17	something that I would -- I would -- it's not	17 specific. A, I'm not particularly good with
18	something that I would seek to, what do you call	18 numbers and, B, it's been -- it's been a very
19	it, make responsible -- to make response --	19 difficult last few years, very painful. And I am
20	liable -- a liability that I wouldn't want to	20 a little disoriented with specifics of years.
21	impose on a friend really.	21 It's been something of a blur, as they say.
22	Q. Did you ever --	22 Q. I understand. As you can see, I'm not the best
23	A. So did it ever come up? Yeah. Perhaps. In what	23 with the dates either. Okay. So Laura tells you
24	context or to what extent? Probably as little as	24 that it's in everyone's best interest for you not
25	possible.	25 to teach. Did she give you a reason?
Page 178		Page 180
1	Q. Did you ever tell Brad Collins that Jaime	1 A. No. I just -- well, it was, you know, self
2	Misenheimer was lying?	2 explanatory. You know, the students were --
3	A. I don't -- I don't know. I don't think so.	3 students who I never met were walking around with
4	Q. Did you ever tell Brad Collins that Pam Bowers	4 picket signs with my name on it. You know, I
5	was lying?	5 would joke that I was gonna go down and join them
6	A. I don't think that -- I would think that Brad is	6 with a sign that said "Fire Voros" because none
7	someone that I've known a long time and knows me	7 of them know what I look like anyway. You know,
8	very well and I think that he considers me an	8 I mean, they're just picketing an idea, just an
9	honorable person. And I think that he would have	9 abstract concept.
10	whatever -- whatever conclusions he has come to	10 Q. Okay. And so this occurred during the protests?
11	about -- about Jaime or Pam or anyone are	11 A. Yes.
12	conclusions Brad would come to. He doesn't need	12 Q. And so you -- were you removed from campus during
13	my help with that.	13 the protests?
14	Q. Okay. And so I understand that you were out on	14 A. I believe that was the -- I think so.
15	sabbatical and you came back to teach. Can you	15 Q. Okay. And they -- you went to collect your
16	tell me -- you return, I think, in -- well, I	16 things from campus; is that correct?
17	think you returned after summer 2016 from Italy,	17 A. Yeah, several times.
18	right? From --	18 Q. Okay. And was a police officer given to you to
19	A. Yeah.	19 escort --
20	Q. -- fall 2016, at what point were you no longer	20 A. Jessica. In the beginning --
21	teaching at USC?	21 Q. Okay.
22	A. I can't tell you. I mean, it would be like,	22 A. -- Jessica. And then after a while Laura didn't
23	jazz, I don't know, three semesters ago. I don't	23 feel like it was necessary anymore, I would
24	know. I don't recall.	24 notify her that I was, you know, needing
25	Q. Okay. And how did that come about?	25 something from campus or -- but my appearance --

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

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

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1	Q.	Have you ever seen this document before?	1	A.	I don't -- I can't say with certainty. I suspect. But I think, looking at it again, I think a bunch of crap is a fair assessment. I think this -- you could match this intake form to the email that I sent to Peter about Jaime's hours and it occurred eight months after the alleged incident, which again, and which someone who was not registered for her class was supposed to have gotten a bad grade, etcetera, etcetera.
2	A.	I don't know. Maybe. I guess this is the Misenheimer complaint about Dunavant being given a bad grade.	2	Q.	Okay. And let's go off the record very quickly. I just realized that I do not have Jaime on the line.
3			3		(Off the record)
4			4		
5	Q.	Okay.	5	BY MS. BOWEN:	
6	MR. WLODARCZYK:	And just to clarify, we may need to ask if he's seen it before this litigation. Because I know --	6	A.	And we'll go back on the record. Before I get
7			7		too far on these documents, I do have a few
8			8		follow-up questions. Do you recall recommending
9	Q.	Certainly. Have you seen this document before this litigation?	9		Jaime Misenheimer for that the McNair Minority Fellowship or Scholarship?
10	A.	I can't -- I can't say absolutely. But I believe I have.	10	Q.	I don't remember. I don't remember.
11			11	A.	Do you recall her project for the Magellan Project was on Native American mythology?
12			12	Q.	I don't recall that, no.
13	Q.	Okay.	13	A.	Did you -- were you present for Alex Stasko's deposition when I deposed her?
14	A.	Haven't I? I think this would have come to me from either --	14		
15			15		
16	Q.	Okay.	16		
17	A.	Probably.	17		
18	Q.	And next I'm gonna hand you what we're marking as Exhibit 3.	18		
19			19		
20	(Plaintiff's Exhibit Number 3 was marked for identification purposes.)		20		
21			21		
22	Q.	And you are not copied on this email so you may not have seen it prior to this litigation. This appears to be an email from Carl Wells to Peter Chametzky.	22		
23			23		
24			24		
25			25		
		Page 190	Page 192		
1	A.	Uh-huh.	1	Q.	When was that?
2	Q.	And it references a phone call that Peter is saying he had with you.	2	A.	It has been a while. This case has been going on for quite some time. Regardless, I was going to ask you about something in her deposition. Do you recall talking to Alex and Blake in Italy about whether Jaime Misenheimer is Native American?
3			3		
4	A.	Yeah.	4		
5	Q.	Do you recall calling Peter in response to a letter saying that it's a bunch of crap, her word against mine, and promising to take legal action against Peter?	5		
6			6		
7			7		
8			8		
9	A.	I don't recall that like, jeez, I remember what color shirt I was wearing. But I -- yeah, I believe that this occurred, yeah.	9		
10			10		
11			11		
12	Q.	Okay.	12		
13	A.	I think it's a fair assessment; a bunch of crap and her word against mine. I'm noting that the date of the submission of this form is April -- April 10, 2017, about something that she didn't choose to report from April 19th so it's -- I'm sorry, 8/19. So let's see, April is four so it's nine, ten, 11, 12, one, two, three, four. By my finger count, that's eight, eight months after the alleged incident, yeah.	13		
14			14		
15			15		
16			16		
17			17		
18			18		
19			19		
20			20		
21			21		
22	Q.	Okay. And so I just want to make sure. When you're talking about a bunch of crap and her word against mine, are you referring to Jaime, the complaint from Jaime Misenheimer?	22		
23			23		
24			24		
25			25		

