

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

Timothy Jackson,

Plaintiff,

v.

Laura Wright, Milton B. Lee, Melisa Denis, Mary Denny, Daniel Feehan, A.K. Mago, Carlos Munguia, and G. Brint Ryan, each in their official capacities as members of the Board of Regents for the University of North Texas System; **Rachel Gain; Ellen Bakulina; Andrew Chung; Diego Cubero; Steven Friedson; Rebecca Dowd Geoffroy-Schwinden; Benjamin Graf; Frank Heidelberger; Bernardo Illari; Justin Lavacek; Peter Mondelli; Margaret Notley; April L. Prince; Cathy Ragland; Gillian Robertson; Hendrik Schulze; Vivek Virani; and Brian F. Wright,** Defendants.

Case No. 4:21-cv-00033-ALM

**DECLARATION OF ATTORNEY MICHAEL THAD ALLEN IN SUPPORT OF
PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS'
SUMMARY JUDGMENT MOTIONS**

I am an attorney in good standing representing the Plaintiff in the above-caption civil action; I am over the age of 18 understand the meaning of an oath; I make the following statements based upon my direct knowledge and experience:

1. I am a founding partner of the law firm, Allen Harris PLLC, and I have been admitted to this Court *pro hac vice* for the purpose of representing the Plaintiff, Timothy Jackson.
2. I submit this Declaration for the purpose of authenticating the following documents, Each of which is a true and accurate copy:

- Exhibit GG-** Deposition transcript of Steven Slottow, dated November 7, 2024.
- Exhibit HH-** Philip Ewell, Music Theory and the White Racial Frame, *Music Theory Online*, 26:2 (September 2020) (un-paginated).
- Exhibit II-** A printout of the online archive of the manuscripts of Heinrich Schenker, Schenker Documents Online, indicating “Schenker Documents and This Addition,” which states, “Schenker left behind approximately 130,000 manuscript and typescript leaves...” available at <https://schenkerdocumentsonline.org/index.html>
- Exhibit JJ-** And email thread between various faculty of the University of North Texas, Division of Music History, Theory, and Ethnomusicology, dated July 25, 2020, with Bates numbers UNT_000300-UNT_000303.
- Exhibit KK-** Print out of the title page, table of contents, and appendix captioned, “Directions to Contributors,” of the Journal published by the University of North Texas Press, *Theoria* 26 (2020), edited by Defendant Frank Heidlberger.
- Exhibit LL-** Documents presented by Timothy Jackson to UNT composed of various internal correspondence of the editorial staff of the Journal of Schenkerian Studies, Attached as Exhibit A to the Affidavit of Timothy Jackson, ECF No. 1-1, and already filed with this Court as ECF 1-2 at Page ID #: 54-123, with Bates numbers JACKSON000001-JACKSON000070.
- Exhibit MM-** Undated, handwritten card with picture of envelope from Levi Walls to Timothy Jackson, with Bates stamp JACKS_151898.
- Exhibit NN-** Call for Papers issued by the Journal of Schenkerian Studies soliciting articles for a symposium, previously submitted to this Court as ECF No. 1-11 at Page ID #: 311, Exhibit J to the Affidavit of Timothy Jackson, ECF No 1-1, with Bates number JACKSON000249.
- Exhibit OO-** Facebook post of Levi Walls, dated July 27, 2020, previously submitted to this Court as ECF No. 1-6 at Page ID #: 291-293, Exhibit E to the Affidavit of Timothy Jackson, ECF No 1-1, with Bates number JACKSON000234-JACKSON000236.
- Exhibit PP-** Deposition transcript of Levi Walls, dated May 18, 2021.
- Exhibit QQ-** Email of John Richmond, dated July 31, 2020 with Bates number UNT_000568.
- Exhibit RR-** Email thread between various faculty of the University of North Texas, Division of Music History, Theory, and Ethnomusicology, dated July 26, 2020, with Bates number UNT_000304-UNT_000309.

- Exhibit SS-** Email thread between Peter Kohanski and Defendant Rebecca Geoffrey-Schwinden, dated July 27, 2020, with Bates number UNT_000355-UNT_000356.
- Exhibit TT-** Email from Defendant Rebecca Geoffrey-Schwinden to John Richmond, dated July 30, 2020, with Bates number UNT_000425.
- Exhibit UU-** Email thread between Defendant Rebecca Geoffrey-Schwinden and John Richmond, dated July 29, 2020, with Bates number UNT_000377-UNT_000378.
- Exhibit VV-** Email thread between Provost Jennifer Cowley and John Ishiyama, dated August 3, 2020, with Bates number UNT_002453- UNT_002454.
- Exhibit WW-** Email of Jennifer Cowley to members of the so-called “Ad Hoc Panel,” dated August 6, 2020, with Bates number UNT_002460.
- Exhibit XX-** Medical records of Timothy Jackson, date of service July 30, 2020, emergency room, Texas Health Presbyterian Hospital Flower Mound, with Bates number JACKS_07156-JACKS_07163.
- Exhibit YY-** Letter of Attorney Michael Thad Allen to Laura Wright, Lesa Roe, Jennifer Cowley, John Richmond, and Benjamin Brand, dated July 31, 2020, previously submitted to this Court as ECF No. 1-16, Exhibit O to the Affidavit of Timothy Jackson, ECF No. 1-1, with Bates number JACKSON000255- JACKSON000260.
- Exhibit ZZ-** University of North Texas Policy 06.035 Academic Freedom and Academic Responsibility.
- Exhibit AAA-** Letter of Provost Jennifer Cowley to Timothy Jackson, dated September 7, 2020, with Bates number JACKSON000261- JACKSON000263.
- Exhibit BBB-** Email thread between John Ishiyama and Timothy Jackson, dated October 14, 2020, with Bates number UNT_002634- UNT_002635.
- Exhibit CCC-** University of North Texas system, Board of Regents Rules, Chapter 03-Board Governance, § 03.800.
- Exhibit DDD-** Deposition transcript of John Ishiyama, dated September 27, 2024.
- Exhibit EEE-** Committee on Publication Ethics (COPE), Guidelines: A Short Guide to Ethical Editing for New Editors, with Bates number UNT_003303-UNT_003314.
- Exhibit FFF-** Email of Timothy Jackson to John Ishiyama and all members of the so-called “Ad Hoc Panel,” dated October 17, 2020 with attachments, Bates numbered UNT_002645- UNT_002782.

- Exhibit GGG-** Letter of Jennifer Cowley to Timothy Jackson, dated November 30, 2020, previously submitted to this Court as ECF No. 1-21, Exhibit T to the Affidavit of Timothy Jackson, ECF No. 1-1, with Bates number JACKSON000271.
- Exhibit HHH-** Email thread between Levi Walls and Timothy Jackson, dated November 17, 2019, and previously submitted to this Court as ECF No. 1-8, Exhibit G to the Affidavit of Timothy Jackson, ECF No. 1-1, with Bates number JACKSON000240- JACKSON000244.
- Exhibit III-** Timothy Jackson's Response to the so-called "Ad Hoc Panel" Report (**Exhibit C**), submitted previously to this Court as ECF No. 1-23, Exhibit V to the Affidavit of Timothy Jackson, ECF Note. 1-1, with Bates numbers JACKSON000273- JACKSON000293.
- Exhibit JJJ-** Email thread between Benjamin Brand and Jennifer Cowley, dated May 17, 2021, with Bates number UNT005054- UNT005055.
- Exhibit KKK-** HİLMİ NADİR YÜKSEL, "SCHENKER ANALİZİ YOLUYLA F. SCHUBERT'İN "ARPEGGIONE SONATT"NIN YORUM VE İCRASININ YÖNLENDİRİLMESİ; 1. MUVMAN (ALLEGRO MODERATO), 1. TEMA'DAN BİR KESİT," unpublished article submitted for publication in Volume 13 of the Journal of Schenkerian Studies (submitted in the record to this Court with permission of the author).
- Exhibit LLL-** Lucinda Breeding, UNT professor accused of racism continues lawsuit against the university, August 15, 2021, Denton Record-Chronicle, available at https://dentonrc.com/education/unt-professor-accused-of-racism-continues-lawsuit-against-theuniversity/article_4b1a53c8-f613-5cbc-84c5-164e818ae689.html
- Exhibit MMM-** Email thread between Kofi Agawu and Timothy Jackson, dated March 9, 2022, with Bates number JACKS_151905- JACKS_151909.
- Exhibit NNN-** Emails between Levi Walls and John Ishiyama, dated September 30, 2020, with Bates number UNT_002552.
- Exhibit OOO-** Deposition transcript of Diego Cubero, dated September 26, 2024.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 17TH DAY OF JANUARY 2025,



Michael Thad Allen, Esq.

EXHIBIT AAA

OFFICE OF THE PROVOST
& ACADEMIC AFFAIRS



September 7, 2020

Dr. Timothy Jackson
Department of Music History, Theory and Ethnomusicology
University of North Texas
Denton, TX 76302

Dear Dr. Jackson,

Your attorney has authorized me to respond directly to you concerning your emails of August 18 and 28 regarding the Journal of Schenkerian Studies. Thank you for your patience while we worked out the communication protocol with your attorney. I also wanted to ensure I reviewed all of the correspondence you and your counsel have sent to various UNT and UNT System officials since your first letter in late July, including your email to your department chair.

The correspondence from you and your attorney ask a number of questions and threaten litigation against the university. For this reason, I will leave it up to the university's legal counsel to respond to the claims and threats your attorney has made on your behalf, and to answer your lawyer's questions as he deems appropriate. However, I would like to reply to you directly to clarify the mistaken belief that the university is investigating you and the Journal of Schenkerian Studies and the steps you will need to take if you wish to file a grievance.

The university is investigating neither you nor the Journal of Schenkerian Studies. I think it is fair to presume that we agree the journal is a UNT publication, since it is housed in the Center for Schenkerian Studies and is funded by the university. As such, the university has an interest in the complaints about the circumstances surrounding Volume 12 that have come from all corners, and ensuring the journal meets the standards of a peer reviewed, academic publication. The university has the discretion, if not the obligation, to look into these circumstances. A panel of faculty with experience editing peer-reviewed journals has been appointed to do just that; not to investigate you or the journal, or to look into whether a particular policy has been violated. Hopefully, this clarification puts an end to the misinformation and mischaracterization about this matter.

In regards to a grievance, the university's legal counsel informed your attorney that his letter of July 31, 2020 did not claim that anyone had taken action, which I presume meant the letter did not identify a personnel action related to reappointment, tenure, promotion, or a term or condition of employment against you. In fact, your attorney's letter stated (1) that there was an ongoing investigation against you and the journal, which was not correct; and (2) that your supervisor had "taken no actions to defend [you] against "faculty and graduate students...organizing to violate [your] constitutional and contractual protections." In addition, counsel pointed out that he could not identify the policy under which he was filing a grievance. I presume he did so because the letter referenced various policies that do not provide for a

grievance and the complaints he made on our behalf did not fit within the faculty grievance policy, which your attorney did not mention. The university's legal counsel asked your attorney to clarify the policy and basis for a grievance.

In response to that invitation, in letter dated August 8, 2020, your attorney appears to claim your dean and chair "genuflect[ed] to mob-like accusations of 'institutional racism' and clamor for censoring an academic journal" as grounds for a grievance without stating what action you believe they took. The letter also accuses your dean and chair of having "taken disciplinary action against [you] and [your] Journal" without identifying any action they supposedly took. Subsequently, I learned that in an August 28 email to your chair (with a copy to our dean) you asked him why you had been "removed from *all* committees" for the first time in your 22 years on the faculty. I understand your chair intends to respond to your inquiry.

If you are in disagreement or dissatisfied with an employment-related concern, including working conditions, environment, relationships with your supervisors or other employees, or a negative personnel decision, you may pursue a grievance under UNT policy 06.051 (Faculty Grievance). You can find the policy on the UNT policy webpage at <https://policy.unt.edu/policy-manual>. Concerns about equal opportunity, harassment, retaliation and compliance violations are not addressed under the faculty grievance policy.

On that note, your attorney asked the university to consider whether anti-Semitism may have motivated some unidentified action toward you. The letter did not expressly allege discrimination or mention any action that had been taken against you. Nevertheless, if you believed you have been subjected to discrimination because of your race, ethnicity, national origin or any other reason that violates the university's non-discrimination policy, I encourage you to contact the UNT Office of Equal Opportunity at oeo@unt.edu or (940) 565-2759. I will forward your attorney's letter to OEO. You can find the UNT nondiscrimination policy (UNT Policy 16.005) on the policy webpage as well.

I hope this letter clarifies any misunderstanding regarding how and why the university has appointed a panel to review Volume 12 and provides you the guidance you need to pursue a grievance if you wish to do so.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Cowley".

Jennifer Cowley

cc: John Richmond, Dean, College of Music

Benjamin Brand, Chair, Division of Music History, Theory and Ethnomusicology

Michael Allen, Attorney for Dr. Timothy Jackson (via UNT legal counsel)

EXHIBIT BBB

Re: Talk with the UNT Ad Hoc Journal Review Panel

From: "Ishiyama, John" <john.ishiyama@unt.edu>
To: "Jackson, Timothy" <timothy.jackson@unt.edu>
Cc: "Du, Jincheng" <jincheng.du@unt.edu>, "Wallach, Jennifer" <jennifer.wallach@unt.edu>, "Lemberger-Truelove, Matthew" <matthew.lemberger-truelove@unt.edu>, "Guzman, Francisco" <francisco.guzman@unt.edu>, Michael Allen <m.allen@allen-lawfirm.com>, "Stowers, Renaldo" <renaldo.stowers@untsystem.edu>
Date: Wed, 14 Oct 2020 10:00:53 -0500

Tim
Thanks for your message. Here are some responses to your queries

1. COPE includes many guidelines regarding journal management and editorial processes. These are most relevant to this panel—they are on the right hand side of the web page with links and are listed <https://publicationethics.org/>. There are several that relate to journal processes, for example (although not an exhaustive list) the peer review process, journal management, Conflicts of interest and others
2. The panel's charge is narrow-- to only investigate the journal's editorial processes, including management, peer review, and other processes related to journal production. The focus of our questions will only be on these issues. You are free to add information that you believe the panel should know after we have had the opportunity to ask our questions.

Finally, I want to make clear, and remind everyone, that this is not a legal proceeding. As such the attorneys, neither Mr. Allen nor Mr. Stowers will be allowed to speak in the session (unless they are asked a question by one of the panelists or are provided permission to speak from the panel). You can consult with Mr. Allen prior to answering a question if you would like (you can use the chat function on zoom for private consultation if you are both in physically different locations or by any other means—e.g by phone or email).

Looking forward to our meeting on Friday

Best
John

John Ishiyama, Ph.D.
University Distinguished Research Professor of Political Science
Director of Graduate Studies/ Graduate Advisor
President-Elect, *American Political Science Association*
Piper Professor of Texas
Former Editor-in-Chief *American Political Science Review*

Department of Political Science,
University of North Texas,
Denton TX, 76203-5340
John.Ishiyama@unt.edu
url: <https://politicalscience.unt.edu/people/john-ishiyama>

From: Jackson, Timothy <Timothy.Jackson@unt.edu>
Sent: Wednesday, October 14, 2020 7:06 AM
To: Ishiyama, John <John.Ishiyama@unt.edu>
Cc: Du, Jincheng <Jincheng.Du@unt.edu>; Wallach, Jennifer <Jennifer.Wallach@unt.edu>; Lemberger-Truelove, Matthew <Matthew.Lemberger-truelove@unt.edu>; Guzman, Francisco <Francisco.Guzman@unt.edu>; Michael Allen <m.allen@allen-lawfirm.com>; Stowers, Renaldo <Renaldo.Stowers@untsystem.edu>
Subject: Re: Talk with the UNT Ad Hoc Journal Review Panel

Thanks for this John,
I have looked at the COPE website, and they seem to have quite a few policy statements mostly geared to coping with research fraud and plagiarism issues. Are there specific policies of COPE that the Ad Hoc committee thinks are relevant here?
I hope the panel is also prepared to discuss how to maintain the integrity of an academic journal in the face of widespread calls for censorship and the repression of unpopular viewpoints. Will the panel be addressing that?
Thanks,
Tim

From: Ishiyama, John <John.Ishiyama@unt.edu>

Sent: Tuesday, October 13, 2020 4:23 PM

To: Jackson, Timothy <Timothy.Jackson@unt.edu>

Cc: Du, Jincheng <Jincheng.Du@unt.edu>; Wallach, Jennifer <Jennifer.Wallach@unt.edu>; Lemberger-Truelove, Matthew <Matthew.Lemberger-truelove@unt.edu>; Guzman, Francisco <Francisco.Guzman@unt.edu>; Michael Allen <m.allen@allen-lawfirm.com>; Stowers, Renaldo <Renaldo.Stowers@untsystem.edu>

Subject: Re: Talk with the UNT Ad Hoc Journal Review Panel

We look forward to discussing this with you as well. Generally we have been consulting the standards as indicated by the Committee on Publication Ethics (COPE). We are also drawing upon the expertise of the panel members, all of whom have been Editors of journals, and in some cases, multiple journals in their respective fields

John Ishiyama, Ph.D.

University Distinguished Research Professor of Political Science

Director of Graduate Studies/ Graduate Advisor

President-Elect, *American Political Science Association*

Piper Professor of Texas

Former Editor-in-Chief *American Political Science Review*

Department of Political Science,

University of North Texas,

Denton TX, 76203-5340

John.Ishiyama@unt.edu

url: <https://politicalscience.unt.edu/people/john-ishiyama>

From: Jackson, Timothy <Timothy.Jackson@unt.edu>

Sent: Tuesday, October 13, 2020 3:57 PM

To: Ishiyama, John <John.Ishiyama@unt.edu>

Cc: Du, Jincheng <Jincheng.Du@unt.edu>; Wallach, Jennifer <Jennifer.Wallach@unt.edu>; Lemberger-Truelove, Matthew <Matthew.Lemberger-truelove@unt.edu>; Guzman, Francisco <Francisco.Guzman@unt.edu>; Michael Allen <m.allen@allen-lawfirm.com>; Stowers, Renaldo <Renaldo.Stowers@untsystem.edu>

Subject: Re: Talk with the UNT Ad Hoc Journal Review Panel

Dear John,

I look forward to speaking this coming Friday. Can you tell me what standard of evaluation or policies of the University of North Texas the Ad Hoc Journal Review Panel is applying in its review of the JSS?

Thank you,

Tim

From: Ishiyama, John <John.Ishiyama@unt.edu>

Sent: Wednesday, October 7, 2020 5:29 PM

To: Jackson, Timothy <Timothy.Jackson@unt.edu>

Cc: Du, Jincheng <Jincheng.Du@unt.edu>; Wallach, Jennifer <Jennifer.Wallach@unt.edu>; Lemberger-Truelove, Matthew <Matthew.Lemberger-truelove@unt.edu>; Guzman, Francisco <Francisco.Guzman@unt.edu>; Michael Allen <m.allen@allen-lawfirm.com>; Stowers, Renaldo <Renaldo.Stowers@untsystem.edu>

Subject: Re: Talk with the UNT Ad Hoc Journal Review Panel

Tim

After talking this over with the rest of the committee, the best time on Friday, October 16 would be at 9:30 am, so lets plan on meeting then. The zoom link is <https://unt.zoom.us/j/5952815816>. Renaldo Stowers (copied on this email), the university counsel, will also be in attendance.

Thanks for being flexible in making these arrangements and we look forward to talking with you the 16th.

Best

John

John Ishiyama, Ph.D.

University Distinguished Research Professor of Political Science

Director of Graduate Studies/ Graduate Advisor

President-Elect, *American Political Science Association*

Piper Professor of Texas

Former Editor-in-Chief *American Political Science Review*

Department of Political Science,

University of North Texas,

Denton TX, 76203-5340

UNT_002635

EXHIBIT CCC

**The University of North Texas System
Board of Regents Rules**

Chapter 03 – Board Governance

03.800 Specific Board Powers, Duties, and Authority

03.801 Powers and Duties of the Board. The Board may exercise all of the powers and duties set out in Chapter 105 of the Texas Education Code including, but not limited to, those powers and duties associated with the Institutions. Pursuant to Texas Education Code § 105.101:

1. the Board may direct, govern, operate, support, maintain, manage, and control the System and the Institutions; and
2. the Board may:
 - a. erect, equip, maintain, and repair System buildings;
 - b. purchase libraries, furniture, equipment, fuel, and supplies necessary to operate the System;
 - c. employ and discharge personnel, including faculty, to carry out the Board's powers and duties;
 - d. adopt rules and policies for the administration of the Board's powers and duties;
 - e. prescribe for each Institution programs and courses leading to customary degrees, including baccalaureate, masters, and doctoral degrees and their equivalents in accordance with the rules of the Texas Higher Education Coordinating Board;
 - f. establish admission standards for each of the Institutions;
 - g. perform other acts that contribute to the development of the System or the Institutions or the welfare of students of the Institutions; and

- h. delegate a power or assign a duty of the Board to an officer, employee, or committee designated by the Board.

03.802

Appointment Authority.

1. Chancellor. In accordance with Texas Education Code § 105.102(a), the Board shall appoint a Chancellor who serves as chief executive officer of the System.
2. Institution Presidents. In accordance with Texas Education Code § 105.102(b), the Board shall appoint a President of each Institution who serves as chief executive officer of the Institution.
3. Vice Chancellor and General Counsel. The Board, on recommendation by the Chancellor, shall appoint a Vice Chancellor and General Counsel who is responsible to the Board and who shall report to the Chancellor.
4. Chief Internal Auditor. The Board, on recommendation by the Chancellor, shall appoint a Chief Internal Auditor who shall report directly to the Board and who shall have the qualifications required by Texas Government Code § 2102.006 and carry out the duties prescribed by Texas Government Code § 2102.007.
5. Award of Faculty Tenure. Only the Board may confer faculty tenure. The President of each Institution shall forward to the Board through the Chancellor all recommendations for the granting of tenure.

03.803

Delegation of Appointment Authority. Pursuant to Texas Education Code §§ 105.101(b)(3) and (8), the Board makes the following delegations of authority:

1. Chancellor. Unless otherwise specified in these Regents Rules, the Board delegates to the Chancellor authority to appoint, evaluate, promote, transfer, and terminate System Administration employees in accordance with System Administration policies.

2. Presidents. Unless otherwise specified in these Regents Rules, the Board delegates to the Presidents the authority to appoint, evaluate, promote, transfer, and terminate the Institution's employees in accordance with Institution policies.

03.804 Eminent Domain. In accordance with Texas Education Code § 105.103, the Board may exercise the power of eminent domain to acquire land for the use of the System. The Board must exercise the power of eminent domain in the manner provided by Chapter 21 of the Texas Property Code, but is not required to provide a bond for appeal or a bond for costs. The Board may not use the power of eminent domain to acquire land that is dedicated to a public use by another governmental entity.

03.805 Gifts, Grants, and Endowments. In accordance with Texas Education Code § 105.104, the Board may accept donations, gifts, grants, and endowments of money or property, real or personal, for the System to be held in trust and administered by the Board for the purposes and under the direction, limitations, and provisions declared in writing in the donation, gift, grant, or endowment. The donation, gift, grant, or endowment must be consistent with state law and with the objectives and proper management of the System.

03.806 Funds Received From Management of Trust Estate. In accordance with Texas Education Code § 105.105, the Board may deposit in an appropriate System account outside the state treasury all funds received as administrative fees or charges for services rendered in the management or administration of a trust estate under the control of the System. These funds may be spent by the Board for any educational purpose of the System.

03.807 Disbursement of Appropriations. In accordance with Texas Education Code § 105.106, the Board shall disburse all appropriations to the System except as otherwise provided by law. The Board may adopt rules for the disbursement of appropriations and other funds, the auditing and approval of System accounts, and the issuance of System vouchers and warrants.

03.808 Lands Owned by the System or the Institutions. In accordance with Texas Education Code § 105.107, the Board has the sole and exclusive authority to manage and control

land owned by the System or the Institutions. The Board may acquire by purchase, donation, exchange, condemnation, or otherwise land, including improvements, for the use of the System, and other real property that is necessary or convenient to carry out the purposes of the System and the Institutions. Except as otherwise provided by law, the Board may sell, exchange, lease, or dispose of any land or other real property owned by or acquired for the Board, the System, or the Institutions.

- 03.809 Contracts. In accordance with Texas Education Code § 105.108, the Board by rule may delegate to a representative of the Board or an employee of the System the authority to negotiate, execute, and approve a contract on behalf of the System. Unless this authority is delegated, a contract with the System must be approved by the Board. A contract that is not approved in accordance with these Regents Rules is void.
- 03.810 Joint Appointments. In accordance with Texas Education Code § 105.109, the Board may make joint appointments to the Institutions, with the salary of any person who receives a joint appointment to be apportioned to each Institution on the basis of services rendered.
- 03.811 Research Parks. In accordance with Texas Education Code § 105.110, the Board may authorize the establishment of a research park by one or more Institution. The administrator of the research park may use private or public entities for scientific and technological research and development in the surrounding region.

Adopted: November 15, 2007
Effective: November 15, 2007
Revised: February 7, 2008; February 23, 2018

EXHIBIT DDD

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF
3 SHERMAN DIVISION

4 TIMOTHY JACKSON,

5 Plaintiff,

6 vs.

7 LAURA WRIGHT, et al.,

8 Defendants.

CASE NO. 4:21-CV-00033-ALM

9 VIDEOTAPED ZOOM ORAL DEPOSITION OF

10 JOHN TOARU ISHIYAMA, Ph.D.

11 September 27, 2024

12 (Reported Remotely)

13 *****

14 VIDEOTAPED ORAL DEPOSITION OF JOHN TOARU ISHIYAMA,
15 Ph.D., produced as a witness at the instance of the
16 Plaintiff and duly sworn, was taken in the above-styled
17 and -numbered cause on the 27th day of September, 2024,
18 from 9:13 a.m. to 12:35 p.m., before Kim D. Carrell,
19 Certified Shorthand Reporter in and for the State of
20 Texas, reported remotely by computerized stenotype
21 machine at the University of North Texas System,
22 801 North Texas Boulevard, Gateway Suite #308, Denton,
23 Texas, pursuant to the Federal Rules of Civil Procedure
24 and the provisions stated on the record or attached
25 hereto.

APPEARANCES

FOR THE PLAINTIFF:

Mr. Michael Thad Allen
ALLEN LAW, LLC
P.O. Box 404
Quaker Hill, CT 06375
Telephone: 860.772.4738 - Fax: 860.469.2783
E-mail: m.allen@allen-lawfirm.com

FOR THE DEFENDANTS:

Ms. Mary Quimby
Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capital Station
Austin, Texas 78711
Telephone: 512.463.2120 - Fax: 512.320.0667
E-mail: Mary.Quimby@oag.texas.gov

- and -

Mr. Renaldo Stowers (Appearing Live)
University of North Texas System
Office of General Counsel
801 North Texas Boulevard
Denton, Texas 76201
Telephone: 940.565.2717 - Fax: 940.369.7026
E-mail: Renaldo.Stowers@untsystem.edu

ALSO PRESENT: Jason Warner, Videographer
lvj.dallas@gmail.com

I N D E X

PAGE

Appearances..... 2

Stipulations..... 5

JOHN TOARU ISHIYAMA, Ph.D.

Direct Examination by Mr. Allen..... 6

Corrections and Changes..... 129

Reporter's Certificate..... 131

EXHIBITS

NUMBER

DESCRIPTION

MARKED

Exhibit 1 Re-Notice of Taking Deposition..... 7

Exhibit 2 Email Chain Ending 8-3-20, Cowley to
Ishiyama, Request to Serve on Ad Hoc
Review Panel
(UNT 002453 - 002454)..... 20

Exhibit 3 Ad Hoc Review Panel Report (Exhibit D)
(JACKSON000208 - 000233)..... 23

Exhibit 4 COPE Guidelines: A Short Guide to
Ethical Editing for New Editors
(UNT 003303 - 003314)..... 34

Exhibit 5 Theoria Title Page, List of Articles,
Directions to Contributors, Volume
26-2020..... 43

Exhibit 6 Emails ending 10-14-20, Ishiyama to
Jackson, et al. RE: Talk With UNT Ad
Hoc Journal Review Panel
(UNT 002634 - 002635)..... 50

Exhibit 7 Handwritten Notes, 9-16-20, Ad Hoc
Journal Review Committee..... 63

Exhibit 8 Potential Questions for Benjamin Brand
Chair of the Division of History,
Theory & Ethnomusicology..... 68

1		
2	Exhibit 9	PLoS Medicine Article, What Should
3		Be Done to Tackle Ghostwriting in
		the Medical Literature..... 71
4	Exhibit 10	Walls Facebook Post
		(JACKSON 000234 - 000236)..... 81
5	Exhibit 11	Email Chain ending 9-30-20, Walls
6		to Ishiyama
		(UNT 002533)..... 83
7	Exhibit 12	Jackson Materials for the
8		Committee
		(UNT 002645 - 002782)..... 99
9	Exhibit 13	Email, 10-2-20, Ishiyama to
10		TitleIX, et al. Reporting on an
11		Incident
		(UNT 003435).....117
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

A G R E E M E N T S

DEPOSITION OF: JOHN TOARU ISHIYAMA, Ph.D.

DATE: September 27, 2024

CAUSE NO. 4:21-CV-00033-ALM

THIS DEPOSITION SHALL BE TAKEN PURSUANT TO:

- ☒ Notice
- ☐ Agreement
- ☐ Court Order
- ☐ Subpoena
- ☒ Rules of Federal Civil Procedure

ORIGINAL TO:

- ☐ Witness
- ☒ Witness's attorney (Ms. Quimby)
- ☐ Producing attorney
- ☐ Signature waived

NUMBER OF DAYS FOR SIGNATURE

- ☐ 20 days
- ☒ 30 days
- ☐ Other:

MISCELLANEOUS:

- ☐ Any objection made by one party good for all parties.
- ☒ An unsigned copy may be used at any trial, hearing, or arbitration proceedings.

P R O C E E D I N G S

THE VIDEOGRAPHER: Today is September 27th, 2024. The time is 9:13 a.m. We're on the record.

(Witness Sworn)

MR. ALLEN: Shall the attorneys state their name for the record?

THE REPORTER: Yes.

MR. ALLEN: My name is Michael Thad Allen for the Plaintiff, Timothy Jackson.

MS. QUIMBY: My name is Mary Quimby. I'm an Assistant Attorney General with the Texas Attorney General's Office. I represent the Defendants in this matter and Dr. Ishiyama in this deposition.

MR. STOWERS: I'm Renaldo Stowers, Deputy General Counsel for the University of North Texas System.

MR. ALLEN: I believe in attendance is also my client, Timothy Jackson. At least I believe I saw him pop into the Zoom.

JOHN TOARU ISHIYAMA, Ph.D.,
having been first duly sworn, testified as follows:

D I R E C T E X A M I N A T I O N

BY MR. ALLEN:

Q. Good morning, Professor Ishiyama.

A. Good morning.

Q. Can you please state your full name for the

1 record.

2 A. John Toaru Ishiyama.

3 Q. Can you spell that just for the record, please.

4 A. J-O-H-N, middle name is Toaru, T-O-A-R-U,
5 last name, Ishiyama, I-S-H-I-Y-A-M-A.

6 MR. ALLEN: Thank you. From time to
7 time, I will be introducing exhibits, and I don't know
8 where the share button -- there, it must be down here.
9 There, it is. I'm going to mark for the record
10 Exhibit 1.

11 (Deposition Exhibit Number 1 marked.)

12 Q. Can you see this exhibit clearly, Professor
13 Ishiyama?

14 A. Yes, the top part.

15 Q. Okay. And I wanted to introduce some of the
16 rules of the road for a deposition.

17 One of them is just exactly what you just did.
18 If you need, at any point, to examine an exhibit, a
19 portion that I don't have on screen, given that this is
20 a virtual deposition, just ask. Obviously, no one wants
21 you to be answering questions about a deposition exhibit
22 that you can't see.

23 In this case, I'll scroll down. This is the
24 entirety of the text on page 1. And you'll see on page 2
25 are some signature blocks and so forth.

1 Have you had a chance to examine this exhibit?

2 A. Not closely.

3 Q. Would you like some additional time to examine
4 the exhibit?

5 A. Could you scroll down a bit? A bit further?
6 Yes, I've reviewed it.

7 Q. And I'll represent to you that there is no
8 further text or pages to this document.

9 Is it accurate to say that you appeared for
10 today's deposition in response to this document,
11 Exhibit 1?

12 A. Yes.

13 Q. All right. I don't have any further questions
14 to ask you about that exhibit.

15 Some other rules of the road, so to speak.
16 If, from time to time, you don't understand a question
17 that I've asked, please feel free to interrupt me at
18 any time. Ask for clarification. That's perfectly
19 acceptable. Is that understood?

20 A. Yes.

21 Q. Likewise, if you do not ask for clarification
22 of a question, I will understand that you are
23 understanding the question as asked. Is that clear?

24 A. Yes.

25 Q. Is there anything that would interfere with

1 your ability to answer questions truthfully today,
2 Dr. Ishiyama?

3 A. No. But I would say that the audio is not
4 really great on this end.

5 Q. All right. So if, at any time, you can't hear
6 me or need me to speak up, I would ask you to just simply
7 interrupt me and tell me so. Can you do that for me?

8 A. Yes.

9 Q. Another thing we have to do during a deposition
10 is there are many verbal or nonverbal cues that we use in
11 everyday conversation that I want us to avoid in the
12 deposition, because it prevents the court reporter from
13 making a clean record. So if you could please answer
14 audibly things like yes or no instead of um-hum or
15 nodding your head, that is necessary for the court
16 reporter. Is that clear?

17 A. Yes.

18 Q. Thank you. From time to time, your attorney,
19 Mary Quimby, may object. That does not relieve you of
20 the obligation to answer a question that is before you,
21 with some few exceptions, which will be very clear.
22 For instance, attorney-client privilege.

23 In those cases, I have no doubt that Attorney
24 Quimbly -- Quimby, excuse me, will instruct you not to
25 answer. So like I said, it will be very clear.

1 Otherwise, you are required to answer the questions as
2 put to you notwithstanding any objection that your
3 attorney may make. Is that also clear?

4 A. Yes.

5 Q. Also, this was sort of something that has
6 already happened, I think. If, at any time, you need
7 a break, please feel free to ask. We can break in the
8 deposition at any time. However, I would ask that you
9 answer any question that is before you. Is that also
10 clear?

11 A. Yes.

12 Q. Okay. Thank you. Have you ever been deposed
13 before, Professor Ishiyama?

14 A. Yes.

15 Q. When were you deposed before?

16 A. When I was 17 years old. It involved a civil
17 case. I was involved in a car accident.

18 Q. Is it fair to say that was an ordinary tort?

19 MS. QUIMBY: Form.

20 A. I'm not sure what you mean by tort.

21 Q. Okay. Were you the plaintiff?

22 A. No.

23 Q. Were you a witness?

24 A. No.

25 Q. What was your role in that litigation?

1 A. The plaintiff was suing my family for an
2 accident that happened. But we -- yes, that was the
3 deposition. It was found in our favor, though.

4 Q. Okay. Besides this car accident litigation
5 when you were 17 years old, have you been in any other
6 depositions?

7 A. No.

8 Q. Can you explain what you have done to prepare
9 for today's deposition?

10 A. I have been asked to reread the report we
11 submitted. I've done so.

12 Q. Are you referring to the November 25, 2020
13 Ad Hoc Panel Report?

14 A. Yes.

15 Q. I believe we'll get to that today.

16 Were there any other documents that you
17 consulted in preparation for your deposition today?

18 A. No.

19 Q. Did you talk to anyone in preparation for
20 your deposition today?

21 A. The attorneys and I spoke a few days ago
22 prior to this, but that's it.

23 Q. Okay. And I was going to say, I'm not -- I'm
24 going to ask you what you spoke to your attorneys about.

25 A. Um-hum.

1 Q. And you said that's it. So I assume you have
2 not spoken to any other person in preparation for your
3 deposition?

4 A. No, I have not.

5 Q. Did you talk to anyone else about your
6 deposition?

7 A. No, I have not.

8 Q. Okay. Approximately how long did you meet with
9 your attorneys?

10 A. I don't actually recall the actual amount of
11 time. It was on a Zoom or Teams. I think it was a
12 couple of hours.

13 Q. Okay. Thank you. I want to transition now to
14 talk about your career and publications and things that
15 have made up the substance of your academic career.

16 A. Um-hum.

17 Q. Can you briefly describe your educational
18 career? I mean, the degrees you've earned, the
19 institutions you've earned them at, and so forth,
20 starting with your undergraduate degree?

21 A. Um-hum. I have a BA in political science and
22 history from Bowling Green State University, a Master's
23 degree in Russian history from the University of
24 Michigan, and a Ph.D. in political science from Michigan
25 State University.

1 Q. When was the -- I think you may have said, but
2 can you remind me when you earned your Bachelor's of --
3 did you say Bachelor's of Arts in Bowling Green?

4 A. Yes, that would be 1982. My Master's degree
5 from the University of Michigan was in 1985. And my
6 Ph.D. was completed in 1992 from Michigan State
7 University.

8 Q. Did you work between your completion of the
9 Bachelor's degree at Bowling Green and your Master's
10 degree --

11 A. No.

12 Q. -- before you entered that program?

13 A. I worked simultaneously.

14 Q. What was your employment at that time?

15 A. I was a chef.

16 Q. Now, there seems to be very little time between
17 your Master's degree and the completion of your Ph.D.
18 Did you work between those two degrees?

19 A. Only simultaneously part-time. But actually,
20 my Master's was 1985. My Ph.D. was 1992. So seven years
21 passed.

22 Also, I did work as a professor at Truman
23 State University between 1990 and 1992. I had achieved
24 the all but dissertation status, and they had hired me.
25 And then subsequent to my finishing, they hired me

1 full-time.

2 Q. So that's going to be a good transition to the
3 next question I was going to ask. But before I do, are
4 there any other credentials or degrees you've earned
5 along the way since 1992?

6 A. No.

7 Q. And I was going to ask if you could describe
8 your professional career in academia: What jobs you've
9 held, what capacity, from, it looks like, 1990, when you
10 started working for Truman University to the present.

11 A. Yes. I was -- my first 18 years in my career,
12 from 1990 to 2008, I was an assistant, associate, and
13 full professor at Truman State University in 2008. I
14 came to the University of North Texas as a full professor
15 and have been here since.

16 Q. And do I understand you are a political
17 scientist also at the University of North Texas?

18 A. Yes.

19 Q. What is your title at the University of
20 North Texas today?

21 A. My official title is University Distinguished
22 Research Professor and Chair of the Department of
23 Political Science.

24 Q. When did you become the chair of the Department
25 of Political Science?

1 A. In 2022.

2 Q. So that was after the -- what I'll just call
3 the Schenker controversy that we are going to talk about
4 today. Would that be correct?

5 A. Yes.

6 Q. In 2020, what was your position at the
7 University of North Texas? Were you a distinguished
8 university research professor at that time?

9 A. Yes, I was.

10 Q. When were you distinguished with that title?

11 A. I do not recall the exact year, but it's been
12 quite some time. I believe it was 2012, but I'm not
13 entirely sure about that date. It is on my curriculum
14 vitae, though.

15 Q. I understand. Is it safe to say you've been
16 a distinguished research professor for over ten years?

17 A. Yes, I think some of that would be accurate.

18 Q. Were you the chair of the department of
19 poli-sci before 2022 in any capacity at any time?

20 A. No.

21 Q. Okay. Have you had any other roles in the
22 administration at the University of North Texas?

23 A. Not at the university level. In my department,
24 I was a graduate -- the director of
25 graduate studies from 2019 until 2022.

1 Q. Have you worked with many graduate students
2 in your capacity as a full professor?

3 A. Yes.

4 Q. How many graduate students have you produced in
5 terms of students who completed their Ph.D.s with you as
6 their primary dissertation advisor?

7 A. I have 14 completed Ph.D. dissertations. I
8 currently have six who I chair their committees. I have
9 served on over 30 committees in some capacity. In terms
10 of chairing the dissertations, it's 14.

11 Q. And have you been successful placing the Ph.D.
12 students that have completed their degrees under your
13 mentorship in jobs?

14 A. Yes. All but one who's currently on the
15 market.

16 Q. Very good. Within -- not to the exact number,
17 but within reason, how many publications do you have to
18 your credit, Professor Ishiyama?

19 A. Well, I have 10 books, 171 peer-reviewed
20 journal articles, and 39 peer-reviewed book chapters.

21 Q. Have you ever published articles that are not
22 peer reviewed?

23 A. No. I mean, I would not call them articles.
24 There have been research reports. There have been
25 summaries of conference proceedings, but I don't call

1 those articles.

2 Q. I'm sure you've published numerous book reviews
3 as well, right?

4 A. Yes, probably close to 70.

5 Q. So of the 171 articles you mentioned, all of
6 those are peer reviewed in academic journals?

7 A. Yes, they are.

8 Q. Have you been the editor of -- edited volumes?
9 A book essentially, edited volume?

10 A. Yes, I edited four edited volumes.

11 Q. And have you served as the editor of an
12 academic journal?

13 A. Yes, twice.

14 Q. Can you state the name of the journals you have
15 served as editor?

16 A. I was editor-in-chief of the American Political
17 Science Review, which is the leading journal
18 of our discipline, the most cited in the world, from 2012
19 until 2016.

20 From 2004 until 2012, I was editor-in-chief
21 and founding editor of the Journal of Political Science
22 Education, which is the second of the suite of journals
23 authored by the American Political Science Association.
24 I was also founding editor of that journal.

25 Q. So I think you said you started in 2004, so

1 it was founded in 2004?

2 A. Yes, it was.

3 Q. Okay. Well, let's start with the American
4 Political Science Review. Did I get that right?

5 A. That's correct.

6 Q. While you were the editor, did you ever publish
7 any articles that were not peer reviewed?

8 A. Never, no. And --

9 Q. And when you were -- I'm sorry. Please go
10 ahead.

11 A. No. There was a time the APSR published book
12 reviews, but they stopped doing that in 2011. But in the
13 APSR, there were no non peer-reviewed articles.

14 Q. And what about the political science education
15 journal that you mentioned?

16 A. No.

17 Q. From 2004 to 2012, did you publish any articles
18 as the editor-in-chief, which were not peer reviewed?

19 A. No, none.

20 Q. Okay. So as you know, we are here to discuss
21 an academic journal that was published by the University
22 of North Texas Press called Journal of Schenkerian
23 Studies. And I wanted to ask you when you learned that
24 there was a controversy surrounding the Journal of
25 Schenkerian Studies.

1 MS. QUIMBY: Objection, form.

2 A. Only after Provost Cowley told us. I had
3 been unaware before that.

4 Q. Have you had any collegial relationships in the
5 College of Music?

6 A. No.

7 Q. And you didn't hear about that controversy from
8 any media source?

9 A. No.

10 Q. Approximately when did you hear from Provost
11 Cowley that there was a controversy surrounding the
12 Journal of Schenkerian Studies?

13 A. In August of 2020.

14 Q. And can you summarize your understanding at
15 that time of what the controversy was about?

16 MS. QUIMBY: Objection, form.

17 A. I actually am not really sure what the
18 controversy was about. I had heard there was some
19 debate at their conference, there was some controversy
20 involving a scholar who gave a talk, and then there was
21 the Journal had published something that was criticized
22 heavily. But that's about all I knew. I don't make it
23 a point of following these kinds of debates in other
24 disciplines.

25 Q. I understand. How did Professor Cowley reach

1 out to you?

2 A. Provost Cowley sent a message. I don't now
3 recall if it was a phone message or an email, but asking
4 if we would serve on some committee. I was unsure. And
5 she would give us details once we met. But I don't
6 exactly recall how she communicated that, if it were --
7 I believe it was an email, but I'm not entirely sure.

8 (Deposition Exhibit Number 2 marked.)

9 MR. ALLEN: Okay. I'm going to mark for
10 the record Exhibit 2. And I've just publish that to the
11 website here.

12 Q. Do you see that exhibit?

13 A. Yes.

14 MR. ALLEN: And I have to -- give me a
15 sec here. I'm trying to mark these as we go, so that I
16 do not lose track.

17 So this is an email from Jennifer Cowley,
18 Exhibit 2, dated August 3rd, 2020. It's to you,
19 Professor Ishiyama, as well as another recipient on
20 the cc line.

21 Does this help refresh your memory of when you
22 first learned about the committee you would serve on?

23 A. Yes. As I said, August 2020. And I wouldn't
24 definitely entirely recall, but it was an email, yes.

25 Q. And so this is the email where Provost Cowley

1 first reached out to you?

2 A. Yes.

3 Q. Okay. And after Professor Cowley reached out
4 to you and the committee was formed, what was your --
5 but before you starting doing your work, what was your
6 understanding of your task?

7 A. Our understanding, after meeting a few --
8 some days after this email, was that we were to review
9 the processes, editorial processes, of the Journal of
10 Schenkerian Studies to see whether it comported with
11 the recommended best practices in journal publishing.

12 Q. All right. Was that -- did Provost Cowley
13 refer to that as the charge of the committee?

14 A. Yes, she did.

15 Q. Okay. And how did you -- how did she
16 communicate the charge of the committee to you?

17 A. She met with us in a face-to-face meeting,
18 and that is where she gave the committee the charge.

19 Q. Was that charge summarized or committed to
20 writing in any way? Let me strike that question.

21 Professor Ishiyama, can you explain if that
22 charge was committed to writing?

23 A. I believe it was. I think there was -- she had
24 written a follow-up to tell us what the charge was. And
25 it was, again, to review the processes employed with the

1 Journal and also specifically with Volume 12, if I
2 recall.

3 Q. Okay. Now, did she -- let me see if I
4 understood you correctly. Did you just -- did you
5 intend to say that she communicated to you the
6 processes that had been used by the Journal --

7 A. No.

8 Q. -- or her understanding of them?

9 A. No. We --

10 Q. I must have misunderstood.

11 A. She wanted a --

12 Q. Can you state for the record -- yeah, go ahead.
13 I see. That was the subject of your review?

14 A. Yes.

15 Q. Okay. And you nodded. Can you just state for
16 the record your answer?

17 MR. ALLEN: I'm sorry. Did people hear
18 him or is it -- we may not be able to hear you.

19 A. The answer is yes.

20 MR. ALLEN: Okay. Thank you, Professor
21 Ishiyama.

22 So I'm going to mark for the record Exhibit 3.
23 (Deposition Exhibit Number 3 marked.)

24 Q. I'm just going to state for the record,
25 Professor Ishiyama, this has some text along the top

1 line. Those are stamps that are placed on the document
2 by the United States District Court for the Eastern
3 District of Texas. They were not added by either your
4 counsel or by me. And this is -- this has to do with
5 the way the document has already been used in court.

6 But just in interest of fairness, I just
7 wanted to show you that, so you didn't think there was
8 something that I was hiding from you. Is that fair?

9 Here is the title page. Is this the Ad Hoc
10 Review Panel Report of November 25th, 2020, that you
11 mentioned in the introductory phase of our deposition?

12 A. Yes.

13 Q. Were you the author of this report?

14 MS. QUIMBY: I think there's something --

15 MR. ALLEN: I cannot hear him.

16 Professor Ishiyama, I don't know what's going
17 on, but I can't hear you.

18 THE WITNESS: Shall I repeat my answer
19 then?

20 MR. ALLEN: Now, I can hear you.

21 Q. Yes. Can you repeat your answer for the
22 record?

23 A. This doc -- and the answer was no. This
24 document was collectively written by the committee as a
25 whole. We all contributed to it. I don't think it's

1 accurate to say I'm the author.

2 Q. Okay. Were you the -- did you draft the
3 first rough draft?

4 A. No, I actually did not. Matthew Truelove took
5 the first draft, although it evolved over time because
6 the committee reviewed it again and again and again, so
7 it's quite different from the first draft. But Matthew
8 Lemberger-Truelove took the first draft.

9 Q. Okay. What was your role on the committee?
10 Did you have a specific title or a specific role?

11 A. No. In fact, I would say that I had asked
12 the provost not to make me chair, because that would be a
13 condition of my service. I had no official role on the
14 committee other than being a part of it.

15 Q. Who was the chair of the committee, if there
16 was one?

17 A. There was no chair of the committee.

18 Q. Let me -- I'm just going to skip through the
19 document right now. We'll have a chance to come back
20 to it. I'm not going to ask you to review it in its
21 entirety at this time. I want to skip to some of the
22 exhibits that were included in the Ad Hoc Panel Report,
23 Exhibit 3, that are attached to the end. Here's the
24 exhibits designation page. Do you remember that being a
25 part of the Ad Hoc Panel Report?

1 A. Yes, it was attached after we had completed and
2 submitted the report.

3 Q. And then the first exhibit is this email. Do
4 you see that on screen, Professor Ishiyama?

5 A. Yes. It's a bit small, but yes, I do see it.

6 Q. Would it help me -- excuse me. Would it help
7 you if I expanded it a little bit?

8 A. Yes.

9 Q. Is that easier to read?

10 A. Yes.

11 Q. So I just had a couple of brief questions.
12 You had mentioned there was a follow-up email concerning
13 the charge to the committee. You believe that the charge
14 was committed to writing in some form. And my question
15 for you, is this the email that committed the charge to
16 the panel in writing?

17 MS. QUIMBY: Objection, form.

18 A. I am not -- if this was the charge, but it
19 certainly includes the charge of what the committee was
20 supposed to do.

21 Q. Where does it include the charge?

22 A. The University of -- after -- in this
23 paragraph, I think that begins with, "The University has
24 appointed a five-member multidisciplinary panel. The
25 panel members, who are outside the College of Music,

1 will examine objectively the processes followed in the
2 conception and production of volume 12 of the Journal of
3 Schenkerian Studies. The panel will seek to understand
4 whether the standards of best practice in scholarly
5 publication were observed and will recommend strategy
6 to improve the editorial processes where warranted."

7 That would be the charge.

8 Q. Is it your testimony today that -- I'm
9 highlighting what I believe you just read. Did I
10 highlight that correctly?

11 A. Yes. And at the end of it, it said that a
12 report -- that we should submit a report, and the report
13 will be made public. That is, as I understand it, being
14 the charge to the committee.

15 Q. These two paragraphs, one above and one below,
16 that are also in italics, were those also part of the
17 charge?

18 A. I do not recall that. I -- we focused
19 exclusively on the paragraph that said what the committee
20 or the panel would be doing.

21 Q. Uh-huh. The -- and I should have asked this
22 first off. You do remember receiving this email on
23 August 5th, 2020, correct?

24 A. Yes.

25 Q. What was your understanding of what this

1 email meant in the paragraph that starts off, "The
2 University of North Texas is committed to academic
3 freedom and the responsibility that goes along with
4 this freedom."

5 A. I don't actually -- we didn't interpret that.
6 I don't -- I'm not the one who wrote it, so I guess
7 Provost Cowley would be the better person to answer that.
8 But we were focused on the second paragraph. That was
9 the charge. The entire focus of our committee was on
10 the charge.

11 Q. So you didn't consider this part of the
12 obligations or duties of the ad hoc panel, this first
13 sentence that I just read.

14 "The University of North Texas is committed to
15 academic freedom and the responsibility that goes along
16 with this freedom."

17 A. That was not what the committee was charged
18 to determine.

19 Q. Okay. And does that go for the second sentence
20 here in that paragraph?

21 "This dedication is consistent with and
22 not in opposition to our commitment to diversity and
23 inclusion into the highest standards of scholarship
24 and professional ethics."

25 A. No. The committee did not consider that

1 because that was the statement made by the provost.
2 Again, we focused entirely on the charge of the
3 committee.

4 Q. Okay. And I think you've indicated what
5 the answer will be to this question, but I've just
6 highlighted the paragraph that follows what you've
7 identified as the charge to the committee that reads,
8 "The Journal of Schenkerian Studies has made many
9 contributions to the understanding of music theory,
10 to offer music theorists the opportunity to share and
11 defend diverse viewpoints under the most rigorous
12 academic standards and ethics."

13 Did I read that correctly?

14 A. Yes.

15 Q. And do I understand from your testimony that
16 this was also not considered by the panel as something
17 they were charged with investigating concerning the
18 Journal of Schenkerian Studies?

19 A. Yes, we did not consider this.

20 Q. Okay, thank you. So it is fair to say, and
21 correct me if I'm wrong, that you considered the charge
22 very narrow in scope?

23 MS. QUIMBY: Objection, form.

24 A. We considered the charge, the specific
25 instructions, the charge from the provost, which is

1 represented by the paragraph that I highlighted.

2 Q. And my question was, you considered that very
3 narrow in scope?

4 A. Yes. Very narrow, along with, as we
5 understood, this charge to be; that it was about
6 editorial processes.

7 Q. And do you recall my client, Timothy Jackson,
8 asking the panel about the scope of the investigation
9 being conducted by the ad hoc panel?

10 A. Yes, I do. And we had told him exactly what
11 I'm telling you.

12 Q. That the scope was narrow and it was confined
13 to this paragraph --

14 A. Um-hum.

15 Q. -- that we just read?

16 A. Yes.

17 Q. Okay. At any time, did the panel stray from
18 this narrow focus in its duties? Excuse me, strike that.

19 At any time, did the panel stray from this
20 narrow focus in carrying out its duties?

21 A. No. I was insistent on that.

22 Q. Thank you. Were you aware that the
23 investigation had already been announced in the
24 College of Music by Dean John Richmond?

25 MS. QUIMBY: Objection, form.

1 A. No, I was not. And John Richmond did not
2 mention this to us when he testified before the
3 committee.

4 Q. Did you ask him?

5 A. No.

6 Q. Do you think that would be relevant to the
7 committee?

8 A. No.

9 Q. Were you aware that the College of Music had
10 put the fact that there would be an investigation of the
11 Journal of Schenkerian Studies up on the official website
12 of the College of Music?

13 A. No, I was not.

14 Q. Did you think that would be relevant to the
15 committee?

16 A. No, it would not be, given our charge.

17 Q. At some point, you referenced -- you,
18 meaning the committee in general, Professor Ishiyama,
19 the standards of COPE, C-O-P-E. Do you recognize that
20 acronym?

21 A. Yes. It stands for the Council on Publication
22 Ethics.

23 Q. Is it -- sorry. Just for clarification, is
24 it council or committee?

25 A. I believe -- I do not recall exactly what the C

1 stands for. It could be either. But we call it COPE.

2 Those of us who are editors call it COPE.

3 Q. Okay. And I don't mean to quibble. I just
4 want to make a clear record for the Court.

5 A. Um-hum.

6 Q. And what was your understanding of the standard
7 of COPE?

8 A. They have multiple standards. I'm not sure
9 which ones you would like me to refer to.

10 Q. Which ones were you applying when you analyzed
11 the Journal of Schenkerian Studies?

12 A. COPE, among many things, says that the review
13 processes should be made public and available to those
14 who are submitting their articles and those who are
15 reviewing. COPE also has fairly strict guidelines
16 about self-publication and also what constitutes
17 adequate peer review. And they are particularly
18 mindful of self-publication by editors. They have
19 other things --

20 Q. By self-publication -- sorry, go ahead.

21 A. They have other standards regarding anonymous
22 authors. And also, if something is not peer reviewed,
23 the requirement that there is some disclaimer that
24 publicly appears in that journal. But there are
25 multiple standards that COPE puts forward that we all

1 subscribe to.

2 Q. When you say, "we all," who are you referring
3 to?

4 A. At least all of the journal editors who were in
5 that room were familiar with COPE. I would -- and I
6 cannot speak to all editors in the world. But I would
7 suggest that the major publishers all abide by COPE.

8 Q. When did COPE come into being, if you know?

9 A. I do not recall. It has been around for
10 some time, but I could not tell you when it was founded.

11 Q. Do you recall Timothy Jackson asking about
12 the nature of the COPE standards that the panel was
13 applying?

14 A. I do not recall specifically, but I believe
15 he did ask about them. He appeared to be unaware what
16 those standards were.

17 Q. And what did you provide to him?

18 A. I gave -- we gave him the website and the
19 PDF document that outlined COPE standards for editors.

20 Q. Does COPE have a standard concerning how
21 contributors to a volume, an edition, a symposium, a
22 commentary should be invited?

23 A. No, it doesn't have that as its editorial
24 process. It does, however, have requirements about the
25 review and especially peer review.

1 Q. Um-hum. Let's start with peer review. What do
2 you understand as -- because you have to understand, the
3 jury is probably not familiar with what academics mean by
4 peer review. So could you just explain what a journal
5 editor means by peer review?

6 A. Well, there are multiple forms of peer
7 review. I can speak to the ones of the journal that I
8 edited. It's called double-blind peer review, meaning
9 that the author nor the reviewer knows the identity of
10 the other. Minimally, we applied at least two reviews
11 of every article. And oftentimes, more.

12 Q. And there's been some confusion among
13 witnesses, understandably so, that double-blind means
14 only two people. But if there were three reviewers, it
15 would be triple-blind. But I understand what you're
16 saying is the double refers to the fact that both the
17 reviewer and the author are not permitted to know the
18 identity of the other to facilitate an impartial review.
19 Is that a fair summary of double-blind peer review?

20 A. Yes, it is.

21 Q. Did you do any survey of other journals in the
22 music theory field to determine whether it was common
23 practice in music theory not to subject some articles to
24 peer review?

25 A. No, we did not. We were asked to -- in our

1 estimation and our experience, whether we thought that
2 best practices were being followed, that did not extend
3 to us conducting a survey.

4 MR. ALLEN: I'm going to mark for the
5 record -- am I up to Exhibit 4, Madam Court Reporter?

6 THE REPORTER: Yes.

7 (Deposition Exhibit Number 4 marked.)

8 Q. So I've marked as Exhibit 4 for the record a
9 document which is called COPE Guidelines: A short guide
10 to ethical editing for new editors.

11 Did I read that correctly, Professor Ishiyama?

12 A. Yes.

13 Q. Do you recognize this document?

14 A. Yes.

15 Q. Was this a document relied upon by the
16 committee to inform them of guidelines and practices,
17 standards of COPE?

18 A. I would have to look through it all again.
19 But yes, I believe so.

20 Q. Okay. And I was hoping we would find an answer
21 here to our committee versus council question,
22 but I don't see anything particularly. That's fine.
23 We will go to -- there's a section that's titled The
24 Peer-Review Process.

25 Do you see that?

1 A. Yes.

2 Q. Does COPE require a sort of one-size-fits-all
3 peer-review process?

4 A. No.

5 Q. And, in fact, it says here --

6 A. You asked me about my experience, so -- but no,
7 they do not.

8 Q. Yeah. Well, I also asked you about whether you
9 surveyed journals in the music theory area to determine
10 what peer review methods were used in that field, right?

11 A. No. We did not, because we did not think
12 that was relevant and part of the charge.

13 Q. Thank you.

14 A. The charge was that we viewed in our experience
15 whether best practices were being followed.

16 Q. Did you expect the music theory journal to
17 follow the best practices of a political science
18 journal?

19 A. I expect all journals to follow best practices
20 to guarantee a transparent review process that is with
21 integrity and that there is the -- that they follow
22 the guidelines of COPE, but also make sure that
23 self-publication is not one of those things.

24 Q. So here, under the peer-review process,
25 Number 8, it says, "Adopt a peer-review process

1 that is appropriate for your journal/field of work and
2 resources/systems available."

3 Did I read that correctly?

4 A. Yes. May I ask? The second line, the
5 clarification about the number of reviewers. So it does
6 suggest that reviewers should be used, and they should
7 be anonymous.

8 Q. What did you do to determine what peer-review
9 process was appropriate for the Journal of Schenkerian
10 Studies?

11 A. We were not asked to determine what is
12 appropriate, but what was inappropriate. And so given
13 our experience as editors, what standards we would apply
14 to evaluating whether those recommended standards were
15 followed, I don't believe they were.

16 Q. In your expertise as an editor, is it your view
17 that any academic journal that publishes an article
18 without peer review or without clearly -- let me strike
19 that and ask this in two parts.

20 Based on your experience as an editor and the
21 tasks you were asked to carry through as part of the ad
22 hoc panel --

23 A. Um-hum.

24 Q. -- was it your view that an academic journal
25 that did not have a transparent process or peer review

1 was not appropriate for academic publication?

2 A. I would not make a blanket statement like that.
3 But if the journal is representing the publications as
4 peer-reviewed journal articles, then I certainly do think
5 they should follow some process of -- that is typical for
6 peer review. You know, many journals I know publish
7 other things other than peer-reviewed journal articles,
8 such as opinion editorial pieces or other items like book
9 reviews. But if they represent these as peer-reviewed
10 journal articles, they should be peer reviewed.

11 Q. Where did Timothy Jackson represent the
12 Symposium in Volume 12 of the Journal of Schenkerian
13 Studies as peer reviewed, to your knowledge?

14 A. If it appeared in the journal, the suggestion
15 is that it was peer reviewed if the journal claimed it
16 was a peer-reviewed journal. Now, symposium are not
17 separate from that standard.

18 Q. So a journal that claims to be a peer-reviewed
19 journal, but publishes articles that are not peer
20 reviewed, without a transparent process, that would be
21 inappropriate in your view?

22 A. This they -- only if they did not clearly
23 indicate in the section of the journal that this was not
24 peer reviewed.

25 Q. And there's been some discussion in our --

1 among our witnesses that we've deposed in this case that
2 just as you've said, Professor Ishiyama, there are
3 different kinds of review and so forth, unsurprising in
4 the academic field, I think. So I want to ask you a
5 question about one type of -- I'll just call it vetting
6 of publications that's come up. It's when a presentation
7 is submitted for consideration to a conference and
8 subsequently published in a journal. Is that a common
9 practice in academia?

10 MS. QUIMBY: Objection, form.

11 A. I do not know if it's common, but I have
12 heard of it, that the presidential addresses are
13 published in journals, but there's always a clear marker
14 saying that this has not been peer reviewed and was a
15 public presentation at a conference.

16 Q. And if that's not given, is that inappropriate
17 for such a publication?

18 A. I don't understand. Could you repeat the
19 question? I don't actually understand it.

20 Q. Sure, sure. And this is a great example of
21 asking for clarification, so thanks.

22 You just described several kinds of papers
23 that might be published in a journal, which were given
24 as conference presentations. Did I understand your
25 testimony right?

1 A. Well, I would have to say what I'm aware of
2 is that sometimes, presidential addresses, that if you're
3 president of an association, that it will be published in
4 a journal, but there's a clear indication in the journal
5 that this is a presidential address and stands different
6 from the other peer-reviewed articles that appear in the
7 journal.

8 Q. And if there is no such clear transparent
9 declaration, that's inappropriate, right?

10 MS. QUIMBY: Objection, form.

11 A. I -- well, inappropriate? I would say it's not
12 a best practice, clearly not a best practice.

13 Q. Well, and I guess you are now saying you can
14 identify things that are not best practice. And when
15 we talked about peer review concerning the Journal of
16 Schenkerian Studies, you said your task was to identify
17 what was inappropriate, right? So that's the source of
18 my question. Go ahead.

19 A. The charge didn't mention inappropriate. It
20 said whether or not the Journal followed best practices,
21 and we stuck to that. Whether or not it was appropriate,
22 I think, is not the question. The question is given our
23 experience, did the Journal follow best practices in
24 terms of publishing.

25 Q. Okay. So I'm asking you to clarify your

1 testimony then. Before, I asked you what you did to
2 find out what the appropriate processes for the Journal
3 of Schenkerian Studies were to peer review articles,
4 and you said that wasn't your task. Your task was to
5 determine what was inappropriate. Do you remember saying
6 that?

7 A. I do not recall. But we're sticking straight
8 to what the charge was, and I want to stick to that
9 charge. That's what we were asked to do.

10 Q. Okay. And you stuck to that charge in all
11 respects, right?

12 A. Yes, yes.

13 Q. So there's another kind of conference
14 proceedings that are published, at least among witnesses
15 that we've deposed have testified to, and I would like
16 to ask you about that. That's where people apply to a
17 conference committee or whatever to present at the
18 conference, and then subsequently, those papers are
19 published in a journal.

20 The process that's been described -- I'm just
21 going to represent this to you -- someone will submit
22 something like a 450-word précis, maybe a bibliography,
23 something of that nature, which explains the kind of
24 paper they want to give. That will be reviewed by a
25 conference program committee. It will be accepted. Then

1 a discussion will be had with an editor of a journal of
2 one kind or another, and the paper presented at the
3 conference will be worked up into a full-length article
4 and published. Are you familiar with that kind of review
5 process?

6 A. I am aware that these happen, but I think
7 that you are referring to conference proceedings, and
8 it's conference proceedings, which is the first part.
9 Whether or not they're published in a journal is subject
10 to peer review in the second part. So I think these
11 seem to be conflated. Conference proceedings are very
12 different than journal --

13 Q. I'm not talking about publishing straight
14 up conference proceedings. So please understand, I'm
15 talking about where someone gets their paper in, presents
16 it. It's recruited by an editor for publication in a
17 journal, whether specialized or general. It doesn't
18 matter. Then that paper is published in the journal.

19 My question then is that does not count,
20 according to you, as peer review, correct?

21 A. No, that's incorrect. That is incorrect.
22 These -- from what I'm aware of, papers that are
23 recruited from a conference by an editor to appear in
24 a special issue still undergo peer review in my
25 experience on this several times.

1 Q. Okay. I'm sorry -- I'm sorry to interrupt,
2 Professor Ishiyama. And I try not to do that. But I
3 actually wasn't asking that, so I wanted to be more clear
4 and then give you a chance to answer.

5 What I mean is the second phase, what I think
6 you called the second phase -- there's the presentation
7 that's the first phase. Then there's a subsequent
8 publication in a journal where the presentation is
9 worked up into a longer piece and published.

10 At the second phase in the examples that we
11 have heard in deposition, there is no double-blind peer
12 review, but the article is published anyway in a journal.
13 And let me back up and ask, are you familiar with that
14 process?

15 A. No. Given my experience, no.

16 Q. Okay. And what I just described, a
17 précis reviewed by a program committee, then articles
18 subsequently published in a journal without double-blind
19 peer review, would you count that as a peer-reviewed
20 article?

21 A. By précis, you mean the same thing as a journal
22 article? Because there are many publications that are
23 not journal articles, that are summaries of something --

24 Q. No.

25 A. -- or proceedings or recordings.

1 Q. No, not a summary. I'm going to describe the
2 exact situation. I am.

3 A. Hmm.

4 Q. Well, I'll tell you what. I'll make this a
5 little bit easier by giving a concrete example; is that
6 fair?

7 A. Certainly, yes.

8 (Deposition Exhibit Number 5 marked.)

9 MR. ALLEN: I'm going to mark for the
10 record as Exhibit 5 the title page of Volume 26, 2020, of
11 the journal published by the University of North Texas
12 Press, Theoria. This is also edited by a professor at
13 the University of North Texas named Frank Heidelberger.
14 And this is the title page of that volume. Do you see
15 the exhibit, Professor Ishiyama, Exhibit 5?

16 A. If that's the title page, I do see.

17 Q. And I'm just scrolling down. It does clearly
18 list an advisory board. Do you see that?

19 A. Yes, yes.

20 Q. And that it's published by the University of
21 North Texas. We see that here at the bottom of the first
22 page, right?

23 A. Yes.

24 Q. Now, I'm just scrolling down for you to give
25 you -- all I have here is the title page. Obviously, I'm

1 not going to ask you in deposition time to read a full
2 journal article. But this is the title page of Theoria,
3 Historical Aspect of Music Theory, Volume 26, 2020, and
4 the title page includes articles, right?

5 A. Yes. That's what the title says.

6 Q. And I'm just -- and I know the entire journal
7 isn't here for your perusal. But do you see any clear
8 indication in the title page that any of these articles
9 have not been subjected to peer review?

10 MS. QUIMBY: Objection, form.

11 A. Can you -- can you scroll down, so I may see
12 the entire --

13 Q. Yeah, there's not much left. See?

14 A. There is no note indicated, because this is
15 only an excerpt from a particular issue. There's nothing
16 in notes, no disclaimer, nothing else. It's hard for me
17 to determine just based upon --

18 Q. Okay. To my knowledge -- to my knowledge,
19 there is not. But if there is, I'm sure your attorney,
20 Mary Quimby, will be able to point that out for the
21 Court. I'm going to ask you -- well, I think we can
22 agree, on this title page, there is no such designation,
23 correct?

24 A. Those designations don't necessarily appear on
25 the title page. Sometimes, they're in the second page.

1 Sometimes, they're in the note to that particular
2 article.

3 Q. Okay.

4 A. But no, I don't see anything here. But I'll
5 trust that you've read it, so...

6 Q. Well, and maybe we will go back and read
7 it and educate ourselves. But I want to ask you some
8 questions about what you consider to be peer reviewed
9 and what you don't.

10 A. Um-hum.

11 Q. There's a Russian music theory panel listed
12 that starts on page 55 of this journal. Do you see that?

13 A. Yes, I do.

14 Q. And there's an article published by Ellen
15 Bakulina, who is a faculty member at the University of
16 North Texas and a colleague of Frank Heidlberger.

17 A. Yes.

18 Q. The editor of this journal.

19 A. Yes.

20 Q. There's Philip Ewell. There's been a
21 longer piece by Ellen Bakulina and then an article by
22 Christopher Segall. And I'm going to represent to you
23 that those were all part of this Russian music theory
24 panel. Okay?

25 A. Um-hum, yes.

1 Q. And testimony has indicated that these were
2 reviewed in exactly the way that I have informed you;
3 that there was an abstract or précis or whatever you want
4 to call it, a short description of what someone wanted
5 to give as a conference paper submitted to the program
6 committee of the SMT. Do you know what the SMT stands
7 for, just so we avoid confusion?

8 A. I believe it stands for the Society of Music
9 Theory.

10 Q. Correct. So in 2018, this was a panel
11 presented at the conference, an annual conference.
12 Afterwards, these articles were recruited to the
13 journal. They were built up from the conference papers
14 into longer articles. It looks like Philip Ewell's
15 article here is approximately 24 pages, 23 or 24 pages,
16 and published, but there was no double-blind peer review
17 before these articles appeared in the journal.

18 A. Um-hum, yes.

19 Q. Those are the -- those are the facts that I'm
20 summarizing to you. Now, my question, and I'm sorry for
21 being a bit long on that, is based on your expertise,
22 would you consider that peer review?

23 MS. QUIMBY: Objection, form.

24 A. Now, peer review is a review by peers in the
25 field.

1 Q. Correct.

2 A. I think what you are referring to is what we
3 call editor reviews, which are not the same standard as a
4 peer-reviewed article.

5 Q. Okay.

6 A. These are generally reviewed by the editor
7 along with multiple others or several others on the
8 editorial board who review it. Now, I'm not sure if
9 that's what happened here. But that could happen, an
10 editor review process, but not necessarily a peer-review
11 process.

12 Q. If an editor held out these articles as, quote,
13 peer reviewed, in your view, would that be appropriate?

14 MS. QUIMBY: Objection, form.

15 A. Well, just like I don't want to say anything
16 about judgment of whether it's appropriate or not, but
17 it's not best practice. It really is not. If you want
18 to represent it as peer-reviewed, it's not.

19 Q. That's all I'm trying to get at. You wouldn't
20 consider articles published in the way that I've just
21 described to be fully peer-reviewed in the sense of
22 double-blind peer review that we've discussed, correct?

23 MS. QUIMBY: Objection, form.

24 A. That's true. And if it's represented as peer
25 reviewed, then that would be inaccurate.

1 Q. Okay. And just to sew up this line of
2 questioning, that would be true for any journal, any
3 academic journal, correct?

4 A. No. Some journals, they say -- they
5 represent themselves as peer reviewed. And they say
6 it's peer reviewed unless, if it is not, then it's
7 clearly indicated somewhere that it was either editor
8 reviewed or not reviewed at all.

9 Q. So that would -- the process we've just
10 described would not be best practice for a peer-reviewed
11 academic journal?

12 A. True. If they are representing the contents as
13 peer reviewed, this would not be best practice.

14 Q. Okay. Now, for the Symposium in Volume 12
15 of the Journal of Schenkerian Studies, is it your
16 understanding and your expertise, that if the call for
17 papers had clearly indicated that the Symposium would
18 not be peer reviewed, that would be best practice?

19 MS. QUIMBY: Objection, form.

20 A. I have not seen the call papers, but I couldn't
21 say.

22 Q. You've never seen the call for papers that
23 the Journal of Schenkerian Studies sent out to solicit
24 articles?

25 A. I do believe -- I do not recall seeing it.

1 But perhaps among the volume of materials we reviewed,
2 it was there. But I do not recall seeing, if we did,
3 that there was a specific thing that this would not be
4 peer reviewed. But again, this is four years ago.

5 Q. I'm not saying it did. I'm saying if it had,
6 that would be appropriate?

7 MS. QUIMBY: Objection, form.

8 A. If it had -- may I ask for clarification? If
9 it had included a counterfactual, because it may not
10 have, if it had, would that be --

11 Q. I'm not asking you that. Yeah, so it sounded
12 to me like your testimony was that journals should be
13 very clear about how they're reviewing or not reviewing
14 works. And as long as they do that and are aboveboard
15 and it's transparent, then that's best practice in the
16 academic journal industry, for lack of a better word.

17 A. Yes, I would -- I would think so, yes. But it
18 should be included in the journal itself.

19 Q. Right. And that -- to make sure which
20 papers -- is it a fair analogy to say the customer,
21 namely, the reader, needs to know what they're getting?

22 A. It should be transparent, yes.

23 MR. ALLEN: Okay. I want to mark for
24 the record Exhibit 6.

25 (Deposition Exhibit Number 6 marked.)

1 Q. Can you see this email, Professor Ishiyama,
2 that I'm marking as Exhibit 6 for the record? It's from
3 you, John Ishiyama, to Timothy Jackson, with what I take
4 to be the members of the ad hoc panel on the CC line as
5 well as an attorney named Renaldo Stowers who's in the
6 room with you, and myself, Michael Allen.

7 Did I read that correctly?

8 A. Yes.

9 Q. Do you recognize this email?

10 A. Yes.

11 Q. And it's October 4th -- excuse me,
12 October 14th, 2020, right?

13 A. Yes.

14 Q. Now, I hope you'll bear with me. And I'm going
15 to do something which I confess to you drives me crazy
16 when people scroll through documents in front of my eyes.
17 It makes me cross-eyed. But I'm going to have to do it
18 to bring you down to the previous message. It's
19 in the nature of emails that they go from backwards
20 forwards. And you see Timothy Jackson emailed you on
21 Wednesday, October 14th, in the email at the bottom of
22 this page?

23 A. There is another -- at the bottom, there's one
24 that says October 13th. Are you referring to one that's
25 not on bottom, but above it? That one there.

1 Q. Yeah. Now, I'm happy to give you -- this is
2 the whole email string. If you want to review it all,
3 I'm not trying to hide it from you.

4 A. Um-hum.

5 Q. But I'm not going to be asking you questions
6 about this. Of course, your attorney can come back
7 around and ask questions about it if she so chooses.

8 A. Um-hum.

9 Q. So I just want to take you back up here. I
10 mean, is it fair to say these are emails conducted in
11 the ordinary course of business of the ad hoc panel as
12 you understood it?

13 A. In communication and response to Dr. Jackson,
14 yes.

15 Q. Yeah. And of course, you were the one who
16 received this email and maintained it in your email,
17 correct?

18 A. Yes, I did.

19 Q. And this was just the ordinary kinds of emails
20 you would be exchanging on a regular basis with people
21 you were interviewing and other members of the committee,
22 right?

23 A. As far as it pertains to the committee's work,
24 yes.

25 Q. Thank you. So here, Timothy Jackson, I'm just

1 talking about this email which I've highlighted for you,
2 Wednesday, October 14th, 2020, he asks, "Thanks for this,
3 John" -- referring to a previous email. "I have looked
4 at the COPE website, and they seem to have quite a few
5 policy statements mostly geared to coping with research
6 fraud and plagiarism issues. Are there specific policies
7 of COPE that the ad hoc committee thinks are relevant
8 here? I hope the panel is also prepared to discuss how
9 to maintain the integrity of an academic journal in
10 the face of widespread calls for censorship and the
11 repression of unpopular viewpoints. Will the panel be
12 addressing that? Thanks, Tim."

13 Did I read that correctly into the record?

14 A. Yes.

15 Q. Okay. And is it fair to say that you then
16 answered by explaining the nature of COPE to Tim in that
17 first numbered paragraph, numeral 1?

18 A. Yes.

19 Q. And you linked the website of the COPE,
20 right?

21 A. Yes.

22 Q. And then consistent with your --

23 A. It also has the PDF. It also has the PDF.

24 Q. Is that where that PDF that we marked as the
25 previous Exhibit Number 4 came from?

1 A. Yes, as far as I recall.

2 Q. Is that the PDF you are referring to or a
3 different one?

4 A. Yes, this one.

5 Q. Exhibit 4? Is that yes?

6 MR. ALLEN: Did I not hear that, Kim?

7 A. Yes.

8 Q. Thank you. And could you read paragraph 2 into
9 the record, which I think you've testified to before, but
10 I would just like you to read this answer
11 to Timothy Jackson's question about academic freedom
12 into the record for us.

13 MS. QUIMBY: Objection, form.

14 A. Can I ask for a clarification? Paragraph 2
15 does not refer to academic freedom at all.

16 Q. Did you see here that Timothy asked the
17 question, Timothy Jackson, "I hope the panel is also
18 prepared to discuss how to maintain the integrity of
19 an academic journal in the face of widespread calls for
20 censorship and the repression of unpopular viewpoints.
21 Will the panel be addressing that?"

22 And you've already testified that I read that
23 correctly. Am I mistaken, that paragraph 2 of your
24 response to Timothy's email, Timothy Jackson's email,
25 did not respond to that question?

1 A. No, it did respond to the question. You asked
2 me if it included a mention of academic freedom, and it
3 does not. It was in response, saying clearly that the
4 answer is no.

5 "The panel's charge is narrow, to only
6 investigate the journal's editorial processes including
7 management, peer review, and other processes related to
8 journal production. The focus of our questions will only
9 be on these issues. You are free to add information that
10 you believe the panel should know after we have had the
11 opportunity to ask our questions."

12 Q. Okay. And I believe you've already answered my
13 question. That was your response to Timothy's question,
14 whether you would be investigating the infringement of
15 his academic freedom?

16 MS. QUIMBY: Objection, form.

17 A. Again, our charge was very narrow, and we stuck
18 to it.

19 Q. Okay. And I'm just trying to build the record
20 of the documents that establish what you were doing in
21 the ad hoc committee. And I know that was consistent
22 with your previous testimony. So this is simply part of
23 the process, Professor Ishiyama.

24 A. Um-hum, okay.

25 Q. I wasn't -- I wasn't suggesting that you were

1 misrepresenting something here.

2 MS. QUIMBY: Can we take a break? It's
3 been about an hour.

4 MR. ALLEN: You know, I had not been
5 aware of that, and I've just been charging through.
6 And that's fine. Shall we go off the record?

7 MS. QUIMBY: Yes.

8 THE VIDEOGRAPHER: Off the record at
9 10:21.

10 (Recess taken)

11 THE VIDEOGRAPHER: The time is 10:37.
12 We're on the record.

13 Q. Thank you, Professor Ishiyama. I want to go
14 back to Exhibit 3, which is the Ad Hoc Panel Report, and
15 I wanted to ask you another question about the charge
16 that you testified to earlier in Exhibit 3.

17 In the charge that you read into the record,
18 you were instructed to examine objectively the processes
19 followed in the conception and production of Volume 12
20 of the Journal of Schenkerian Studies, right?

21 A. Yes.

22 Q. Can you explain for the Court what you
23 understood as an objective investigation?

24 A. Well, given the charge, it was to evaluate the
25 processes that were listed by the Journal in terms of

1 editing Volume 12. In light of our experience as editor,
2 that we should only focus on the charge, which was to
3 investigate the processes, and not the influence by other
4 things related to the production of Volume 12.

5 Q. And is it objective, in your understanding of
6 research or investigations, to ignore exculpatory
7 evidence?

8 MS. QUIMBY: Objection, form.

9 A. I think objectively means that you view the
10 evidence without prejudice, without preconceived notions.
11 That's how I understand objectively.

12 Q. So my question was, is it objective to ignore
13 exculpatory evidence?

14 MS. QUIMBY: Objection, form.

15 A. I don't think that is how I would define
16 objective.

17 Q. Okay.

18 A. It may not be best research practice; but
19 that's not, in my view, how you define objective.

20 Q. Is it acceptable in an objective investigation
21 to ignore exculpatory evidence?

22 A. Again, it's not related to objectivity. It may
23 not be good research practice. That would be perhaps
24 mentioned in the peer-review process. But in terms of
25 objectivity, I take that to mean that you do not consider

1 things outside of the charge that might influence and
2 prejudice your decision.

3 Q. Would considering exculpatory evidence
4 prejudice your decision?

5 MS. QUIMBY: Objection, form.

6 A. That's not what we mean by objectivity.

7 Q. Well, I wasn't asking you about that. I was
8 asking you about the statement you just made about not
9 considering anything that would prejudice your decision.
10 I believe you said something to that effect, right?

11 A. But I said that was for peer-review processes.
12 That's not good research effort. But your question was
13 about objectivity, and I answered that.

14 Q. Okay. And I'm following up with a question
15 about your methods of conducting the investigation in the
16 ad hoc panel.

17 A. Um-hum.

18 Q. Would you consider it best practices for the ad
19 hoc panel to ignore exculpatory evidence?

20 MS. QUIMBY: Objection, form.

21 A. I do not believe we ignored such evidence.
22 But no, I don't think we ignored such evidence.

23 Q. And you would not consider that best practices
24 if evidence was ignored?

25 A. We were not asked about best practices about

1 how we did the review process. We were asked to judge
2 the best practices of the Journal of Schenkerian Studies.

3 Q. I understand that. I'm asking you. So could
4 you answer the question as asked?

5 A. I'm not sure of the question.

6 MR. ALLEN: Madam Court Reporter, could
7 you read the previous question back to the witness?

8 Q. BY THE REPORTER:

9 QUESTION: Would you consider it best
10 practices for the ad hoc panel to ignore
11 exculpatory evidence?

12 A. If we did that. I don't not think that is what
13 happened.

14 Q. Right. That's not my question. I understand
15 that you deny that happened. My question is would that
16 be best practice --

17 A. You are asking me what I believe is best
18 practice. I don't -- I don't think I should venture
19 an opinion about that. I told you that research
20 practices, we do not ignore evidence. But you are
21 asking specifically about the activities of the panel,
22 and I think I've answered that.

23 Q. No, I think you have not. I think you have not
24 answered whether it would be best practice for a panel
25 such as your ad hoc panel to ignore exculpatory evidence.

1 We can agree, can we not, Professor

2 Ishiyama --

3 A. We did not.

4 Q. Can we agree that the ad hoc panel should not
5 ignore exculpatory evidence?

6 MS. QUIMBY: Objection, form.

7 A. No, I don't agree to that because we did not do
8 that. I'm very narrow in terms of what we did, not
9 speculate on whether or not something happened.

10 Q. I'm not asking you to speculate. I'm asking
11 you to tell me precisely for the record your methods.

12 A. Are you asking for my opinion, sir?

13 Q. I'm asking for your understanding of what
14 your task was. If you want to characterize that as your
15 opinion, that's fine with me. Your understanding of your
16 task as a member of the ad hoc panel was that it would
17 be -- it would not be best practice to ignore exculpatory
18 evidence. Can we agree on that?

19 A. But the charge -- your question started with
20 objectivity.

21 Q. Yes.

22 A. Not best practice. I'm not sure how they're
23 related.

24 Q. You brought up best practice, sir. So that's
25 why I was asking you that question.

1 A. Well, that's beyond the scope of the charge.

2 Q. Well, I'm not asking you only about the scope
3 of the charge. I'm asking you about your approach of the
4 investigation in the ad hoc panel.

5 A. We considered all of the evidence objectively,
6 meaning that without prejudice and without preconceived
7 notion, that's how we proceeded.

8 Q. Okay. Did you invite Timothy Jackson in
9 advance to respond to the investigation report that you
10 eventually produced?

11 MS. QUIMBY: Objection, form.

12 A. We asked him to testify. We did not ask him to
13 respond to the report. That was not part of our charge.

14 Q. Were you aware that Timothy Jackson did respond
15 to the report?

16 A. He did send us a message. The committee
17 reviewed it and determined that this evidence actually
18 did not affect our assessment of the general review
19 processes, which was our focus.

20 Q. What evidence are you referring to?

21 A. Well, the fact that there was nothing
22 produced that demonstrated what the review process was.
23 Dr. Jackson had sent us a large group of emails, which
24 we surveyed carefully, and could not determine what the
25 review process was for Volume 12.

1 Also, that there was self-publication by the
2 editor with no clear evidence that there were special
3 precautions to prevent a conflict of interest and that
4 the head made a decision regarding publication of an
5 anonymous contributor, but we didn't focus too much on
6 that because that does happen as long as there's some
7 message or information provided in the journal that
8 there's a reason why they're doing -- the editor's doing
9 that. That did not appear. So that's what we were
10 looking at.

11 Q. Are you referring to the -- I'm just trying to
12 figure out what documents you are referring to, and I
13 think we'll get to these. But are you referring to an
14 email Timothy Jackson sent you with attachments in
15 advance of his interview or shortly after his interview
16 in the midst of the investigation, or -- and this is the
17 question about the response -- are you referring to
18 documents sent to you after the investigation was
19 complete?

20 A. You know, I don't -- I'm not -- I don't recall
21 four years ago exactly the sequence. I do know that
22 Dr. Jackson had sent us something that was a body of
23 emails that he said would outline the review process.
24 We did review that, and there was no evidence that
25 indicated that there was a clear review process. So I'm

1 referring partially to that. I cannot recall in what
2 sequence those appeared.

3 Q. Okay. Hopefully, we'll clear this up later.
4 I think I know which documents you are referring to. And
5 when we come to those, hopefully, we can clear that up.

6 I want to return to the COPE principles, if
7 I could for a moment. I believe you did say you
8 interviewed the individuals at the University of North
9 Texas who were responsible for operating the University
10 of North Texas Press?

11 A. Yes. I don't recall their names right now, but
12 yes.

13 Q. Was one named Chrisman, if that helps you
14 recall?

15 A. I did not hear the name. Could you repeat it?
16 One was named who?

17 Q. Chrisman. Chrisman. C-H --

18 A. I don't recall that name.

19 Q. Okay, that's fine. Were COPE principles
20 required by the University of North Texas Press?

21 A. I am not aware if they have. Requirement is
22 not what COPE recommends. It's best practices that they
23 seek editors to pursue. I'm unaware of what the
24 University of North Texas requires.

25 Q. You do know that the University of North Texas

1 published the Journal of Schenkerian Studies, right?

2 A. That, I do know, yes.

3 (Deposition Exhibit Number 7 marked.)

4 MR. ALLEN: Let me -- sorry. I'm going
5 to mark for the record as Exhibit 7 a document that is
6 dated in handwriting September 16, 2020 and Journal
7 Review #2.

8 Q. And I'm going to represent to you, Professor
9 Ishiyama, that to the best of my knowledge, these are
10 notes of a Professor Wallach who was on the program --
11 excuse me, the ad hoc committee. Do you recognize the
12 handwriting by any chance?

13 A. No, I do not.

14 Q. Did members of the ad hoc panel share their
15 notes with each other?

16 A. No. We actually discussed in our meetings our
17 points. We did not share the notes.

18 Q. Okay. So what we have here are one individual
19 on the panel's notes. And I want to ask you a few
20 questions to see if you recall the things that are
21 recorded in these contemporaneous notes being discussed
22 by the ad hoc panel. I'm obviously not trying to
23 attribute this to you, just so we're clear. It does
24 refer to Ron Chrisman here and Karen DeVinney.

25 Do you see that at the top?

1 A. Yes.

2 Q. Does that help refresh your memory as to who
3 the individuals were who were operating the University of
4 North Texas Press?

5 A. Yes, it does. I had misheard you say before
6 Christmas, but Chrisman sounds more familiar.

7 Q. Okay. Understandable. Just real quick,
8 something I know is probably not within the purview of
9 your investigation or at least at the Center, but there's
10 a note here that after one year, there should be or there
11 was a free online upon access in the library. Do you
12 remember the UNT Press discussing how the University
13 Press made the Journal available to the public in this
14 way?

15 MS. QUIMBY: Objection, form.

16 A. No, I don't. But they were talking about their
17 production processes may be part of it.

18 Q. You don't have any reason to believe this was
19 not accurate?

20 A. No. But I can't be sure, because these are not
21 my notes.

22 Q. I understand, sir.

23 A. And I -- they talked a lot about production.

24 MR. ALLEN: Now, unfortunately, I can't
25 refer to Bates numbers here, Attorney Quimby. But I'm

1 turning to page 3, I believe, of the PDF.