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

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1	occurred in that discussion?		1 that ever put in place?
2	A. No.	2 A. I did -- I didn't communicate with any faculty	3 members after this I don't think. You know, I
3	Q. Do you know why you felt the need to -- or why a	4 might have, you know, run into Brad or talked to	5 Brad at some point or -- I can't think of anybody
4	discussion was needed?	6 else I would have had any interest in having any	7 contact with.
5	A. No.	8 Q. Okay. But as far as the communication with other	9 faculty members, did USC ever tell you that you
6	Q. Okay.	10 could not have communication with other faculty	11 members?
7	A. No, I mean, maybe to assure that I have no	12 A. I don't recall. I don't believe so but I don't	13 recall.
8	interest in forcing any interaction on Pam or	14 Q. And I saw that, at some point, Joel Samuels sends	15 out a ban saying that you were banned from
9	Jaime or anybody else for that matter. I don't	16 campus; is that correct?	17 A. I -- do you have that document? I don't -- I
10	know. I mean I can only speculate on it. I	18 don't --	19 Q. I'm not sure I've got it in my stack. But I
11	would think that probably would be the most	20 didn't know if you had seen that.	21 A. I don't believe -- I don't believe so. I don't
12	likely.	22 recall it. I would have -- I would -- it	23 certainly would have gotten my dander up. There
13	Q. Did you agree to the guidelines outlined in	24 was no reason to ban me from campus and no reason	25 for these concerns. You know, I'm not a serial
14	Kissel's email? Or classroom parameters as she		
15	titles the subject?		
16	A. Yeah, I think that these are pretty much normal.		
17	I mean, I don't know., a normal procedure I		
18	guess. I don't know.		
19	(Plaintiff's Exhibit Number 7 was marked for		
20	identification purposes.)		
21	Q. Okay. Next I'm handing you what we've marked as		
22	Exhibit 7. Just let me know once you've gotten		
23	through it.		
24	A. Okay.		
25	Q. Do you recall sending this email to Laura Kissel?		
		Page 198	Page 200
1	A. I don't recall it, but I guess I did.	1 killer, you know, and there's no record of me	
2	Q. Okay. And it looks like you have CC'd Damon on	2 having done anything diabolical in my 22 years at	
3	this. That's Damon, your attorney, correct?	3 the university that would merit these things.	
4	A. Yeah.	4 There were some allegations for the proof to be	
5	Q. And then Lyn Hensel, who is Lyn Hensel?	5 false admitted to be false but they proved to be	
6	A. She was my divorce attorney and friend.	6 false, admitted to be false by the plaintiff.	
7	Q. Did she respond and -- with any restrictions on	7 Q. And you're talking about Dunavant?	
8	your activities?	8 A. Yeah, Dunavant. There were a bunch of EOP	
9	A. I don't recall. I mean, I would think that you	9 complaints by Misenheimer that were made eight	
10	would have documentation on that. You guys have	10 months after the alleged incident that were	
11	been through the email accounts. I mean, I don't	11 dismissed. You know, there were a bunch of	
12	recall.	12 things that were dismissed. And I -- yeah,	
13	Q. And that's why I'm asking. I haven't seen what	13 whatever, I would not have felt that it was fair	
14	I'm trying to find out; what restrictions, if	14 to impose restrictions on me on the basis of, A,	
15	any, they put on your activities.	15 allegations and, B, allegations particularly that	
16	A. I don't know. I don't know. You know, I	16 were proven to be false or not plausible.	
17	remember being particularly wounded by not	17 Q. Okay. I understand that you would disagree if	
18	communicating with any female faculty members,	18 there were any restrictions placed on you. I'm	
19	you know.	19 trying to find out do you know --	
20	Q. Was that -- did that continue after you sent this	20 A. I don't recall.	
21	email?	21 Q. Okay.	
22	A. What? I'm sorry, what? Did what?	22 A. I don't recall.	
23	Q. And I guess what I should ask is, it sounds like	23 Q. And then you don't recall ever receiving notice	
24	she proposed in your conversation that you not	24 of that you were banned from campus?	
25	communicate with female faculty members. Was	25 A. I received a phone call from Laura Kissel that	