2 Q. There's a number of circled numbers, and
3 I'm going to draw your attention, if I may, Professor
4 Ishiyama, to number 3.

5 A. Um-hum.

6 Q. It appears that there is some discussion of the
7 committee on publication ethics noted here. See?

8 A. Um-hum, yes.

9 Q. And it says, "Did not put in contract. Do that
10 in the future."

11 Did I read that correctly?

12 A. Yes.

13 Q. Do you remember discussing that the contracts
14 with the journals that were published by the University
15 of North Texas Press did not have COPE principles in
16 their contracts?

17 MS. QUIMBY: Objection, form.

18 A. I recall that Ron Chrisman did talk about the
19 production process and mentioned that COPE principles
20 should be in future activities of the UNT Press.

21 However, you know, being part of a contract is
22 not normally the case with most journals. Rather, these
23 are best practices that editors should pursue. And I
24 think the fact that it was not in the contract is not
25 that unusual for most journals, although journals do

1 abide by the guidelines that they wish to be reputable.

2 Q. And did you find any evidence that the Journal
3 of Schenkerian Studies as not reputable, sir?

4 A. If you -- if, in evaluating again, not the
5 journal, but the processes that were used, did not
6 comport to best practices in journal editing.

7 Q. Did you have any evidence that that affected
8 the reputation of the articles published by the Journal
9 of Schenkerian Studies?

10 A. We were not asked to evaluate the reputation of
11 the Journal, nor the articles that appeared, only on the
12 processes used.

13 Q. Well, that's not my question. I just asked in
14 the course of your investigation, did any evidence come
15 forward that indicated that the articles published in the
16 Journal of Schenkerian Studies were not esteemed in the
17 field?

18 MS. QUIMBY: Objection, form.

19 A. No.

20 Q. Back to what appears to be the people who ran
21 in the press statements to the ad hoc panel, it also
22 records that what they had discussed, COPE principles not
23 really being in the contracts, but maybe should be in the
24 future, how the contracts were structured. It appears
25 that Ron Chrisman said this is the standard practice for

1 the press at that time, right? Do you remember him
2 saying that?

3 MS. QUIMBY: Objection, form.

4 A. That specific statement, I don't recall. But
5 he may have.

6 Q. Okay. There's also mention of another journal
7 in the College of Music. Did you remember talking about
8 that with the University of North Texas Press?

9 MS. QUIMBY: Objection, form.

10 A. I do not recall that specific statement. But
11 since he was talking about the operations of the press,
12 he may have mentioned it.

13 Q. You don't have any reason to believe that's not
14 Theoria, the title page we examined previously, right?

15 MS. QUIMBY: Objection, form.

16 A. I would not know.

17 Q. Okay. Do you have any knowledge of whether the
18 University of North Texas Press now requires COPE
19 principles for the journals it publishes?

20 A. No. Again, our focus was only on producing the
21 report. I have not followed things since.

22 Q. Okay. And you didn't think it was your
23 obligation to compare the Journal of Schenkerian Studies
24 to the practices of a journal like Theoria in the same
25 department, in the same field, right?

1 A. No. We were asked to evaluate using our
2 experiences objectively, the practices of the Journal
3 of Schenkerian Studies.

4 MR. ALLEN: I'm going to mark for the
5 record as Exhibit 8 another set of notes from your ad hoc
6 panel.

7 (Deposition Exhibit Number 8 marked.)

8 Q. Do you see -- I'll just state for the record
9 this begins UNT 003301.

10 A. Yes.

11 Q. And I'll just ask if you know whose notes these
12 are.

13 A. I believe these were the sort of list of
14 questions that we came up with. And in order to pursue
15 our interviews, we had collectively wrote this. And then
16 I believe I typed it up and circulated it.

17 Q. Okay. And it seems like under these questions
18 for Ron Chrisman and Karen DeVinney, there are some typed
19 in notes here.

20 A. Yes.

21 Q. Do you see those?

22 A. Yes.

23 Q. And so my question for you is, do you know what
24 these notes represent?

25 A. I would have to look at them carefully.

1 Q. Can I ask you to read this block right here?

2 A. Notes from -- okay.

3 "Notes from the Committee on Publication
4 Ethics. Although UNT Press may not be part of COPE, they
5 should abide by these standards, especially these two --
6 the first relates to 'anonymous' authorship and the
7 second deals with editors publishing in their own
8 journals."

9 And then there's a quote.

10 "'Journals should adopt and promote an
11 authorship policy that is appropriate to the field of
12 research. Your procedures should encourage appropriate
13 authorship attribution and discourage guest and ghost
14 authorships. These will vary from journal to journal
15 but might include:

16 1) requiring statements of each individual's
17 contribution to the research and publication.

18 • Use checklists to prevent ghost authorship,
19 See for example, PLoS journals.

20 • Requiring all authors to sign an authorship
21 declaration.

22 • Including all authors in communications,
23 acknowledging receipt of a submission, not just the
24 corresponding author.

25 • Clearly specifying authorship criteria in

1 the Instructions to Authors.'"

2 Q. Okay. And just to ask you again, now that
3 you've read it, do you recall writing that, or was that
4 one of the other ad hoc panel members?

5 A. I do not recall. It may have been me, but I
6 cannot recall. These are spontaneous notes, so I do not
7 know, and they're typed.

8 Q. I understand. What is ghost authorship?

9 A. Ghost authorship is something that PLoS uses to
10 identify anonymous ownership, meaning they use a
11 pseudonym instead of their real name, or even saying
12 anonymous. That would be ghost authorship.

13 Q. What is PLoS, P-L-O-S?

14 A. I do not recall what the acronym stands for,
15 but it is a journal that is published open access in
16 Europe. And they have developed guidelines on ghost
17 authorship that COPE recommended consulting, so as an
18 example.

19 Q. And your understanding of ghost authorship was
20 that it's a form of anonymous publication, like, say, I
21 don't know, for lack of a better analogy, adopting some
22 kind of pseudonym on social media or some such thing?

23 A. Yes, that's accurate. I would consider that
24 a form -- a form of ghost authorship.

25 Q. And I'm just going to represent to you that

1 if you click on this link, and we can do that if you
2 want, and I'll ask your attorney to verify that with you.
3 I'm just going to represent that the following document
4 is accessible at that website URL. And I'm going to mark
5 it as Exhibit 9 for the record.

6 (Deposition Exhibit Number 9 marked.)

7 MS. QUIMBY: I meant to ask this before
8 we got started again. Are you able to send the documents
9 in the chat, so that the witness is able to better access
10 them?

11 MR. ALLEN: I hadn't thought of that,
12 but that is a great idea.

13 MS. QUIMBY: It may prevent the
14 scrolling.

15 MR. ALLEN: I think I can just plop
16 them in there, and thanks for that suggestion.

17 As your attorney indicated, I'm putting this
18 in the chat, Professor Ishiyama. It should have arrived.
19 It's a rather large document.

20 THE WITNESS: Can we open it in the chat
21 or --

22 MS. QUIMBY: I believe you may have to
23 download it, and then open it as opposed to what I just
24 said.

25 THE WITNESS: May we go off the record?

1 MR. ALLEN: Please.

2 THE VIDEOGRAPHER: Off the record at
3 11:00.

4 (Recess taken)

5 THE VIDEOGRAPHER: On the record at
6 11:04.

7 Q. Okay. Professor Ishiyama, I just had a --
8 and sorry the document is so large. But I just had a
9 question on the first page.

10 A. Um-hum.

11 Q. A series of questions. Can you read the
12 title of this article into the record?

13 A. Yeah. What Should Be Done To Tackle
14 Ghostwriting In The Medical Literature.

15 Q. Is it your understanding, as a member of the ad
16 hoc panel, that there was significant differences between
17 medical literature and articles published in music
18 theory, such as in the Journal of Schenkerian Studies?

19 A. No.

20 Q. Okay.

21 A. Well, are you referring to this particular
22 article or --

23 Q. Well, in general, what you know of medical
24 publications or scientific publications. For example,
25 let me ask you a specific example. Is it your

1 understanding that it's common in medical or
2 scientific journals to publish with multiple authors?

3 A. I can't say for sure. But you know, because
4 it's not my field.

5 Q. Sure.

6 A. But I understand that that is common.

7 Q. And did you understand from your experience
8 investigating the Journal for Schenkerian Studies that
9 most authors single author their articles in music
10 theory, at least in the Journal of Schenkerian Studies?

11 MS. QUIMBY: Objection, form.

12 A. I don't know about that.

13 Q. That's not something the ad hoc panel
14 considered?

15 MS. QUIMBY: Objection, form.

16 A. No.

17 Q. And I think your attorney is raising a good
18 objection, so I'm going to rephrase the question just for
19 the purpose of the records and get a clean answer, and
20 we'll move on.

21 So the ad hoc panel did not consider the
22 differences between multi-authored articles and science
23 and a single authored article -- single author articles
24 in music theory to be relevant to its investigation?

25 MS. QUIMBY: Objection, form.

1 A. No. That was not relevant to our charge.

2 Q. Okay. So I also wanted to draw your attention
3 to the definition of ghostwriting that's on the first
4 page of this article.

5 A. Um-hum.

6 Q. And see if that helps clarify what that meant
7 to the ad hoc panel. I just have highlighted briefly two
8 sentences that I'm going to read into the introductory
9 paragraph, which is in bold.

10 "Ghost writing occurs when someone makes
11 substantial contributions to a manuscript without
12 attribution or disclosure."

13 Did I read that correctly?

14 A. Yes.

15 Q. And then out of this article, on the top of the
16 second column to the right, the lead sentence says,
17 "Ghost authorship exists when someone as made substantial
18 contributions to writing a manuscript and this role is
19 not mentioned in the manuscript itself."

20 Did I read that right?

21 A. Yes.

22 Q. Is that really what you understood as anonymous
23 publication?

24 A. No. But part of it was also misappropriation
25 of authorship. Anonymous is not necessarily the

1 appropriation of authorship. And COPE used this link
2 as an example, not exclusively for the entire world, but
3 this would be an example of how you might tackle the
4 issue of ghostwriting. Ghostwriting, as you pointed out,
5 deals with misappropriation of authorship, including
6 having a senior scholar taking credit for something
7 someone else wrote. We took it as very broadly.

8 Q. Like a graduate student writes something, and
9 the senior scholar, perhaps the dissertation advisor or
10 something, appro -- (Zoom audio distortion) -- as their
11 then work?

12 A. I would think that's what this article deals
13 with. Yes, I think that's what this article is referring
14 to, although there are other forms of misappropriation.

15 Q. And that's not so much anonymous publishing,
16 I think you would agree, as it is bordering on
17 plagiarism or research misconduct, right?

18 MS. QUIMBY: Objection, form.

19 A. I think -- I think misappropriation can take a
20 variety of forms. Anonymous publishing is, you know --
21 as I mentioned in the report, does happen.

22 Q. Sure. But my follow-up question and the last
23 question on this was did you find any evidence in your
24 investigation that there was ghost publishing, this kind
25 of misappropriation that we've just discussed on the

1 first page of this article?

2 A. Not in terms -- not in terms of how this was
3 defined. But again, it was the link that was provided
4 for informational purposes. We did not use this
5 particular definition that is used here to assess the
6 use of anonymous authorship.

7 Q. Okay. But you still found it relevant
8 to refer to standards for medical publications when
9 evaluating the Journal of Schenkerian Studies, correct?

10 A. Well, there's a link provided by COPE that here
11 are some suggestions to consider, as an example.

12 Q. And this was the one that was on that link
13 page, correct?

14 A. That's right.

15 Q. Okay. I am getting back to the famous -- no.
16 Where was my exhibit here? I want to get back to the
17 Ad Hoc Panel Report and have us go through some of the
18 substance of it, Professor Ishiyama.

19 A. Yes.

20 Q. And then we may be able to get through this by
21 your 12:00 and hopefully finish. I don't know, but I'm
22 going to try to do that.

23 A. Okay.

24 Q. And that was Exhibit 3. Okay. So let me ask
25 you, before we go into the substance of the Ad Hoc Panel

1 Report --

2 A. Excuse me. Is this -- what I'm seeing is not
3 the Ad Hoc Panel Report.

4 Q. I'm sorry. It actually is. That was way back
5 to Exhibit 1, which we were talking about. See?

6 A. Yes.

7 Q. Again, this is a perfect example of
8 interrupting me if you need clarification. Thank you.

9 I wanted to ask if the ad hoc panel
10 interviewed the graduate student editor, Levi Walls?

11 A. Yes, we did.

12 Q. And about graduate student editorships, is
13 that, in and of itself, inappropriate?

14 MS. QUIMBY: Objection, form.

15 A. It depends on the journal.

16 Q. What does it depend on?

17 A. Well, if it is a student journal, I'm
18 familiar with those, we've had experiences of having
19 graduate students being the lead editor. But these often
20 only publish student publications, like other graduate
21 students, other universities, or other undergraduates.
22 Generally speaking, it's not the case that I'm aware of
23 that a journal that publishes peer-reviewed articles
24 from senior scholars is edited by a student.

25 Q. And did you find that to be concealed by the

1 Journal in any way?

2 MS. QUIMBY: Objection, form.

3 A. On the webpage, no. But it seemed strange that
4 an editor, a graduate student, would be making
5 the sole decisions about whether or not it should be
6 published when the submissions were largely from
7 non-graduate students or senior scholars.

8 Q. And did my client, Timothy Jackson, ever give
9 you an explanation for why the Journal of Schenkerian
10 Studies had been edited by graduate students?

11 MS. QUIMBY: Objection, form.

12 A. He said that was the tradition. And there was
13 no reason to question that tradition, but we found it
14 odd.

15 Q. Did you find that it had compromised the
16 quality of articles in the Journal?

17 A. We didn't assess the quality of articles in the
18 Journal, but we did not think it was best practice since,
19 I think as we indicated in the report, the editors, or
20 the most recent ones, were students of
21 Dr. Jackson's.

22 Q. And why was that a problem?

23 A. Because it doesn't allow for independence of
24 action on the editors in charge of making decisions on
25 publications. It is an odd arrangement.

1 Q. And when you interviewed Levi Walls -- I
2 suppose his pronunciation is Levi Walls, I believe, one
3 witness said. What did he say to the ad hoc panel?

4 A. Well, I don't recall his entire testimony,
5 but his -- he did talk about this sense of an unequal
6 relationship between the editor, which included Benjamin
7 Graf as well, and the editorial advisory board. The
8 editorial advisory board, if not the editorial board,
9 included Dr. Jackson and his colleague, Dr. Slottow.
10 Levi Walls, I believe, said that he felt uncomfortable
11 because he did not have the independence to make
12 judgments and that these were largely -- especially
13 regarding the Volume 4, these decisions were not made by
14 him as editor. And Benjamin Graf also supported that
15 assessment of a sort of unequal distribution of power
16 among the editorial advisory board, meaning Dr. Jackson
17 and Dr. Slottow, and then the editors.

18 Q. Just a point of clarification, I believe you
19 misspoke and said Volume 4. Did you mean Volume 12?

20 A. I mean Volume 12. Yeah, sorry.

21 Q. Yeah. Just -- just for the record.

22 I think the Ad Hoc Panel Report used the word
23 or phrase "power differential."

24 A. Yes.

25 Q. Okay. Levi Walls, were you aware that Levi

1 Walls had published a public apology on July 27th about
2 his role in the Journal of Schenkerian Studies?

3 A. He -- he mentioned it in his testimony. We did
4 not read that.

5 Q. That was not read?

6 A. No.

7 Q. Were you aware that it was in the packet of
8 documents that had been provided by Timothy Jackson?

9 A. I think -- well, if you are referring to the
10 apology, he did mention that in his testimony. But it
11 had to do -- we had understood it was an apology for
12 what was produced. And that he, as editor, felt some
13 responsibility because on paper, he is the
14 decision-maker.

15 Q. Sure.

16 A. We were not interested in the content of the
17 journal, only the processes used. We didn't pay a great
18 deal of attention to that.

19 (Deposition Exhibit Number 10 marked.)

20 MR. ALLEN: I'm going to mark as
21 Exhibit 10 for the record a Facebook post by Levi Walls
22 dated July 27th, 2020.

23 Q. And this may be very short, Professor Ishiyama,
24 because I'm just going to ask you if you ever recall
25 seeing this in any form, whether in the -- on Facebook or

1 in a printout or some sort of screen shot, do you recall
2 seeing this? I'm happy to allow you to read it. It goes
3 on for some three pages.

4 A. I don't recall, because I usually don't follow
5 Facebook, so I couldn't say that. It may have been in
6 the packet of materials that Levi submitted, but I can't
7 be sure. If you give me a moment, I can read it.

8 Q. Why don't you read the first two paragraphs
9 there, and then give me an assessment of whether you had
10 read it as part of the investigation, if you know?

11 A. These seem to be introductory paragraphs as
12 opposed to more substantive information. I think I'd
13 probably need to read the rest, too.

14 Q. Can I fast-forward to page 2, and you can read
15 that or --

16 A. Yes.

17 Q. I'm sorry. I didn't -- of course, maybe this
18 is easier. I just plopped it in the -- I just plopped it
19 in the chat for your review there as well.

20 A. Um-hum. Now, was the question do I recognize
21 this or any content or part of it?

22 Q. My question is if you remember reviewing
23 this Facebook apology that Levi Walls had published on
24 July 27th, 2020, which was directly before your panel
25 in early August, and if that was part of the

1 investigation.

2 A. I think we were aware of it. But as I
3 indicated, much of it related to the content of the
4 Journal issue.

5 Q. Okay.

6 A. We were not interested in the content of the
7 journal issue, only the process that was followed.

8 Q. I see. He does discuss certain things
9 related to the process, however, does he not?

10 A. Yes, he did.

11 Q. He says, "I have no control over the content of
12 the journal."

13 Right?

14 A. That demonstrated the power asymmetry that we
15 had mentioned in the report. And also, the passage that
16 Dr. Jackson is the one who made decisions, not Levi, or
17 Ben Graf before him.

18 Q. And here, this second page that you had
19 perused, he said he gave comments to one author --

20 A. Um-hum.

21 Q. -- including that they seemed to devalue other
22 fields of study and that they cherrypicked information to
23 make Schenker appear in a better light, and that they
24 confused cultural appropriation with egalitarianism.

25 Doesn't that bear on the process for

1 publication?

2 MS. QUIMBY: Objection, form.

3 A. That was his -- that was his evaluation of the
4 review process. And he did testify. Much of this, he
5 repeated --

6 Q. Okay.

7 A. -- in his testimony to us, so...

8 Q. Okay, good. That's -- you were aware of it, as
9 you said.

10 MR. ALLEN: Let me see if I can find the
11 exhibit. I'm going to mark for the record Exhibit 11.

12 (Deposition Exhibit Number 11 marked.)

13 Q. This is an email from Levi Walls to you,
14 Professor Ishiyama, on September 30th, 2020.

15 A. Um-hum.

16 Q. It's in rather fine print. Just so you know,
17 there's not much more to this. It's UNT 2533. It looks
18 like you're setting up a Zoom meeting with Mr. Walls at
19 2:15 of that day. And it looks like he sent this to you
20 around that time, at least judging from the time stamp of
21 14:24.

22 Did I read that correctly?

23 A. Can you scroll down again, so I can look at the
24 date and time of the previous one?

25 Q. Sure.

1 A. Okay. 2:43. We would like to meet with you.
2 And then if you can scroll back for a moment. And that
3 is military time at 2:24; is that correct? Oh.
4 September 24th and then September 30th. Yes, okay.

5 Q. So it looks like --

6 A. So it was afterwards.

7 Q. Okay, good. That was going to be my question.
8 Did you receive this before or after the meeting.

9 A. Um-hum.

10 Q. And so he's -- he's basically -- well, have you
11 had a chance to review this before I ask you questions
12 about it?

13 A. Well, no, I have not reviewed it. He did send
14 it to me. I recall that. And I do recall that much of
15 it was just a repeat of what he apparently had said in
16 his Facebook post. But you know, this is how we became
17 aware of it. And he felt like he needed to follow up on
18 our meeting.

19 Q. Right. And he said, "I have no control over
20 the content of the journal."

21 Right?

22 MS. QUIMBY: Objection.

23 A. I believe -- I'm not recalling exactly his
24 words, but I think he did seem to suggest that, yes.

25 Q. See that, what I've just highlighted?

1 A. Yes. I don't recall him specifically saying it
2 to us in our testimony, but he did seem to indicate that
3 he had little control over the content.

4 Q. Did -- sorry, go ahead.

5 A. Even as editor.

6 Q. He also said he was -- it was an extremely
7 shameful position to be the editor at the Journal of
8 Schenkerian Studies?

9 MS. QUIMBY: Objection, form.

10 A. He may have. I do not recall. But it's his
11 testimony and it appears here in writing, so...

12 Q. And you received this email, right?

13 A. Yes, although I don't recall specifically
14 word for word what the email said, but...

15 Q. He also went on to give some concrete examples.
16 For instance here, let's just read this, which I'm going
17 to highlight briefly for the purpose of our testimony.

18 "For the first few months, the job seemed fine
19 as I got to work with three articles on various topics.
20 Typesetting and offering clarity related edits."

21 A. Um-hum.

22 Q. However, after Philip Ewell's SMT presentation,
23 Timothy Jackson decided that it was the responsibility of
24 the Journal to, quote, protect Schenkerian analysis.

25 "Although, after serious thought, I

1 essentially agreed with Ewell's talk. It was not up to
2 me what did or did not go into the journal. After seeing
3 some of the responses, I started to become incredibly
4 worried. I gave comments to one author, including
5 that they seemed to devalue other fields of study, that
6 they cherrypicked information to make Schenker appear
7 in a better light, and that they confused cultural
8 appropriation with egalitarianism. Shortly after, I was
9 told by Timothy Jackson (my superior in at least three
10 senses: A tenured faculty member who ran the journal and
11 also served as my academic advisor) that it was not my
12 job to censor people. After this, things continued to
13 go in a direction that I found to be disgusting."

14 Did I read that correctly?

15 A. Yes, you did.

16 Q. Did that implicate the processes by which the
17 journal was published?

18 A. Well, some of it did. Not -- much of
19 it had to do with the content. Again, which I have to
20 reiterate, we ignored the content of the articles and
21 what was being said. But the power differential between
22 Levi Walls who's officially the editor of the journal --

23 Q. Sure.

24 A. -- and the actual process by which decisions
25 were made, that is -- that is something that we did

1 consider.

2 Q. Okay. And did you include that in the Ad Hoc
3 Panel Report?

4 A. Yes, the power differential is clearly
5 indicated as a problem with the journal. It has been a
6 problem for some time.

7 Q. And it caused him not to be able to assert his
8 own editorial views; is that correct?

9 A. That would be true. That's also something that
10 Dr. Graf said as well, the previous editor.

11 Q. And now, I know you didn't, as you say
12 apparently, address the content of the journal. That
13 was a matter of indifference to you, I suppose. But he
14 also says here that he thought he essentially agreed with
15 Philip Ewell's talk.

16 A. That may be true. I do not know what Philip
17 Ewell's talk was about, nor did -- not did most all of
18 our committee -- I think our committee members didn't
19 know either.

20 Q. I'm not imputing -- I'm not imputing to your
21 knowledge of -- in fact, you've testified that the
22 knowledge of the actual controversy was a matter of
23 indifference to the panel, right?

24 A. Yes, absolutely.

25 Q. I think you -- so you've already stated that, I

1 think, more than once. So I understand that's your
2 testimony.

3 A. Um-hum.

4 Q. But here, this witness, a very key witness, can
5 we agree, the student editor of the journal?

6 A. I would say a witness, not a key witness.
7 We had multiple bits of evidence, multiple pieces of
8 evidence that we considered.

9 Q. Oh, I don't deny that. But he's --

10 A. I would not say he's the key witness.

11 Q. He was an important witness. Would you
12 disagree?

13 A. I would say he is a witness.

14 Q. Just a witness among others, right?

15 A. Among others, yes.

16 Q. That's your testimony today?

17 A. Yes.

18 Q. And he's telling you, as a member of the ad hoc
19 panel, that he essentially agreed with Philip Ewell's
20 talk, and he relates how this complicated his work as
21 the editor of the journal, right?

22 MS. QUIMBY: Objection, form.

23 A. I cannot infer that was his meeting, but that
24 was irrelevant to us.

25 Q. It's certainly part of an editor's task to

1 shepherd the content of articles, so that they address
2 the purpose of a journal, its field, topics, ideas in a
3 field, things of that nature, correct?

4 MS. QUIMBY: Objection, form.

5 A. Could you repeat that? I'm not exactly
6 sure --

7 Q. Sure. Let me -- let me draw an analogy.

8 Is it true, sir, that you can separate content
9 from the procedures of editorship so cleanly as you seem
10 to imply? For instance, when you were the editor of the
11 poli-science journals, political science journals, if
12 someone had sent in an article in sociology, would you
13 have exercised content control over those kinds of
14 submissions?

15 MS. QUIMBY: Objection, form.

16 A. If it did fit the mission of our journal,
17 editors do do that. But it has to be the mission of
18 the journal.

19 Q. And so isn't it fair to say that Levi Walls'
20 preoccupation with content and the procedures for
21 critiquing authors' work, asking them to make changes,
22 isn't that the ordinary, day in and day out workaday
23 work of a journal editor?

24 MS. QUIMBY: Objection, form.

25 A. Well, I can't speak for all of the -- you're

1 asking about my experience?

2 Q. Yes.

3 A. No, I think that --

4 Q. Okay.

5 A. -- this rejects if it's inappropriate for
6 our journal, meaning it does not fit the mission of the
7 journal, or if it's essentially a very poorly written
8 piece that would not stand peer review.

9 Q. Right.

10 A. That's not about content.

11 Q. It could be rejected at the gate, so to speak.

12 A. Yes.

13 Q. I'm going to back to Exhibit 3, the ad hoc
14 panel.

15 MR. ALLEN: I'm sorry. Attorney Quimby,
16 I realized that I failed to push send. I not only have
17 to drop it into the chat, but now, I'm going to push
18 send. Sorry about that.

19 Q. I just sent the Exhibit 3, the Ad Hoc Panel
20 Report, over.

21 A. Okay.

22 Q. Now, this is -- I'm forwarding -- I'm
23 fast-forwarding to a section of the Ad Hoc Panel Report
24 which begins with this heading: The Editorial and Review
25 Processes Employed for Volume 12.

1 Do you remember that this section was drafted
2 as part of the Ad Hoc Panel Report of November 25, 2020?

3 A. Yes, it was.

4 Q. And just scrolling through, you have a
5 subsection: Editorial and Review Processes, correct?

6 A. Yes.

7 Q. And then this section, before it closes and
8 moves on to the publication and anonymously authored
9 contribution, relates a relatively peculiar episode.

10 A. Yes.

11 Q. Can you read the two paragraphs that begin,
12 "Levi Walls informed the panel," through the end of this
13 subsection?

14 A. "Levi Walls informed the panel that he read
15 each piece, but had multiple concerns, as the editor,
16 about proceeding with several of the contributions. He
17 said he shared these concerns with Dr. Benjamin Brand
18 (the Division Head of MHTE) and Dr. Graf, and then
19 directly with Dr. Jackson. However, he said these
20 concerns were dismissed by Dr. Jackson."

21 "Mr. Walls reported to the panel that he
22 raised concerns to Dr. Jackson about the content of the
23 pieces as well as the quality of writing in February
24 2020. He stated that after raising concern, he was taken
25 into Dr. Jackson's car, where Dr. Jackson told him that

1 it was not his 'job to censor people' and was told not to
2 do it again. He said Dr. Jackson informed him that since
3 these were senior scholars, their reputations were enough
4 to vet them. Dr. Graf confirmed that Levi Walls shared
5 information about his encounter with Dr. Jackson around
6 the time of its occurrence. This was followed by the
7 final decision, made by Dr. Jackson (according to both
8 Dr. Graf and Mr. Walls) to proceed with the publication
9 of several of the pieces without substantial
10 modifications."

11 Q. And so this touches on both consent and
12 editorial practices. And I was just wondering what your
13 understanding was at the time of what he was being asked
14 to censor or not censor. What was this issue of
15 censorship about?

16 MS. QUIMBY: Objection, form.

17 A. I do not know what Dr. Jackson meant, censored.

18 Q. Well, what was -- what was your understanding
19 of what student editor Levi Walls was bringing to
20 Dr. Jackson for clarification about what should be
21 censored or not censored?

22 MS. QUIMBY: Objection, form.

23 A. I do not -- I do not know. Again --

24 Q. Okay.

25 A. -- I think this was entirely on process.

1 Q. I see.

2 A. Not on content.

3 Q. And I've always been puzzled by this section,
4 Professor Ishiyama, because is it ever the job of an
5 editor of a journal to censor people?

6 MS. QUIMBY: Objection, form.

7 A. Again, it could depend on what you mean by
8 censor.

9 Q. Well, you put it in your report, so that's
10 why I'm asking you.

11 A. Well, no. This is a quote. It's in the
12 report, but it's a quote from what Dr. Jackson was
13 reported to say.

14 Q. Sure.

15 A. I don't think we need -- I would ask perhaps
16 the plaintiff to define that.

17 Q. Well, they had a chance to depose Professor
18 Jackson. But again, we're talking about the Ad Hoc Panel
19 Report. And I'm asking --

20 A. Okay. This is a quote. Again, this is a
21 quote.

22 Q. Oh, I understand. It's a quote that you placed
23 in the Ad Hoc Panel Report, right?

24 A. As dutifully reflecting what the testimony
25 said.

1 Q. Of Levi Walls.

2 A. Of Levi Walls, yes.

3 Q. And now, I want to ask a follow-up question.

4 In your experience and expertise as an
5 academic editor of journals, can you identify a context
6 in which it's appropriate for an editor to censor people?

7 MS. QUIMBY: Objection, form.

8 A. I don't think -- it depends on what you mean by
9 censor. If you mean the job is to edit and marshal the
10 peer-review process, then yes, that is the responsibility
11 of the editor. But censorship is not something we
12 consider.

13 Q. Is it -- is it appropriate for an academic
14 editor to censor for viewpoints?

15 A. I'm not going to venture an opinion. I would,
16 myself, not do that. I don't think censorship is part of
17 the discussion. Rather, it's the editor's job to make
18 sure the peer-review process had integrity.

19 Q. Okay.

20 A. That it is peer reviewed.

21 Q. And not to short-circuit the peer-review
22 process by telling an author that they may or may not
23 express a certain view?

24 A. Well, I mean, it depends. If this is --
25 if the argument is that these pieces were edited --

1 editorial review, then the editor does have the
2 responsibility to review a piece. But I don't understand
3 the status of these articles, if they were peer reviewed
4 or if they were editor reviewed. It seems confusing.

5 Q. I understand. Sure, I understand. Although
6 you were given an extensive packet of e-mails that were,
7 more or less, comprehensive, detailing the communications
8 between the editorial staff that led to the publication
9 of these articles, right?

10 A. Yes.

11 Q. I'm going to represent to you, because you've
12 said the content of the publication didn't matter to you
13 supposedly.

14 A. It did not.

15 Q. There was a paper delivered by this public
16 intellectual music theory professor from New York named
17 Philip Ewell. He gave a plenary presentation at the
18 Society for Music Theory that was very well received, but
19 nonetheless, controversial. Then the call for papers
20 went out for the Journal of Schenkerian Studies for
21 soliciting responses to this article -- or excuse me, to
22 this presentation at this Society for Music Theory. The
23 papers that were published in Volume 12 in the Symposium
24 were roughly split between people who were pro-Ewell and
25 people who were anti-Ewell.

1 Do you have any information to suggest that
2 my summary to you is wrong in any way?

3 A. I have no idea what the content of the journal
4 was.

5 Q. Okay, good.

6 A. I don't even know if some were pro. I have not
7 read a single piece. I'm not even sure what Philip Ewell
8 said, as I've said before.

9 Q. So you didn't read a single one of the
10 contributions in Volume 12 of the Journal of Schenkerian
11 Studies?

12 A. No, no.

13 MS. QUIMBY: Objection.

14 Renaldo, please. I think I'm having a -- on
15 my end, I'm having freezing. Is that mine freezing? I
16 can see myself kind of jump around on the screen. I just
17 want to kind sure my objections were heard. I don't know
18 that I was able to get them in because of the --

19 MR. ALLEN: I'm seeing you freezing, too,
20 Mary. So I know what you mean. If you want to -- I
21 don't know. Was it to form? Now, she's totally frozen.

22 THE VIDEOGRAPHER: Do you want to go off
23 the record?

24 MR. ALLEN: Sure.

25 THE VIDEOGRAPHER: Off the record at

1 11:39.

2 (Recess taken)

3 THE VIDEOGRAPHER: The time is 11:48.
4 We're on the record.

5 Q. I think we were here. Thanks for your
6 patience, Professor Ishiyama. I'm trying to share again
7 Exhibit Number 3. I believe we were here, right? And we
8 were talking about the car story?

9 A. Yes.

10 Q. Okay. Just about Professor Graf and his
11 role in editing the journal, how did you understand
12 Professor Graf's role in your investigation?

13 A. Professor Graf, who had been a graduate student
14 editor prior to getting his Ph.D. and then being
15 appointed lecturer in the department, was the editor up
16 until Volume 12. And he was also part of the editing of
17 the three articles that appeared in the volume that had
18 nothing to do with the -- whatever it is -- Symposium.

19 Q. Um-hum.

20 A. And then Levi Walls took -- was responsible for
21 the remaining articles that appeared in the Symposium.

22 Q. And did you understand from Professor Graf that
23 he had also suffered from what you called a power
24 differential and had sort of no sort of authority to
25 discuss or do the normal work of editing with the

1 journal?

2 MS. QUIMBY: Objection, form.

3 A. Dr. Graf had mentioned the power differential.
4 And he said that it was problematic, as I recall. I
5 would not know if suffering was the word he used, but he
6 did mention that as part of an issue.

7 Q. Did he say words to the effect that he felt
8 he couldn't say no?

9 MS. QUIMBY: Objection, form.

10 A. I do not recall if he said those words. But he
11 did feel that there was some asymmetry in terms of
12 decisions about editing journal articles.

13 MR. ALLEN: Okay. Well, let me take
14 this down and put it in the chat. I think is what I
15 want. Let me introduce the next exhibit. Are we on
16 Exhibit 12 for the record?

17 THE REPORTER: Yes.

18 (Deposition Exhibit Number 12 marked.)

19 Q. I've marked an exhibit as Exhibit 12, Professor
20 Ishiyama. And I'm going to also try to put it in the
21 chat here for your counsel.

22 This is -- Exhibit 12 is an email from Timothy
23 Jackson to you, Professor Ishiyama, as well as the other
24 members of the ad hoc panel, on October 17, 2020.

25 Did I read that right?

1 A. Yes.

2 Q. And he purports to attach letters and
3 documents.

4 Do you see that?

5 A. Yes.

6 Q. Do you remember getting this email?

7 A. No, I do not. I mean, we probably did receive
8 it. It's a fairly short message, and attachments, but I
9 do not recall specifically getting it. But I do believe
10 we did.

11 Q. And the attachments are -- it looks like
12 someone named Chaouat -- I don't even want to attempt
13 to pronounce that name. I'm looking at the first
14 attachment.

15 The second attachment is Editorial Process of
16 JSS Volume 12 condensed.

17 There's a Revised Levi Walls Documentation,
18 October 4th, 2020, document.

19 And letter to UNT committee.

20 Do you remember receiving attachments that
21 are described in that attachment line?

22 MS. QUIMBY: Objection, form.

23 A. I don't specifically recall. But the -- it was
24 sent to us, and I'm sure we read it.

25 Q. Now, I'm not trying to catch you out. You said

1 this is a short message, but I just wanted to call your
2 attention to the fact that it's actually a very, very,
3 very long message because the attachments are so long.

4 A. Yes.

5 Q. So again, I'm not trying to hoodwink you there,
6 but there is a large number of documents. And do you
7 remember looking through these documents?

8 A. I do recall the email chain, which was
9 purportedly to document the review process for Journal
10 Volume 12. I do recall that we went through this fairly
11 carefully, including using text analysis, looking for
12 mentions of the term "commentary," which is something
13 that Dr. Jackson said this was. But yes, we do look at
14 this.

15 Q. Is the -- is the Journal of Schenkerian
16 Studies, Volume 12, did it publish those articles that
17 were at the center of the controversy as, quote,
18 commentaries?

19 A. I do not recall. I remember that the journal
20 itself indicated that it was a Symposium. That, we knew.

21 Q. Now, I just want to call your attention briefly
22 to a few emails between professor -- excuse me, Levi
23 Walls, the student editor of the Journal or the oncoming
24 student editor, and Professor Timothy Jackson
25 at the inception of the Symposium that was eventually

1 published in Volume 12. I'm going to call your attention
2 to UNT page 2705. And my question is, how will I
3 navigate there. Here we go. I've -- these are
4 represented by Professor Jackson as emails between him
5 and Mr. Walls.

6 A. Um-hum.

7 Q. Do you see those in Exhibit 12?

8 A. Are you -- there are two of them.

9 Q. Yes.

10 A. One is November 15th, 2019, at 10:40 a.m.
11 And then there's one above that says "to me."

12 Q. Yes, and do you see, this is by Levi.

13 A. Yeah, yeah. Yes.

14 Q. Here -- well, I'll ask you to -- and this is
15 also by Mr. Walls. Can I ask you just to read these two
16 emails?

17 A. Would you like me to start with the top one and
18 then move down?

19 Q. It seems that that is first in time, so let's
20 go with that.

21 A. Okay.

22 "Dear Dr. Jackson. Hope you are well! When
23 would you like to get together to talk about Bach?
24 Unfortunately, I haven't had any time devoted to Berlioz
25 lately, as I've been swamped with classes and private

1 teaching. But I would be happy to discuss the Passion
2 in more detail. Of course, you've dedicated considerably
3 more time to it than I have, but I can surely follow you
4 and share any thoughts/questions! At the moment, I can't
5 leave Denton Thursday through Sunday because my wife
6 takes the car to work all day. But I can travel Monday
7 through Wednesday, or meet on campus any day."

8 The second email, also entitled "to me" from
9 November 15th, 2019 at 10:40 a.m.

10 It says, "I would also be very interested in
11 discussing a particular Schenker paper from SMT. You've
12 likely heard about it, as it caused quite a stir. I was
13 very ambivalent about it because it suggested that
14 analysis that utilizes levels of hierarchy is inherently
15 racist, which strikes me as naive. Reinhold --"

16 Q. You can stop reading there.

17 A. Okay.

18 Q. So the paper he's referring to is the paper
19 by Philip Ewell delivered at SMT, which in the email
20 we examined that he sent to the ad hoc panel here,
21 Exhibit 11 --

22 A. Um-hum.

23 Q. -- he declared that he essentially agreed with.
24 Do you remember him saying that to the ad hoc panel in
25 that email?

1 MS. QUIMBY: Objection, form.

2 A. I do recall him recounting that, yes.

3 Q. And here, he says it strikes him as naive,
4 correct? In Exhibit 12, on UNT page 02705?

5 MS. QUIMBY: Objection, form.

6 A. Let me examine. Naive. Where -- okay,
7 "Which strikes me as naive."

8 Yes, I see that.

9 Q. Thank you. Now, of course, this wouldn't
10 have been considered relevant by the ad hoc panel,
11 that he seemed to be misrepresenting a paper that he
12 essentially agreed with. But in internal correspondence
13 within the journal, he characterized the same paper as
14 naive.

15 MS. QUIMBY: Objection, form.

16 A. Is there a question? Was there a question?
17 I didn't hear it.

18 Q. Yes. This -- this kind of information would
19 not have been considered relevant by the panel, the ad
20 hoc panel, right?

21 A. No, no.

22 MS. QUIMBY: Objection, form.

23 A. Okay. That's all I need to know.

24 There's another email. This one, a few days
25 later, on November 18th, 2020 -- excuse me. This is

1 2019. And I'm just going to represent to you that this
2 is within days of the presentation of Professor Philip
3 Ewell's paper at the Society for Music Theory, which was
4 a plenary talk, which kicked off this entire controversy.

5 And here, he says that "The paper's willful
6 ignorance of Schenker's Jewish identity is indeed deeply
7 troubling. That seems to mark it as implicitly
8 antisemitic at the very least."

9 Did I read that correctly?

10 MS. QUIMBY: Objection, form.

11 A. Yes.

12 Q. And in your view, is that consistent with
13 someone who essentially agrees with a paper, that they
14 declare it's implicitly antisemitic?

15 MS. QUIMBY: Objection, form.

16 A. We did not consider this. It was beyond the
17 scope of our investigation.

18 Q. Okay. This was considered irrelevant, right?

19 A. Yes, it was.

20 MS. QUIMBY: Objection, form.

21 Q. He also says here, "But his" -- meaning Ewell's
22 -- "claim that the entire theoretical world view, and by
23 extension, those who helped spread it, is racist becomes
24 very problematic when we consider the intimate connection
25 between Schenkerian analysis and the Jewish identity."

1 This observation was also irrelevant to the
2 ad hoc panel, right?

3 A. Yes.

4 MS. QUIMBY: Objection, form.

5 Q. Skipping down, next, we have a November 19th,
6 2019 email in which Timothy Jackson raises the issue.

7 "For the first time, it occurred to me that
8 it might be appropriate for the journal to solicit
9 responses."

10 Did I read that correctly?

11 A. Yes.

12 Q. Let me ask you a few questions about
13 solicitation. Is it appropriate for editors of
14 peer-reviewed journals to solicit submissions of
15 articles?

16 MS. QUIMBY: Objection, form.

17 A. Yes, but not responses to -- I mean, I don't
18 know about appropriate. But this is generally we solicit
19 contributions for special issues. That is common.

20 Q. Okay. I'm just going to skip down. Here's
21 another -- in red, another email from Levi Walls
22 November 19. November 19, 2019.

23 He says, "Dear Dr. Jackson, I agree that a
24 response in the JSS would be very appropriate. It would
25 be nice to have it for the upcoming issue, although it

1 is very forthcoming (around mid-December). A response in
2 issue 13 would, of course, be quite late. Did you have
3 any particular Schenkerians in mind?"

4 Did I read that correctly?

5 A. Yes.

6 Q. And I have a question about what you've
7 characterized as a, quote, power differential, that
8 apparently you believe, if I read the Ad Hoc Panel Report
9 correctly, infected the relationship between Professor
10 Jackson and Levi Walls. Given the give and take between
11 these two music theorists, one, the professor, the other,
12 the student editor, does this indicate that Mr. Walls had
13 no control? Is it consistent with what he said in his
14 email to you that he had no control?

15 MS. QUIMBY: Objection, form.

16 A. I think it is indicative of the power
17 differential in the sense that Mr. Walls, even if he did
18 object, would not have expressed it to his dissertation
19 advisor. That is the power differential.

20 Q. So that -- so he was either concealing things
21 from Professor Jackson -- well, let me ask this in two
22 parts.

23 You believe it's possible that the power
24 differential caused him to conceal things from Professor
25 Jackson?

1 MS. QUIMBY: Objection, form.

2 A. I don't know about concealing, but he may not
3 have sought to antagonize Dr. Jackson.

4 Q. And in that -- if that same -- or let me strike
5 that, please.

6 Did you consider whether there was a power
7 differential that prompted Levi Walls to change his
8 story on July 27th of 2020?

9 MS. QUIMBY: Objection, form.

10 A. I can't speculate on that. But the fact
11 that this power differential existed between a graduate
12 student and his dissertation advisor, that affected
13 Dr. Graf as well.

14 Q. Did you ever -- sorry.

15 A. So I can't say what it caused him to do.

16 Q. So do you recall reading any messages from Levi
17 Walls in which he was concerned about the future of his
18 career when the Journal of Schenkerian Studies was
19 attacked by almost the entire Society for Music Theory?

20 MS. QUIMBY: Objection, form.

21 A. I don't specifically recall. I do recall that
22 there was something to that effect, but I cannot quote
23 you when or where. But there definitely was some concern
24 expressed by this.

25 Q. And was that prompted by a fear -- in your

1 understanding, would that have been prompted by a fear
2 that he would have been retaliated against in some way by
3 Professor Jackson?

4 MS. QUIMBY: Objection, form.

5 A. I cannot say that he used the term
6 "retaliation," but I think there was some -- he did use
7 the term "pressure." Both he and Dr. Graf used to term
8 "pressure."

9 Q. But the only pressure they identified was the
10 pressure supposedly exerted by Dr. Jackson, right?

11 MS. QUIMBY: Objection, form.

12 A. That, I cannot say. I think that Mr. Walls did
13 mention feeling discomfort as to the controversy,
14 although we did not consider the, you know, substance
15 of the controversy.

16 Q. Oh, of course. You didn't consider whether the
17 scholars who were objecting to the publication of
18 the Journal of Schenkerian Studies and Volume 12 might
19 have been put -- might be putting pressure on Levi Walls?

20 MS. QUIMBY: Objection, form.

21 A. We -- we don't know. We had no evidence to
22 that effect.

23 Q. And that's fine. And this correspondence
24 in Exhibit 12, which we've just read on UNT page 2709,
25 that was also irrelevant to the ad hoc panel's

1 investigation?

2 A. Yes.

3 MS. QUIMBY: Objection, form.

4 Q. Thank you. Was evidence that Levi Walls was
5 lying about the episode in the car that you summarized in
6 the Ad Hoc Panel Report, would that have been relevant to
7 the ad hoc panel?

8 MS. QUIMBY: Objection, form.

9 A. In a bit, although it did demonstrate the power
10 differential. But there was other things that we
11 considered for that. And also, it was minor compared
12 to the other problems we had pointed out with JSS.

13 Q. And for you, in that room when you
14 interviewed -- I guess it was a Zoom room when you
15 interviewed --

16 A. It was a Zoom, yes.

17 Q. -- Professor Walls -- I mean, Levi Walls. Was
18 there a power differential between you and Mr. Walls?

19 A. I have no control over Mr. Walls' future. I
20 would say not. I'm not on his committee. I'm not in
21 his field. I don't review his work. I'm not his
22 dissertation chair, so I do not believe he felt a power
23 differential.

24 Q. You don't -- you don't believe there was
25 a power differential between you, a distinguished

1 university research professor, and a graduate student,
2 Levi Walls?

3 MS. QUIMBY: Objection, form.

4 A. No.

5 Q. Okay.

6 A. No, I do not.

7 Q. And that was not considered relevant in your ad
8 hoc panel investigation?

9 MS. QUIMBY: Objection, form.

10 A. No, it was not.

11 Q. Is there a power differential between
12 Mr. Walls and Dean John Richmond of the College of
13 Music?

14 MS. QUIMBY: Objection, form.

15 A. I cannot answer that. I do not know.

16 Q. You don't know if there's a power differential
17 between the dean of a College of Music and a graduate
18 student within the College of Music?

19 MS. QUIMBY: Objection, form.

20 A. I can't speculate. But I would imagine if the
21 dean had control over funding and other sources that he
22 depended on, perhaps so. But I cannot testify to that.
23 I do not know their relationship.

24 Q. Can you testify to whether there was an
25 inherent power differential between the division head of

1 MHTE, Benjamin Brand, and a graduate student within MHTE,
2 Levi Walls?

3 MS. QUIMBY: Objection, form.

4 A. I do not know for sure since I'm not familiar
5 with their relationship. But again, the same answer as
6 it applied to the dean. If the division head had some
7 influence over funding or other things, perhaps so. But
8 the division head is not the student dissertation chair.

9 Q. I didn't suggest he was. I was just asking
10 about whether or not there was a power differential,
11 right? And you're saying you don't -- you can't really
12 speak to that?

13 A. No. Yes.

14 Q. Again, in this packet of information you got
15 from Timothy Jackson, let's see. One last question on
16 this, and I think we will be done with this packet.

17 I'm going to call your attention to UNT 2663.
18 Do you see how this has Call For Papers here?

19 A. Yes.

20 Q. And again, we had talked about the call for
21 papers that was sent out by the Journal of Schenkerian
22 Studies earlier. And you had testified, I believe, that
23 you could no longer remember whether you had or had not
24 read it, right?

25 A. This was part -- this is part of the big

1 collection of emails that Dr. Jackson sent to us?

2 Q. Yes.

3 A. We did review this.

4 Q. Okay. So you recall reviewing the call for
5 papers?

6 MS. QUIMBY: Objection, form.

7 A. Yes, although not in great detail, but we did
8 review this.

9 Q. Okay.

10 A. Especially that referred not to the substance,
11 but only the process.

12 Q. I understand. And did you understand it was
13 sent to a server list in which members of the Society for
14 Music Theory all had access?

15 MS. QUIMBY: Objection, form.

16 A. We did not consider that, but it does appear so
17 on the heading.

18 Q. And one of the allegations, just flipping back
19 over to -- I believe it was Exhibit 3, is it not? The
20 Ad Hoc Panel Report? No, wait. Yes, it is.

21 I'm running through it to the exhibit that was
22 the UNT faculty statement. Do you see this in the ad hoc
23 panel report, which you attached as Exhibit 4 to that
24 report?

25 MS. QUIMBY: Objection, form.

1 A. Yes, I see it.

2 Q. And here, it says, "He" -- meaning Philip Ewell
3 -- "was not afforded the opportunity to respond
4 in print."

5 Did I read that correctly?

6 A. Yes.

7 Q. And so I'm flipping back over to our
8 Exhibit 12, the call for papers. Isn't that a false
9 statement if Philip Ewell received the call for papers?
10 Was there anything about that, that didn't invite him to
11 respond?

12 MS. QUIMBY: Objection, form.

13 A. I don't believe so. Because generally, when
14 you have a response or rejoinder, the off-beat person is
15 directly invited by the editor, not in the general call
16 to the society.

17 Q. So you're saying it was not best practice to do
18 it that way, right?

19 MS. QUIMBY: Objection, form.

20 A. I didn't hear the question. Could you repeat
21 that? You broke up.

22 Q. Yeah, sorry. I'm just trying to summarize.
23 Your testimony is that it was not best practice to send
24 out a call for papers rather than a direct invitation?

25 MS. QUIMBY: Objection, form.

1 A. We did not say that one substituted for the
2 other. But generally, what we had said is the invitation
3 should go to the author, and there should be author
4 specific an opportunity for a rejoinder.

5 Q. Okay. And -- but it's not true, what the
6 faculty statement says, that Philip Ewell was not
7 afforded an opportunity to respond in print, was it?

8 MS. QUIMBY: Objection, form.

9 A. I can't testify to that. But I think they
10 meant he was not directly contacted by the editor.

11 Q. But they didn't write that in their faculty
12 statement that you attached as an exhibit to the Ad Hoc
13 Panel Report, did they?

14 MS. QUIMBY: Objection, form.

15 A. I cannot surmise that -- what their intention
16 was and how they expressed it, but...

17 Q. I'm not asking about that. I'm asking about
18 them not writing that -- the statement is very factual
19 and clearcut.

20 They write in Exhibit 3 in the UNT faculty
21 statement, "The fact that he was not afforded the
22 opportunity to respond."

23 Right? They say, "He was not afforded the
24 opportunity to respond," right?

25 A. Yes.

1 MS. QUIMBY: Objection, form.

2 Q. That's not qualified by saying he was not
3 offered the opportunity to respond in print by engraved
4 invitation, by direct solicitation, by direct invitation.
5 It doesn't have anything to do -- it doesn't say anything
6 about that, does it?

7 MS. QUIMBY: Objection, form.

8 A. Well, apparently, it doesn't. But I -- again,
9 best practice would be that the editor directly invites
10 the person who's going to author the rejoinder. And that
11 a general call to the society is really not -- it's a
12 poor substitute.

13 Q. Okay. And you knew from your interviews and
14 perusal of the records given to you by Timothy Jackson
15 that the Journal had nothing against inviting Professor
16 Ewell to respond to Volume 12, right?

17 MS. QUIMBY: Objection, form.

18 A. Had nothing against it. I think we did find
19 actually that they did not invite directly Professor
20 Ewell.

21 Q. Do you remember discussing that they had
22 entertained the possibility of inviting Professor Ewell
23 to contribute to the next volume, so that he could
24 address the responses?

25 MS. QUIMBY: Objection, form.

1 A. I recall in our interviews, Professor Slottow
2 had mentioned that. Yes, I do remember that.

3 Q. Okay, okay. I'm going to pull these down
4 for a sec.

5 Just one more thing, if you don't mind. I
6 know it's past 12:00. But I believe I can get to one
7 last thing, Professor Ishiyama, and we will be done. Do
8 you mind -- do you mind going forward with that, or do
9 you want a break?

10 A. No, we can -- we can go forward with it.

11 MR. ALLEN: Okay. I'm going to mark for
12 the record Exhibit 13.

13 (Deposition Exhibit Number 13 marked.)

14 Q. And I'm going to plop it in the chat as well.
15 Now, I've got to get my share thing going on.

16 This is an email from UNT's records disclosed
17 to us, I believe, from your file.

18 A. Um-hum.

19 Q. Given the page number, UNT 3435.

20 A. Yes.

21 Q. And do you remember drafting this email,
22 Professor Ishiyama?

23 A. Yes.

24 Q. What was the purpose of this email?

25 A. Professor Bakulina, in an unsolicited way, had

1 an event that happened. We are required by law to report
2 this.

3 Q. What is "this"?

4 A. And that it happened.

5 Q. Can you describe "this" for the record, what
6 you mean by that?

7 A. This event that she shared with us, which had
8 to deal with some instances of unethical behavior towards
9 her as the email indicates. She recounted that to us in
10 our interview with her, and we are required by law to
11 report this. So I dutifully did that.

12 Q. So she recounted that Timothy Jackson had made
13 her feel, quote, uncomfortable on several occasions. Is
14 that it?

15 A. Yes.

16 Q. And I'll get to the second part in a second.

17 All right. Is there a rule or policy against
18 making a colleague feel uncomfortable?

19 MS. QUIMBY: Objection, form.

20 A. That, I cannot say. But we are required for
21 any report related to these matters to report it to the
22 Title IX Coordinator. That is required. It's been very
23 clear to us that we are required to do that.

24 Q. And what is the unethical behavior towards her
25 that you were reporting?

1 A. I do not recall exactly. She discussed some
2 things. We told her that we would have to report this to
3 the Title IX Coordinator and she continued. I do not
4 know the -- I don't recall the details.

5 Q. And there were also, supposedly in 2016,
6 which would have been four years before this time,
7 inappropriate questions and comments about her health.
8 Is that what it says here?

9 A. I recall she did say something to that effect.
10 I do not remember the details.

11 Q. What makes a question or comment about
12 someone's health, quote, inappropriate?

13 A. I do not know. But that was her claim. And
14 we're required by law to report it.

15 Q. What law are you referring to?

16 A. I do not -- that, I cannot quote. But we have
17 been told as faculty members, that if there are reports
18 of any kind of harassment, that we need to report that,
19 and we're required to report it. That was -- that was
20 shared with me. I cannot tell you the exact.

21 Q. How did you interpret -- so you interpret
22 anytime someone makes comments that makes someone feel
23 uncomfortable as harassment? Is that your testimony?

24 A. No. We interpreted her report to us. We just
25 said she made a report to us. We're required to report

1 it. We do not judge what the content is. That is not
2 our place. It would be the Title IX Coordinator.

3 Q. And I guess it's supposedly harassment where
4 you have a reporting that it was discussed with her the
5 confidential proceedings about her interview for the
6 position she currently held at that time?

7 MS. QUIMBY: Objection, form.

8 Q. Is that what you understood you were reporting?

9 A. We are reporting what she related to us after
10 we told her that it would have to be shared with the
11 Title IX Coordinator. We're compelled by law to do so.

12 Q. And yet you can't name the law that compels you
13 to report the time --

14 A. I'm not a lawyer, sir.

15 Q. Can I -- can I --

16 A. So I do not know.

17 Q. You're going to have to let me finish my
18 question.

19 A. Well, I'm --

20 Q. I'm trying not to speak over you, and I'd just
21 appreciate that you let me finish.

22 A. Certainly.

23 Q. So you can't name the law which required you to
24 report someone feeling, quote, uncomfortable?

25 MS. QUIMBY: Objection, form.

1 A. No, I cannot. I cannot specifically cite the
2 law. But we were told, and in our training, that we
3 would have to deal with this -- deal with this directly.
4 My colleagues all understood it that way, too.

5 Q. Oh, I'm sure they did. This was signed.
6 Well, it's not signed by all of them. It's signed by
7 you or at least in the signature block. But it's cc'd
8 to all of them, correct?

9 A. That's correct.

10 Q. So they were all behind reporting Timothy
11 Jackson for making someone feel uncomfortable?

12 MS. QUIMBY: Objection, form.

13 A. As she related to us, the words she used.

14 Q. Is it that -- the woman that made this
15 reportable to the Title IX Coordinator?

16 MS. QUIMBY: Objection, form.

17 A. No. This was related to us, and we had to
18 report it.

19 Q. Okay. So when Ellen Bakulina signed a
20 petition, which we've already reviewed, which endorsed
21 the call for action of graduate students who were calling
22 for Timothy Jackson to be fired, don't you think that
23 made Timothy Jackson feel uncomfortable?

24 MS. QUIMBY: Objection, form.

25 A. I would not know.

1 Q. That never occurred to you to ask?

2 MS. QUIMBY: Objection, form.

3 A. No, it would not. It was irrelevant to our
4 investigation. We were compelled, again, to report this
5 by law. Even though I can't cite the law, that is what
6 had been communicated to us by the University.

7 Q. If it -- is it just because someone tells you
8 something, you are required to report? Is that your
9 understanding?

10 A. That is our understanding. We do not make
11 judgments about the content.

12 Q. Are you not required to report it if
13 something comes to your attention --

14 MS. QUIMBY: Objection, form.

15 Q. -- whether they tell you it or not, that you
16 learn of something? You're not required to report it if
17 you learn of something? Only when someone tells you
18 something, even if it be secondhand?

19 MS. QUIMBY: Objection, form.

20 A. I think it depends. If it's specifically
21 directed to us to report it --

22 Q. Sure.

23 A. -- then we don't really go through hearsay or
24 other things, I mean, or rumors. This is something that
25 we did because she was aware that we would have to do

1 this, and we did.

2 Q. Did she ask you to report it?

3 A. We told her we had to.

4 MS. QUIMBY: Objection, form.

5 Q. Did she ask you to report it?

6 MS. QUIMBY: Objection, form.

7 A. No, but we said we had to.

8 Q. And you have described repeatedly that the
9 scope of your investigation was very narrow, focused on
10 the publication and review in the Journal, right?

11 A. Yes.

12 Q. But when someone reports vague feelings
13 of discomfort, you reported that to the Title IX
14 Coordinator, so that Timothy Jackson faced a Title IX
15 complaint, correct?

16 MS. QUIMBY: Objection, form.

17 A. Yes, as we were required again --

18 Q. Okay.

19 A. -- by law.

20 Q. Sure. You don't feel you were required by law
21 to report threats of retaliation against Timothy Jackson
22 for violation of his First Amendment rights, did you?

23 MS. QUIMBY: Objection, form.

24 A. That was beyond the scope of our investigation.
25 We only did this because Professor Bakulina told us

1 directly.

2 Q. And Timothy Jackson told you directly that
3 he was facing threats of retaliation of his First
4 Amendment rights, did he not?

5 MS. QUIMBY: Objection, form.

6 A. Which was irrelevant to our investigation
7 again.

8 Q. And the First Amendment of law -- okay, sorry.
9 I over-spoke. Go ahead.

10 A. Yeah. That was irrelevant to our
11 investigation. Title IX, I think, and I cannot be sure,
12 but it's specific to these kinds of issues of harassment
13 and sexual harassment. We have no -- there's nothing
14 that talks about threats because of First Amendment
15 freedom. I do not know the law specifically, but that's
16 what we were told.

17 Q. You do know the First Amendment is a law of the
18 United States, right?

19 A. Absolutely. It is part of the First Amendment
20 of the Constitution.

21 Q. And you did know that there was an academic
22 freedom policy at the University of North Texas?

23 A. Yes, was.

24 Q. Timothy Jackson did complain to you that his
25 rights under that policy were being violated, right?

1 MS. QUIMBY: Objection, form.

2 A. But that was irrelevant to our investigation.
3 It was only on process. You know, if he had written to
4 us and said, that complaint would not be going to the
5 Title IX Coordinator.

6 Q. You also were aware that he was being
7 threatened with adverse employment actions by the
8 graduate students and by his faculty colleagues, right?

9 MS. QUIMBY: Objection, form.

10 A. Yes. But that's not -- we didn't pay any
11 attention to that. We actually ignored all of it.

12 Q. I'm just trying to get a sense of how the ad
13 hoc panel worked. So all of those -- all of those
14 things which we've named -- First Amendment retaliation,
15 violation of the academic freedom policy, the harassment
16 of Timothy Jackson by calling for him to be fired, and
17 so forth, all of that was not relevant to the panel,
18 correct?

19 A. Yes, not relevant.

20 Q. But when there was a complaint that could be
21 filed against Timothy Jackson, that was required by law.
22 That's your testimony?

23 A. That was our understanding of the five members
24 of the panel.

25 MR. ALLEN: Okay, okay. It's about --

1 can we go off the record, please?

2 THE VIDEOGRAPHER: Off the record at
3 12:25.

4 (Recess taken)

5 THE VIDEOGRAPHER: The time is 12:30.
6 We're on the record.

7 Q. Thank you, Professor Ishiyama. I just have one
8 last short series of questions. At least that
9 is my intention, that they be short. I'm going to call
10 your attention back to Exhibit 9, which was introduced
11 into the record. Do you remember looking at the title
12 page and table of contents of Volume 26 of Theoria from
13 2020?

14 A. Yes.

15 Q. And don't let me mischaracterize your
16 testimony, but I believe you testified that there might
17 be a representation somewhere in the journal of the
18 methods of review of the articles or things of that
19 nature, right?

20 MS. QUIMBY: Objection, form.

21 Q. Other than on the title page?

22 A. There might be. I do not know. I mean, there
23 should be something.

24 Q. So in the intervening time, we were able to
25 find the page where the review processes of the Journal

1 were discussed, and that's what I would like to ask you a
2 few questions about.

3 A. Okay.

4 MR. ALLEN: So I've taken the liberty of
5 adding a third page to Exhibit 5. Hold on. I think I'm
6 getting mixed up. I want to correct the record. I
7 believe I was referring to the past exhibit by its
8 wrong identification number.

9 I'm discussing Exhibit 5. Theoria, Volume 26,
10 2020, for the record. I'm just skipping down. I've
11 taken the liberty of adding the third page to this
12 exhibit, which formerly had only two pages. And this is
13 the appendix, page 157, which has the Theoria journal's
14 Directions to Contributors. And I'm not asking you to
15 verify that. I want your opinion as an expert and member
16 of the ad hoc panel about this in the journal of Theoria.

17 Q. It represents that review articles of books
18 related to the history of music -- it refers to "review
19 articles of books related to the history of music theory
20 and analysis."

21 Right?

22 A. Yes.

23 MS. QUIMBY: Objection, form.

24 Q. And panel -- panel presentations to a
25 conference that was simply published as expanded

1 articles in a journal would not count as review
2 articles typically, right?

3 MS. QUIMBY: Objection, form.

4 A. I think it would depend on how they defined it.

5 Q. What is a review article typically understood
6 as in a scholarly journal?

7 A. Well, again, I can only speak to my field --

8 Q. Sure.

9 A. -- and the field of the other five people on
10 the committee. But review articles are often collections
11 of books that are reviewed, often critically by an
12 author, and to reveal the state of the art in the field.

13 Q. Right. And if we skip back to the title page,
14 which I'm going to -- just by the titles. And I know
15 you are not a music theorist or a student of Russian
16 music. But did these titles suggest to you as an
17 experienced academic who's been an editor of political
18 science journals and other academic publications, that
19 these are review articles?

20 MS. QUIMBY: Objection, form.

21 A. I couldn't say until I read them, so it's
22 hard to determine just based on the title.

23 Q. So here, it also says, "All submissions will be
24 peer reviewed for their scholarly quality, clarity, and
25 originality. Only high level professional research

1 materials will be considered. Ph.D. candidates and
2 junior faculty in the related disciplines are
3 particularly encouraged to submit articles."

4 Did I read that correctly?

5 A. Yes.

6 Q. Would that lead you to believe that Theoria,
7 the other journal published in the College of Music under
8 the umbrella of the University of North Texas Press,
9 would subject all of its articles to peer review?

10 MS. QUIMBY: Objection, form.

11 A. That would be -- that's the statement they
12 make, so I don't know if they did.

13 But they say, "All submissions will be peer
14 reviewed."

15 Q. And that doesn't suggest that there's a
16 separate kind of track for publishing papers that were
17 expanded into articles after a professional conference,
18 does it?

19 MS. QUIMBY: Objection, form.

20 A. Well, so it suggests that those submissions
21 also be peer-reviewed.

22 Q. Okay. And would you understand the peer-review
23 process to be double-blind? The double-blind peer-review
24 process we discussed earlier?

25 A. It is the standard.

1 MR. ALLEN: Okay. I'm going to pass the
2 witness, Mary.

3 MS. QUIMBY: I'll reserve my questions
4 for trial.

5 MR. ALLEN: Thank you, Professor
6 Ishiyama.

7 (No deletions.)

8 THE VIDEOGRAPHER: Off the record at
9 12:35.

10 (Proceedings concluded at 12:35 p.m.)
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHANGES AND SIGNATURE

WITNESS: JOHN TOARU ISHIYAMA, Ph.D.

DATE: SEPTEMBER 27, 2024

PAGE/LINE

CHANGE

REASON

1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

I, JOHN TOARU ISHIYAMA, Ph.D., have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

JOHN TOARU ISHIYAMA, Ph.D.

THE STATE OF _____)

COUNTY OF _____)

Before me, _____, on this day personally appeared JOHN TOARU ISHIYAMA, Ph.D., known to me or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office on this _____ day of _____, _____.

NOTARY PUBLIC IN AND FOR
THE STATE OF _____

My Commission Expires: _____

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF
3 SHERMAN DIVISION

4 TIMOTHY JACKSON,

5 Plaintiff,

6 vs.

7 LAURA WRIGHT, et al.,

8 Defendants.

CASE NO. 4:21-CV-00033-ALM

9 REPORTER'S CERTIFICATION OF

10 ORAL DEPOSITION OF JOHN TOARU ISHIYAMA, Ph.D.

11 September 27, 2024

12
13 I, KIM D. CARRELL, a Certified Shorthand Reporter
14 in and for the State of Texas, hereby certify to the
15 following:

16 That the witness, JOHN TOARU ISHIYAMA, Ph.D., was
17 duly sworn and that the transcript of the oral deposition
18 is a true record of the testimony given by the witness;

19 That the deposition transcript was duly submitted
20 on October 28, 2024, to Ms. Mary Quimby, for examination,
21 signature, and return to me by November 27, 2024;

22 That pursuant to the information given to the
23 deposition officer at the time said testimony was taken,
24 the following includes all partes of record and the
25 amount of time used by each party at the time of the

1 deposition;

2 Mr. Michael Thad Allen - 02 HRS: 47 MIN
Attorney for the Plaintiff

3 Ms. Mary Quimby - 00 HRS: 00 MIN
4 Attorney for the Defendants

5 I further certify that I am neither counsel for,
6 related to, nor employed by any of the parties or
7 attorneys in the action in which this proceeding was
8 taken, and further that I am not financially or
9 otherwise interested in the outcome of the action.

10 Certified to by me on this 28th day of October,
11 2024.

12

13

14 Kim D. Carrell, CSR NO. 1184
Date of Expiration: 7-31-26

15

16 JULIA WHALEY & ASSOCIATES, INC.
2012 Vista Crest Drive
17 Carrollton, Texas 75007-1640
214-668-5578/Fax 972-236-6666
18 Firm Registration No. 436
Certification Expires 10-31-26
19 Notary Comm. Expires 12-1-25

20

21

22

23

24

25

#	83:12, 102:21 1184 [1] - 132:14	2	27 [5] - 1:11, 5:3, 129:3, 131:11, 131:21 2705 [1] - 101:2 2709 [1] - 107:24 27th [6] - 1:17, 6:3, 80:1, 80:22, 81:24, 106:8 28 [1] - 131:20 28th [1] - 132:10 2:15 [1] - 83:19 2:24 [1] - 84:3 2:43 [1] - 84:1	512.463.2120 [1] - 2:10 55 [1] - 45:12 5th [1] - 26:23	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
#2 [1] - 63:7 #308 [1] - 1:22	11:00 [1] - 72:3 11:04 [1] - 72:6 11:39 [1] - 97:1 11:48 [1] - 97:3 12 [29] - 4:7, 22:1, 26:2, 37:12, 48:14, 55:19, 56:1, 56:4, 60:25, 79:19, 79:20, 90:25, 95:23, 96:10, 97:16, 98:16, 98:18, 98:19, 98:22, 99:16, 100:10, 100:16, 101:1, 101:7, 102:4, 107:18, 107:24, 112:8, 114:16 12-1-25 [1] - 132:18 12548 [1] - 2:9 129 [1] - 3:7 12:00 [2] - 76:21, 115:6 12:25 [1] - 124:3 12:30 [1] - 124:5 12:35 [3] - 1:18, 128:9, 128:10 13 [4] - 4:9, 105:2, 115:12, 115:13 131 [1] - 3:8 13th [1] - 50:24 14 [2] - 16:7, 16:10 14:24 [1] - 83:21 14th [3] - 50:12, 50:21, 52:2 157 [1] - 125:13 15th [2] - 101:10, 102:9 16 [1] - 63:6 17 [3] - 10:16, 11:5, 98:24 171 [2] - 16:19, 17:5 18 [1] - 14:11 18th [1] - 102:25 19 [2] - 104:22 1982 [1] - 13:4 1985 [2] - 13:5, 13:20 1990 [3] - 13:23, 14:9, 14:12 1992 [4] - 13:6, 13:20, 13:23, 14:5 19th [1] - 104:5	2 [10] - 3:2, 3:12, 7:24, 20:8, 20:10, 20:18, 53:8, 53:14, 53:23, 81:14 20 [2] - 3:14, 5:15 2004 [4] - 17:20, 17:25, 18:1, 18:17 2008 [2] - 14:12, 14:13 2011 [1] - 18:12 2012 [5] - 15:12, 17:18, 17:20, 18:17, 132:16 2016 [2] - 17:19, 117:5 2018 [1] - 46:10 2019 [6] - 15:25, 101:10, 102:9, 103:1, 104:6, 104:22 2020 [23] - 11:12, 15:6, 19:13, 20:18, 20:23, 23:10, 26:23, 43:10, 44:3, 50:12, 52:2, 63:6, 80:22, 81:24, 83:14, 91:2, 91:24, 98:24, 99:18, 102:25, 106:8, 124:13, 125:10 2022 [3] - 15:1, 15:19, 15:25 2024 [9] - 1:11, 1:17, 5:3, 6:3, 129:3, 131:11, 131:20, 131:21, 132:11 214-668-5578/ Fax [1] - 132:17 23 [2] - 3:15, 46:15 24 [2] - 46:15 24th [1] - 84:4 25 [2] - 11:12, 91:2 2533 [1] - 83:17 25th [1] - 23:10 26 [4] - 43:10, 44:3, 124:12, 125:9 26-2020 [1] - 3:19 2663 [1] - 110:17	3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
'			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
'anonymou' [1] - 69:6 'job' [1] - 92:1 'Journals' [1] - 69:10			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
0			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
00 [2] - 132:3 000233 [1] - 3:15 000234 [1] - 4:4 000236 [1] - 4:4 002453 [1] - 3:14 002454 [1] - 3:14 002533 [1] - 4:6 002634 [1] - 3:22 002635 [1] - 3:22 002645 [1] - 4:8 002782 [1] - 4:8 003301 [1] - 68:9 003303 [1] - 3:17 003314 [1] - 3:17 003435 117 [1] - 4:11 02 [1] - 132:2 02705 [1] - 102:4 06375 [1] - 2:4			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
00 [2] - 132:3 000233 [1] - 3:15 000234 [1] - 4:4 000236 [1] - 4:4 002453 [1] - 3:14 002454 [1] - 3:14 002533 [1] - 4:6 002634 [1] - 3:22 002635 [1] - 3:22 002645 [1] - 4:8 002782 [1] - 4:8 003301 [1] - 68:9 003303 [1] - 3:17 003314 [1] - 3:17 003435 117 [1] - 4:11 02 [1] - 132:2 02705 [1] - 102:4 06375 [1] - 2:4			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
00 [2] - 132:3 000233 [1] - 3:15 000234 [1] - 4:4 000236 [1] - 4:4 002453 [1] - 3:14 002454 [1] - 3:14 002533 [1] - 4:6 002634 [1] - 3:22 002635 [1] - 3:22 002645 [1] - 4:8 002782 [1] - 4:8 003301 [1] - 68:9 003303 [1] - 3:17 003314 [1] - 3:17 003435 117 [1] - 4:11 02 [1] - 132:2 02705 [1] - 102:4 06375 [1] - 2:4			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15 acknowledging [1] - 69:23 acronym [2] - 30:20, 70:14
00 [2] - 132:3 000233 [1] - 3:15 000234 [1] - 4:4 000236 [1] - 4:4 002453 [1] - 3:14 002454 [1] - 3:14 002533 [1] - 4:6 002634 [1] - 3:22 002635 [1] - 3:22 002645 [1] - 4:8 002782 [1] - 4:8 003301 [1] - 68:9 003303 [1] - 3:17 003314 [1] - 3:17 003435 117 [1] - 4:11 02 [1] - 132:2 02705 [1] - 102:4 06375 [1] - 2:4			3	6	66:1, 69:5 ability [1] - 9:1 able [8] - 22:18, 44:20, 71:8, 71:9, 76:20, 87:7, 96:18, 124:24 above-styled [1] - 1:16 aboveboard [1] - 49:14 Absolutely [1] - 122:19 absolutely [1] - 87:24 abstract [1] - 46:3 academia [2] - 14:8, 38:9 academic [27] - 12:15, 17:6, 17:12, 18:21, 27:2, 27:15, 28:12, 36:17, 36:24, 37:1, 38:4, 48:3, 48:11, 49:16, 52:9, 53:11, 53:15, 53:19, 54:2, 54:15, 86:11, 94:5, 94:13, 122:21, 123:15, 126:17, 126:18 academics [1] - 33:3 acceptable [2] - 8:19, 56:20 accepted [1] - 40:25 access [4] - 64:11, 70:15, 71:9, 111:14 accessible [1] - 71:4 accident [3] - 10:17, 11:2, 11:4 according [2] - 41:20, 92:7 accurate [5] - 8:9, 15:17, 24:1, 64:19, 70:23 achieved [1] - 13:23 acknowledged [1] - 130:15

action [4] - 78:24, 119:21, 132:7, 132:9 actions [1] - 123:7 activities [2] - 58:21, 65:20 actual [3] - 12:10, 86:24, 87:22 Ad [23] - 3:13, 3:15, 3:21, 3:23, 11:13, 23:9, 24:22, 24:25, 55:14, 76:17, 76:25, 77:3, 79:22, 87:2, 90:19, 90:23, 91:2, 93:18, 93:23, 105:8, 108:6, 111:20, 113:12 ad [40] - 27:12, 29:9, 36:21, 50:4, 51:11, 52:7, 54:21, 57:16, 57:18, 58:10, 58:25, 59:4, 59:16, 60:4, 63:11, 63:14, 63:22, 66:21, 68:5, 70:4, 72:15, 73:13, 73:21, 74:7, 77:9, 79:3, 88:18, 90:13, 98:24, 102:20, 102:24, 102:10, 102:19, 104:2, 107:25, 108:7, 109:7, 111:22, 123:12, 125:16 add [1] - 54:9 added [1] - 23:3 adding [2] - 125:5, 125:11 additional [1] - 8:3 address [4] - 39:5, 87:12, 89:1, 114:24 addresses [2] - 38:12, 39:2 addressing [2] - 52:12, 53:21 adequate [1] - 31:17 administration [1] - 15:22 Adopt [1] - 35:25 adopt [1] - 69:10	adopting [1] - 70:21 advance [2] - 60:9, 61:15 adverse [1] - 123:7 advisor [5] - 16:6, 75:9, 86:11, 105:19, 106:12 advisory [4] - 43:18, 79:7, 79:8, 79:16 affect [1] - 60:18 affected [2] - 66:7, 106:12 affix [1] - 130:4 afforded [4] - 112:3, 113:7, 113:21, 113:23 Afterwards [1] - 46:12 afterwards [1] - 84:6 ago [3] - 11:21, 49:4, 61:21 agree [8] - 44:22, 59:1, 59:4, 59:7, 59:18, 75:16, 88:5, 104:23 agreed [5] - 86:1, 87:14, 88:19, 102:23, 102:12 Agreement [1] - 5:6 agrees [1] - 103:13 ahead [6] - 18:10, 22:12, 31:20, 39:18, 85:4, 122:9 al [4] - 1:6, 3:21, 4:10, 131:6 allegations [1] - 111:18 Allen [4] - 2:3, 6:9, 50:6, 132:2 ALLEN [35] - 2:3, 6:5, 6:8, 6:16, 6:22, 7:6, 20:9, 20:14, 22:17, 22:20, 23:15, 23:20, 34:4, 43:9, 49:23, 53:6, 55:4, 58:6, 63:4, 64:24, 68:4, 71:11, 71:15, 72:1, 80:20, 83:10, 90:15, 96:19, 96:24, 98:13,	115:11, 123:25, 125:4, 128:1, 128:5 Allen..... [1] - 3:5 allow [2] - 78:23, 81:2 almost [1] - 106:19 ALSO [1] - 2:18 ambivalent [1] - 102:13 Amendment [7] - 121:22, 122:4, 122:8, 122:14, 122:17, 122:19, 123:14 American [3] - 17:16, 17:23, 18:3 amount [2] - 12:10, 131:25 analogy [3] - 49:20, 70:21, 89:7 analysis [5] - 85:24, 100:11, 102:14, 103:25, 125:20 analyzed [1] - 31:10 AND [2] - 129:1, 130:20 announced [1] - 29:23 annual [1] - 46:11 Anonymous [2] - 74:25, 75:20 anonymous [9] - 31:21, 36:7, 61:5, 70:10, 70:12, 70:20, 74:22, 75:15, 76:6 anonymously [1] - 91:8 answer [21] - 9:1, 9:13, 9:20, 9:25, 10:1, 10:9, 22:16, 22:19, 23:18, 23:21, 23:23, 27:7, 28:5, 34:20, 42:4, 53:10, 54:4, 58:4, 73:19, 109:15, 110:5 answered [5] - 52:16, 54:12, 57:13, 58:22, 58:24	answering [1] - 7:21 antagonize [1] - 106:3 anti [1] - 95:25 anti-Ewell [1] - 95:25 antisemitic [2] - 103:8, 103:14 anytime [1] - 117:22 anyway [1] - 42:12 apology [4] - 80:1, 80:10, 80:11, 81:23 appear [7] - 39:6, 41:23, 44:24, 61:9, 82:23, 86:6, 111:16 APPEARANCES [1] - 2:1 Appearances..... [1] - 3:2 appeared [9] - 8:9, 32:15, 37:14, 46:17, 62:2, 66:11, 97:17, 97:21, 130:12 Appearing [1] - 2:13 appendix [1] - 125:13 applied [2] - 33:10, 110:6 apply [2] - 36:13, 40:16 applying [2] - 31:10, 32:13 appointed [2] - 25:24, 97:15 appreciate [1] - 118:21 appro [1] - 75:10 approach [1] - 60:3 appropriate [17] - 36:1, 36:9, 36:12, 37:1, 39:21, 40:2, 47:13, 47:16, 49:6, 69:11, 69:12, 94:6, 94:13, 104:8, 104:13, 104:18, 104:24 appropriation [3] - 75:1, 82:24,	86:8 APSR [2] - 18:11, 18:13 arbitration [1] - 5:20 area [1] - 35:9 argument [1] - 94:25 arrangement [1] - 78:25 arrived [1] - 71:18 art [1] - 126:12 Article [1] - 4:2 article [23] - 33:11, 36:17, 41:3, 42:12, 42:20, 42:22, 44:2, 45:2, 45:14, 45:21, 46:15, 47:4, 72:12, 72:22, 73:23, 74:4, 74:15, 75:12, 75:13, 76:1, 89:12, 95:21, 126:5 articles [56] - 16:20, 16:21, 16:23, 17:1, 17:5, 18:7, 18:13, 18:17, 31:14, 33:23, 37:4, 37:7, 37:10, 37:19, 39:6, 40:3, 42:17, 42:23, 44:4, 44:8, 46:12, 46:14, 46:17, 47:12, 47:20, 48:24, 66:8, 66:11, 66:15, 72:17, 73:9, 73:22, 73:23, 77:23, 78:16, 78:17, 85:19, 86:20, 89:1, 95:3, 95:9, 97:17, 97:21, 98:12, 100:16, 104:15, 124:18, 125:17, 125:19, 126:1, 126:2, 126:10, 126:19, 127:3, 127:9, 127:17 Articles [1] - 3:18 Arts [1] - 13:3 Aspect [1] - 44:3 assert [1] - 87:7 assess [2] - 76:5,	78:17 assessment [3] - 60:18, 79:15, 81:9 Assistant [2] - 2:8, 6:11 assistant [1] - 14:12 associate [1] - 14:12 ASSOCIATES [1] - 132:15 Association [1] - 17:23 association [1] - 39:3 assume [1] - 12:1 asymmetry [2] - 82:14, 98:11 attach [1] - 99:2 attached [5] - 1:24, 24:23, 25:1, 111:23, 113:12 attachment [3] - 99:14, 99:15, 99:21 attachments [5] - 61:14, 99:8, 99:11, 99:20, 100:3 attacked [1] - 106:19 attempt [1] - 99:12 attendance [1] - 6:16 attention [10] - 65:3, 74:2, 80:18, 100:2, 100:21, 101:1, 110:17, 120:13, 123:11, 124:10 Attorney [8] - 2:8, 6:11, 9:23, 64:25, 90:15, 132:2, 132:4 attorney [11] - 5:11, 5:12, 9:18, 9:22, 10:3, 44:19, 50:5, 51:6, 71:2, 71:17, 73:17 attorney-client [1] - 9:22 attorneys [5] - 6:5, 11:21, 11:24, 12:9, 132:7 attribute [1] -

63:23 attribution [2] - 69:13, 74:12 audibly [1] - 9:14 audio [2] - 9:3, 75:10 August [5] - 19:13, 20:18, 20:23, 26:23, 81:25 Austin [1] - 2:10 author [14] - 23:13, 24:1, 33:9, 33:17, 69:24, 73:9, 73:23, 82:19, 86:4, 94:22, 113:3, 114:10, 126:12 authored [4] - 17:23, 73:22, 73:23, 91:8 authority [1] - 97:24 authors [5] - 31:22, 69:20, 69:22, 73:2, 73:9 Authors [1] - 70:1 authors' [1] - 89:21 authorship [17] - 69:6, 69:11, 69:13, 69:18, 69:20, 69:25, 70:8, 70:9, 70:12, 70:17, 70:19, 70:24, 74:17, 74:25, 75:1, 75:5, 76:6 authorships [1] - 69:14 available [3] - 31:13, 36:2, 64:13 avoid [2] - 9:11, 46:7 aware [16] - 29:22, 30:9, 39:1, 41:6, 41:22, 55:5, 60:14, 62:21, 77:22, 79:25, 80:7, 82:2, 83:8, 84:17, 120:25, 123:6	Bach [1] - 101:23 Bachelor's [3] - 13:2, 13:3, 13:9 backwards [1] - 50:19 Bakulina [5] - 45:15, 45:21, 115:25, 119:19, 121:25 Based [1] - 36:20 based [3] - 44:17, 46:21, 126:22 basis [1] - 51:20 Bates [1] - 64:25 BE [1] - 5:5 bear [2] - 50:14, 82:25 beat [1] - 112:14 became [1] - 84:16 become [2] - 14:24, 86:3 becomes [1] - 103:23 begin [1] - 91:11 begins [3] - 25:23, 68:9, 90:24 behavior [2] - 116:8, 116:24 behind [1] - 119:10 below [1] - 26:15 Ben [1] - 82:17 Benjamin [5] - 3:24, 79:6, 79:14, 91:17, 110:1 Berlioz [1] - 101:24 best [36] - 21:11, 26:4, 34:2, 35:15, 35:17, 35:19, 39:12, 39:14, 39:20, 39:23, 47:17, 48:10, 48:13, 48:18, 49:15, 56:18, 57:18, 57:23, 57:25, 58:2, 58:9, 58:16, 58:17, 58:24, 59:17, 59:22, 59:24, 62:22, 63:9, 65:23, 66:6, 78:18, 112:17, 112:23, 114:9 better [6] - 27:7, 49:16, 70:21,	71:9, 82:23, 86:7 between [21] - 13:8, 13:16, 13:18, 13:23, 72:16, 73:22, 79:6, 86:21, 95:8, 95:24, 100:22, 101:4, 103:25, 105:9, 105:10, 106:11, 108:18, 108:25, 109:11, 109:17, 109:25 beyond [3] - 60:1, 103:16, 121:24 bibliography [1] - 40:22 big [1] - 110:25 bit [7] - 8:5, 25:5, 25:7, 43:5, 46:21, 108:9 bits [1] - 88:7 blanket [1] - 37:2 blind [10] - 33:8, 33:13, 33:15, 33:19, 42:11, 42:18, 46:16, 47:22, 127:23 block [2] - 69:1, 119:7 blocks [1] - 7:25 board [6] - 43:18, 47:8, 79:7, 79:8, 79:16 body [1] - 61:22 bold [1] - 74:9 book [5] - 16:20, 17:2, 17:9, 18:11, 37:8 books [4] - 16:19, 125:17, 125:19, 126:11 bordering [1] - 75:16 bottom [4] - 43:21, 50:21, 50:23, 50:25 Boulevard [2] - 1:22, 2:14 Bowling [3] - 12:22, 13:3, 13:9 Box [2] - 2:4, 2:9 Brand [3] - 3:24, 91:17, 110:1 break [4] - 10:7, 55:2, 115:9 brief [1] - 25:11 briefly [4] - 12:17,	74:7, 85:17, 100:21 bring [1] - 50:18 bringing [1] - 92:19 broadly [1] - 75:7 broke [1] - 112:21 brought [1] - 59:24 build [1] - 54:19 built [1] - 46:13 business [1] - 51:11 but.. [2] - 85:14, 113:16 button [1] - 7:8 BY [2] - 6:22, 58:8	C C-O-P-E [1] - 30:19 campus [1] - 102:7 candidates [1] - 127:1 cannot [17] - 23:15, 32:6, 62:1, 70:6, 88:23, 106:22, 107:5, 107:12, 109:15, 109:22, 113:15, 116:20, 117:16, 117:20, 119:1, 122:11 can't [1] - 102:4 capacity [4] - 14:9, 15:19, 16:2, 16:9 Capital [1] - 2:9 car [6] - 10:17, 11:4, 91:25, 97:8, 102:6, 108:5 card [1] - 130:14 career [6] - 12:14, 12:15, 12:18, 14:8, 14:11, 106:18 carefully [3] - 60:24, 68:25, 100:11 Carrell [2] - 1:18, 132:14 CARRELL [1] - 131:13 Carrollton [1] - 132:16 carry [1] - 36:21 carrying [1] -	29:20 case [5] - 7:23, 10:17, 38:1, 65:22, 77:22 CASE [2] - 1:5, 131:5 cases [1] - 9:23 catch [1] - 99:25 CAUSE [1] - 5:4 caused [4] - 87:7, 102:12, 105:24, 106:15 cc [1] - 20:20 CC [1] - 50:4 cc'd [1] - 119:7 censor [9] - 86:12, 92:1, 92:14, 93:5, 93:8, 94:6, 94:9, 94:14 censored [3] - 92:17, 92:21 censorship [5] - 52:10, 53:20, 92:15, 94:11, 94:16 Center [1] - 64:9 center [1] - 100:17 certain [2] - 82:8, 94:23 Certainly [2] - 43:7, 118:22 certainly [3] - 25:19, 37:4, 88:25 Certificate..... [1] - 3:8 CERTIFICATION [1] - 131:9 Certification [1] - 132:18 Certified [3] - 1:19, 131:13, 132:10 certify [2] - 131:14, 132:5 CH [1] - 62:17 chain [1] - 100:8 Chain [2] - 3:12, 4:5 chair [8] - 14:24, 15:18, 16:8, 24:12, 24:15, 24:17, 108:22, 110:8 Chair [2] - 3:25, 14:22 chairing [1] -	16:10 chance [6] - 8:1, 24:19, 42:4, 63:12, 84:11, 93:17 change [1] - 106:7 CHANGE [1] - 129:4 changes [1] - 89:21 CHANGES [1] - 129:1 Changes..... [1] - 3:7 Chaouat [1] - 99:12 chapters [1] - 16:20 characterize [1] - 59:14 characterized [2] - 102:13, 105:7 charge [43] - 21:13, 21:16, 21:18, 21:19, 21:22, 21:24, 25:13, 25:15, 25:18, 25:19, 25:21, 26:7, 26:14, 26:17, 27:9, 27:10, 28:2, 28:7, 28:21, 28:24, 28:25, 29:5, 30:16, 35:12, 35:14, 39:19, 40:8, 40:9, 40:10, 54:5, 54:17, 55:15, 55:17, 55:24, 56:2, 57:1, 59:19, 60:1, 60:3, 60:13, 74:1, 78:24 charged [2] - 27:17, 28:17 charging [1] - 55:5 chat [8] - 71:9, 71:18, 71:20, 81:19, 90:17, 98:14, 98:21, 115:14 checklists [1] - 69:18 chef [1] - 13:15 cherrypicked [2] - 82:22, 86:6 chief [3] - 17:16,
B						
BA [1] - 12:21						