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

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1	Q.	Well, unfortunately, I get to answer the question -- ask the questions and you have to answer them today. I assure you that it is not to embarrass you or make you feel bad or any of those things. It's more so because the allegations are that you were emailing her about your romantic relationship on school emails and so that is what we are looking at.	1 that we didn't have children, that her children, they were her children and not our children, that I could just be sort of cut out of the life of our family and she could pack it up in a little box and take it away.
2	A.	Okay. I don't -- I think that I'm emailing someone who I had a relationship with for 35 years and I have two children with and it has nothing to do with the University of South Carolina.	6 Q. Sure.
3	Q.	Okay. Let's take a quick five-minute break. I'm going to dwindle these down and not waste anyone's time or make this more adversarial than it needs to be.	7 A. And I think that that's, you know, the idea of dreaming --when my father died, I dreamt of my father every night for years -- I understand that to be a normal part of the grieving process. And I was grieving the loss of my family, a loss of a relationship, separation from my children that became a preoccupation with her and her friends as a means of punishing me. Yeah, I mean, I think that relatively normal intimate communications, intimate in the sense of my intimacy, you know, in terms of my dreams, my experiences, my feelings. You know, again, why someone would feel it appropriate to make these public, whether you or her or your firm or whoever else, is beyond me. I think it's offensive. What can I say about this? I -- I missed my life as it was, but my life as it was untenable. And I think I'm simply expression that. I mean, you have a collection here of
4	(Off the record from 4:07 p.m. until 4:15 p.m.)		18
5	BY MS. BOWEN:		19
6	Q.	David, you refer to someone in here as "porkchop." Who are you referring to?	20
7	A.	Lauren Chapman.	21
8	Q.	Why did you call her porkchop?	22
9	A.	I don't know. It just popped in my head. Seemed to have stuck.	23
10			24
11			25
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1	Q.	Because I think multiple times I saw that, so I didn't know.	1 unrelated -- unrelated topics, related subjects, all the way from a guy who took my then 16 year old daughter to a disco until two o'clock in the morning to, you know, a whole range of things.
2	A.	Yeah.	2 You know, what can I say?
3	Q.	Okay. If you will turn to it, it's labeled Bowers PPD 522.	3
4	MR. WLADARCZYK:	522?	4
5	MS. BOWEN:	Yes. I'm sorry, 522. I don't know if that's what I said originally.	5
6	A.	Okay.	6 Q. So from --
7	Q.	And I'm looking at the top paragraph.	7 A. Part of my -- part of my challenge, and forgive me --
8	A.	Uh-huh.	8 Q. No, go ahead.
9	Q.	And you were telling Pam Bowers that you dream about her every night and that she's telling you to come home. And in another email, and I can track it down if you need to, but you're -- here at 520, you're telling her that you love her, and you miss her and that you smirked at her because she caught your eyes and smiled.	9 A. -- was, as an individual, was reconciling something in my life that I thought was permanent and understanding what was impermanent about it.
10	A.	Uh-huh.	10 I don't think that's so unusual. I don't think that's so unusual. You know, it was clear that Pam was not interested in reconciliation at that point. Prior to our separation and divorce, our -- our relationship had deteriorated to the point where it was -- it was difficult to know what to do to fix it.
11	Q.	Did you ever make these kinds of conversation directly to Pam in person?	11 Q. And did you attempt to reconcile with her for some time?
12	A.	I don't think so. I don't think that Pam would have been receptive to -- wasn't receptive to much communication and preferred to act as though it seemed that we didn't have a relationship,	12 A. As I understood it, the point of the period between when someone files for divorce and the divorce is realized in South Carolina is for the express purpose of the hopes of reconciliation.
13			13
14			14