17:20, 18:18 chooses [1] - 51:7 Chrisman [8] - 62:13, 62:17, 63:24, 64:6, 65:18, 66:25, 68:18 Christmas [1] - 64:6 Christopher [1] - 45:22 circled [1] - 65:2 circuit [1] - 94:21 circulated [1] - 68:16 cite [2] - 119:1, 120:5 cited [1] - 17:18 Civil [2] - 1:23, 5:8 civil [1] - 10:16 claim [2] - 103:22, 117:13 claimed [1] - 37:15 claims [1] - 37:18 clarification [10] - 8:18, 8:21, 30:23, 36:5, 38:21, 49:8, 53:14, 77:8, 79:18, 92:20 clarify [2] - 39:25, 74:6 clarity [2] - 85:20, 126:24 classes [1] - 101:25 clean [2] - 9:13, 73:19 cleanly [1] - 89:9 clear [19] - 8:23, 9:16, 9:21, 9:25, 10:3, 10:10, 31:4, 38:13, 39:4, 39:8, 42:3, 44:7, 49:13, 61:2, 61:25, 62:3, 62:5, 63:23, 116:23 clearcut [1] - 113:19 Clearly [1] - 69:25 clearly [9] - 7:12, 36:18, 37:22, 39:12, 43:17, 48:7, 48:17, 54:3, 87:4 click [1] - 71:1	client [4] - 6:17, 9:22, 29:7, 78:8 close [1] - 17:4 closely [1] - 8:2 closes [1] - 91:7 colleague [3] - 45:16, 79:9, 116:18 colleagues [2] - 119:4, 123:8 collection [1] - 111:1 collections [1] - 126:10 collectively [2] - 23:24, 68:15 College [10] - 19:5, 25:25, 29:24, 30:9, 30:12, 67:7, 109:12, 109:17, 109:18, 127:7 collegial [1] - 19:4 column [1] - 74:16 Comm [1] - 132:18 comment [1] - 117:11 commentaries [1] - 100:18 commentary [2] - 32:22, 100:12 comments [4] - 82:19, 86:4, 117:7, 117:22 Commission [1] - 130:22 commitment [1] - 27:22 committed [6] - 21:19, 21:22, 25:14, 25:15, 27:2, 27:14 committee [43] - 20:4, 20:22, 21:4, 21:13, 21:16, 21:18, 23:24, 24:6, 24:9, 24:14, 24:15, 24:17, 25:13, 25:19, 26:14, 26:19, 27:9, 27:17, 27:25, 28:3, 28:7, 30:3, 30:7, 30:15, 30:18, 30:24, 34:16, 34:21, 40:17, 40:25, 42:17,	46:6, 51:21, 52:7, 54:21, 60:16, 63:11, 65:7, 87:18, 99:19, 108:20, 126:10 Committee [2] - 4:8, 69:3 committee's [1] - 51:23 Committee..... [1] - 3:23 committees [2] - 16:8, 16:9 common [6] - 33:22, 38:8, 38:11, 73:1, 73:6, 104:19 communicate [1] - 21:16 communicated [3] - 20:6, 22:5, 120:6 communication [1] - 51:13 communication s [2] - 69:22, 95:7 compare [1] - 67:23 compared [1] - 108:11 compelled [2] - 118:11, 120:4 compels [1] - 118:12 complain [1] - 122:24 complaint [3] - 121:15, 123:4, 123:20 complete [1] - 61:19 completed [5] - 13:6, 16:5, 16:7, 16:12, 25:1 completion [2] - 13:8, 13:17 complicated [1] - 88:20 comport [1] - 66:6 comported [1] - 21:10 comprehensive [1] - 95:7 compromised [1] - 78:15 computerized [1] - 1:20 conceal [1] -	105:24 concealed [1] - 77:25 concealing [2] - 105:20, 106:2 conception [2] - 26:2, 55:19 concern [2] - 91:24, 106:23 concerned [1] - 106:17 concerning [4] - 25:12, 28:17, 32:20, 39:15 concerns [4] - 91:15, 91:17, 91:20, 91:22 concluded [1] - 128:10 concrete [2] - 43:5, 85:15 condensed [1] - 99:16 condition [1] - 24:13 conducted [2] - 29:9, 51:10 conducting [2] - 34:3, 57:15 Conference [1] - 41:11 conference [20] - 16:25, 19:19, 38:7, 38:15, 38:24, 40:13, 40:17, 40:18, 40:25, 41:3, 41:7, 41:8, 41:14, 41:23, 46:5, 46:11, 46:13, 125:25, 127:17 confess [1] - 50:15 confidential [1] - 118:5 confined [1] - 29:12 confirmed [1] - 92:4 conflated [1] - 41:11 conflict [1] - 61:3 confused [2] - 82:24, 86:7 confusing [1] - 95:4 confusion [2] - 33:12, 46:7 connection [1] -	103:24 consent [1] - 92:11 consider [21] - 27:11, 27:25, 28:19, 45:8, 46:22, 47:20, 56:25, 57:18, 57:23, 58:9, 70:23, 73:21, 76:11, 87:1, 94:12, 103:16, 103:24, 106:6, 107:14, 107:16, 111:16 considerably [1] - 102:2 consideration [2] - 38:7, 130:15 considered [13] - 28:16, 28:21, 28:24, 29:2, 60:5, 73:14, 88:8, 102:10, 102:19, 103:18, 108:11, 109:7, 127:1 considering [2] - 57:3, 57:9 consistent [5] - 27:21, 52:22, 54:21, 103:12, 105:13 constitutes [1] - 31:16 Constitution [1] - 122:20 consulted [1] - 11:17 consulting [1] - 70:17 contacted [1] - 113:10 contemporaneo us [1] - 63:21 content [21] - 80:16, 81:21, 82:3, 82:6, 82:11, 84:20, 85:3, 86:19, 86:20, 87:12, 89:1, 89:8, 89:13, 89:20, 90:10, 91:22, 93:2, 95:12, 96:3, 118:1, 120:11 contents [2] - 48:12, 124:12 context [1] - 94:5	continued [2] - 86:12, 117:3 contract [3] - 65:9, 65:21, 65:24 contracts [4] - 65:13, 65:16, 66:23, 66:24 contribute [1] - 114:23 contributed [1] - 23:25 contribution [2] - 69:17, 91:9 contributions [6] - 28:9, 74:11, 74:18, 91:16, 96:10, 104:19 contributor [1] - 61:5 contributors [1] - 32:21 Contributors [2] - 3:19, 125:14 control [8] - 82:11, 84:19, 85:3, 89:13, 105:13, 105:14, 108:19, 109:21 controversial [1] - 95:19 controversy [12] - 15:3, 18:24, 19:7, 19:11, 19:15, 19:18, 19:19, 87:22, 100:17, 103:4, 107:13, 107:15 conversation [1] - 9:11 Coordinator [7] - 116:22, 117:3, 118:2, 118:11, 119:15, 121:14, 123:5 COPE [33] - 3:16, 30:19, 31:1, 31:2, 31:7, 31:12, 31:15, 31:25, 32:5, 32:7, 32:8, 32:12, 32:19, 32:20, 34:9, 34:17, 35:2, 35:22, 52:4, 52:7, 52:16, 52:19, 62:6, 62:19, 62:22, 65:15, 65:19, 66:22, 67:18,

69:4, 70:17, 75:1, 76:10 coping [1] - 52:5 copy [1] - 5:20 correct [22] - 15:4, 18:5, 26:23, 28:21, 41:20, 44:23, 47:22, 48:3, 51:17, 76:9, 76:13, 84:3, 87:8, 89:3, 91:5, 102:4, 119:8, 119:9, 121:15, 123:18, 125:6, 130:5 Correct [2] - 46:10, 47:1 corrections [1] - 3:7 correctly [18] - 22:4, 26:10, 28:13, 34:11, 36:3, 50:7, 52:13, 53:23, 65:11, 74:13, 83:22, 86:14, 103:9, 104:10, 105:4, 105:9, 112:5, 127:4 correspondence [2] - 102:12, 107:23 corresponding [1] - 69:24 Council [1] - 30:21 council [2] - 30:24, 34:21 counsel [3] - 23:4, 98:21, 132:5 Counsel [2] - 2:14, 6:15 count [3] - 41:19, 42:19, 126:1 counterfactual [1] - 49:9 COUNTY [1] - 130:11 couple [2] - 12:12, 25:11 course [9] - 51:6, 51:11, 51:15, 66:14, 81:17, 102:2, 102:9, 105:2, 107:16 court [3] - 9:12, 9:15, 23:5 COURT [2] - 1:1,	131:1 Court [7] - 5:7, 23:2, 31:4, 34:5, 44:21, 55:22, 58:6 Cowley [10] - 3:12, 19:2, 19:11, 19:25, 20:2, 20:17, 20:25, 21:3, 21:12, 27:7 crazy [1] - 50:15 credentials [1] - 14:4 credit [2] - 16:18, 75:6 Crest [1] - 132:16 criteria [1] - 69:25 critically [1] - 126:11 criticized [1] - 19:21 critiquing [1] - 89:21 cross [1] - 50:17 cross-eyed [1] - 50:17 CSR [1] - 132:14 CT [1] - 2:4 cues [1] - 9:10 cultural [2] - 82:24, 86:7 curriculum [1] - 15:13 customer [1] - 49:20	104:23 debate [1] - 19:19 debates [1] - 19:23 December [1] - 105:1 decided [1] - 85:23 decision [6] - 57:2, 57:4, 57:9, 61:4, 80:14, 92:7 decision-maker [1] - 80:14 decisions [6] - 78:5, 78:24, 79:13, 82:16, 86:24, 98:12 declaration [2] - 39:9, 69:21 declare [1] - 103:14 declared [1] - 102:23 dedicated [1] - 102:2 dedication [1] - 27:21 deeply [1] - 103:6 defend [1] - 28:11 DEFENDANTS [1] - 2:7 Defendants [4] - 1:7, 6:12, 131:7, 132:4 define [3] - 56:15, 56:19, 93:16 defined [2] - 76:3, 126:4 definitely [2] - 20:24, 106:23 definition [2] - 74:3, 76:5 degree [6] - 12:20, 12:23, 13:4, 13:9, 13:10, 13:17 degrees [4] - 12:18, 13:18, 14:4, 16:12 deletions [1] - 128:7 delivered [2] - 95:15, 102:19 demonstrate [1] - 108:9 demonstrated [2] - 60:22, 82:14 Denton [3] - 1:22, 2:15, 102:5	deny [2] - 58:15, 88:9 department [4] - 15:18, 15:23, 67:25, 97:15 Department [2] - 14:22, 14:24 depended [1] - 109:22 depose [1] - 93:17 deposed [4] - 10:12, 10:15, 38:1, 40:15 DEPOSITION [5] - 1:9, 1:14, 5:2, 5:5, 131:10 deposition [22] - 6:13, 7:16, 7:20, 7:21, 8:10, 9:9, 9:12, 10:8, 11:3, 11:9, 11:17, 11:20, 12:3, 12:6, 23:11, 42:11, 44:1, 130:4, 131:17, 131:19, 131:23, 132:1 Deposition [13] - 7:11, 20:8, 22:23, 34:7, 43:8, 49:25, 63:3, 68:7, 71:6, 80:19, 83:12, 98:18, 115:13 Deposition..... [1] - 3:11 depositions [1] - 11:6 Deputy [1] - 6:14 describe [4] - 12:17, 14:7, 43:1, 116:5 described [7] - 38:22, 40:20, 42:16, 47:21, 48:10, 99:21, 121:8 description [2] - 46:4, 130:13 DESCRIPTION [1] - 3:10 designation [2] - 24:24, 44:22 designations [1] - 44:24 detail [2] - 102:2, 111:7 detailing [1] - 95:7	details [3] - 20:5, 117:4, 117:10 determine [9] - 27:18, 33:22, 35:9, 36:8, 36:11, 40:5, 44:17, 60:24, 126:22 determined [1] - 60:17 devalue [2] - 82:21, 86:5 developed [1] - 70:16 DeVinney [2] - 63:24, 68:18 devoted [1] - 101:24 differences [2] - 72:16, 73:22 different [5] - 24:7, 38:3, 39:5, 41:12, 53:3 differential [19] - 79:23, 86:21, 87:4, 97:24, 98:3, 105:7, 105:17, 105:19, 105:24, 106:7, 106:11, 108:10, 108:18, 108:23, 108:25, 109:11, 109:16, 109:25, 110:10 DIRECT [1] - 6:21 direct [3] - 112:24, 114:4 Direct [1] - 3:5 directed [1] - 120:21 direction [1] - 86:13 Directions [2] - 3:19, 125:14 directly [9] - 81:24, 91:19, 112:15, 113:10, 114:9, 114:19, 119:3, 122:1, 122:2 director [1] - 15:24 disagree [1] - 88:12 discipline [1] - 17:18 disciplines [2] - 19:24, 127:2 disclaimer [2] - 31:23, 44:16	disclosed [1] - 115:16 disclosure [1] - 74:12 discomfort [2] - 107:13, 121:13 discourage [1] - 69:13 discuss [6] - 18:20, 52:8, 53:18, 82:8, 97:25, 102:1 discussed [9] - 47:22, 63:16, 63:21, 66:22, 75:25, 117:1, 118:4, 125:1, 127:24 discussing [5] - 64:12, 65:13, 102:11, 114:21, 125:9 discussion [4] - 37:25, 41:1, 65:6, 94:17 disgusting [1] - 86:13 dismissed [1] - 91:20 dissertation [7] - 13:24, 16:6, 75:9, 105:18, 106:12, 108:22, 110:8 dissertations [2] - 16:7, 16:10 Distinguished [1] - 14:21 distinguished [4] - 15:7, 15:10, 15:16, 108:25 distortion [1] - 75:10 distribution [1] - 79:15 DISTRICT [4] - 1:1, 1:1, 131:1, 131:1 District [2] - 23:2, 23:3 diverse [1] - 28:11 diversity [1] - 27:22 division [3] - 109:25, 110:6, 110:8 Division [3] - 2:9, 3:25, 91:18 DIVISION [2] - 1:2, 131:2

doc [1] - 23:23 document [17] - 8:8, 8:10, 23:1, 23:5, 23:24, 24:19, 32:19, 34:9, 34:13, 34:15, 63:5, 71:3, 71:19, 72:8, 99:18, 100:9, 130:14 Documentation [1] - 99:17 documents [11] - 11:16, 50:16, 54:20, 61:12, 61:18, 62:4, 71:8, 80:8, 99:3, 100:6, 100:7 Done [2] - 4:2, 72:13 done [4] - 11:8, 11:11, 110:16, 115:7 double [10] - 33:8, 33:13, 33:16, 33:19, 42:11, 42:18, 46:16, 47:22, 127:23 double-blind [9] - 33:8, 33:13, 33:19, 42:11, 42:18, 46:16, 47:22, 127:23 doubt [1] - 9:23 down [14] - 7:8, 7:23, 8:5, 43:17, 43:24, 44:11, 50:18, 83:23, 98:14, 101:18, 104:5, 104:20, 115:3, 125:10 download [1] - 71:23 Dr [36] - 6:13, 9:2, 51:13, 60:23, 61:22, 78:21, 79:9, 79:16, 79:17, 82:16, 87:10, 91:17, 91:18, 91:19, 91:20, 91:22, 91:25, 92:2, 92:4, 92:5, 92:7, 92:8, 92:17, 92:20, 93:12, 98:3, 100:13, 101:22, 104:23, 106:3, 106:13, 107:7, 107:10, 111:1	draft [5] - 24:2, 24:3, 24:5, 24:7, 24:8 drafted [1] - 91:1 drafting [1] - 115:21 draw [3] - 65:3, 74:2, 89:7 Drive [1] - 132:16 drives [1] - 50:15 drop [1] - 90:17 duly [4] - 1:16, 6:20, 131:17, 131:19 during [1] - 9:9 duties [3] - 27:12, 29:18, 29:20 dutifully [2] - 93:24, 116:11	78:4, 79:6, 79:14, 80:12, 85:5, 85:7, 86:22, 87:10, 88:5, 88:21, 89:10, 89:23, 91:15, 92:19, 93:5, 94:5, 94:6, 94:11, 94:14, 95:1, 95:4, 97:14, 97:15, 100:23, 100:24, 105:12, 112:15, 113:10, 114:9, 126:17 editor's [3] - 61:8, 88:25, 94:17 editor-in-chief [3] - 17:16, 17:20, 18:18 Editorial [3] - 90:24, 91:5, 99:15 editorial [15] - 21:9, 26:6, 29:6, 32:23, 37:8, 47:8, 54:6, 79:7, 79:8, 79:16, 87:8, 92:12, 95:1, 95:8 Editors [1] - 3:17 editors [15] - 31:2, 31:18, 32:4, 32:6, 32:19, 34:10, 36:13, 62:23, 65:23, 69:7, 78:19, 78:24, 79:17, 89:17, 104:13 editorship [1] - 89:9 editorships [1] - 77:12 edits [1] - 85:20 educate [1] - 45:7 Education [1] - 17:22 education [1] - 18:14 educational [1] - 12:17 effect [5] - 57:10, 98:7, 106:22, 107:22, 117:9 effort [1] - 57:12 egalitarianism [2] - 82:24, 86:8 either [5] - 23:3, 31:1, 48:7, 87:19, 105:20	Ellen [3] - 45:14, 45:21, 119:19 email [39] - 20:3, 20:7, 20:17, 20:24, 20:25, 21:8, 25:3, 25:12, 25:15, 26:22, 27:1, 50:1, 50:9, 50:21, 51:2, 51:16, 52:1, 52:3, 53:24, 61:14, 83:13, 85:12, 85:14, 98:22, 99:6, 100:8, 102:8, 102:19, 102:25, 102:24, 104:6, 104:21, 105:14, 115:16, 115:21, 115:24, 116:9 Email [3] - 3:12, 4:5, 4:9 emailed [1] - 50:20 Emails [1] - 3:20 emails [9] - 50:19, 51:10, 51:19, 60:23, 61:23, 100:22, 101:4, 101:16, 111:1 employed [2] - 21:25, 132:6 Employed [1] - 90:25 employment [2] - 13:14, 123:7 encounter [1] - 92:5 encourage [1] - 69:12 encouraged [1] - 127:3 end [5] - 9:4, 24:23, 26:11, 91:12, 96:15 ending [2] - 3:20, 4:5 Ending [1] - 3:12 endorsed [1] - 119:20 engraved [1] - 114:3 entered [1] - 13:12 entertained [1] - 114:22 entire [8] - 27:9, 44:6, 44:12, 75:2, 79:4,	103:4, 103:22, 106:19 entirely [5] - 15:13, 20:7, 20:24, 28:2, 92:25 entirety [2] - 7:24, 24:21 entitled [1] - 102:8 episode [2] - 91:9, 108:5 Especially [1] - 111:10 especially [3] - 32:25, 69:5, 79:12 essentially [8] - 17:9, 86:1, 87:14, 88:19, 90:7, 102:23, 102:12, 103:13 establish [1] - 54:20 esteemed [1] - 66:16 estimation [1] - 34:1 et [4] - 1:6, 3:21, 4:10, 131:6 ethical [1] - 34:10 Ethical [1] - 3:17 Ethics [2] - 30:22, 69:4 ethics [3] - 27:24, 28:12, 65:7 Ethnomusicolog y..... [1] - 3:25 Europe [1] - 70:16 evaluate [3] - 55:24, 66:10, 68:1 evaluating [3] - 36:14, 66:4, 76:9 evaluation [1] - 83:3 event [2] - 116:1, 116:7 eventually [2] - 60:10, 100:25 everyday [1] - 9:11 evidence [27] - 56:7, 56:10, 56:13, 56:21, 57:3, 57:19, 57:21, 57:22, 57:24, 58:11,	58:20, 58:25, 59:5, 59:18, 60:5, 60:17, 60:20, 61:2, 61:24, 66:2, 66:7, 66:14, 75:23, 88:7, 88:8, 107:21, 108:4 evolved [1] - 24:5 Ewell [12] - 45:20, 95:17, 95:24, 95:25, 96:7, 102:19, 112:2, 112:9, 113:6, 114:16, 114:20, 114:22 Ewell's [8] - 46:14, 85:22, 86:1, 87:15, 87:17, 88:19, 103:3, 103:21 exact [4] - 15:11, 16:16, 43:2, 117:20 exactly [9] - 7:17, 20:6, 29:10, 30:25, 46:2, 61:21, 84:23, 89:5, 117:1 examination [1] - 131:20 Examination [1] - 3:5 EXAMINATION [1] - 6:21 examine [6] - 7:18, 8:1, 8:3, 26:1, 55:18, 102:6 examined [2] - 67:14, 102:20 example [10] - 38:20, 43:5, 69:19, 70:18, 72:24, 72:25, 75:2, 75:3, 76:11, 77:7 examples [2] - 42:10, 85:15 except [1] - 130:5 exceptions [1] - 9:21 excerpt [1] - 44:15 exchanging [1] - 51:20 exclusively [2] - 26:19, 75:2 exculpatory [9] -

56:6, 56:13, 56:21, 57:3, 57:19, 58:11, 58:25, 59:5, 59:17 excuse [7] - 9:24, 25:6, 50:11, 63:11, 95:21, 100:22, 102:25 Excuse [2] - 29:18, 77:2 executed [1] - 130:15 exercised [1] - 89:13 exerted [1] - 107:10 Exhibit [68] - 3:11, 3:12, 3:15, 3:16, 3:18, 3:20, 3:23, 3:24, 4:2, 4:4, 4:5, 4:7, 4:9, 7:10, 7:11, 8:11, 20:8, 20:10, 20:18, 22:22, 22:23, 24:23, 34:5, 34:7, 34:8, 43:8, 43:10, 43:15, 49:24, 49:25, 50:2, 52:25, 53:5, 55:14, 55:16, 63:3, 63:5, 68:5, 68:7, 71:5, 71:6, 76:24, 77:5, 80:19, 80:21, 83:11, 83:12, 90:13, 90:19, 97:7, 98:16, 98:18, 98:19, 98:22, 101:7, 102:21, 102:4, 107:24, 111:19, 111:23, 112:8, 113:20, 115:12, 115:13, 124:10, 125:5, 125:9 exhibit [17] - 7:12, 7:18, 7:21, 8:1, 8:4, 8:14, 20:12, 25:3, 43:15, 76:16, 83:11, 98:15, 98:19, 111:21, 113:12, 125:7, 125:12 EXHIBITS [1] - 3:9 exhibits [3] - 7:7, 24:22, 24:24	existed [1] - 106:11 exists [1] - 74:17 expanded [3] - 25:7, 125:25, 127:17 expect [2] - 35:16, 35:19 experience [12] - 34:1, 35:6, 35:14, 36:13, 36:20, 39:23, 41:25, 42:15, 56:1, 73:7, 90:1, 94:4 experienced [1] - 126:17 experiences [2] - 68:2, 77:18 expert [1] - 125:15 expertise [4] - 36:16, 46:21, 48:16, 94:4 Expiration [1] - 132:14 Expires [3] - 130:22, 132:18, 132:18 explain [4] - 11:8, 21:21, 33:4, 55:22 explaining [1] - 52:16 explains [1] - 40:23 explanation [1] - 78:9 express [1] - 94:23 expressed [4] - 105:18, 106:24, 113:16, 130:15 extend [1] - 34:2 extension [1] - 103:23 extensive [1] - 95:6 extremely [1] - 85:6 eyed [1] - 50:17 eyes [1] - 50:16 F face [4] - 21:17, 52:10, 53:19 face-to-face [1] - 21:17 Facebook [6] -	4:4, 80:21, 80:25, 81:5, 81:23, 84:16 faced [1] - 121:14 facilitate [1] - 33:18 facing [1] - 122:3 fact [10] - 24:11, 30:10, 33:16, 35:5, 60:21, 65:24, 87:21, 100:2, 106:10, 113:21 facts [1] - 46:19 factual [1] - 113:18 faculty [9] - 45:15, 86:10, 111:22, 113:6, 113:11, 113:20, 117:17, 123:8, 127:2 failed [1] - 90:16 fair [9] - 10:18, 23:8, 28:20, 33:19, 43:6, 49:20, 51:10, 52:15, 89:19 fairly [3] - 31:15, 99:8, 100:10 fairness [1] - 23:6 false [1] - 112:8 familiar [7] - 32:5, 33:3, 41:4, 42:13, 64:6, 77:18, 110:4 family [1] - 11:1 famous [1] - 76:15 far [2] - 51:23, 53:1 fast [2] - 81:14, 90:23 fast-forward [1] - 81:14 fast-forwarding [1] - 90:23 favor [1] - 11:3 Fax [3] - 2:5, 2:10, 2:15 fear [2] - 106:25, 107:1 February [1] - 91:23 Federal [2] - 1:23, 5:8 feelings [1] - 121:12 felt [5] - 79:10, 80:12, 84:17,	98:7, 108:22 few [10] - 9:21, 11:21, 21:7, 52:4, 63:19, 85:18, 100:22, 102:24, 104:12, 125:2 field [14] - 33:22, 35:10, 38:4, 46:25, 66:17, 67:25, 69:11, 73:4, 89:2, 89:3, 108:21, 126:7, 126:9, 126:12 fields [2] - 82:22, 86:5 figure [1] - 61:12 file [1] - 115:17 filed [1] - 123:21 final [1] - 92:7 financially [1] - 132:8 fine [7] - 34:22, 55:6, 59:15, 62:19, 83:16, 85:18, 107:23 finish [3] - 76:21, 118:17, 118:21 finishing [1] - 13:25 fired [2] - 119:22, 123:16 Firm [1] - 132:17 first [24] - 6:20, 14:11, 20:22, 21:1, 24:3, 24:5, 24:7, 24:8, 25:3, 26:22, 27:12, 41:8, 42:7, 43:21, 52:17, 69:6, 72:9, 74:3, 76:1, 81:8, 85:18, 99:13, 101:19, 104:7 First [7] - 121:22, 122:3, 122:8, 122:14, 122:17, 122:19, 123:14 fit [2] - 89:16, 90:6 fits [1] - 35:2 five [3] - 25:24, 123:23, 126:9 five-member [1] - 25:24 flipping [2] - 111:18, 112:7 focus [8] - 27:9, 29:18, 29:20, 54:8, 56:2, 60:19, 61:5,	67:20 focused [4] - 26:18, 27:8, 28:2, 121:9 follow [12] - 21:24, 25:12, 35:17, 35:19, 35:21, 37:5, 39:23, 75:22, 81:4, 84:17, 94:3, 102:3 follow-up [4] - 21:24, 25:12, 75:22, 94:3 followed [9] - 26:1, 34:2, 35:15, 36:15, 39:20, 55:19, 67:21, 82:7, 92:6 following [5] - 19:23, 57:14, 71:3, 131:15, 131:24 follows [2] - 6:20, 28:6 FOR [6] - 1:1, 2:2, 2:7, 5:14, 130:20, 131:1 foregoing [2] - 130:4, 130:14 form [110] - 19:1, 19:16, 25:14, 25:17, 28:23, 29:25, 38:10, 39:10, 44:10, 46:23, 47:14, 47:23, 48:19, 49:7, 53:13, 54:16, 56:8, 56:14, 57:5, 57:20, 59:6, 60:11, 64:15, 65:17, 66:18, 67:3, 67:9, 67:15, 70:20, 70:24, 73:11, 73:15, 73:25, 75:18, 77:14, 78:2, 78:11, 80:25, 83:2, 85:9, 88:22, 89:4, 89:15, 89:24, 92:16, 92:22, 93:6, 94:7, 96:21, 98:2, 98:9, 99:22, 102:1, 102:5, 102:15, 102:22, 103:10,	103:15, 103:20, 104:4, 104:16, 105:15, 106:1, 106:9, 106:20, 107:4, 107:11, 107:20, 108:3, 108:8, 109:3, 109:9, 109:14, 109:19, 110:3, 111:6, 111:15, 111:25, 112:12, 112:19, 112:25, 113:8, 113:14, 114:1, 114:7, 114:17, 114:25, 116:19, 118:7, 118:25, 119:12, 119:16, 119:24, 120:2, 120:14, 120:19, 121:4, 121:6, 121:16, 121:23, 122:5, 123:1, 123:9, 124:20, 125:23, 126:3, 126:20, 127:10, 127:19 Form [1] - 10:19 formed [1] - 21:4 formerly [1] - 125:12 forms [3] - 33:6, 75:14, 75:20 forth [4] - 7:25, 12:19, 38:3, 123:17 forthcoming [1] - 105:1 forward [5] - 31:25, 66:15, 81:14, 115:8, 115:10 forwarding [2] - 90:22, 90:23 forwards [1] - 50:20 founded [2] - 18:1, 32:10 founding [2] - 17:21, 17:24 four [4] - 17:10, 49:4, 61:21, 117:6 Frank [2] - 43:13, 45:16 fraud [1] - 52:6 free [4] - 8:17, 10:7, 54:9, 64:11 freedom [11] - 27:3, 27:4,

27:15, 27:16, 53:11, 53:15, 54:2, 54:15, 122:15, 122:22, 123:15 freezing [3] - 96:15, 96:19 front [1] - 50:16 frozen [1] - 96:21 full [7] - 6:25, 14:1, 14:13, 14:14, 16:2, 41:3, 44:1 full-length [1] - 41:3 full-time [1] - 14:1 fully [1] - 47:21 funding [2] - 109:21, 110:7 future [5] - 65:10, 65:20, 66:24, 106:17, 108:19	39:22, 55:24, 95:6, 114:14, 131:18, 131:22 graduate [19] - 15:24, 15:25, 16:1, 16:4, 75:8, 77:10, 77:12, 77:19, 77:20, 78:4, 78:7, 78:10, 97:13, 106:11, 109:1, 109:17, 110:1, 119:21, 123:8 Graf [13] - 79:7, 79:14, 82:17, 87:10, 91:18, 92:4, 92:8, 97:10, 97:13, 97:22, 98:3, 106:13, 107:7 Graf's [1] - 97:12 great [5] - 9:4, 38:20, 71:12, 80:17, 111:7 Green [3] - 12:22, 13:3, 13:9 group [1] - 60:23 guarantee [1] - 35:20 guess [4] - 27:6, 39:13, 108:14, 118:3 guest [1] - 69:13 guide [1] - 34:9 Guide [1] - 3:16 guidelines [5] - 31:15, 34:16, 35:22, 66:1, 70:16 Guidelines [2] - 3:16, 34:9	61:4, 109:25, 110:6, 110:8 Head [1] - 91:18 heading [2] - 90:24, 111:17 health [2] - 117:7, 117:12 hear [12] - 9:5, 19:7, 19:10, 22:17, 22:18, 23:15, 23:17, 23:20, 53:6, 62:15, 102:17, 112:20 heard [5] - 19:18, 38:12, 42:11, 96:17, 102:12 hearing [1] - 5:20 hearsay [1] - 120:23 heavily [1] - 19:22 Heidberger [2] - 43:13, 45:16 held [3] - 14:9, 47:12, 118:6 help [4] - 20:21, 25:6, 64:2 helped [1] - 103:23 helps [2] - 62:13, 74:6 hereby [2] - 130:4, 131:14 hereto [1] - 1:25 hide [1] - 51:3 hiding [1] - 23:8 hierarchy [1] - 102:14 high [1] - 126:25 highest [1] - 27:23 highlight [2] - 26:10, 85:17 highlighted [5] - 28:6, 29:1, 52:1, 74:7, 84:25 highlighting [1] - 26:9 Hill [1] - 2:4 hired [2] - 13:24, 13:25 Historical [1] - 44:3 history [4] - 12:22, 12:23, 125:18, 125:19 History [1] - 3:25 Hmm [1] - 43:3 hoc [39] - 27:12, 29:9, 36:22,	50:4, 51:11, 52:7, 54:21, 57:19, 58:10, 58:25, 59:4, 59:16, 60:4, 63:11, 63:14, 63:22, 66:21, 68:5, 70:4, 72:16, 73:13, 73:21, 74:7, 77:9, 79:3, 88:18, 90:13, 98:24, 102:20, 102:24, 102:10, 102:20, 104:2, 107:25, 108:7, 109:8, 111:22, 123:13, 125:16 Hoc [23] - 3:13, 3:15, 3:21, 3:23, 11:13, 23:9, 24:22, 24:25, 55:14, 76:17, 76:25, 77:3, 79:22, 87:2, 90:19, 90:23, 91:2, 93:18, 93:23, 105:8, 108:6, 111:20, 113:12 hock [1] - 57:16 Hold [1] - 125:5 hoodwink [1] - 100:5 hope [3] - 50:14, 52:8, 53:17 Hope [1] - 101:22 Hopefully [1] - 62:3 hopefully [2] - 62:5, 76:21 hoping [1] - 34:20 hour [1] - 55:3 hours [1] - 12:12 HRS [2] - 132:2, 132:3 hum [29] - 9:14, 11:25, 12:16, 12:21, 29:14, 31:5, 33:1, 36:23, 45:10, 45:25, 46:18, 51:4, 51:8, 54:24, 57:17, 65:5, 65:8, 72:10, 74:5, 81:20, 82:20, 83:15, 84:9, 85:21, 88:3, 97:19, 101:6,	102:22, 115:18 I I-S-H-I-Y-A-M-A [1] - 7:5 idea [2] - 71:12, 96:3 ideas [1] - 89:2 identification [1] - 125:8 identified [2] - 28:7, 107:9 identify [4] - 39:14, 39:16, 70:10, 94:5 identity [5] - 33:9, 33:18, 103:6, 103:25, 130:14 ignorance [1] - 103:6 ignore [9] - 56:6, 56:12, 56:21, 57:19, 58:10, 58:20, 58:25, 59:5, 59:17 ignored [5] - 57:21, 57:22, 57:24, 86:20, 123:11 imagine [1] - 109:20 impartial [1] - 33:18 implicate [1] - 86:16 implicitly [2] - 103:7, 103:14 imply [1] - 89:10 important [1] - 88:11 improve [1] - 26:6 imputing [2] - 87:20 IN [1] - 130:20 inaccurate [1] - 47:25 inappropriate [12] - 36:12, 37:21, 38:16, 39:9, 39:11, 39:17, 39:19, 40:5, 77:13, 90:5, 117:7, 117:12 INC [1] - 132:15 inception [1] - 100:25 Incident [1] - 4:10 include [3] - 25:21, 69:15,	87:2 included [6] - 24:22, 49:9, 49:18, 54:2, 79:6, 79:9 includes [3] - 25:19, 44:4, 131:24 Including [1] - 69:22 including [5] - 54:6, 75:5, 82:21, 86:4, 100:11 inclusion [1] - 27:23 incorrect [2] - 41:21 incredibly [1] - 86:3 indeed [1] - 103:6 independence [2] - 78:23, 79:11 indicate [3] - 37:23, 85:2, 105:12 indicated [12] - 28:4, 44:14, 46:1, 48:7, 48:17, 61:25, 66:15, 71:17, 78:19, 82:3, 87:5, 100:20 indicates [1] - 116:9 indication [2] - 39:4, 44:8 indicative [1] - 105:16 indifference [2] - 87:13, 87:23 individual [1] - 63:18 individuals [2] - 62:8, 64:3 individual's [1] - 69:16 industry [1] - 49:16 infected [1] - 105:9 infer [1] - 88:23 influence [3] - 56:3, 57:1, 110:7 inform [1] - 34:16 information [10] - 54:9, 61:7, 81:12, 82:22, 86:6, 92:5, 96:1,
G gate [1] - 90:11 Gateway [1] - 1:22 geared [1] - 52:5 general [6] - 30:18, 41:17, 60:18, 72:23, 112:15, 114:11 General [5] - 2:8, 2:9, 2:14, 6:11, 6:15 General's [1] - 6:12 generally [4] - 47:6, 104:18, 112:13, 113:2 Generally [1] - 77:22 ghost [8] - 69:13, 69:18, 70:8, 70:12, 70:16, 70:19, 70:24, 75:24 Ghost [3] - 70:9, 74:10, 74:17 ghostwriting [2] - 74:3, 75:4 Ghostwriting [3] - 4:2, 72:14, 75:4 Given [4] - 42:15, 105:10, 115:19, 130:16 given [11] - 7:19, 30:16, 36:12, 38:16, 38:23,	H hand [1] - 130:16 handwriting [2] - 63:6, 63:12 Handwritten [1] - 3:23 happy [3] - 51:1, 81:2, 102:1 harassment [6] - 117:18, 117:23, 118:3, 122:12, 122:13, 123:15 hard [2] - 44:16, 126:22 he/she [1] - 130:15 head [5] - 9:15,				

102:18, 110:14, 131:22 informational [1] - 76:4 informed [4] - 46:2, 91:12, 91:14, 92:2 infringement [1] - 54:14 inherent [1] - 109:25 inherently [1] - 102:14 insistent [1] - 29:21 instance [4] - 1:15, 9:22, 85:16, 89:10 instances [1] - 116:8 instead [2] - 9:14, 70:11 institutions [1] - 12:19 instruct [1] - 9:24 instructed [1] - 55:18 Instructions [1] - 70:1 instructions [1] - 28:25 instrument [1] - 130:14 integrity [4] - 35:21, 52:9, 53:18, 94:18 intellectual [1] - 95:16 intend [1] - 22:5 intention [2] - 113:15, 124:9 interest [2] - 23:6, 61:3 interested [4] - 80:16, 82:6, 102:10, 132:9 interfere [1] - 8:25 internal [1] - 102:12 interpret [3] - 27:5, 117:21 interpreted [1] - 117:24 interrupt [3] - 8:17, 9:7, 42:1 interrupting [1] - 77:8 intervening [1] - 124:24 interview [4] -	61:15, 116:10, 118:5 interviewed [5] - 62:8, 77:10, 79:1, 108:14, 108:15 interviewing [1] - 51:21 interviews [3] - 68:15, 114:13, 115:1 intimate [1] - 103:24 introduce [2] - 7:15, 98:15 introduced [1] - 124:10 introducing [1] - 7:7 introductory [3] - 23:11, 74:8, 81:11 investigate [2] - 54:6, 56:3 investigating [3] - 28:17, 54:14, 73:8 investigation [26] - 29:8, 29:23, 30:10, 55:23, 56:20, 57:15, 60:4, 60:9, 61:16, 61:18, 64:9, 66:14, 73:24, 75:24, 81:10, 82:1, 97:12, 103:17, 108:1, 109:8, 120:4, 121:9, 121:24, 122:6, 122:11, 123:2 investigations [1] - 56:6 invitation [4] - 112:24, 113:2, 114:4 invite [3] - 60:8, 112:10, 114:19 invited [2] - 32:22, 112:15 invites [1] - 114:9 inviting [2] - 114:15, 114:22 involved [2] - 10:16, 10:17 involving [1] - 19:20 irrelevant [8] - 88:24, 103:18, 104:1, 107:25,	120:3, 122:6, 122:10, 123:2 ISHIYAMA [11] - 1:10, 1:14, 3:4, 5:2, 6:19, 129:2, 130:3, 130:8, 130:12, 131:10, 131:16 Ishiyama [43] - 3:13, 3:20, 4:6, 4:9, 6:13, 6:23, 7:2, 7:5, 7:13, 9:2, 10:13, 16:18, 20:19, 21:21, 22:21, 22:25, 23:16, 25:4, 30:18, 34:11, 38:2, 42:2, 43:15, 50:1, 50:3, 54:23, 55:13, 59:2, 63:9, 65:4, 71:18, 72:7, 76:18, 80:23, 83:14, 93:4, 97:6, 98:20, 98:23, 115:7, 115:22, 124:7, 128:6 issue [10] - 41:24, 44:15, 75:4, 82:4, 82:7, 92:14, 98:6, 104:6, 104:25, 105:2 issues [4] - 52:6, 54:9, 104:19, 122:12 italics [1] - 26:16 items [1] - 37:8 itself [4] - 49:18, 74:19, 77:13, 100:20 IX [9] - 116:22, 117:3, 118:2, 118:11, 119:15, 121:13, 121:14, 122:11, 123:5	78:8, 79:9, 79:16, 80:8, 82:16, 85:23, 86:9, 91:19, 91:20, 91:22, 91:25, 92:2, 92:5, 92:7, 92:17, 92:20, 93:12, 93:18, 98:23, 100:13, 100:24, 101:4, 101:22, 104:6, 104:23, 105:10, 105:21, 105:25, 106:3, 107:3, 107:10, 110:15, 111:1, 114:14, 116:12, 119:11, 119:22, 119:23, 121:14, 121:21, 122:2, 122:24, 123:16, 123:21 JACKSON [3] - 1:3, 4:4, 131:3 Jackson's [3] - 53:11, 53:24, 78:21 JACKSON 000208 [1] - 3:15 Jackson's [1] - 91:25 Jason [1] - 2:18 Jennifer [1] - 20:17 Jewish [2] - 103:6, 103:25 job [5] - 85:18, 86:12, 93:4, 94:9, 94:17 jobs [2] - 14:8, 16:13 John [6] - 7:2, 29:24, 30:1, 50:3, 52:3, 109:12 JOHN [12] - 1:10, 1:14, 3:4, 5:2, 6:19, 7:4, 129:2, 130:3, 130:8, 130:12, 131:10, 131:16 Journal [58] - 3:21, 3:23, 17:21, 18:22, 18:24, 19:12, 19:21, 21:9, 22:1, 22:6, 26:2, 28:8, 28:18, 30:11, 31:11, 36:9, 37:12,	39:15, 39:20, 39:23, 40:2, 48:15, 48:23, 55:20, 55:25, 58:2, 63:1, 63:6, 64:13, 66:2, 66:8, 66:11, 66:16, 67:23, 68:2, 72:18, 73:8, 73:10, 76:9, 78:1, 78:9, 78:16, 78:18, 80:2, 82:4, 85:7, 85:24, 95:20, 96:10, 100:9, 100:15, 100:23, 106:18, 107:18, 110:21, 114:15, 121:10, 124:25 journal [98] - 16:20, 17:12, 17:17, 17:24, 18:15, 18:21, 21:11, 31:24, 32:4, 33:4, 33:7, 35:16, 35:18, 36:17, 36:24, 37:3, 37:4, 37:7, 37:10, 37:14, 37:15, 37:16, 37:18, 37:19, 37:23, 38:8, 38:23, 39:4, 39:7, 40:19, 41:1, 41:9, 41:12, 41:17, 41:18, 42:8, 42:12, 42:18, 42:21, 42:23, 43:11, 44:2, 44:6, 45:12, 45:18, 46:13, 46:17, 48:2, 48:3, 48:11, 49:16, 49:18, 52:9, 53:19, 54:8, 61:7, 66:5, 66:6, 67:6, 67:24, 69:14, 70:15, 77:15, 77:17, 77:23, 80:17, 82:7, 82:12, 84:20, 86:2, 86:10, 86:17, 86:22, 87:5, 87:12, 88:5, 88:21, 89:2, 89:16, 89:18, 89:23, 90:6, 90:7, 93:5, 96:3, 97:11,	98:1, 98:12, 100:19, 102:13, 104:8, 124:17, 125:16, 126:1, 126:6, 127:7 journal's [2] - 54:6, 125:13 journal/field [1] - 36:1 journals [23] - 17:6, 17:14, 17:22, 33:21, 35:9, 35:19, 37:6, 38:13, 48:4, 49:12, 65:14, 65:22, 65:25, 67:19, 69:8, 69:19, 73:2, 89:11, 94:5, 104:14, 126:18 JSS [3] - 99:16, 104:24, 108:12 judge [2] - 58:1, 118:1 judging [1] - 83:20 judgment [1] - 47:16 judgments [2] - 79:12, 120:11 JULIA [1] - 132:15 July [4] - 80:1, 80:22, 81:24, 106:8 jump [1] - 96:16 junior [1] - 127:2 jury [1] - 33:3
					K
					Karen [2] - 63:24, 68:18 key [3] - 88:4, 88:6, 88:10 kicked [1] - 103:4 KIM [1] - 131:13 Kim [3] - 1:18, 53:6, 132:14 kind [11] - 40:13, 40:23, 41:2, 41:4, 70:22, 75:24, 96:16, 96:17, 102:18, 117:18, 127:16 kinds [6] - 19:23, 38:3, 38:22, 51:19, 89:13, 122:12 knowledge [7] -