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1       Would I have at the time wanted to go back to the 2       way things were before things became -- before 3       the summer of 2016? No, I would not have. I -- 4       I've -- we had a very difficult relationship that 5       was very difficult for the children and they 6       should not have been around it. And I was 7       confused about what to do about that, you know. 8       I mean, this is just a reflection of -- of 9       people's thoughts, my thoughts and feelings. I 10      don't see what it has to do with this case. I 11      think it's kind of shameful, to be honest with 12      you. Shameful.	1       assistantships, was -- and their location of 2       their teaching assistantships was primarily made 3       for the benefit of student, where people thought 4       they would fit in best. I don't know. I mean, I 5       don't recall the discussion on that day. I'm 6       just getting the hypothetical that -- 7       Q. Okay. 8       A. Yeah, I don't -- 9       Q. Do you know -- do you recall having an 10      involvement as far as removing Autumn from a -- 11      from teaching? 12      A. As far as I know, Autumn was never removed from 13      teaching. I mean, and the only context I would 14      understand that as a realistic possibility would 15      be if Autumn did something or did not do 16      something, didn't show up to class or something 17      like that, and was removed from teaching. But as 18      far as I know, Autumn was not removed from 19      anything.
13      Q. Okay. Now if you'll turn to 673. 14      A. 673. I don't -- I don't find -- 15      MR. WLUDARCZYK: You talking about the text? 16      MS. BOWEN: Yes. 17      Q. And this, I think, is kind of misplaced in here. 18      But it looks like a text that is labeled "Autumn" 19      between -- and it says "Hey, Pam" here. And I 20      know that you haven't probably seen this text. 21      And if you have, it's only been in the case of 22      this litigation. I more so am going to ask you 23      about that last text message under Tuesday, March 24      20th -- 25      A. Uh-huh.	20      Q. Let me let me rephrase. Do you know why you 21      chose Kayla and John Henry over Autumn in March 22      of 20 -- well, we don't have a year. 23      A. No, I don't. But I would say that I could 24      speculate on it. And I would say, in speculating 25      on it, that both John Henry and Kayla had a
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1       Q. -- where it looks like Autumn is saying "I found 2       out that Kayla and John Henry will be teaching 3       because there's only two spots open and David 4       made the call." 5       A. Well, like many things in my experience with 6       Autumn Wertz, this seems to reveal something that 7       has escaped her understanding, which seems to be 8       -- it seems to have escaped her understanding. 9       You know, the faculty -- I think numerous people 10      have explained the situation in which graduate 11      students are assigned assistantships. And the -- 12      the disciplinary coordinator, such as myself in 13      painting, makes a recommendation to the faculty 14      in the studio area as a whole. And the studio 15      faculty debates those assignments and tries to 16      determine where an individual would have been 17      best. So one could look at something like this 18      and say that Autumn was when not given, ripped 19      off, cheated out of, I don't know, I can't think 20      of the word I'm trying to think of, cheated out 21      of an opportunity to teach painting, that one can 22      also say that, you know, Autumn was given 23      something that the faculty felt she was better 24      at. I mean, in my -- in my experience, the 25      assignment of graduate students, for teaching	1       compelling interest in artist materials, painting 2       materials, and it did not seem to me that Autumn 3       shared that. This is not, as I said before, not 4       necessarily evaluative, it's simply placing 5       people where it is most appropriate. You know, 6       that was my -- that was my, probably my thinking. 7       And if it transpired, it was probably concurred 8       by -- on by the rest of the faculty, you know. I 9       know that Kayla and John Henry both had a 10      compelling interest in artist materials of the 11      kind we were exploring and were making 12      explorations on their own. I didn't see Autumn 13      making explorations on her own in the same way 14      that I recall. 15      Q. Okay. You refer to a boyfriend named Forest when 16      you're talking to Pam. Who is Forest? 17      A. I don't know. Forest is a mythical character in 18      Pam's life who she -- who she later came to 19      realize that -- mythical, I shouldn't say it in 20      that way. An individual in Pam's life that I 21      understood her to have had, that I understand her 22      to have had, a romantic relationship with, who 23      turned out to be a, according to her, a kind of 24      sexual predator, a violent individual. And, you 25      know, it was my suspicion that this individual

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

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