37:13, 44:18, 63:9, 67:17, 87:21, 87:22 known [1] - 130:12 knows [1] - 33:9	length [1] - 41:3 less [1] - 95:7 letter [1] - 99:19 letters [1] - 99:2 level [2] - 15:23, 126:25 levels [1] - 102:14 Levi [32] - 77:10, 79:1, 79:2, 79:10, 79:25, 80:21, 81:6, 81:23, 82:16, 83:13, 86:22, 89:19, 91:12, 91:14, 92:4, 92:19, 94:1, 94:2, 97:20, 99:17, 100:22, 101:12, 104:21, 105:10, 106:7, 106:16, 107:19, 108:4, 108:17, 109:2, 110:2 liberty [2] - 125:4, 125:11 library [1] - 64:11 light [3] - 56:1, 82:23, 86:7 likely [1] - 102:12 Likewise [1] - 8:21 line [6] - 20:20, 23:1, 36:4, 48:1, 50:4, 99:21 link [5] - 71:1, 75:1, 76:3, 76:10, 76:12 linked [1] - 52:19 list [3] - 43:18, 68:13, 111:13 List [1] - 3:18 listed [2] - 45:11, 55:25 Literature [1] - 72:14 literature [1] - 72:17 Literature..... [1] - 4:3 Litigation [1] - 2:9 litigation [2] - 10:25, 11:4 Live [1] - 2:13 LLC [1] - 2:3 look [4] - 34:18, 68:25, 83:23, 100:13 looked [1] - 52:3 looking [5] - 61:10, 99:13,	100:7, 100:11, 124:11 looks [6] - 14:9, 46:14, 83:17, 83:19, 84:5, 99:11 lose [1] - 20:16 lv.g.dallas@ gmail.com [1] - 2:18 lying [1] - 108:5	M	m.allen@allen [1] - 2:5 m.allen@allen- lawfirm.com [1] - 2:5 machine [1] - 1:21 Madam [2] - 34:5, 58:6 mail [3] - 2:5, 2:11, 2:16 mails [1] - 95:6 maintain [2] - 52:9, 53:18 maintained [1] - 51:16 major [1] - 32:7 maker [1] - 80:14 management [1] - 54:7 manuscript [3] - 74:11, 74:18, 74:19 mark [14] - 7:9, 20:9, 20:15, 22:22, 34:4, 43:9, 49:23, 63:5, 68:4, 71:4, 80:20, 83:11, 103:7, 115:11 MARKED [1] - 3:10 marked [16] - 7:11, 20:8, 22:23, 34:7, 34:8, 43:8, 49:25, 52:24, 63:3, 68:7, 71:6, 80:19, 83:12, 98:18, 98:19, 115:13 marker [1] - 38:13 market [1] - 16:15 marking [1] - 50:2 marshal [1] - 94:9 Mary [8] - 2:8,	6:10, 9:19, 44:20, 96:20, 128:2, 131:20, 132:3 Mary.Quimby@ oag.texas.gov [1] - 2:11 Master's [5] - 12:22, 13:4, 13:9, 13:17, 13:20 materials [3] - 49:1, 81:6, 127:1 Materials [1] - 4:7 matter [5] - 6:13, 41:18, 87:13, 87:22, 95:12 matters [1] - 116:21 Matthew [2] - 24:4, 24:7 mean [23] - 10:20, 12:18, 16:23, 31:3, 33:3, 42:5, 42:21, 51:10, 56:25, 57:6, 79:19, 79:20, 93:7, 94:8, 94:9, 94:24, 96:20, 99:7, 104:17, 108:17, 116:6, 120:24, 124:22 meaning [8] - 30:18, 33:8, 60:6, 70:10, 79:16, 90:6, 103:21, 112:2 means [3] - 33:5, 33:13, 56:9 meant [5] - 27:1, 71:7, 74:6, 92:17, 113:10 media [2] - 19:8, 70:22 medical [4] - 72:17, 72:23, 73:1, 76:8 Medical [2] - 4:3, 72:14 Medicine [1] - 4:2 meet [3] - 12:8, 84:1, 102:7 meeting [6] - 21:7, 21:17, 83:18, 84:8, 84:18, 88:23 meetings [1] - 63:16 member [7] -	25:24, 45:15, 59:16, 72:15, 86:10, 88:18, 125:15 members [10] - 25:25, 50:4, 51:21, 63:14, 70:4, 87:18, 98:24, 111:13, 117:17, 123:23 memory [2] - 20:21, 64:2 mention [7] - 30:2, 39:19, 54:2, 67:6, 80:10, 98:6, 107:13 mentioned [13] - 17:5, 18:15, 23:11, 25:12, 56:24, 65:19, 67:12, 74:19, 75:21, 80:3, 82:15, 98:3, 115:2 mentions [1] - 100:12 mentorship [1] - 16:13 message [8] - 20:2, 20:3, 50:18, 60:16, 61:7, 99:8, 100:1, 100:3 messages [1] - 106:16 met [2] - 20:5, 21:17 methods [4] - 35:10, 57:15, 59:11, 124:18 MHTE [3] - 91:18, 110:1 Michael [4] - 2:3, 6:8, 50:6, 132:2 Michigan [4] - 12:24, 13:5, 13:6 mid [1] - 105:1 mid-December) [1] - 105:1 middle [1] - 7:4 midst [1] - 61:16 might [9] - 38:23, 57:1, 69:15, 75:3, 104:8, 107:18, 107:19, 124:16, 124:22 military [1] - 84:3 MIN [2] - 132:2,	132:3 mind [4] - 105:3, 115:5, 115:8 mindful [1] - 31:18 mine [1] - 96:15 Minimally [1] - 33:10 minor [1] - 108:11 misappropriatio n [5] - 74:24, 75:5, 75:14, 75:19, 75:25 MISCELLANEO US [1] - 5:17 mischaracterize [1] - 124:15 misconduct [1] - 75:17 misheard [1] - 64:5 misrepresenting [2] - 55:1, 102:11 mission [3] - 89:16, 89:17, 90:6 misspoke [1] - 79:19 mistaken [1] - 53:23 misunderstood [1] - 22:10 mixed [1] - 125:6 modifications [1] - 92:10 moment [4] - 62:7, 81:7, 84:2, 102:4 Monday [1] - 102:6 months [1] - 85:18 morning [2] - 6:23, 6:24 most [7] - 17:18, 28:11, 65:22, 65:25, 73:9, 78:20, 87:17 mostly [1] - 52:5 move [2] - 73:20, 101:18 moves [1] - 91:8 MR [35] - 6:5, 6:8, 6:14, 6:16, 6:22, 7:6, 20:9, 20:14, 22:17, 22:20, 23:15, 23:20, 34:4, 43:9, 49:23, 53:6,

55:4, 58:6, 63:4, 64:24, 68:4, 71:11, 71:15, 72:1, 80:20, 83:10, 90:15, 96:19, 96:24, 98:13, 115:11, 123:25, 125:4, 128:1, 128:5 MS [115] - 6:10, 10:19, 19:1, 19:16, 23:14, 25:17, 28:23, 29:25, 38:10, 39:10, 44:10, 46:23, 47:14, 47:23, 48:19, 49:7, 53:13, 54:16, 55:2, 55:7, 56:8, 56:14, 57:5, 57:20, 59:6, 60:11, 64:15, 65:17, 66:18, 67:3, 67:9, 67:15, 71:7, 71:13, 71:22, 73:11, 73:15, 73:25, 75:18, 77:14, 78:2, 78:11, 83:2, 84:22, 85:9, 88:22, 89:4, 89:15, 89:24, 92:16, 92:22, 93:6, 94:7, 96:13, 98:2, 98:9, 99:22, 102:1, 102:5, 102:15, 102:22, 103:10, 103:15, 103:20, 104:4, 104:16, 105:15, 106:1, 106:9, 106:20, 107:4, 107:11, 107:20, 108:3, 108:8, 109:3, 109:9, 109:14, 109:19, 110:3, 111:6, 111:15, 111:25, 112:12, 112:19, 112:25, 113:8, 113:14, 114:1, 114:7, 114:17, 114:25, 116:19, 118:7, 118:25, 119:12, 119:16, 119:24, 120:2, 120:14, 120:19, 121:4, 121:6,	121:16, 121:23, 122:5, 123:1, 123:9, 124:20, 125:23, 126:3, 126:20, 127:10, 127:19, 128:3 multi [1] - 73:22 multi-authored [1] - 73:22 multidisciplinary [1] - 25:24 multiple [8] - 31:8, 31:25, 33:6, 47:7, 73:2, 88:7, 91:15 Music [17] - 19:5, 25:25, 29:24, 30:9, 30:12, 44:3, 46:8, 67:7, 95:18, 95:22, 103:3, 106:19, 109:13, 109:17, 109:18, 111:14, 127:7 music [17] - 28:9, 28:10, 33:22, 33:23, 35:9, 35:16, 45:11, 45:23, 72:17, 73:9, 73:24, 95:16, 105:11, 125:18, 125:19, 126:15, 126:16 must [2] - 7:8, 22:10	54:5, 54:17, 59:8, 121:9 nature [6] - 32:12, 40:23, 50:19, 52:16, 89:3, 124:19 navigate [1] - 101:3 necessarily [3] - 44:24, 47:10, 74:25 necessary [1] - 9:15 need [8] - 7:18, 9:6, 10:6, 77:8, 81:13, 93:15, 102:23, 117:18 needed [1] - 84:17 needs [1] - 49:21 Never [1] - 18:8 never [2] - 48:22, 120:1 New [2] - 3:17, 95:16 new [1] - 34:10 next [4] - 14:3, 98:15, 104:5, 114:23 nice [1] - 104:25 NO [4] - 1:5, 5:4, 131:5, 132:14 non [2] - 18:13, 78:7 non-graduate [1] - 78:7 none [1] - 18:19 nonetheless [1] - 95:19 nonverbal [1] - 9:10 normal [1] - 97:25 normally [1] - 65:22 North [28] - 1:21, 1:22, 2:13, 2:14, 6:15, 14:14, 14:17, 14:20, 15:7, 15:22, 18:22, 27:2, 27:14, 43:11, 43:13, 43:21, 45:16, 62:8, 62:10, 62:20, 62:24, 62:25, 64:4, 65:15, 67:8, 67:18, 122:22, 127:8 NOTARY [1] - 130:20	Notary [1] - 132:18 note [3] - 44:14, 45:1, 64:10 noted [2] - 65:7, 130:5 Notes [3] - 3:23, 69:2, 69:3 notes [12] - 44:16, 63:10, 63:15, 63:17, 63:19, 63:21, 64:21, 68:5, 68:11, 68:19, 68:24, 70:6 nothing [7] - 44:15, 44:16, 60:21, 97:18, 114:15, 114:18, 122:13 Notice [2] - 3:11, 5:6 notion [1] - 60:7 notions [1] - 56:10 notwithstanding [1] - 10:2 November [10] - 11:12, 23:10, 91:2, 101:10, 102:9, 102:25, 104:5, 104:22, 131:21 number [7] - 16:16, 36:5, 65:2, 65:4, 100:6, 115:19, 125:8 Number [16] - 7:11, 20:8, 22:23, 34:7, 35:25, 43:8, 49:25, 52:25, 63:3, 68:7, 71:6, 80:19, 83:12, 97:7, 98:18, 115:13 NUMBER [2] - 3:10, 5:14 numbered [2] - 1:17, 52:17 numbers [2] - 64:25, 65:2 numeral [1] - 52:17 numerous [1] - 17:2	O oath [1] - 130:13 object [2] - 9:19, 105:18 objecting [1] - 107:17 Objection [106] - 19:1, 19:16, 25:17, 28:23, 29:25, 38:10, 39:10, 44:10, 46:23, 47:14, 47:23, 48:19, 49:7, 53:13, 54:16, 56:8, 56:14, 57:5, 57:20, 59:6, 60:11, 64:15, 65:17, 66:18, 67:3, 67:9, 67:15, 73:11, 73:15, 73:25, 75:18, 77:14, 78:2, 78:11, 83:2, 84:22, 85:9, 88:22, 89:4, 89:15, 89:24, 92:16, 92:22, 93:6, 94:7, 96:13, 98:2, 98:9, 99:22, 102:1, 102:5, 102:15, 102:22, 103:10, 103:15, 103:20, 104:4, 104:16, 105:15, 106:1, 106:9, 106:20, 107:4, 107:11, 107:20, 108:3, 108:8, 109:3, 109:9, 109:14, 109:19, 110:3, 111:6, 111:15, 111:25, 112:12, 112:19, 113:8, 113:14, 114:1, 114:7, 114:17, 114:25, 116:19, 118:7, 118:25, 119:16, 119:24, 120:2, 120:14, 120:19, 121:6, 121:16, 121:23, 122:5, 123:1, 123:9, 124:20, 125:23, 126:3, 126:20,	127:10, 127:19 objection [3] - 5:18, 10:2, 73:18 objections [1] - 96:17 objective [6] - 55:23, 56:5, 56:12, 56:16, 56:19, 56:20 objectively [6] - 26:1, 55:18, 56:9, 56:11, 60:5, 68:2 objectivity [5] - 56:22, 56:25, 57:6, 57:13, 59:20 obligation [2] - 9:20, 67:23 obligations [1] - 27:12 observation [1] - 104:1 observed [1] - 26:5 obviously [1] - 63:22 Obviously [2] - 7:20, 43:25 occasions [1] - 116:13 occurred [2] - 104:7, 120:1 occurrence [1] - 92:6 occurs [1] - 74:10 October [9] - 50:11, 50:12, 50:21, 50:24, 52:2, 98:24, 99:18, 131:20, 132:10 odd [2] - 78:14, 78:25 OF [11] - 1:1, 1:9, 1:14, 5:2, 5:14, 130:10, 130:11, 130:20, 131:1, 131:9, 131:10 off-beat [1] - 112:14 offer [1] - 28:10 offered [1] - 114:3 offering [1] - 85:20 office [1] - 130:16 Office [2] - 2:14, 6:12 officer [1] -

131:23 official [3] - 14:21, 24:13, 30:11 officially [1] - 86:22 often [3] - 77:19, 126:10, 126:11 oftentimes [1] - 33:11 old [2] - 10:16, 11:5 once [2] - 20:5, 88:1 oncoming [1] - 100:23 One [4] - 7:17, 62:16, 101:10, 110:15 one [37] - 5:18, 7:20, 16:14, 24:16, 26:15, 27:6, 35:2, 35:23, 38:5, 41:2, 50:23, 50:24, 50:25, 51:15, 53:3, 53:4, 62:13, 63:18, 64:10, 70:4, 76:12, 79:2, 82:16, 82:19, 83:24, 86:4, 96:9, 101:11, 101:17, 102:24, 105:11, 111:18, 113:1, 115:5, 115:6, 124:7 one-size-fits-all [1] - 35:2 ones [4] - 31:9, 31:10, 33:7, 78:20 online [1] - 64:11 open [3] - 70:15, 71:20, 71:23 operating [2] - 62:9, 64:3 operations [1] - 67:11 opinion [6] - 37:8, 58:19, 59:12, 59:15, 94:15, 125:15 opportunity [8] - 28:10, 54:11, 112:3, 113:4, 113:7, 113:22, 113:24, 114:3 opposed [2] -	71:23, 81:12 opposition [1] - 27:22 oral [1] - 131:17 ORAL [3] - 1:9, 1:14, 131:10 Order [1] - 5:7 order [1] - 68:14 ordinary [4] - 10:18, 51:11, 51:19, 89:22 ORIGINAL [1] - 5:10 originality [1] - 126:25 Otherwise [1] - 10:1 otherwise [1] - 132:9 ourselves [1] - 45:7 outcome [1] - 132:9 outline [1] - 61:23 outlined [1] - 32:19 outside [2] - 25:25, 57:1 over-spoke [1] - 122:9 own [2] - 69:7, 87:8 ownership [1] - 70:10	PAGE [1] - 3:1 Page [1] - 3:18 PAGE/LINE [1] - 129:4 pages [5] - 8:8, 46:15, 81:3, 125:12 panel [66] - 25:16, 25:24, 25:25, 26:3, 26:20, 27:12, 28:16, 29:8, 29:9, 29:17, 29:19, 32:12, 36:22, 45:11, 45:24, 46:10, 50:4, 51:11, 52:8, 52:11, 53:17, 53:21, 54:10, 57:16, 57:19, 58:10, 58:21, 58:24, 58:25, 59:4, 59:16, 60:4, 63:14, 63:22, 66:21, 68:6, 70:4, 72:16, 73:13, 73:21, 74:7, 77:9, 79:3, 81:24, 87:23, 88:19, 90:14, 91:12, 91:14, 91:21, 98:24, 102:20, 102:24, 102:10, 102:19, 102:20, 104:2, 108:7, 109:8, 111:23, 123:13, 123:17, 123:24, 125:16, 125:24 Panel [22] - 3:13, 3:15, 3:21, 11:13, 23:10, 24:22, 24:25, 55:14, 76:17, 76:25, 77:3, 79:22, 87:3, 90:19, 90:23, 91:2, 93:18, 93:23, 105:8, 108:6, 111:20, 113:13 panel's [3] - 54:5, 63:19, 107:25 paper [14] - 40:24, 41:2, 41:15, 41:18, 46:5, 80:13, 95:15, 102:11, 102:18, 102:11, 102:13,	103:3, 103:13 paper's [1] - 103:5 Papers [1] - 110:18 papers [16] - 38:22, 40:18, 41:22, 46:13, 48:17, 48:20, 48:22, 49:20, 95:19, 95:23, 110:21, 111:5, 112:8, 112:9, 112:24, 127:16 Paragraph [1] - 53:14 paragraph [12] - 25:23, 26:19, 27:1, 27:8, 27:20, 28:6, 29:1, 29:13, 52:17, 53:8, 53:23, 74:9 paragraphs [4] - 26:15, 81:8, 81:11, 91:11 part [29] - 7:14, 13:19, 24:14, 24:25, 26:16, 27:11, 35:12, 36:21, 41:8, 41:10, 45:23, 54:22, 60:13, 64:17, 65:21, 69:4, 74:24, 81:10, 81:21, 81:25, 88:25, 91:2, 94:16, 97:16, 98:6, 110:25, 116:16, 122:19 part-time [1] - 13:19 partes [1] - 131:24 partially [1] - 62:1 particular [6] - 44:15, 45:1, 72:21, 76:5, 102:11, 105:3 particularly [3] - 31:17, 34:22, 127:3 parties [2] - 5:19, 132:6 parts [2] - 36:19, 105:22 party [2] - 5:18, 131:25 pass [1] - 128:1	passage [1] - 82:15 passed [1] - 13:21 Passion [1] - 102:1 past [2] - 115:6, 125:7 patience [1] - 97:6 pay [2] - 80:17, 123:10 PDF [6] - 32:19, 52:23, 52:24, 53:2, 65:1 pear [1] - 94:18 pear-review [1] - 94:18 peculiar [1] - 91:9 Peer [1] - 34:24 peer [79] - 16:19, 16:20, 16:22, 17:6, 18:7, 18:13, 18:18, 31:17, 31:22, 32:25, 33:1, 33:4, 33:5, 33:6, 33:8, 33:19, 33:24, 35:3, 35:10, 35:24, 35:25, 36:8, 36:18, 36:25, 37:4, 37:6, 37:7, 37:9, 37:10, 37:13, 37:15, 37:16, 37:18, 37:19, 37:24, 38:14, 39:6, 39:15, 40:3, 41:10, 41:20, 41:24, 42:11, 42:19, 44:9, 45:8, 46:16, 46:22, 46:24, 47:4, 47:10, 47:13, 47:18, 47:21, 47:22, 47:24, 48:5, 48:6, 48:10, 48:13, 48:18, 49:4, 54:7, 56:24, 57:11, 77:23, 90:8, 94:10, 94:20, 94:21, 95:3, 104:14, 126:24, 127:9, 127:13, 127:21, 127:22, 127:23 Peer-Review [1] - 34:24	peer-review [11] - 35:3, 35:24, 35:25, 36:8, 47:10, 56:24, 57:11, 94:10, 94:21, 127:22, 127:23 peer-reviewed [17] - 16:19, 16:20, 18:13, 37:4, 37:7, 37:9, 37:16, 37:18, 39:6, 42:19, 47:4, 47:18, 47:21, 48:10, 77:23, 104:14, 127:21 peers [1] - 46:24 people [12] - 22:17, 33:14, 40:16, 50:16, 51:20, 66:20, 86:12, 93:5, 94:6, 95:24, 95:25, 126:9 people' [1] - 92:1 perfect [1] - 77:7 perfectly [1] - 8:18 perhaps [6] - 49:1, 56:23, 75:9, 93:15, 109:22, 110:7 permitted [1] - 33:17 person [5] - 12:2, 27:7, 112:14, 114:10, 130:14 personally [1] - 130:12 pertains [1] - 51:23 perusal [2] - 44:7, 114:14 perused [1] - 82:19 petition [1] - 119:20 Ph.D [19] - 1:10, 1:15, 3:4, 5:2, 6:19, 12:24, 13:6, 13:17, 13:20, 16:7, 16:11, 97:14, 127:1, 129:2, 130:3, 130:8, 130:12, 131:10, 131:16 Ph.D.s [1] - 16:5 phase [5] - 23:11,

42:5, 42:6, 42:7, 42:10 Philip [13] - 45:20, 46:14, 85:22, 87:15, 87:16, 88:19, 95:17, 96:7, 102:19, 103:2, 112:2, 112:9, 113:6 phone [1] - 20:3 phrase [1] - 79:23 piece [6] - 42:9, 45:21, 90:8, 91:15, 95:2, 96:7 pieces [5] - 37:8, 88:7, 91:23, 92:9, 94:25 place [1] - 118:2 placed [2] - 23:1, 93:22 placing [1] - 16:11 plagiarism [2] - 52:6, 75:17 plaintiff [3] - 10:21, 11:1, 93:16 PLAINTIFF [1] - 2:2 Plaintiff [5] - 1:4, 1:16, 6:9, 131:4, 132:2 plenary [2] - 95:17, 103:4 plop [2] - 71:15, 115:14 plopped [2] - 81:18 PLOS [1] - 70:13 PLoS [4] - 4:2, 69:19, 70:9, 70:13 point [5] - 7:18, 19:23, 30:17, 44:20, 79:18 pointed [2] - 75:4, 108:12 points [1] - 63:17 poli [2] - 15:19, 89:11 poli-sci [1] - 15:19 poli-science [1] - 89:11 policies [1] - 52:6 policy [6] - 52:5, 69:11, 116:17, 122:22, 122:25, 123:15	Political [6] - 14:23, 14:25, 17:16, 17:21, 17:23, 18:4 political [7] - 12:21, 12:24, 14:16, 18:14, 35:17, 89:11, 126:17 poor [1] - 114:12 poorly [1] - 90:7 pop [1] - 6:18 portion [1] - 7:19 position [3] - 15:6, 85:7, 118:6 possibility [1] - 114:22 possible [1] - 105:23 Post [1] - 4:4 post [2] - 80:21, 84:16 Potential [1] - 3:24 power [21] - 79:15, 79:23, 82:14, 86:21, 87:4, 97:23, 98:3, 105:7, 105:16, 105:19, 105:23, 106:6, 106:11, 108:9, 108:18, 108:22, 108:25, 109:11, 109:16, 109:25, 110:10 practice [24] - 26:4, 33:23, 38:9, 39:12, 39:14, 47:17, 48:10, 48:13, 48:18, 49:15, 56:18, 56:23, 58:16, 58:18, 58:24, 59:17, 59:22, 59:24, 66:25, 78:18, 112:17, 112:23, 114:9 practices [20] - 21:11, 34:2, 34:16, 35:15, 35:17, 35:19, 39:20, 39:23, 57:18, 57:23, 57:25, 58:2, 58:10, 58:20, 62:22, 65:23, 66:6, 67:24,	68:2, 92:12 precautions [1] - 61:3 precisely [1] - 59:11 preconceived [2] - 56:10, 60:6 prejudice [5] - 56:10, 57:2, 57:4, 57:9, 60:6 preoccupation [1] - 89:20 preparation [3] - 11:17, 11:19, 12:2 prepare [1] - 11:8 prepared [2] - 52:8, 53:18 PRESENT [1] - 2:18 present [2] - 14:10, 40:17 presentation [8] - 38:6, 38:15, 42:6, 42:8, 85:22, 95:17, 95:22, 103:2 presentations [2] - 38:24, 125:24 presented [2] - 41:2, 46:11 presents [1] - 41:15 president [1] - 39:3 presidential [3] - 38:12, 39:2, 39:5 Press [13] - 18:22, 43:12, 62:10, 62:20, 64:4, 64:12, 64:13, 65:15, 65:20, 67:8, 67:18, 69:4, 127:8 press [3] - 66:21, 67:1, 67:11 pressure [5] - 107:7, 107:8, 107:9, 107:10, 107:19 prevent [3] - 61:3, 69:18, 71:13 prevents [1] - 9:12 previous [7] - 50:18, 52:3, 52:25, 54:22, 58:7, 83:24, 87:10	previously [1] - 67:14 primary [1] - 16:6 principles [6] - 62:6, 62:19, 65:15, 65:19, 66:22, 67:19 print [4] - 83:16, 112:4, 113:7, 114:3 printout [1] - 81:1 private [1] - 101:25 privilege [1] - 9:22 pro [2] - 95:24, 96:6 pro-Ewell [1] - 95:24 problem [3] - 78:22, 87:5, 87:6 problematic [2] - 98:4, 103:24 problems [1] - 108:12 Procedure [2] - 1:23, 5:8 procedures [3] - 69:12, 89:9, 89:20 proceed [1] - 92:8 proceeded [1] - 60:7 proceeding [2] - 91:16, 132:7 proceedings [9] - 5:20, 16:25, 40:14, 41:7, 41:8, 41:11, 41:14, 42:25, 118:5 Proceedings [1] - 128:10 Process [2] - 34:24, 99:15 process [37] - 32:24, 35:3, 35:20, 35:24, 35:25, 36:9, 36:25, 37:5, 37:20, 40:20, 41:5, 42:14, 47:10, 47:11, 48:9, 54:23, 56:24, 58:1, 60:22, 60:25, 61:23, 61:25, 65:19, 82:7, 82:9, 82:25,	83:4, 86:24, 92:25, 94:10, 94:18, 94:22, 100:9, 111:11, 123:3, 127:23, 127:24 Processes [2] - 90:25, 91:5 processes [22] - 21:9, 21:25, 22:6, 26:1, 26:6, 29:6, 31:13, 40:2, 54:6, 54:7, 55:18, 55:25, 56:3, 57:11, 60:19, 64:17, 66:5, 66:12, 80:17, 86:16, 124:25 produced [5] - 1:15, 16:4, 60:10, 60:22, 80:12 producing [1] - 67:20 Producing [1] - 5:12 production [7] - 26:2, 54:8, 55:19, 56:4, 64:17, 64:23, 65:19 professional [4] - 14:8, 27:24, 126:25, 127:17 Professor [57] - 6:23, 7:12, 10:13, 14:22, 16:18, 19:25, 20:19, 21:3, 21:21, 22:20, 22:25, 23:16, 25:4, 30:18, 34:11, 38:2, 42:2, 43:15, 50:1, 54:23, 55:13, 59:1, 63:8, 63:10, 65:3, 71:18, 72:7, 76:18, 80:23, 83:14, 93:4, 93:17, 97:6, 97:10, 97:12, 97:13, 97:22, 98:19, 98:23, 100:24, 101:4, 103:2, 105:9, 105:21, 105:24, 107:3, 108:17, 114:15,	114:19, 114:22, 115:1, 115:7, 115:22, 115:25, 121:25, 124:7, 128:5 professor [11] - 13:22, 14:13, 14:14, 15:8, 15:16, 16:2, 43:12, 95:16, 100:22, 105:11, 109:1 program [5] - 13:12, 40:25, 42:17, 46:5, 63:10 promote [1] - 69:10 prompted [3] - 106:7, 106:25, 107:1 pronounce [1] - 99:13 pronunciation [1] - 79:2 protect [1] - 85:24 proved [1] - 130:13 provide [1] - 32:17 provided [4] - 61:7, 76:3, 76:10, 80:8 provisions [1] - 1:24 Provost [6] - 19:2, 19:10, 20:2, 20:25, 21:12, 27:7 provost [3] - 24:12, 28:1, 28:25 précis [4] - 40:22, 42:17, 42:21, 46:3 pseudonym [2] - 70:11, 70:22 public [6] - 26:13, 31:13, 38:15, 64:13, 80:1, 95:15 PUBLIC [1] - 130:20 Publication [2] - 30:21, 69:3 publication [22] - 26:5, 31:16, 31:18, 31:20, 35:23, 37:1, 38:17, 41:16,

42:8, 61:1, 61:4, 65:7, 69:17, 70:20, 74:23, 83:1, 91:8, 92:8, 95:8, 95:12, 107:17, 121:10 publications [11] - 12:14, 16:17, 37:3, 38:6, 42:22, 72:24, 76:8, 77:20, 78:25, 126:18 publicly [1] - 31:24 publish [7] - 18:6, 18:17, 20:10, 37:6, 73:2, 77:20, 100:16 published [36] - 16:21, 17:2, 18:11, 18:21, 19:21, 38:8, 38:13, 38:23, 39:3, 40:14, 40:19, 41:4, 41:9, 41:18, 42:9, 42:12, 42:18, 43:11, 43:20, 45:14, 46:16, 47:20, 63:1, 65:14, 66:8, 66:15, 70:15, 72:17, 78:6, 80:1, 81:23, 86:17, 95:23, 101:1, 125:25, 127:7 publishers [1] - 32:7 publishes [4] - 36:17, 37:19, 67:19, 77:23 publishing [8] - 21:11, 39:24, 41:13, 69:7, 75:15, 75:20, 75:24, 127:16 pull [1] - 115:3 purportedly [1] - 100:9 purports [1] - 99:2 purpose [5] - 73:19, 85:17, 89:2, 115:24, 130:15 purposes [1] - 76:4 pursuant [2] - 1:23, 131:22	PURSUANT [1] - 5:5 pursue [3] - 62:23, 65:23, 68:14 purview [1] - 64:8 push [2] - 90:16, 90:17 put [7] - 10:2, 30:10, 65:9, 93:9, 98:14, 98:20, 107:19 puts [1] - 31:25 putting [2] - 71:17, 107:19 puzzled [1] - 93:3 Q Quaker [1] - 2:4 qualified [1] - 114:2 quality [4] - 78:16, 78:17, 91:23, 126:24 QUESTION [1] - 58:9 questioning [1] - 48:2 Questions [1] - 3:24 questions [20] - 7:21, 8:13, 9:1, 10:1, 25:11, 45:8, 51:5, 51:7, 54:8, 54:11, 63:20, 68:14, 68:17, 72:11, 84:11, 104:12, 117:7, 124:8, 125:2, 128:3 quibble [1] - 31:3 quick [1] - 64:7 Quimbly [1] - 9:24 QUIMBY [115] - 6:10, 10:19, 19:1, 19:16, 23:14, 25:17, 28:23, 29:25, 38:10, 39:10, 44:10, 46:23, 47:14, 47:23, 48:19, 49:7, 53:13, 54:16, 55:2, 55:7, 56:8, 56:14, 57:5, 57:20, 59:6, 60:11, 64:15, 65:17, 66:18, 67:3, 67:9,	67:15, 71:7, 71:13, 71:22, 73:11, 73:15, 73:25, 75:18, 77:14, 78:2, 78:11, 83:2, 84:22, 85:9, 88:22, 89:4, 89:15, 89:24, 92:16, 92:22, 93:6, 94:7, 96:13, 98:2, 98:9, 99:22, 102:1, 102:5, 102:15, 102:22, 103:10, 103:15, 103:20, 104:4, 104:16, 105:15, 106:1, 106:9, 106:20, 107:4, 107:11, 107:20, 108:3, 108:8, 109:3, 109:9, 109:14, 109:19, 110:3, 111:6, 111:15, 111:25, 112:12, 112:19, 112:25, 113:8, 113:14, 114:1, 114:7, 114:17, 114:25, 116:19, 118:7, 118:25, 119:12, 119:16, 119:24, 120:2, 120:14, 120:19, 121:4, 121:6, 121:16, 121:23, 122:5, 123:1, 123:9, 124:20, 125:23, 126:3, 126:20, 127:10, 127:19, 128:3 Quimby [10] - 2:8, 5:11, 6:10, 9:19, 9:24, 44:20, 64:25, 90:15, 131:20, 132:3 quite [5] - 15:12, 24:7, 52:4, 102:12, 105:2 quote [15] - 47:12, 69:9, 85:24, 93:11, 93:12, 93:20, 93:21, 93:22, 100:17, 105:7, 106:22, 116:13, 117:12, 117:16, 118:24	R racist [2] - 102:15, 103:23 raised [1] - 91:22 raises [1] - 104:6 raising [2] - 73:17, 91:24 ran [2] - 66:20, 86:10 rather [3] - 71:19, 83:16, 112:24 Rather [2] - 65:22, 94:17 RE [1] - 3:21 Re [1] - 3:11 Re-Notice [1] - 3:11 reach [1] - 19:25 reached [2] - 21:1, 21:3 read [52] - 25:9, 26:9, 27:13, 28:13, 29:15, 34:11, 36:3, 44:1, 45:5, 45:6, 50:7, 52:13, 53:8, 53:10, 53:22, 55:17, 58:7, 65:11, 69:1, 70:3, 72:11, 74:8, 74:13, 74:20, 80:4, 80:5, 81:2, 81:7, 81:8, 81:10, 81:13, 81:14, 83:22, 85:16, 86:14, 91:11, 91:14, 96:7, 96:9, 98:25, 99:24, 101:15, 103:9, 104:10, 105:4, 105:8, 107:24, 110:24, 112:5, 126:21, 127:4, 130:3 reader [1] - 49:21 reading [2] - 102:16, 106:16 reads [1] - 28:7 real [2] - 64:7, 70:11 realized [1] - 90:16 really [8] - 9:4, 19:17, 47:17, 66:23, 74:22, 110:11, 114:11, 120:23	REASON [1] - 129:4 reason [5] - 16:17, 61:8, 64:18, 67:13, 78:13 recalling [1] - 84:23 receipt [1] - 69:23 receive [2] - 84:8, 99:7 received [4] - 51:16, 85:12, 95:18, 112:9 receiving [2] - 26:22, 99:20 recent [1] - 78:20 Recess [4] - 55:10, 72:4, 97:2, 124:4 recipient [1] - 20:19 recognize [5] - 30:19, 34:13, 50:9, 63:11, 81:20 recommend [1] - 26:5 recommended [3] - 21:11, 36:14, 70:17 recommends [1] - 62:22 record [54] - 1:24, 6:3, 6:6, 7:1, 7:3, 7:9, 9:13, 20:10, 22:12, 22:16, 22:22, 22:24, 23:22, 31:4, 34:5, 34:8, 43:10, 49:24, 50:2, 52:13, 53:9, 53:12, 54:19, 55:6, 55:8, 55:12, 55:17, 59:11, 63:5, 68:5, 68:8, 71:5, 71:25, 72:2, 72:5, 72:12, 79:21, 80:21, 83:11, 96:23, 96:25, 97:4, 98:16, 115:12, 116:5, 124:1, 124:2, 124:6, 124:11, 125:6, 125:10, 128:8, 131:18, 131:24 recorded [1] -	63:21 recordings [1] - 42:25 records [4] - 66:22, 73:19, 114:14, 115:16 recounted [2] - 116:9, 116:12 recounting [1] - 102:2 recruited [3] - 41:16, 41:23, 46:12 red [1] - 104:21 refer [6] - 21:13, 31:9, 53:15, 63:24, 64:25, 76:8 referenced [1] - 30:17 referred [1] - 111:10 referring [20] - 11:12, 32:2, 41:7, 47:2, 50:24, 52:3, 53:2, 60:20, 61:11, 61:12, 61:13, 61:17, 62:1, 62:4, 72:21, 75:13, 80:9, 102:18, 117:15, 125:7 refers [2] - 33:16, 125:18 reflecting [1] - 93:24 refresh [2] - 20:21, 64:2 regarding [3] - 31:21, 61:4, 79:13 Registration [1] - 132:17 regular [1] - 51:20 Reinhold [1] - 102:15 reiterate [1] - 86:20 rejected [1] - 90:11 rejects [1] - 90:5 rejoinder [3] - 112:14, 113:4, 114:10 related [15] - 54:7, 56:4, 56:22, 59:23, 82:3, 82:9, 85:20, 116:21, 118:9,

119:13, 119:17, 125:18, 125:19, 127:2, 132:6 relates [3] - 69:6, 88:20, 91:9 relationship [4] - 79:6, 105:9, 109:23, 110:5 relationships [1] - 19:4 relatively [1] - 91:9 relevant [13] - 30:6, 30:14, 35:12, 52:7, 73:24, 74:1, 76:7, 102:10, 102:19, 108:6, 109:7, 123:17, 123:19 relied [1] - 34:15 relieve [1] - 9:19 remaining [1] - 97:21 remember [20] - 24:24, 26:22, 40:5, 64:12, 65:13, 67:1, 67:7, 81:22, 91:1, 99:6, 99:20, 100:7, 100:19, 102:24, 110:23, 114:21, 115:2, 115:21, 117:10, 124:11 remind [1] - 13:2 Remotely [1] - 1:12 remotely [1] - 1:20 Renaldo [4] - 2:13, 6:14, 50:5, 96:14 Renaldo. Stowers@ untsystem.edu [1] - 2:16 repeat [7] - 23:18, 23:21, 38:18, 62:15, 84:15, 89:5, 112:20 repeated [1] - 83:5 repeatedly [1] - 121:8 rephrase [1] - 73:18 report [39] - 11:10, 23:13, 25:2, 26:12,	60:9, 60:13, 60:15, 67:21, 75:21, 78:19, 82:15, 93:9, 93:12, 111:23, 111:24, 116:1, 116:11, 116:21, 117:2, 117:14, 117:18, 117:19, 117:24, 117:25, 118:13, 118:24, 119:18, 120:4, 120:8, 120:12, 120:16, 120:21, 121:2, 121:5, 121:21 Report [20] - 3:15, 11:13, 23:10, 24:22, 24:25, 55:14, 76:17, 77:1, 77:3, 79:22, 87:3, 90:20, 90:23, 91:2, 93:19, 93:23, 105:8, 108:6, 111:20, 113:13 reportable [1] - 119:15 Reported [1] - 1:12 reported [4] - 1:20, 91:21, 93:13, 121:13 REPORTER [4] - 6:7, 34:6, 58:8, 98:17 reporter [2] - 9:12, 9:16 Reporter [4] - 1:19, 34:5, 58:6, 131:13 REPORTER'S [1] - 131:9 Reporter's [1] - 3:8 reporting [5] - 116:25, 118:4, 118:8, 118:9, 119:10 Reporting [1] - 4:10 reports [3] - 16:24, 117:17, 121:12 represent [14] - 6:12, 8:7, 37:9, 37:11, 40:21, 45:22, 47:18, 48:5, 63:8,	68:24, 70:25, 71:3, 95:11, 103:1 representation [1] - 124:17 represented [3] - 29:1, 47:24, 101:4 representing [2] - 37:3, 48:12 represents [1] - 125:17 repression [2] - 52:11, 53:20 reputable [2] - 66:1, 66:3 reputation [2] - 66:8, 66:10 reputations [1] - 92:3 Request [1] - 3:13 require [1] - 35:2 required [17] - 10:1, 62:20, 116:1, 116:10, 116:20, 116:22, 116:23, 117:14, 117:19, 117:25, 118:23, 120:8, 120:12, 120:16, 121:17, 121:20, 123:21 requirement [1] - 31:23 Requirement [1] - 62:21 requirements [1] - 32:24 requires [2] - 62:24, 67:18 requiring [1] - 69:16 Requiring [1] - 69:20 reread [1] - 11:10 Research [1] - 14:22 research [14] - 15:8, 15:16, 16:24, 52:5, 56:6, 56:18, 56:23, 57:12, 58:19, 69:12, 69:17, 75:17, 109:1, 126:25 reserve [1] - 128:3 resources/ systems [1] - 36:2	respects [1] - 40:11 respond [12] - 53:25, 54:1, 60:9, 60:13, 60:14, 112:3, 112:11, 113:7, 113:22, 113:24, 114:3, 114:16 response [9] - 8:10, 51:13, 53:24, 54:3, 54:13, 61:17, 104:24, 105:1, 112:14 responses [5] - 86:3, 95:21, 104:9, 104:17, 114:24 responsibility [6] - 27:3, 27:15, 80:13, 85:23, 94:10, 95:2 responsible [2] - 62:9, 97:20 rest [1] - 81:13 retaliated [1] - 107:2 retaliation [4] - 107:6, 121:21, 122:3, 123:14 return [2] - 62:6, 131:21 reveal [1] - 126:12 review [79] - 21:8, 21:25, 22:13, 24:20, 31:12, 31:17, 32:25, 33:1, 33:4, 33:5, 33:7, 33:8, 33:18, 33:19, 33:24, 35:3, 35:10, 35:20, 35:24, 35:25, 36:8, 36:18, 36:25, 37:6, 38:3, 39:15, 40:3, 41:4, 41:10, 41:20, 41:24, 42:12, 42:19, 44:9, 46:16, 46:22, 46:24, 47:8, 47:10, 47:22, 51:2, 54:7, 56:24, 57:11, 58:1, 60:18, 60:22, 60:25, 61:23, 61:24, 61:25, 81:19,	83:4, 84:11, 90:8, 94:10, 94:18, 94:21, 95:1, 95:2, 100:9, 108:21, 111:3, 111:8, 121:10, 124:18, 124:25, 125:17, 125:18, 126:1, 126:5, 126:10, 126:19, 127:9, 127:22, 127:23 Review [11] - 3:13, 3:15, 3:21, 3:23, 17:17, 18:4, 23:10, 34:24, 63:7, 90:24, 91:5 reviewed [54] - 8:6, 16:19, 16:20, 16:22, 17:6, 18:7, 18:13, 18:18, 24:6, 31:22, 37:4, 37:7, 37:9, 37:10, 37:13, 37:15, 37:16, 37:18, 37:20, 37:24, 38:14, 39:6, 40:24, 42:17, 42:19, 45:8, 46:2, 47:4, 47:6, 47:13, 47:18, 47:21, 47:25, 48:5, 48:6, 48:8, 48:10, 48:13, 48:18, 49:1, 49:4, 60:17, 77:23, 84:13, 94:20, 95:3, 95:4, 104:14, 119:20, 126:11, 126:24, 127:14, 127:21 reviewer [2] - 33:9, 33:17 reviewers [3] - 33:14, 36:5, 36:6 reviewing [5] - 31:15, 49:13, 81:22, 111:4 reviews [5] - 17:2, 18:12, 33:10, 37:9, 47:3 Revised [1] - 99:17 Richmond [3] - 29:24, 30:1,	109:12 rights [3] - 121:22, 122:4, 122:25 rigorous [1] - 28:11 road [2] - 7:16, 8:15 role [8] - 10:25, 24:9, 24:10, 24:13, 74:18, 80:2, 97:11, 97:12 roles [1] - 15:21 Ron [4] - 63:24, 65:18, 66:25, 68:18 room [4] - 32:5, 50:6, 108:13, 108:14 rough [1] - 24:3 roughly [1] - 95:24 rule [1] - 116:17 rules [2] - 7:16, 8:15 Rules [2] - 1:23, 5:8 rumors [1] - 120:24 running [1] - 111:21 Russian [4] - 12:23, 45:11, 45:23, 126:15
S					
safe [1] - 15:15 saw [1] - 6:18 Schenker [4] - 15:3, 82:23, 86:6, 102:11 Schenker's [1] - 103:6 Schenkerian [38] - 18:22, 18:25, 19:12, 21:10, 26:3, 28:8, 28:18, 30:11, 31:11, 36:9, 37:12, 39:16, 40:3, 48:15, 48:23, 55:20, 58:2, 63:1, 66:3, 66:9, 66:16, 67:23, 68:3, 72:18, 73:8, 73:10, 76:9, 78:9, 80:2, 85:8,					

85:24, 95:20, 96:10, 100:15, 103:25, 106:18, 107:18, 110:21 Schenkerians [1] - 105:3 scholar [3] - 19:20, 75:6, 75:9 scholarly [3] - 26:4, 126:6, 126:24 scholars [4] - 77:24, 78:7, 92:3, 107:17 scholarship [1] - 27:23 sci [1] - 15:19 science [8] - 12:21, 12:24, 18:14, 35:17, 73:22, 89:11, 126:18 Science [6] - 14:23, 14:25, 17:17, 17:21, 17:23, 18:4 scientific [2] - 72:24, 73:2 scientist [1] - 14:17 scope [9] - 28:22, 29:3, 29:8, 29:12, 60:1, 60:2, 103:17, 121:9, 121:24 screen [4] - 7:19, 25:4, 81:1, 96:16 scroll [6] - 7:23, 8:5, 44:11, 50:16, 83:23, 84:2 scrolling [4] - 43:17, 43:24, 71:14, 91:4 seal [1] - 130:16 sec [2] - 20:15, 115:4 second [16] - 17:22, 27:8, 27:19, 36:4, 41:10, 42:5, 42:6, 42:10, 44:25, 69:7, 74:16, 82:18, 99:15, 102:8, 116:16 secondhand [1] - 120:18	section [6] - 34:23, 37:23, 90:23, 91:1, 91:7, 93:3 see [39] - 7:12, 7:22, 7:24, 20:12, 21:10, 22:3, 22:13, 25:4, 25:5, 34:22, 34:25, 43:14, 43:16, 43:18, 43:21, 44:7, 44:11, 45:4, 45:12, 50:1, 50:20, 53:16, 63:20, 63:25, 68:8, 68:21, 74:6, 82:8, 83:10, 93:1, 96:16, 99:4, 101:7, 101:12, 102:8, 110:15, 110:18, 111:22, 112:1 See [5] - 44:13, 65:7, 69:19, 77:5, 84:25 seeing [7] - 48:25, 49:2, 77:2, 80:25, 81:2, 86:2, 96:19 seek [2] - 26:3, 62:23 seem [6] - 41:11, 52:4, 81:11, 84:24, 85:2, 89:9 Segall [1] - 45:22 self [5] - 31:16, 31:18, 31:20, 35:23, 61:1 self-publication [5] - 31:16, 31:18, 31:20, 35:23, 61:1 send [6] - 60:16, 71:8, 84:13, 90:16, 90:18, 112:23 senior [5] - 75:6, 75:9, 77:24, 78:7, 92:3 sense [4] - 47:21, 79:5, 105:17, 123:12 senses [1] - 86:10 sent [14] - 20:2, 48:23, 60:23, 61:14, 61:18, 61:22, 83:19,	89:12, 90:19, 99:24, 102:20, 110:21, 111:1, 111:13 sentence [3] - 27:13, 27:19, 74:16 sentences [1] - 74:8 separate [3] - 37:17, 89:8, 127:16 September [9] - 1:11, 1:17, 5:3, 6:2, 63:6, 83:14, 84:4, 131:11 SEPTEMBER [1] - 129:3 sequence [2] - 61:21, 62:2 series [2] - 72:11, 124:8 serious [1] - 85:25 serve [2] - 20:4, 20:22 Serve [1] - 3:13 served [4] - 16:9, 17:11, 17:15, 86:11 server [1] - 111:13 service [1] - 24:13 set [1] - 68:5 setting [1] - 83:18 seven [1] - 13:20 several [6] - 38:22, 41:25, 47:7, 91:16, 92:9, 116:13 sew [1] - 48:1 sexual [1] - 122:13 SHALL [1] - 5:5 Shall [3] - 6:5, 23:18, 55:6 shameful [1] - 85:7 share [7] - 7:8, 28:10, 63:14, 63:17, 97:6, 102:4, 115:15 shared [5] - 91:17, 92:4, 116:7, 117:20, 118:10 shepherd [1] - 89:1 SHERMAN [2] - 1:2, 131:2	short [8] - 34:9, 46:4, 80:23, 94:21, 99:8, 100:1, 124:8, 124:9 Short [1] - 3:16 short-circuit [1] - 94:21 Shorthand [2] - 1:19, 131:13 Shortly [1] - 86:8 shortly [1] - 61:15 shot [1] - 81:1 show [1] - 23:7 sign [1] - 69:20 signature [4] - 7:25, 119:7, 130:4, 131:21 Signature [1] - 5:12 SIGNATURE [2] - 5:14, 129:1 signed [4] - 119:5, 119:6, 119:19 significant [1] - 72:16 simply [3] - 9:6, 54:22, 125:25 simultaneously [2] - 13:13, 13:19 single [5] - 73:9, 73:23, 96:7, 96:9 situation [1] - 43:2 six [1] - 16:8 size [1] - 35:2 skip [4] - 24:18, 24:21, 104:20, 126:13 skipping [1] - 125:10 Skipping [1] - 104:5 Slottow [3] - 79:9, 79:17, 115:1 small [1] - 25:5 SMT [5] - 46:6, 85:22, 102:11, 102:19 so.. [3] - 45:5, 83:7, 85:11 social [1] - 70:22 society [2] - 112:16, 114:11 Society [6] - 46:8, 95:18, 95:22, 103:3, 106:19,	111:13 sociology [1] - 89:12 sole [1] - 78:5 solicit [4] - 48:23, 104:8, 104:14, 104:18 solicitation [2] - 104:13, 114:4 soliciting [1] - 95:21 someone [16] - 40:21, 41:15, 46:4, 74:10, 74:17, 75:7, 89:12, 99:12, 103:13, 117:22, 118:24, 119:11, 120:7, 120:17, 121:12 Sometimes [2] - 44:25, 45:1 sometimes [1] - 39:2 somewhere [2] - 48:7, 124:17 Sorry [1] - 90:18 sorry [17] - 18:9, 22:17, 30:23, 31:20, 42:1, 46:20, 63:4, 72:8, 77:4, 79:20, 81:17, 85:4, 90:15, 106:14, 112:22, 122:8 sort [7] - 10:5, 35:2, 68:13, 79:15, 81:1, 97:24 sought [1] - 106:3 sounded [1] - 49:11 sounds [1] - 64:6 source [2] - 19:8, 39:17 sources [1] - 109:21 speaking [1] - 77:22 special [3] - 41:24, 61:2, 104:19 specialized [1] - 41:17 specific [10] - 24:10, 28:24, 49:3, 52:6, 67:4, 67:10, 72:25, 113:4, 122:12	specifically [11] - 22:1, 32:14, 58:21, 85:1, 85:13, 99:9, 99:23, 106:21, 119:1, 120:20, 122:15 specifying [1] - 69:25 speculate [4] - 59:9, 59:10, 106:10, 109:20 spell [1] - 7:3 split [1] - 95:24 spoken [1] - 12:2 spontaneous [1] - 70:6 spread [1] - 103:23 staff [1] - 95:8 stamp [1] - 83:20 stamps [1] - 23:1 stand [1] - 90:8 standard [6] - 31:6, 32:20, 37:17, 47:3, 66:25, 127:25 standards [15] - 26:4, 27:23, 28:12, 30:19, 31:8, 31:21, 31:25, 32:12, 32:16, 32:19, 34:17, 36:13, 36:14, 69:5, 76:8 stands [6] - 30:21, 31:1, 39:5, 46:6, 46:8, 70:14 start [3] - 18:3, 33:1, 101:17 started [5] - 14:10, 17:25, 59:19, 71:8, 86:3 starting [2] - 12:20, 21:5 starts [2] - 27:1, 45:12 State [7] - 1:19, 12:22, 12:25, 13:6, 13:23, 14:13, 131:14 state [8] - 6:5, 6:25, 17:14, 22:12, 22:15, 22:24, 68:8, 126:12 STATE [2] -

130:10, 130:20 statement ^[12] - 28:1, 37:2, 57:8, 67:4, 67:10, 111:22, 112:9, 113:6, 113:12, 113:18, 113:21, 127:11 statements ^[3] - 52:5, 66:21, 69:16 States ^[2] - 23:2, 122:18 STATES ^[2] - 1:1, 131:1 Station ^[1] - 2:9 status ^[2] - 13:24, 95:3 stenotype ^[1] - 1:20 stick ^[1] - 40:8 sticking ^[1] - 40:7 still ^[2] - 41:24, 76:7 Stipulations..... ^[1] - 3:3 stir ^[1] - 102:12 stop ^[1] - 102:16 stopped ^[1] - 18:12 story ^[2] - 97:8, 106:8 Stowers ^[3] - 2:13, 6:14, 50:5 STOWERS ^[1] - 6:14 straight ^[2] - 40:7, 41:13 strange ^[1] - 78:3 strategy ^[1] - 26:5 stray ^[2] - 29:17, 29:19 strict ^[1] - 31:15 strike ^[4] - 21:20, 29:18, 36:18, 106:4 strikes ^[3] - 102:15, 102:3, 102:7 string ^[1] - 51:2 structured ^[1] - 66:24 stuck ^[3] - 39:21, 40:10, 54:17 student ^[19] - 75:8, 77:10, 77:12, 77:17, 77:20, 77:24, 78:4, 88:5,	92:19, 97:13, 100:23, 100:24, 105:12, 106:12, 109:1, 109:18, 110:1, 110:8, 126:15 students ^[11] - 16:1, 16:4, 16:5, 16:12, 77:19, 77:21, 78:7, 78:10, 78:20, 119:21, 123:8 Studies ^[36] - 18:23, 18:25, 19:12, 21:10, 26:3, 28:8, 28:18, 30:11, 31:11, 36:10, 37:13, 39:16, 40:3, 48:15, 48:23, 55:20, 58:2, 63:1, 66:3, 66:9, 66:16, 67:23, 68:3, 72:18, 73:8, 73:10, 76:9, 78:10, 80:2, 85:8, 95:20, 96:11, 100:16, 106:18, 107:18, 110:22 studies ^[1] - 15:25 study ^[2] - 82:22, 86:5 styled ^[1] - 1:16 subject ^[4] - 22:13, 33:23, 41:9, 127:9 subjected ^[1] - 44:9 submission ^[1] - 69:23 submissions ^[6] - 78:6, 89:14, 104:14, 126:23, 127:13, 127:20 submit ^[3] - 26:12, 40:21, 127:3 submitted ^[6] - 11:11, 25:2, 38:7, 46:5, 81:6, 131:19 submitting ^[1] - 31:14 Subpoena ^[1] - 5:7 subscribe ^[1] - 32:1	subscribed ^[1] - 130:14 subsection ^[2] - 91:5, 91:13 subsequent ^[2] - 13:25, 42:7 subsequently ^[3] - 38:8, 40:18, 42:18 substance ^[5] - 12:15, 76:18, 76:25, 107:14, 111:10 substantial ^[3] - 74:11, 74:17, 92:9 substantive ^[1] - 81:12 substitute ^[1] - 114:12 substituted ^[1] - 113:1 successful ^[1] - 16:11 suffered ^[1] - 97:23 suffering ^[1] - 98:5 suggest ^[7] - 32:7, 36:6, 84:24, 96:1, 110:9, 126:16, 127:15 suggested ^[1] - 102:13 suggesting ^[1] - 54:25 suggestion ^[2] - 37:14, 71:16 suggestions ^[1] - 76:11 suggests ^[1] - 127:20 suing ^[1] - 11:1 Suite ^[1] - 1:22 suite ^[1] - 17:22 summaries ^[2] - 16:25, 42:23 summarize ^[2] - 19:14, 112:22 summarized ^[2] - 21:19, 108:5 summarizing ^[1] - 46:20 summary ^[3] - 33:19, 43:1, 96:2 Sunday ^[1] - 102:5 superior ^[1] - 86:9	supported ^[1] - 79:14 suppose ^[2] - 79:2, 87:13 supposed ^[1] - 25:20 supposedly ^[4] - 95:13, 107:10, 117:5, 118:3 surely ^[1] - 102:3 surmise ^[1] - 113:15 surrounding ^[2] - 18:24, 19:11 survey ^[2] - 33:21, 34:3 surveyed ^[2] - 35:9, 60:24 swamped ^[1] - 101:25 sworn ^[3] - 1:16, 6:20, 131:17 Sworn ^[1] - 6:4 Symposium ^[8] - 37:12, 48:14, 48:17, 95:23, 97:18, 97:21, 100:20, 100:25 symposium ^[2] - 32:21, 37:16 System ^[3] - 1:21, 2:13, 6:15	98:11 testified ^[9] - 6:20, 30:2, 40:15, 53:9, 53:22, 55:16, 87:21, 110:22, 124:16 testify ^[5] - 60:12, 83:4, 109:22, 109:24, 113:9 testimony ^[23] - 26:8, 28:15, 38:25, 40:1, 46:1, 49:12, 54:22, 79:4, 80:3, 80:10, 83:7, 85:2, 85:11, 85:17, 88:2, 88:16, 93:24, 112:23, 117:23, 123:22, 124:16, 131:18, 131:23 Texas ^[36] - 1:20, 1:21, 1:22, 1:23, 2:10, 2:13, 2:14, 2:15, 6:11, 6:15, 14:14, 14:17, 14:20, 15:7, 15:22, 18:22, 23:3, 27:2, 27:14, 43:11, 43:13, 43:21, 45:16, 62:9, 62:10, 62:20, 62:24, 62:25, 64:4, 65:15, 67:8, 67:18, 122:22, 127:8, 131:14, 132:16 text ^[4] - 7:24, 8:8, 22:25, 100:11 Thad ^[3] - 2:3, 6:8, 132:2 THE ^[24] - 1:1, 2:2, 2:7, 6:2, 6:7, 23:18, 34:6, 55:8, 55:11, 58:8, 71:20, 71:25, 72:2, 72:5, 96:22, 96:25, 97:3, 98:17, 124:2, 124:5, 128:8, 130:10, 130:20, 131:1 themselves ^[1] - 48:5 theoretical ^[1] - 103:22	Theoria ^[10] - 3:18, 43:12, 44:2, 67:14, 67:24, 124:12, 125:9, 125:13, 125:16, 127:6 theorist ^[1] - 126:15 theorists ^[2] - 28:10, 105:11 Theory ^[8] - 3:25, 44:3, 46:9, 95:18, 95:22, 103:3, 106:19, 111:14 theory ^[12] - 28:9, 33:22, 33:23, 35:9, 35:16, 45:11, 45:23, 72:18, 73:10, 73:24, 95:16, 125:19 therein ^[1] - 130:15 thinks ^[1] - 52:7 third ^[2] - 125:5, 125:11 THIS ^[1] - 5:5 thoughts/ questions ^[1] - 102:4 threatened ^[1] - 123:7 threats ^[3] - 121:21, 122:3, 122:14 three ^[5] - 33:14, 81:3, 85:19, 86:9, 97:17 Thursday ^[1] - 102:5 Tim ^[2] - 52:12, 52:16 TIMOTHY ^[2] - 1:3, 131:3 Timothy ^[34] - 6:9, 6:17, 29:7, 32:11, 37:11, 50:3, 50:20, 51:25, 53:11, 53:16, 53:17, 53:24, 60:8, 60:14, 61:14, 78:8, 80:8, 85:23, 86:9, 98:22, 100:24, 104:6, 110:15, 114:14, 116:12, 119:10, 119:22, 119:23, 121:14,

T

table ^[1] - 124:12
Tackle ^[2] - 4:2,
72:13
tackle ^[1] - 75:3
TAKEN ^[1] - 5:5
talks ^[1] - 122:14
task ^[7] - 21:6,
39:16, 40:4,
59:14, 59:16,
88:25
tasks ^[1] - 36:21
teaching ^[1] -
102:1
Teams ^[1] - 12:11
Telephone ^[3] -
2:5, 2:10, 2:15
ten ^[1] - 15:16
tenured ^[1] -
86:10
term ^[4] - 100:12,
107:5, 107:7
terms ^[9] - 16:5,
16:9, 39:24,
55:25, 56:24,
59:8, 76:2,

121:21, 122:2, 122:24, 123:16, 123:21 Timothy's [2] - 53:24, 54:13 Title [10] - 3:18, 116:22, 117:3, 118:2, 118:11, 119:15, 121:13, 121:14, 122:11, 123:5 title [21] - 14:19, 14:21, 15:10, 23:9, 24:10, 43:10, 43:14, 43:16, 43:25, 44:2, 44:4, 44:5, 44:8, 44:22, 44:25, 67:14, 72:12, 124:11, 124:21, 126:13, 126:22 titled [1] - 34:23 TitleX [1] - 4:10 titles [2] - 126:14, 126:16 TO [2] - 5:5, 5:10 TOARU [12] - 1:10, 1:14, 3:4, 5:2, 6:19, 7:4, 129:2, 130:3, 130:8, 130:12, 131:10, 131:16 Toaru [2] - 7:2, 7:4 today [8] - 9:1, 11:15, 11:17, 11:20, 14:20, 15:4, 26:8, 88:16 Today [1] - 6:2 today's [2] - 8:10, 11:9 together [1] - 101:23 took [4] - 24:4, 24:8, 75:7, 97:20 top [5] - 7:14, 22:25, 63:25, 74:15, 101:17 topics [2] - 85:19, 89:2 tort [2] - 10:18, 10:20 totally [1] - 96:21 touches [1] - 92:11 towards [2] - 116:8, 116:24	track [2] - 20:16, 127:16 tradition [2] - 78:12, 78:13 training [1] - 119:2 transcript [2] - 131:17, 131:19 transition [2] - 12:13, 14:2 transparent [6] - 35:20, 36:25, 37:20, 39:8, 49:15, 49:22 travel [1] - 102:6 trial [2] - 5:20, 128:4 triple [1] - 33:15 triple-blind [1] - 33:15 troubling [1] - 103:7 true [8] - 47:24, 48:2, 87:9, 87:16, 89:8, 113:5, 130:5, 131:18 True [1] - 48:12 Truelove [2] - 24:4, 24:8 Truman [3] - 13:22, 14:10, 14:13 trust [1] - 45:5 truthfully [1] - 9:1 try [3] - 42:2, 76:22, 98:20 trying [12] - 20:15, 47:19, 51:3, 54:19, 61:11, 63:22, 97:6, 99:25, 100:5, 112:22, 118:20, 123:12 turning [1] - 65:1 twice [1] - 17:13 two [14] - 13:18, 26:15, 33:10, 33:14, 36:19, 69:5, 74:7, 81:8, 91:11, 101:8, 101:15, 105:11, 105:21, 125:12 type [1] - 38:5 typed [3] - 68:16, 68:18, 70:7 Typesetting [1] - 85:20 typical [1] - 37:5 typically [2] -	126:2, 126:5 U um-hum [1] - 9:14 Um-hum [28] - 11:25, 12:16, 12:21, 29:14, 31:5, 33:1, 36:23, 45:10, 45:25, 46:18, 51:4, 51:8, 54:24, 57:17, 65:5, 65:8, 72:10, 74:5, 81:20, 82:20, 83:15, 84:9, 85:21, 88:3, 97:19, 101:6, 102:22, 115:18 umbrella [1] - 127:8 unaware [3] - 19:3, 32:15, 62:23 uncomfortable [7] - 79:10, 116:13, 116:18, 117:23, 118:24, 119:11, 119:23 under [7] - 16:12, 28:11, 35:24, 68:17, 122:25, 127:7, 130:16 undergo [1] - 41:24 undergraduate [1] - 12:20 undergraduates [1] - 77:21 Understandable [1] - 64:7 understandably [1] - 33:13 understood [10] - 8:19, 22:4, 29:5, 51:12, 55:23, 74:22, 80:11, 118:8, 119:4, 126:5 unequal [2] - 79:5, 79:15 unethical [2] - 116:8, 116:24 Unfortunately [1] - 101:24 unfortunately [1] - 64:24 UNITED [2] - 1:1, 131:1	United [2] - 23:2, 122:18 universities [1] - 77:21 university [3] - 15:8, 15:23, 109:1 University [39] - 1:21, 2:13, 6:15, 12:22, 12:23, 12:25, 13:5, 13:7, 13:23, 14:10, 14:13, 14:14, 14:17, 14:19, 14:21, 15:7, 15:22, 18:21, 25:22, 25:23, 27:2, 27:14, 43:11, 43:13, 43:20, 45:15, 62:8, 62:9, 62:20, 62:24, 62:25, 64:3, 64:12, 65:14, 67:8, 67:18, 120:6, 122:22, 127:8 unless [1] - 48:6 unpopular [2] - 52:11, 53:20 unsigned [1] - 5:20 unsolicited [1] - 115:25 unsure [1] - 20:4 unsurprising [1] - 38:3 UNT [20] - 3:14, 3:17, 3:21, 3:22, 4:6, 4:8, 4:11, 64:12, 65:20, 68:9, 69:4, 83:17, 99:19, 101:2, 102:4, 107:24, 110:17, 111:22, 113:20, 115:19 UNT's [1] - 115:16 unusual [1] - 65:25 up [28] - 9:6, 12:15, 21:24, 25:12, 30:11, 34:5, 38:6, 41:3, 41:14, 42:9, 42:13, 46:13, 48:1, 51:9, 57:14, 59:24, 62:3, 62:5, 68:14, 68:16,	75:22, 83:18, 84:17, 86:1, 94:3, 97:15, 112:21, 125:6 upcoming [1] - 104:25 URL [1] - 71:4 uses [1] - 70:9 utilizes [1] - 102:14 V vague [1] - 121:12 variety [1] - 75:20 various [1] - 85:19 vary [1] - 69:14 venture [2] - 58:18, 94:15 verbal [1] - 9:10 verify [2] - 71:2, 125:15 versus [1] - 34:21 vet [1] - 92:4 vetting [1] - 38:5 VIDEOGRAPHE R [11] - 6:2, 55:8, 55:11, 72:2, 72:5, 96:22, 96:25, 97:3, 124:2, 124:5, 128:8 Videographer [1] - 2:18 VIDEOTAPED [2] - 1:9, 1:14 view [9] - 36:16, 36:24, 37:21, 47:13, 56:9, 56:19, 94:23, 103:12, 103:22 viewed [1] - 35:14 viewpoints [4] - 28:11, 52:11, 53:20, 94:14 views [1] - 87:8 violated [1] - 122:25 violation [2] - 121:22, 123:15 virtual [1] - 7:20 Vista [1] - 132:16 vitae [1] - 15:14 volume [7] - 17:9, 26:2, 32:21, 43:14, 49:1, 97:17, 114:23 Volume [26] - 3:19, 22:1,	37:12, 43:10, 44:3, 48:14, 55:19, 56:1, 56:4, 60:25, 79:13, 79:19, 79:20, 90:25, 95:23, 96:10, 97:16, 99:16, 100:10, 100:16, 101:1, 107:18, 114:16, 124:12, 125:9 volumes [2] - 17:8, 17:10 vs [2] - 1:5, 131:5 W wait [1] - 111:20 waived [1] - 5:12 Wallach [1] - 63:10 Walls [41] - 4:4, 4:5, 77:10, 79:1, 79:2, 79:10, 79:25, 80:1, 80:21, 81:23, 83:13, 83:18, 86:22, 91:12, 91:14, 91:21, 92:4, 92:8, 92:19, 94:1, 94:2, 97:20, 99:17, 100:23, 101:5, 101:15, 104:21, 105:10, 105:12, 105:17, 106:7, 106:17, 107:12, 107:19, 108:4, 108:17, 108:18, 109:2, 109:12, 110:2 Walls' [2] - 89:19, 108:19 wants [1] - 7:20 Warner [1] - 2:18 warranted [1] - 26:6 webpage [1] - 78:3 website [6] - 20:11, 30:11, 32:18, 52:4, 52:19, 71:4 Wednesday [3] - 50:21, 52:2, 102:7 WHALEY [1] - 132:15 whole [2] - 23:25,

51:2 widespread [2] - 52:10, 53:19 wife [1] - 102:5 willful [1] - 103:5 wish [1] - 66:1 WITNESS [4] - 23:18, 71:20, 71:25, 129:2 Witness [2] - 5:11, 6:4 witness [16] - 1:15, 10:23, 58:7, 71:9, 79:3, 88:4, 88:6, 88:10, 88:11, 88:13, 88:14, 128:2, 131:16, 131:18 Witness's [1] - 5:11 witnesses [3] - 33:13, 38:1, 40:14 woman [1] - 119:14 wondering [1] - 92:12 word [5] - 49:16, 79:22, 85:14, 98:5 words [4] - 84:24, 98:7, 98:10, 119:13 workaday [1] - 89:22 works [1] - 49:14 world [4] - 17:18, 32:6, 75:2, 103:22 worried [1] - 86:4 WRIGHT [2] - 1:6, 131:6 write [2] - 113:11, 113:20 writes [1] - 75:8 writing [10] - 21:20, 21:22, 25:14, 25:16, 70:3, 74:10, 74:18, 85:11, 91:23, 113:18 written [4] - 21:24, 23:24, 90:7, 123:3 wrote [3] - 27:6, 68:15, 75:7	Y year [2] - 15:11, 64:10 years [8] - 10:16, 11:5, 13:20, 14:11, 15:16, 49:4, 61:21, 117:6 York [1] - 95:16 Z Zoom [6] - 6:18, 12:11, 75:10, 83:18, 108:14, 108:16 ZOOM [1] - 1:9 • • [4] - 69:18, 69:20, 69:22, 69:25

EXHIBIT EEE



publicationethics.org

GUIDELINES:

A SHORT GUIDE TO ETHICAL EDITING FOR NEW EDITORS

GUIDELINES

UNT_003303

PROMOTING INTEGRITY IN RESEARCH AND ITS PUBLICATION

COPE provides leadership in thinking on publication ethics and practical resources to educate and support members, and offers a professional voice in current debates.

© 2019 Committee on Publication Ethics

Registered charity No 1123023

Registered in England and Wales, Company No 6389120

Registered office: COPE, New Kings Court, Tollgate, Chandler's Ford, Eastleigh, Hampshire, SO53 3LG, United Kingdom

Our COPE materials are available to use under the Creative Commons Attribution-NonCommercial-NoDerivs license
<https://creativecommons.org/licenses/by-nc-nd/4.0/>

Attribution — You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work). **Non-commercial** — You may not use this work for commercial purposes.

No Derivative Works — You may not alter, transform, or build upon this work. We ask that you give full accreditation to COPE with a link to our website: publicationethics.org

VERSION 3: May 2019

A SHORT GUIDE TO ETHICAL EDITING FOR NEW EDITORS

Background/structure

Becoming an editor of a journal is an exciting but daunting task, especially if you are working alone without day to day contact with editorial colleagues. This short guide aims to summarise key issues and to provide links to relevant pages of the **COPE website** as well as those of other organisations.

1. Initial assessment of the journal when you take over

After getting to grips with the mechanics of the journal, such as the submission system and timelines for manuscripts, preferably in conjunction with the previous editor, we recommend assessing current practice using the **COPE Journal Audit** (<https://bit.ly/2SFVkJA>). This tool is designed to help editors identify areas of their journal's policy, processes or practices that may require attention or may need to be revised so that they adhere to **COPE's Core Practices** (<https://bit.ly/2puBdb4>) on publication ethics. Journals vary in the ways they prevent or handle ethical issues, depending on the size of the journal staff, the resources available and the discipline they cover. We therefore recommend using the **COPE Journal Audit** in consultation with those who are most familiar with the journal's abilities and constraints (ie, the publisher and journal manager). If you identify any substantive issues in need of change, be aware that it may take a considerable time to alter the journal's practices.

2. Relations with the outgoing editor

Ideally there should be a handover period with the new and old editor working together. The duration of this period should be established in agreement with the publisher. This should allow the outgoing editor to complete submissions they had started. You should not overturn the previous editor's acceptance decisions unless serious problems are identified, such as plagiarism or data fabrication.

C O P E

3. Relations with the other editors/editorial board

In some journals, the editor-in-chief will be expected to work with a team of co-editors. Your appointment as a new editor offers a good opportunity to review and confirm the roles and responsibilities of all editors and editorial staff, so that everyone is clear about their roles. Most journals also have an editorial board, although their levels of activity and involvement vary. We recommend that you contact your board members and discuss your expectations of them (eg, reviewing a certain number of manuscripts each year). Based on their response, you may find that you wish to add new editorial board members, ask existing editorial board members to step down and/or restructure the editorial board. Some journals have a policy of appointing editors for a fixed time period, and you will need to consult the publisher on these changes.

You may also wish to change the direction of the journal or redefine its scope. This must be undertaken in agreement with the other editors and the publisher or journal owner; otherwise editorial decisions may be inconsistent. New aims and scope need to be agreed on and clearly published in the medium the journal uses to communicate with authors, reviewers and editors.

4. Relations with authors

We recommend that you review the journal's *Instructions to Authors* to ensure they are up to date with current guidelines. These instructions should clearly state what is expected of authors and what the journal will do in cases of suspected misconduct such as plagiarism or data fabrication. You may wish to provide a link to the **COPE Flowcharts** (<https://bit.ly/2FJRNlh>) and the **COPE Retraction Guidelines** (<https://bit.ly/2TM4Ros>). Writing clear instructions is not easy. You should consider consulting with colleagues, the publisher or journal owner, or a language editor to ensure journal instructions are not ambiguous. In the submission system, you may wish to provide a checklist of what is expected from authors to maintain standards of manuscripts.

As the editor, you are responsible for everything published in your journal, and you should therefore take all reasonable steps to ensure the quality of this material, recognising that journals and sections within journals will have different aims and standards.

Decisions to accept or reject a paper for publication should be based only on the paper's importance, originality and clarity, and the study's relevance to the remit of the journal (see also section 9 on editorial independence).

5. Journal Management:

COPE's Core Practices state that a well-managed infrastructure is essential to a journal's success. This includes appropriate training for editors, reviewers and staff and the establishment of policies to address the variety of issues that are identified in **COPE's Core Practices** or that otherwise may arise in the editorial process.

Work with the journal publisher or owner/editorial office to determine processes for handling submissions that are the most efficient and appropriate for the journal. Electronic submission systems can be designed to ensure authors provide all required information (eg, authorship declarations, funding information), but this should be balanced against the need to avoid over complex submission systems which may be off putting. It may be helpful to require that all elements are complete before a manuscript is sent for peer review (chasing details at a later stage can delay publication and upset schedules). You might consider checking for the following elements (as appropriate):

- Confirmation that the authors have read and understood the **Instructions to Authors**
- Authorship statement explaining what each author contributed to the paper (see below)
- Funding information
- Competing interests declaration
- Permission obtained for use of copyrighted material from other sources (including the Web)
- Documentation for any citations to unpublished work (eg, articles in press/personal communications)
- Information about previous submissions to other journals (eg, name of journal, reviewer comments)
- Confirmation that the manuscript has been submitted solely to your journal and is not published, in press or submitted elsewhere.

Journals should adopt and promote an authorship policy that is appropriate to the field of research. Your procedures should encourage appropriate authorship attribution and discourage guest and ghost authorships. These will vary from journal to journal but might include:

- Requiring statements of each individual's contribution to the research and publication
- Use of checklists to prevent ghost authorship
See PLoS: <https://bit.ly/2uL8HUx>
- Requiring all authors to sign an authorship declaration
- Including all authors in communications (eg, acknowledging receipt of a submission), not just the corresponding author
- Clearly specifying authorship criteria in the **Instructions to Authors**.

C O P E

COPE's Core Practices also specify the need for editors to maintain ethical oversight of published research. If appropriate to the subject areas covered by your journal, you might also need to establish policies and procedures to address:

- Details of ethical approval and informed consent for studies in humans
- Registration of clinical trials and other study designs according to standard practice
- Details of approval and ethical conduct for animal experimentation
- Data availability and the appropriate handling of confidential data or proprietary business information.

For studies in humans, regulations regarding what type of study requires ethical approval vary worldwide. In some countries, all studies require ethical approval. You should determine a process for handling submitted manuscripts relating to such studies that do not satisfy your journal's normal requirement for independent ethical approval. Guidance is available from **COPE Guidance for Editors: Research, Audit and Service Evaluations** (<https://bit.ly/2V7XM2Z>).

6. The submission system

Electronic submissions usually include standard communications to authors, reviewers and other editors. If these are specific to your journal (rather than used throughout the publisher), you should review them to ensure that they reflect current practices, are consistent with the **Instructions to Authors** and are clear. Getting standard letters reviewed by other editors, editorial staff or a language editor may also help improve them and ensure they are clear.

7. Relationship with reviewers

Provide explicit guidance to reviewers on what is expected of them. Guidelines are available: **COPE Ethical Guidelines for Peer Reviewers** (<https://bit.ly/2xkGTcq>). This guidance should be regularly updated and, as applicable, should refer or link to **COPE's Core Practices** (<https://bit.ly/2puBdb4>). You should consider including the following points:

- Reviews should be conducted objectively
- Personal criticism of the author is inappropriate
- Reviewers should express their views clearly with supporting arguments and references as necessary and not be defamatory or libellous
- Reviewers should declare any competing interests
- Reviewers should decline to review manuscripts in which they have a competing interest resulting from competitive, collaborative or other relationships, or connections with any of the authors, companies or institutions connected to the papers
- Reviewers should respect the confidentiality of material supplied to them and may not discuss unpublished manuscripts with colleagues or use the information in their own work
- Any reviewer that wants to pass a review request onto a colleague must obtain the editor's permission first.

Journals should have systems for assessing the performance of reviewers and removing from the database those whose performance is not acceptable.

You should also have systems in place to ensure that peer reviewers' identities are protected — unless your journal has an open review system that is declared to authors and reviewers.

Reviewers should be asked to address ethical aspects of the submission such as:

- Has the author published this research before?
- Has the author plagiarised another publication?
- Is the research ethical and have the appropriate approvals/consent been obtained?
- Is there any indication that the data have been fabricated or inappropriately manipulated?
- Have the authors declared all relevant competing interests?

8. The peer-review process

Adopt a peer-review process that is appropriate for your journal/field of work and resources/systems available. You should think about the number of reviewers to be used, whether reviews are anonymous or signed, whether author names and affiliations are masked and whether reviewers must complete any checklists/forms.

You should have systems to ensure that material submitted to your journal remains confidential while under review.

Additionally, you should ensure that peer review is undertaken in a timely fashion so that authors do not experience undue delays. This will usually involve monitoring the process regularly and trying to increase efficiency and prevent delays.

9. Can editors publish in their own journal?

While you should not be denied the ability to publish in your own journal, you must take extra precautions not to exploit your position or to create an impression of impropriety. Your journal must have a procedure for handling submissions from editors or members of the editorial board that will ensure that the peer review is handled independently of the author/editor. We also recommend that you describe the process in a commentary or similar note once the paper is published, see: (<https://bit.ly/2OGsPk3>).

10. Editorial independence/relation with publisher/journal owner

(eg, academic/professional society):

The relationship of editors to publishers and journal owners is often complex but should always be based on the principle of editorial independence. Notwithstanding the economic and political realities of your journal, you should select submissions on the basis of their quality and suitability for readers rather than for immediate financial, political or personal gain see **COPE's Guidelines for Transparent Relationships Between Journals and Society Owners** (<https://bit.ly/2JltbE7>).

Given the complexity of the relationship, we recommend that you ensure that the terms of your appointment are spelled out in a signed, written agreement. Be prepared to negotiate with the publisher/journal owner to ensure the contract is in line with the **COPE Core Practices** and acceptable to you. Make sure you understand the procedures for handling grievances or disagreements (even though you hope never to have to use them). If there are no written procedures, try to develop these in conjunction with the publisher/owner.

11. Commercial issues (eg, advertising, commercial supplements, tendering process):

If your journal carries advertising or publishes sponsored supplements, you should ensure there are declared policies and accessible guidance on these to maintain the quality of the journal and to ensure that commercial considerations do not affect editorial decisions. As editor, you may also be involved in tendering for commercial services (such as printing or selecting a publisher). Your journal should have fair and transparent processes for handling such decisions. Individuals involved with such decisions should declare any competing interests and, if these are major, should withdraw from the process.

12. Responding to possible misconduct/inappropriate behaviour and dealing with complaints:

As an editor, you play an essential role in preserving the integrity of scholarly publishing. This includes a responsibility to pursue cases of suspected misconduct, even in submissions you have not, and do not, intend to publish. It is important that you act politely, fairly but firmly at all times. **COPE's Core Practices** state that journals must have procedures in place to address and respond to complaints, including anonymous complaints. In administering such issues, you may want to look to **COPE's Discussion Documents** for guidance eg, (<https://bit.ly/2YLfDz8>).

COPE's Flowcharts (<https://bit.ly/2FJRNlh>) on handling complaints offer recommended actions, and this usually starts with contacting the author or reviewer to ask for an explanation. Such letters can be difficult to write; they should not accuse authors or reviewers, but rather should state the facts clearly, giving any evidence, and allow authors or reviewers a chance to explain their actions before coming to a decision. COPE has prepared sample letters (<https://bit.ly/2WHZisZ>) to help you, and these can be adapted as required.

GUIDELINES
COPE GUIDELINES

If you have concerns about plagiarism, data fabrication or an authorship dispute, you should (if possible) involve other editors (preferably the one who was involved directly in dealing with the manuscript) and inform the publisher or journal owner. You may wish to consult the cases discussed at the **COPE Forum** as well as the flowcharts and other guidance:

- **Cases:** <https://bit.ly/2l6rDFp>
- **Flowcharts:** <https://bit.ly/2FJRNLh>
- **Guidelines:** <https://bit.ly/2TNrp89>

It is essential to handle serious cases appropriately because they may have important implications for the individuals involved and may even have legal and financial implications for your journal, see: **Further Reading, Author Guidelines and Best Practice for Journals on page 10.**

You should always be willing to publish corrections, clarifications, retractions and apologies when needed. **COPE** has produced guidance on retractions (<https://bit.ly/2TM4Ros>). Prompt retraction of a seriously flawed article should not be viewed as an admission of failure on the part of the journal but as a responsible action to safeguard the academic record.

Be sure that your journal adopts and publishes its procedures for considering authors' appeals against editorial decisions and for handling complaints (eg, about journal processes). It can be helpful to appoint an independent ombudsman to advise on complaints that cannot be resolved internally.

13. Closing remarks:

Enjoy being an editor! It is a lot of work but tremendously exciting. Make sure you keep up to date with new developments—come to the **COPE Forum** if you are a member, sign up for conferences in editing, join editorial associations, such as the **European Association for Science Editors (EASE)**, **Council of Science Editors (CSE)**, or as appropriate to your speciality, and make contact with fellow editors. Make sure you follow discussions on new publishing models, new models of peer review and changing practices, and be continuously thinking about ways your journal might develop.

AUTHOR CONTRIBUTIONS

Conceptualisation:

Tara Hoke revised the 2011 guidelines that were originally conceptualised and written by Margaret Rees on behalf of COPE Council. We describe contributions to this project as follows:

2011 Version:	2016 Version:	2019 Version:
Writing: MR	Writing – review and editing: TH	Writing – review and editing: TH

AUTHOR GUIDELINES

1: How to Handle Authorship Disputes:

A Guide for New Researchers: <https://bit.ly/2KWD1IO>

2: ICMJE: Defining the Role of Authors and Contributors:

<https://bit.ly/1ruKdnU>

3: The World Association of Medical Editors has provided a statement on conflict of interest:

<https://bit.ly/2V8eldN>

4: The American Chemical Society has provided the following guidance for authors: <https://bit.ly/2up2NbN>

5: Royal Society Publishing:

<https://bit.ly/2GTp5bB>

FURTHER READING

1: UK Research Integrity Office (UKRIO):

<https://bit.ly/2l89BSX>

2: US Government Office of Research Integrity:

<https://ori.hhs.gov>

3: American Physical Society Ethics Education Resources:

<https://bit.ly/2PCa5ma>

4: Royal Society of Chemistry Ethical Guidelines:

<https://rsc.li/2LaaBco>

5: American Society of Plant Biologists:

<https://bit.ly/2V00tpJ>

6: Council of Science Editors: <https://bit.ly/2MKdhdy>

7: European Association for Science Editors:

<https://bit.ly/2UKVu99>

BEST PRACTICE FOR JOURNALS

1: International Mathematical Union's Statement on Best Practices for Journals:

<https://bit.ly/2utyxMJ>

2: CEIC Best Current Practices:

<https://bit.ly/2PysaBD>

3: Legal and Financial Implications: Research Misconduct, Retraction, and Cleansing the Medical Literature: Lessons from the Poehlman Case. Sox HC, Rennie D. Ann Intern Med. 2006 Apr 18;144(8):609-13. Epub 2006 Mar 6. PubMed PMID: 16522625:

<https://bit.ly/2OHRxQR>

4: Editorial Expression of Concern. Kennedy D. Science. 2006 Jan 6;311(5757):36. Epub 2005 Dec 22. PubMed PMID: 16373531: <https://bit.ly/2ZKW2zB>

Our COPE materials are available to use under the Creative Commons Attribution-NonCommercial-NoDerivs license
<https://creativecommons.org/licenses/by-nc-nd/4.0/>

Attribution — You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work). **Non-commercial** — You may not use this work for commercial purposes.

No Derivative Works — You may not alter, transform, or build upon this work. We ask that you give full accreditation to COPE with a link to our website: publicationethics.org



publicationethics.org

Registered charity No 1123023

Registered in England and Wales, Company No 6389120

Registered office: COPE, New Kings Court,
Tollgate, Chandler's Ford, Eastleigh, Hampshire,
SO53 3LG, United Kingdom



facebook.com/publicationethics



@COPE



LinkedIn

PROMOTING INTEGRITY IN
RESEARCH AND ITS PUBLICATION

UNT_003314

EXHIBIT FFF

Material for the Committee

From: "Jackson, Timothy" <timothy.jackson@unt.edu>
To: "Ishiyama, John" <john.ishiyama@unt.edu>, "Wallach, Jennifer" <jennifer.wallach@unt.edu>, "Du, Jincheng" <jincheng.du@unt.edu>, "Guzman, Francisco" <francisco.guzman@unt.edu>, "Lemberger-Truelove, Matthew" <matthew.lemberger-truelove@unt.edu>
Cc: Michael Allen <m.allen@allen-lawfirm.com>, "Stowers, Renaldo" <renaldo.stowers@untsystem.edu>
Date: Sat, 17 Oct 2020 12:09:00 -0500
Attachments: Opinions-Chaouat.pdf (74.87 kB); Editorial Process of JSS vol 12 (condensed) Oct 13 2020.pdf (605.63 kB); Revised Levi Walls documentation Oct 4 2020 Oct. 13.pdf (929.16 kB); Letter to UNT Committee Oct 17 2020.pdf (872.53 kB)

Dear Colleagues,

Please see attached letter and documents:

1. My letter to UNT Committee Oct. 17, 2020
2. Editorial Process of JSS vol. 12
3. Revised Levi Walls documentation
4. Opinions-Chaouat

Sincerely,
Timothy Jackson

Tone-Deaf and Colorblind

by Bruno Chaouat

In November 2019, a controversy broke out at the annual conference of the Society for Music Theory. The plenary lecture, delivered by Hunter College professor Philip Ewell, alleged the existence of elitism, color blindness, Eurocentrism, racism, and xenophobia in the field of music theory in North America. Ewell's main target was Heinrich Schenker, an Austrian Jewish music theorist of the early twentieth century who founded a school of classical music theory, and his disciples and heirs. Ewell objected to the "white racial frame" that dominates Schenkerian music theory. Classical music theory, and by extension classical music, are at best colorblind and at worst racist.

For Ewell, the problem is not primarily institutional but structural. Diversifying the demographics of classical music students and scholars will not do the trick. If "racism is a structure," then the "white racial frame"—classical music in its European incarnation—must be destroyed. The language of "white racial frame" is agonistic. A symbolic war must be waged for the defeat of a "white race." The reader will judge whether this anti-racist struggle can be compared to a racist one.

Ewell goes a step further: Dismantling the white racial frame will benefit not only people of color, but non-males and LGBTQ people as well. It is the solution to all forms of oppression. This conceit has a name: intersectionality. Proponents of intersectionality engage in secular eschatological and millenarian thinking—the end is close; justice is coming. We are

dealing here not with reason but with faith. There is neither slave nor free, nor is there male and female, for all are one in antiracism. Here is the new Epistle to the Galatians.

Heinrich Schenker has exerted considerable influence on the field of music analysis. Like so many German-speaking Jews of his generation, he celebrated German "genius" (a concept Ewell rejects as racist), outdid his gentile compatriots in patriotism, and resented the outcome of the First World War. In his literary and technical writings, one finds virulent anti-French, anti-American, and anti-British passages. Freud would have detected in this the "narcissism of small differences." We know that such narcissism bolstered European nationalisms and led to the suicide of Europe (arguably, twice in one century). Schenker held a Eurocentric worldview and was prone to the ethnic arrogance that accompanies it. The French version of such arrogance was called the "civilizing mission"—the idea that the French Second Empire and Third Republic were a light to the world and their mission was to colonize "primitive peoples" for their own good. Kipling notoriously coined this the "White Man's Burden."

But Schenker was also a music theory genius. He developed a complex method of analyzing tonal music, which he considered the model for universal music. For Schenker, tonal music has a metaphysical meaning. It represents the *harmonia mundi*, the great cosmic harmony, and composing tonal music is a way of paying

homage to the creation. When we listen to a sonata or a concerto composed in the heptatonic scale, we are carried through a sonorous narrative with an exposition, a development, and a resolution. Classical music is teleological—it has a beginning, a middle, and an end; it takes us through dissonances, conflicts of sounds; but it resolves the tensions and generally ends on a tonic chord. The result, for the classical music lover, is aesthetic pleasure. Classical music at once disorients and reassures. It invents within a familiar frame, within the strictures of a predictable code. We recognize the best composers by their ability to bend the code while conforming to it.

One may dislike classical music: Many do, and it is a vulnerable field—some say a dying field—today, but if one is touched by classical music, then understanding the rudiments of compositional writing is necessary. It helps the performer to discern the chromatic nuances of a piece, the amateur to hear better, and the music historian to trace influences. One aspect of Schenkerian analysis involves determining the hierarchy of sounds, discriminating the notes and chords that should be emphasized and the line that must be highlighted. Some notes and chords are more equal than others—even a mediocre performer knows that. When playing a sonata, one must heed the horizontal and the vertical lines, stressing this note rather than that. At the same time, there is room for creativity: Think of Glenn Gould's recreation of Bach. In the realm of literature and poetry, think of Charles Baudelaire's subversion of the lyric and his heralding of the breaking of the French alexandrine, the classical verse of twelve syllables.

Bruno Chaouat is professor of French and Jewish studies at the University of Minnesota.

Twelve-tone music would break the tonal scale in the early twentieth century, with Arnold Schoenberg. Dissonance triumphed, at least for a while. In poetry, broken and then free verses carried the day.

During his plenary lecture, Ewell took the hierarchical order of classical music literally and denounced it as a transposition of racial hierarchy. For Ewell, the culprit is less the domination of white composers in the history of music than something as abstract as “functional tonality.” He adds that if functional tonality has spread around the world, it is thanks to colonialism and European hegemony. Western music is a colonial endeavor. It has contaminated non-European cultures and harmonically oppressed nonwhite peoples. If the dominant chord is superior to the subdominant, it follows that white is superior to black. If Schenker wrote nationalistic and xenophobic pages, it follows that the core of his music theory is racist. Schenker, Ewell suggests, is the Comte de Gobineau of sounds.

Had he looked into the French musical lexicon, Ewell would have found grist for the mill. In French, a quarter note is called a *noire* (black), and a half note is a *blanche* (white). This cannot be a coincidence.

The most engaging passages of Ewell’s lecture allege a link between Schenker’s ideology and his music theory, and by extension classical music. Schenker’s language is naturalistic. Tones, like peoples and nations, grow organically. The opus is a corpus, the musical work behaves like a body, the genius is endowed with certain genes, and so on. Schenker was conscious of speaking metaphorically: “It is . . . a contradiction to maintain . . . that all scale tones between ‘C’ and ‘c’ have real independence or, to use a current *but certainly musically unsuitable* expression, ‘equal rights’” (emphasis mine). In his reading of that sentence, Ewell ignores Schenker’s recognition

that the phrase “equal rights” is relevant to music only as a metaphor. Ewell takes Schenker literally and imagines that classical music is rooted in racial hierarchy and contempt for equal rights. In another instance, Ewell claims that for Schenker, the white race should govern the people of Africa. From this claim (which I will not discuss, because it would demand a philological and contextual analysis of Schenker’s writings on the subject of Europe and race), Ewell infers that, *likewise*, “the scale degrees of the fundamental structure [read: the German people] . . . ‘have decisive control over the middleground and foreground [read: African peoples].’” This is an appalling hermeneutic.

Imagine a sports historian describing the rules of soccer and noticing that they include such words as “off-side,” “penalty kick,” “defending position” (in the back), and “attacking position” (in the front). A critical theorist, perhaps inspired by the thought of Michel Foucault, would deconstruct soccer based on a grammar of power, discipline, and hierarchy. Why should there be penalty kicks? Penalty belongs to the Western history of discipline and punishment. Soccer is a white elitist sport, invented in Cambridge, based on surveilling and disciplining bodies, and meant to bolster the British Empire. Soccer players of the world, unite to dismantle soccer’s white racial frame! The same logic would apply to chess—clearly a monarchic vestige. Beheading the king and queen is long overdue.

Ewell offers an alternative to the hegemony of the white racial frame. He suggests including the study of rap in music theory. Now deemed an art in its own right, with some of its artists receiving recognition in the world of letters and music, rap promotes “social justice” by fostering awareness of racism. With rap in the classroom, we kill two birds with one stone: We democratize music theory, and we instill a sense of morality in the youth. Rap, for Ewell and like-minded music

theorists, is the equivalent of socialist realism. It can be aesthetically complex and pleasing, but it also contributes to the revolution.

A number of scholars responded to Ewell’s attack in a special issue of the *Journal of Schenkerian Studies*. In his response, Timothy Jackson of the University of North Texas reminds us that Schenker was a Jew whose worldview changed upon the arrival of the Nazis. Schenker had a marginal position in Vienna compared to gentile music theorists. His disciples were Jews who emigrated to America and faced discrimination there. And as Jackson points out, Ewell sees the speck in the eye of classical music theory but not the plank in the eye of hip-hop, which is far from innocent of bigotry. In France and the U.S., rap lyrics are often violently anti-Semitic and sexist. In Russia, some hip-hop supports Putin’s autocracy. Rap also lends itself to conspiratorial thinking, including the anti-Semitic variety. Perhaps, by Ewell’s lights, rap’s anti-Semitism need not be taken seriously, since Jews are now construed as part of the power structure—as “white.” But isn’t seeing Jews as instrumental in the power structure an anti-Semitic trope?

The special issue of the *Journal of Schenkerian Studies* elicited an open letter of condemnation from the Society for Music Theory. The editors of the journal were accused of, and subsequently investigated for, disrespecting academic standards of publication and promoting racism. For his part, Ewell is not content to call Jackson and other Schenkerian scholars racist. In a Facebook post, he calls Jackson an anti-Semite, though Jackson is Jewish.

What is of serious concern for the academy at large is the use of the power of the official organization of music theory scholars to censor a scholarly journal and its contributors. More than nine hundred signatories in the field endorsed an open letter in

which one can read, among other demands and recommendations: “We all need to ask ourselves: What have I done as an individual to perpetuate existing white supremacist systems of power and inequity in our field? Probing these questions in our work individually is essential to our collective reckoning.”

One mission of scholarship is to reveal structural relations between a thought and its thinker, a work and its author. I am thinking of Heidegger and the decades of violent debate regarding his Nazism. The core question is: Is Heidegger’s Nazism legible in his ontology? Is his ontology structurally Aryan? These are major questions, and indispensable for an understanding of the history of philosophy. I have read a great deal on the question, and I remain hesitant to condemn all of Heidegger’s philosophy as tainted with Nazism. Even if it were possible to decide that Heidegger’s thought is structurally

dependent on a Nazi philosophy, it would be immoral to threaten the careers of Heideggerian scholars. This is the first time since the Red Scare, to my knowledge, that a petition to investigate a journal and scholars for their defense of the object of their study has occurred.

Culture and education demand discrimination. Discrimination, from the Greek *krinein*, means judging, evaluating, and making distinctions. It is the basis of critical thinking. There can be no literature, no poetry, no painting, and no music (in fact, no sciences, no philosophy, and no sport, either) without a differentiation of forms and concepts and tones and colors. Hierarchy is part of any art form and any conceptual thought.

Robert Antelme, a communist Résistant, a friend of François Mitterrand, and the husband of modernist writer Marguerite Duras,

published his concentration camp testimony in 1947. *The Human Race* is a poignant call for human rights and a condemnation of totalitarianism and fascism. Antelme describes the language of the concentration camp: “Hell must be like that, a place where everything that is said is thrown up equally, as in a drunkard’s vomit.” Did Antelme mean that equality was a political feature of the camp? Quite the opposite. The barbarity of the SS system was characterized by the destruction of culture and by a language that had lost its syntax, a language of chaos and noise and bestial immediacy. Restoring civilization meant, among other things, retrieving language as a mediated form of communication.

Antelme’s vision of hell is uncannily relevant to us. What are the mobs on social media if not the equal, undifferentiated, and monotonous verbalization of unmediated affect? This is the opposite of what classical music stands for. ■

Editorial Process of JSS vol. 12

In my Webcast <https://www.youtube.com/watch?v=-BYEmzYAMok&t=4125s>, I mentioned being asked by Levi Walls and Ben Graf if we should publish anti-Schenkerian responses in the Symposium. The letter referenced is dated February 13, 2019, from Levi to me and copied to Ben asking me precisely that question. In his letter, Levi states that, although he and Ben disagreed with a lot of the arguments put forward by Ewell's supporters, he and Ben felt that we should publish their papers; of course, in the spirit of a dialectical scholarly discourse, I agreed, and therefore we published *all* of the pro-Ewell papers as well as the pro-Schenker responses.

[Members of the Editorial Board Correspondence re. Call for Papers, Nov. 25- Dec. 1, 2019]

Members of the editorial board correspondence re. the wording of the call for responses. Also, see Jackson message acknowledging the need for hiring more black/brown/Latino/Asian male and female music theorists.

From: Timothy Jackson <shermanzelechin@gmail.com>
Date: Fri, Nov 29, 2019 at 2:03 PM
Subject: Re: Framing for call for responses to Ewell paper
To: Walls, Levi <LeviWalls@my.unt.edu>
Cc: Slottow, Stephen <Stephen.Slottow@unt.edu>, Graf, Benjamin <Benjamin.Graf@unt.edu>, Cubero, Diego <Diego.Cubero@unt.edu>, Bakulina, Ellen <Ellen.Bakulina@unt.edu>, Chung, Andrew <Andrew.Chung@unt.edu>

Dear Colleagues,
I hate to be the fly in the ointment, but the call does not seem ready to me just yet. And here is why. Interestingly - and very significantly - in his abstract, Ewell says nothing at all about the talk's attack on 1) Schenker, 2) Schenkerians, and 3) Schenkerian methodology.

Indeed, given his abstract, most people would find nothing objectionable in it, and wonder why a call for responses would even be necessary. Most of us would agree that there are too few blacks and women in the field of music theory, and that it is desirable to try to recruit more.

But that is not the reason why the *JSS* is issuing this call for responses! The call still needs to make explicit *in some way* why *JSS*, which is focused on "Schenkerian Studies" as implied by its title, would need to "respond" to Ewell's remarks at the SMT at all, especially since the reason is not discernible in his abstract. We can include his

abstract if you want, but it is what he actually said about Schenker, Schenkerians, and Schenkerian methodology that matters and is the *raison d'être* for the call.

Therefore, we need to make the call draw attention to Ewell's conclusions in the paper he actually delivered, and not his abstract. Here is some language derived from Ewell's talk which might be used in the call: Schenker's concepts of scale degrees and dissonance resolution, and tonal hierarchy are inherently racist. (2:30) Study of Schenker's musical ideas has helped to legitimize harmful stereotypes about blacks and other people of color. (2:32) "Diversity" is a cynical strategy to reinforce inequality. (2:32) Reduce the study of Western music theory to two semesters (this would certainly solve a lot of problems, because then no one would even be able to attempt to study Schenker's ideas, which is apparently the point). (2:34) Schenker's followers (Forte, Oster, Rothgeb, Rothstein, and others) have suppressed the racist statements in translations of Schenker's publications in order to conceal his racist ideology.

THESE are the conclusions that Ewell explicitly draws about Schenker, Schenkerians, and Schenkerian methodology that are at the core of his argument, and the reason why the *Journal* is eliciting responses. If we do not make this point explicit, then we run the risk of appearing reactionary and racist ourselves!

This issue needs to be addressed BEFORE we are ready to go forward.
Best, Tim

From: Walls, Levi
Sent: Monday, November 25, 2019 1:00 PM
To: Bakulina, Ellen <Ellen.Bakulina@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Framing for call for responses to Ewell paper

Dear Drs. Bakulina, Chung, and Cubero,
The *JSS* is preparing to send out a call for responses to the Ewell paper at SMT. We all thought it would be prudent to get input from other faculty members regarding the specific framing of the call. Please let us know if you have any thoughts on improving the language of the call, especially in regards to inclusiveness and impartiality:

The SMT paper given by Philip Ewell, "Music Theory's White Racial Frame," has inspired a good deal of debate within the Schenkerian community. As a journal dedicated to Schenkerian studies, we find it important to foster these discussions. As part of volume 12, we invite interested parties to submit essay responses to Ewell's paper. The *Journal of Schenkerian Studies* takes no official stance on the issues addressed by Ewell, and we hope to publish a variety of thoughts and

perspectives. Submissions must adhere to the following guidelines:
Essays should be 1,000 to 3,000 words in length.
In order to leave sufficient time for editorial work, submissions must observe a strict deadline of January 13, 2019.
Any questions or concerns regarding submissions may be directed at the editors (Schenker@unt.edu).
Regards,
Levi Walls (with Drs. Jackson, Slottow, and Graf in copy)

From: "Chung, Andrew" <Andrew.Chung@unt.edu>
Date: Monday, November 25, 2019 at 1:07 PM
To: "Walls, Levi" <LeviWalls@my.unt.edu>, "Bakulina, Ellen" <Ellen.Bakulina@unt.edu>, "Cubero, Diego" <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>, "Slottow, Stephen" <Stephen.Slottow@unt.edu>, "Graf, Benjamin" <Benjamin.Graf@unt.edu>
Subject: RE: Framing for call for responses to Ewell paper

Dear Levi + others,

I think it's great that JSS is looking to engage Ewell's SMT talk. What do you think about mentioning very briefly some of the content and context of Ewell's remarks vis-à-vis Schenker? As the CFP stands, it seems to presume that everyone knows what Ewell said, and what tendencies of Schenker's Ewell chose to talk about (most readers probably do understand both of these things). The thing to be careful about, of course, is not to implicitly encourage responses of one kind and discourage responses of another kind.

Cheers,
Dr. Chung

From: Slottow, Stephen <Stephen.Slottow@unt.edu>
Sent: Monday, November 25, 2019 1:15 PM
To: Chung, Andrew <Andrew.Chung@unt.edu>; Walls, Levi <LeviWalls@my.unt.edu>; Bakulina, Ellen <Ellen.Bakulina@unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Re: Framing for call for responses to Ewell paper
Good idea. One way this could be done is to reproduce Ewell's SMT abstract and link to the SMT reproduction of his slides and video of his talk, which is on both the SMT and his Hunter website. I'm not sure how long it'll stay on the SMT website.
-sps
Stephen Slottow

Associate Professor of Music Theory
University of North Texas

From: Bakulina, Ellen <Ellen.Bakulina@unt.edu>
Sent: Monday, November 25, 2019 11:32:30 AM
To: Slottow, Stephen <Stephen.Slottow@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Walls, Levi <LeviWalls@my.unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Re: Framing for call for responses to Ewell paper

Oh, and change January 13, 2019 to 2020.
-EB

From: Bakulina, Ellen <Ellen.Bakulina@unt.edu>
Sent: Monday, November 25, 2019 1:22 PM
To: Slottow, Stephen <Stephen.Slottow@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Walls, Levi <LeviWalls@my.unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Re: Framing for call for responses to Ewell paper

Yes, good idea to provide link to the recording of Ewell's talk. As far as I know, it will be available on the SMT website until January 15, which is after your January 13 deadline, so there is no problem here.

Could you specify that the paper was part of the plenary session? Right now, it looks like it was a regular SMT paper (which would probably produce less reverberation than a plenary one).

As for encouraging different kinds of responses, the CFP already says "variety of thoughts and perspectives." I think this is quite clear.
All best,
-EB

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Tuesday, November 26, 2019 6:21 AM
To: Bakulina, Ellen <Ellen.Bakulina@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Re: Framing for call for responses to Ewell paper

Hi all,

Thank you all very much for the input. Drs. Jackson, Slottow, and Graf, I'll draft a final version of the call and get it back to you around midday, then we can discuss how to proceed. We should be able to send it out today.

Regards,
Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Tuesday, November 26, 2019 12:24 PM
To: Bakulina, Ellen <Ellen.Bakulina@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Cubero, Diego <Diego.Cubero@unt.edu>
Cc: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>

Subject: Re: Framing for call for responses to Ewell paper

Dear Drs. Jackson, Slottow, Graf, et al.,

I've attached a new version of the call. Let me know if it looks okay, or if there are any other issues that come to mind.

Dr. Bakulina, I believe that was the plan. Dr. Jackson also mentioned sending it to the Sibelius and Estonian academies. We'll have to confirm exactly how/where to send it out.

Regards,
Levi Walls

On Fri, Nov 29, 2019 at 12:55 PM Walls, Levi <LeviWalls@my.unt.edu> wrote:

Hi all,

Here is a new copy of the call with "Schenkerian community" changed to "theory community" and the January 13 deadline. How/where should we send it out? We previously discussed using the SMT list and possible other places (Estonian and Sibelius academies).

Regards,
Levi Walls

Journal of Schenkerian Studies vol. 12 (2019) Call for Papers

The SMT plenary presentation given by Philip Ewell, "Music Theory's White Racial Frame," has inspired a good deal of debate within the Schenkerian community. As a journal dedicated to Schenkerian studies, we find it important to foster these discussions. As part of volume 12, we invite interested parties to submit essay responses to Ewell's paper. The *Journal of Schenkerian Studies* takes no official stance on the issues addressed by Ewell, and we hope to publish a variety of thoughts and perspectives. Submissions must adhere to the following guidelines: Essays should be 1,000 to 3,000 words in length.

In order to leave sufficient time for editorial work, submissions must observe a strict deadline of January 13, 2020.

Any questions or concerns regarding submissions may be directed at the editors (Schenker@unt.edu).

Please refer to Ewell's abstract, as well as links to the presentation slides and video recording (listed below):

On Nov 26, 2019, at 12:39 PM, Bakulina, Ellen <Ellen.Bakulina@unt.edu> wrote:
Looks good to me. Thanks for asking for our opinions!
-EB

From: Cubero, Diego <Diego.Cubero@unt.edu>
Sent: Tuesday, November 26, 2019 2:00 PM
To: Bakulina, Ellen <Ellen.Bakulina@unt.edu>
Cc: Walls, Levi <LeviWalls@my.unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Chung, Andrew <Andrew.Chung@unt.edu>; Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Re: Framing for call for responses to Ewell paper
Dear Levi and all,
The call looks good. I would make the two following suggestions:
1. There is a passage that reads: "We invite interested parties to submit essay responses to Ewell's paper." I would change it to: "We invite responses to Ewell's paper."
2. I do not like the phrase "Schenkerian community." It is quite exclusive. Think of a way to reword this sentence. I will, too.
2. Extend the deadline at least to February 1st. A month and a half is a pretty short turn around, especially considering that it is the holidays.
Best,
Diego

From: "Graf, Benjamin" <Benjamin.Graf@unt.edu>
Date: Wednesday, November 27, 2019 at 9:44 AM
To: "Cubero, Diego" <Diego.Cubero@unt.edu>, "Bakulina, Ellen" <Ellen.Bakulina@unt.edu>
Cc: "Walls, Levi" <LeviWalls@my.unt.edu>, "Slottow, Stephen" <Stephen.Slottow@unt.edu>, "Chung, Andrew" <Andrew.Chung@unt.edu>, Timothy Jackson <shermanzelechin@gmail.com>
Subject: Re: Framing for call for responses to Ewell paper

Dear Diego and all,
I completely agree with point #2, which is now changed to "theory community" (thank you Levi).

As to the deadline-- from an editor's perspective, we really cannot delay the submissions further. There is quite a bit of work that must be done after the submissions come in. For example, the following timeline would be a fair estimate:

Feb 1: collect submissions
Feb 15: editing submissions
Feb 27: revisions complete
March 8: add front/back matter, ads, sign and collect contributor agreement forms
March 15: Karen at UNT Press reads final PDF
March 25: document sent to printers
April/May: we get print copies

Again, from an editor's perspective, it would be best to not delay further. The responses should not be very long, so I hope that we can stick to January 13th.

Best,

Ben

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215

From: Slottow, Stephen <Stephen.Slottow@unt.edu>

Sent: Wednesday, November 27, 2019 10:56 AM

To: Graf, Benjamin <Benjamin.Graf@unt.edu>; Cubero, Diego

<Diego.Cubero@unt.edu>; Bakulina, Ellen <Ellen.Bakulina@unt.edu>

Cc: Walls, Levi <LeviWalls@my.unt.edu>; Chung, Andrew

<Andrew.Chung@unt.edu>; Timothy Jackson <shermanzelechin@gmail.com>

Subject: Re: Framing for call for responses to Ewell paper

In that case, it may be well to backdate submissions to—say, November 1st, 2019.

That way we'll have them before the call is sent out, which would be convenient for all concerned, I should think. This would create an alternative time line, which we could utilize as needed.

-sps

Stephen Slottow

Associate Professor of Music Theory

University of North Texas

[Final draft of Ewell CFP, Nov. 26-30, 2020]

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Nov 26, 2019,

3:52 PM

to Benjamin, me, Stephen

Dear all,

Here is a final draft of the CFP. Taking Dr. Cubero's advice, I changed "Schenkerian community" to "theory community" and I also moved the deadline to February 1st. When I spoke to Ron, he actually said that it would be okay to extend it further than January; the timeline is rather flexible for the journals, he said. Let

me know if we should change anything else. Otherwise, we can decide how to send it out.

Regards,
Levi Walls
Attachments area

Slottow, Stephen <Stephen.Slottow@unt.edu>
Nov 26, 2019,9:59 PM to Levi, Benjamin, me

Dear Levi,
Those two changes aren't on the "final" draft. When they are, the CFP seems fine.
-sps
Hold off sending out the Call until....

Timothy Jackson <shermanzelechin@gmail.com>
Sat, Nov 30, 2019,
3:17 PM

to Levi, Ellen, Stephen, Benjamin

Dear Levi,

Let's hold off sending out the call with Ewell's remarks until:

1. Everyone has had a chance to read my transcript of Ewell's remarks on Schenker, which still need some editing.
2. It would be correct to hold off sending out the call until we have had the opportunity to send it to Rothstein, Rothgeb, and Benjamin and ask them if they wish to reply.

Ellen can ask Rothstein. I can ask Bill Benjamin, with whom I have a friendly connection, and Rothgeb, who I do not know personally; however, I believe that he knows me by reputation.

Best wishes, Tim

Walls, Levi <LeviWalls@my.unt.edu>
Sat, Nov 30, 2019, 10:14 PM
to me

Dear Dr. Jackson,

Sorry for the delay. I've been deeply preoccupied in writing. Alright, we'll wait to hear from the others and proceed from there! I will respond to all the details you've kindly shared with me about Bach. I'm just a bit behind in research for papers and going through that final push.

Regards,
Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Saturday, November 30, 2019 1:17:15 PM

To: Walls, Levi <LeviWalls@my.unt.edu>
Cc: Bakulina, Ellen <Ellen.Bakulina@unt.edu>; Stephen Slottow <sslottow@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: [EXT] Hold off sending out the Call until....

[Discussions about the appropriate time for CFP by JSS, Dec. 1-4, 2019]

Bakulina, Ellen <Ellen.Bakulina@unt.edu>

Sun, Dec 1, 2019,

6:53 PM

to Diego, Levi, me,

Benjamin, Stephen

Dear All,

I just had a conversation with a colleague about the SMT plenary session (of which Ewell's talk was part), and he told me what I should have known all along, because this was announced right before the presentations: that the plenary talks will be published in Music Theory Spectrum. You all probably knew about this too. I was just extremely tired on the day of the plenary session (I presented a paper myself on the same day, earlier, had a 7 a.m. committee meeting, and had to present another paper the following day) and, I guess, that's why I missed some of the information.

Does the prospective Spectrum publication means that, perhaps we should wait with our call for responses until after that publication appears?

All best,

-Ellen

Sun, Dec 1, 2019, 7:51 PM

to Ellen, me, Benjamin, Stephen, Diego

Dr. Bakulina, and all,

That does seem to complicate matters a bit. I had briefly heard something to that effect shortly after SMT, then promptly forgot all about it.

Regards,

Levi Walls

From: Bakulina, Ellen <Ellen.Bakulina@unt.edu>

Sent: Sunday, December 1, 2019 4:53:37 PM

To: Walls, Levi <LeviWalls@my.unt.edu>; Timothy Jackson

<shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>;

Stephen Slottow <sslottow@gmail.com>; Cubero, Diego <Diego.Cubero@unt.edu>

Timothy Jackson <shermanzelechin@gmail.com>

Sun, Dec 1, 2019,

10:06 PM

to Ellen, Levi, Benjamin, Stephen

Dear Ellen, Colleagues,

All things considered, JSS should go forward with the call as planned. What we are asking for from scholars are considered responses to the Plenary Session talk by Ewell as it was delivered and has been posted on line. We have already received one succinct, but nonetheless important comment from a very prominent scholar who has watched the video, read the transcript, and would like us to publish his reply, - and we definitely *should* publish it. More responses have promised - and have even been requested. Therefore, if others are interested in responding but wish to wait for the published version of Ewell's talk, then they are welcome to do so, and we should be open to publishing additional responses to that version in a subsequent issue (after the upcoming one) of the *Journal of Schenkerian Studies*.
Best, Tim

Graf, Benjamin Dec 2, 2019, 9:14 AM

I agree with Tim. We should go forward with the call and be open to publishing more on this matter in future publications. Ben

Benjamin Graf, Ph.D.

University of North Texas

Graf,

Benjamin <Benjamin.Graf@unt.edu>

Dec 2, 2019, 6:40

PM

to me, Ellen, Levi, Stephen

Graf, Benjamin <Benjamin.Graf@unt.edu>

Dec 2, 2019, 6:40 PM

to me, Ellen, Levi, Stephen

Tim (CC: Stephen, Ellen, and Levi),

Levi and I spoke briefly today about the call, and we both agreed that we don't want the call to 1) be too lengthy or 2) "lead" contributors to comment on only excerpted quotations instead of encouraging them to digest the entire paper (then draft responses as they feel appropriate).

Perhaps the official call can be shorter, but you could send some excerpts and lengthier thoughts to your close colleagues in addition to the formal CFP.

Let me know your thoughts if you have a chance. We are, of course, flexible!

Best,

Ben

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Sunday, December 1, 2019 10:06 PM

To: Bakulina, Ellen <Ellen.Bakulina@unt.edu>

Cc: Walls, Levi <LeviWalls@my.unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>; Stephen Slottow <sslottow@gmail.com>
Timothy Jackson <shermanzelechin@gmail.com>

Dec 3, 2019, 9:22 AM

to Diego, Andrew, Benjamin, Ellen, Levi, Stephen

Dear Ben, Colleagues,

We still have to address the issue of *why* the *JSS* in particular is asking for responses. I thought that Andrew's point was very well taken, namely that we don't want to be seen to be disagreeing with Ewell's broader point of advocating inclusion of different ethnicities in the discipline of music theory, which I assume that we all support and is not contentious, at least here, but rather focus on his central example of racism in music theory, namely on Schenker, Schenkerian scholars, and Schenkerian analysis. As you know, independently I came to exactly the same conclusion as Andrew. We need to judge the call carefully, and make it clear that Ewell's hypothesis of Schenkerian racism is the primary focus.

To address both issues of reducing the length of the general call, and placing the focus squarely on Ewell's attack on Schenker, Schenkerian scholars, and the Schenkerian approach as racist, rather than including ALL of Ewell's comments, I think that we ought to focus on quoting just a few of his representative statements. Therefore I would propose citing the following short quote in the call: "The best example through which to examine our white frame is through Heinrich Schenker, a fervent racist, whose racism undoubtedly influenced his music theory, yet it gets whitewashed for general consumption.....In his voluminous writings, Schenker often mentions white and black as modifiers for human races.....As with the inequality of races, Schenker believed in the inequality of tones. Here we begin to see how Schenker's racism pervaded his music theories. In short, neither racial classes, nor pitch classes, were equal in Schenker's theories. He uses the same language to express these beliefs.....his sentiment is clear: blacks must be controlled by whites. Similarly, Schenker believed notes from the fundamental structure must control other notes."

We can then solicit responses.

I think that we can omit Ewell's "conspiracy theory" that a group of Schenkerian scholars whitewashed Schenker's racism from the call, since this issue will be dealt with directly by scholars Ewell accuses. For example, Nicholas Cook from Cambridge has agreed to send us a response.

I would, however, send the complete transcript of Ewell's remarks on Schenker to both Drabkin and Bent since Ewell's case is largely built on comments in the letters and diary quoted from their SDO. The same for Rothstein, since he is also included in the group of Schenkerian scholars critiqued. Ben and Levi: please cc. me and Stephen on your letters to Drabkin and Bent. You should send them now, if you have not already done so.

I have already written to John Rothgeb. My understanding is that he is pretty reclusive, so I am unsure whether he will respond. I do have his cell phone number,

so that if I don't hear from him in a few days or so, I will also try calling him. Ellen will let us know when Rothstein replies. It is a shame that Allen and Oster cannot respond. I know that Allen would. However, Allen did give me a copy of his correspondence with Oster, and I will check it to see if the issue of moving certain paragraphs into the appendices came up. I recall that it did. If so, I see no reason why we should not publish this part of the correspondence, since it will document the reasons for the decision. With best wishes,
Tim

Stephen Slottow <sslottow@gmail.com>

Dec 3, 2019,

10:06 AM

to me

Dear Tim,

Who holds the rights for the Forte's correspondence with Oster? We may want to find out before publishing letters verbatim. I think that we may be allowed to publish small excerpts without permission, but I don't really know. Perhaps it would be best to check with Wayne Alpern or someone else who knows copyright law? Also, I tried to reach Rothgeb re my sequence article but was unsuccessful. Evidently the email addresses I got from Carl and Charles aren't good any longer, or he just didn't respond. Since you have his phone number, I'd try that first.
-sps

Timothy Jackson <shermanzelechin@gmail.com>

Dec 3, 2019, 11:34 AM

to Stephen

Dear Stephen,

I have a letter from Allen to the effect that I have the right to publish anything that I want to from his Nachlass. He gave this letter to me long before he got really sick. He was concerned about being misrepresented.

Please keep this next item private. I have been in touch with Madeleine, pointing out my disgust that Ewell, a former student, accused Allen of "whitewashing" Schenker's racism. She confronted a number of other former students about it, who reassured her, "don't worry, everything is just fine." Madeleine, who is very sharp, sees through it, and does not concur. She agrees with me and she wishes me to respond - properly - and in due course. She will not raise any objections to us publishing anything that Allen gave me. I do need to dig out the correspondence and go through it. I think that I also made a copy for you. You might look through it as well.

Best, Tim

Graf, Benjamin <Benjamin.Graf@unt.edu>

Dec 4, 2019, 9:26 AM

to Diego, Andrew,

Ellen, Levi, me, Stephen

Tim and colleagues,
That sounds good to me! I am on board.
Ben
Benjamin Graf, Ph.D.
University of North Texas
Music History, Theory and Ethnomusicology
Office: MU215

[Jackson corresponded with Nicolas Cooke, David Beach, Allen Cadwallader, Boyd Pomeroy, and Jack Boss.]

Jackson sounded out authorities on Schenkerian analysis to see what they thought about Ewell's presentation, and whether they wanted to respond. But then, since the negative replies received seemed too one-sided, Jackson decided to ask UNT colleagues if they would consider a Symposium with both pros. and cons. We worked on the "Call for Papers" in the theory area, came up with a call, and sent it out. Due to delays in getting the CFP posted the time period was short, just two weeks, but we gave extensions until the beginning of March to all who indicated that they wanted to contribute.

[Initial Efforts to send CFP through to the SMT list on Dec. 19, 2020]

schenker
Thu 12/19/2019 4:42 PM
To: Jackson, Timothy; Slottow, Stephen
Cc: Graf, Benjamin
JSS CFP_ Philip Ewell responses (1) (2).docx
17 KB
Hi all,
Dr. Graf and I are both having trouble getting this call through to the SMT list. Neither of our emails seem to be accepted. Could one of you please try with your email? Thanks!
Regards,
Levi Walls

[Journal of Schenkerian Studies vol. 12 (2019) Call for Papers]

The SMT plenary presentation given by Philip Ewell, "Music Theory's White Racial Frame," has inspired a good deal of debate within the theory community, especially regarding the possible relationship between Schenkerian methodology and the white racial frame (as suggested in the following quote from Ewell):
"The best example through which to examine our white frame is through Heinrich

Schenker, a fervent racist, whose racism undoubtedly influenced his music theory, yet it gets whitewashed for general consumption.....In his voluminous writings, Schenker often mentions white and black as modifiers for human races.....As with the inequality of races, Schenker believed in the inequality of tones. Here we begin to see how Schenker's racism pervaded his music theories. In short, neither racial classes, nor pitch classes, were equal in Schenker's theories. He uses the same language to express these beliefs.....his sentiment is clear: blacks must be controlled by whites. Similarly, Schenker believed notes from the fundamental structure must control other notes."

As a journal dedicated to Schenkerian studies, we find it important to foster discussion on these issues. As part of volume 12, we invite interested parties to submit essay responses to Ewell's paper. The Journal of Schenkerian Studies takes no official stance on the issues addressed by Ewell, and we hope to publish a variety of thoughts and perspectives. Submissions must adhere to the following guidelines:

1. Essays should be 1,000 to 3,000 words in length.
2. In order to leave sufficient time for editorial work, submissions must observe a strict deadline of January 13, 2020.

Any questions or concerns regarding submissions may be directed at the editors (Schenker@unt.edu).

Please refer to Ewell's abstract, as well as links to the presentation slides and video recording (listed below):

Music Theory's White Racial Frame

Philip Ewell (Hunter College and The Graduate Center, CUNY)

For over twenty years music theory has tried to diversify with respect to race, yet the field today remains remarkably white. SMT's most recent report on demographics shows that 90.4 percent of full-time employees in music theory are white, while 93.9 percent of associate/full professors are. Aside from this literal whiteness, there exists a figurative and even more deep-seated whiteness in music theory. This is the whiteness—which manifests itself in the composers we choose to represent our field inside and outside of the classroom, and in the theorists that we elevate to the top of our discipline—that one must practice, regardless of one's own personal racial identity, in order to call oneself a music theorist. Thus, for example, I am a black person, but I am also a practitioner of "white music theory." In this presentation, a critical-race examination of the field of music theory, I try to come to terms with music theory's whiteness, both literal and figurative. By drawing on the writings of sociologists Joe Feagin and Eduardo Bonilla-Silva, among others, I posit that there exists a "white racial frame" (Feagin) in music theory that is structural and institutionalized. Further, I highlight certain racialized structures which "exist because they benefit members of the dominant white race" (Bonilla-Silva). Ultimately, I argue that only through a deframing and reframing of this white racial frame will we begin to see positive racial changes in music theory.

PowerPoint slides: <http://philipewell.com/wp-content/uploads/2019/11/SMTPlenary-Slides.pdf>

Video recording: <https://vimeo.com/372726003>

[CALL FOR PAPERS originally sent to the whole SMT list network on Dec. 17, 2019]

From: schenker

Sent: Tuesday, December 17, 2019 11:03:17 PM

To: smt-announce@lists.societymusictheory.org <smtannounce@lists.societymusictheory.org>

Subject: Journal of Schenkerian Studies CFP

Greetings,

Please find attached a CFP from the *Journal of Schenkerian Studies*, to be distributed as soon as possible. Please let us know if you have any questions or concerns. Thanks so much!

Regards,

Levi Walls

Assistant Editor, JSS

[CALL FOR PAPERS sent to all the members of SMT via SMT mailing list on Dec. 31, 2019]

From: Bob Kosovsky kos@panix.com

Subject: Fwd: [Smt-Announce] CFP: Journal of Schenkerian Studies

Date: December 31, 2019 at 8:06 PM

To: smt-announce@societymusictheory.org

Cc: Levi Walls LeviWalls@my.unt.edu

Forwarded message from: Levi Walls <LeviWalls@my.unt.edu>

Journal of Schenkerian Studies vol. 12 (2019) Call for Papers

The SMT plenary presentation given by Philip Ewell, "Music Theory's White Racial Frame," has inspired a good deal of debate within the theory community, especially regarding the possible relationship between Schenkerian methodology and the white racial frame (as suggested in the following quote from Ewell):

"The best example through which to examine our white frame is through Heinrich Schenker, a fervent racist, whose racism undoubtedly influenced his music theory, yet it gets whitewashed for general consumption.....In his voluminous writings, Schenker often mentions white and black as modifiers for human races.....As with the inequality of races, Schenker believed in the inequality of tones. Here we begin to see how Schenker's racism pervaded his music theories. In short, neither racial classes, nor pitch classes, were equal in Schenker's theories. He uses the same language to express these beliefs.....his sentiment is clear: blacks must be controlled by whites. Similarly, Schenker believed notes from the fundamental structure must control other notes."

As a journal dedicated to Schenkerian studies, we find it important to foster discussion on these issues. As part of volume 12, we invite interested parties to submit essay responses to Ewell's paper. The Journal of Schenkerian Studies takes no official stance on the issues addressed by Ewell, and we hope to publish a variety of thoughts and perspectives. Submissions must adhere to the

following guidelines:

Essays should be 1,000 to 3,000 words in length.

In order to leave sufficient time for editorial work, submissions must observe a strict deadline of January 20, 2020.

Any questions or concerns regarding submissions may be directed at the editors (Schenker@unt.edu).

Please refer to Ewell's abstract, as well as links to the presentation slides and video recording (listed below):

Music Theory's White Racial Frame

Philip Ewell (Hunter College and The Graduate Center, CUNY)

For over twenty years music theory has tried to diversify with respect to race, yet the field today remains remarkably white. SMT's most recent report on demographics shows that 90.4 percent of full-time employees in music theory are white, while 93.9 percent of associate/full professors are. Aside from this literal whiteness, there exists a figurative and even more deep-seated whiteness in music theory. This is the whiteness—which manifests itself in the composers we choose to represent our field inside and outside of the classroom, and in the theorists that we elevate to the top of our discipline—that one must practice, regardless of one's own personal racial identity, in order to call oneself a music theorist. Thus, for example, I am a black person, but I am also a practitioner of "white music theory." In this presentation, a critical-race examination of the field of music theory, I try to come to terms with music theory's whiteness, both literal and figurative. By drawing on the writings of sociologists Joe Feagin and Eduardo Bonilla-Silva, among others, I posit that there exists a "white racial frame" (Feagin) in music theory that is structural and institutionalized. Further, I highlight certain racialized structures which "exist because they benefit members of the dominant white race" (Bonilla-Silva). Ultimately, I argue that only through a deframing and reframing of this white racial frame will we begin to see positive racial changes in music theory.

[Footnote: Coined by sociologist Joe Feagin in 2006, the term "white racial frame" refers to the "broad worldview [that is] essential to the routine legitimation, scripting, and maintenance of systemic racism in the United States."]

PowerPoint slides: <http://philipewell.com/wp-content/uploads/2019/11/SMTPlenary-Slides.pdf>

Video recording: <https://vimeo.com/372726003>

Smt-announce mailing list

Smt-announce@lists.societymusictheory.org <http://lists.societymusictheory.org/listinfo.cgi/smt-announce-societymusictheory.org>

[Should anti-Schenker pro-Ewell responses be published?]

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Feb 13,
10:54 AM

to me, benjamingraf@unt.edu

Dear Dr. Jackson (with Dr. Graf in copy; Dr. Slottow not copied because he asked to be recused),

Dr. Graf and I were wondering what your thoughts were concerning the submissions from Clark, Beaudoin, and Lett. As you may have seen, these responses are (at least) implicitly anti-Schenkerian. Despite disagreeing with much of what they have to say, Dr. Graf and I think it is important to publish these responses along with the others that we have received (Wiener, Pomeroy, Wen, Cadwallader, etc.). We wouldn't want the JSS's account of the debate to appear one-sided, and having a mixture of opinions will lend more credibility to those responses that we do agree with. Just want to check in with you before we proceed!

And thank you for all your time and effort in getting responses from prominent names in the field!

Regards,

Levi Walls

I agreed and they were published.

[Correspondence with Jack Boss, Levi, Jackson, with Slottow, and Graf on copy, March 9-10, 2020]

From: schenker <schenker@unt.edu>

Date: Monday, March 9, 2020 at 11:49 PM

To: Jack Boss <jfboss@uoregon.edu>

Subject: Ewell Response Final Proof

Hi Jack,

I have the final proof of your response for you. Please let me know if anything needs to change. I assumed you wanted both images to be placed together for ease of comparison. I'll be sending final proofs to UNT press by the end of the day on Tuesday (3/10), but there will be a window of a few days to make changes if necessary. Thanks!

Regards,

Levi Walls
Assistant Editor, *JSS*

Mar 10, 2020, 2:07 AM

Jack Boss <jfboss@uoregon.edu>
to schenker, me

Hi Levi (and Tim). The response looks good. The only issue I have is that Songwriters Guild of America (the copyright administrator for the Ann Ronell song) has not yet responded to me with permission to reproduce the Tatum score excerpt (it's been about a week). So we could get into trouble for reprinting 11 measures without getting permission. Do we want to risk that? I suppose it might be possible to get around it by resetting the score (redoing it in Finale or Sibelius), since there are a couple of transcriptions out there. Or we could leave out the score and just print my graph.

Jack Boss
Professor of Music Theory and Composition
Chair, SMT Publications Committee
School of Music and Dance
1225 University of Oregon
Eugene, OR 97403-1225
email: jfboss@uoregon.edu

phone: 541-556-6139
fax: 541-346-0723

Tue, Mar 10, 2:19 AM

schenker <schenker@unt.edu>
to Jack, me

Hi again,
Sure. If you think resetting the score would be acceptable (I imagine it will), I could do that and replace the image with our own. I'll send a new version in a bit.
Regards,
Levi Walls

Tue, Mar 10, 4:12 AM

schenker <schenker@unt.edu>
to Jack, me

Dear Jack,
Here is the updated version, with a custom transcription of the Tatum score.
Let me know if this looks alright. Thanks!
Regards,
Levi Walls

Mar 10, 2020, 9:20 AM

Timothy Jackson <shermanzelechin@gmail.com>
to Levi, Benjamin, Stephen, Jack

Dear Jack, with Colleagues on copy,

I think that it looks really good the way it is, and now it is possible to follow your analysis with the music. Would it be possible for you to phone the Songwriters Guild of America and check with them to see if it is OK? I have found that sometimes this is the best way to deal with issues like this, especially given time constraints.

Otherwise, I am unsure of the current rules of "fair use," but there is a certain amount of quotation allowed. Then the question would be exactly how much can we reprint? My guess - but it is only a guess - is that this short quotation would be OK. But perhaps this can be checked.

Tim

[Final Addition - correspondence between Jackson and Levi Walls, March 12, 2020]

Final addition

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 9:19 PM

to Levi

Dear Levi,

I am sorry to burden you with this, but will do so anyway! I hope that it might still be possible to make one last addition to my conclusion without throwing the train off the track. Could you please insert the few sentences indicated in red in the final paragraph, and one last footnote. I think that the point is significantly important to try to make it, albeit just before the train leaves the station!

Although we now live in an era of "alternative facts," I believe that demagoguery and intellectual dishonesty must not go unanswered. We have seen what occurs when this happens on a massive scale, with catastrophic results in the 20th century, and now again in our own time. I was not present when Ewell spoke at the SMT plenary session, but I heard about the standing ovation he received, which, to my mind, is just as worrying as his talk itself. The warm reception, the applause that Ewell earned there, is as outrageous and dangerous as the contents of his speech, and bespeaks the sorry state of the field of music theory generally these days. Schenkerians of the different pedagogical schools have always "decoupled" ideological claims from music theoretical approaches. Furthermore, not only did Schenker's own ideas about politics and race evolve considerably (as I have shown), so did his analytical methodology (as Pastille, Bent, and others have amply documented). Looking back, at least two generations of Schenkerians have explored and critiqued the evolutions of both aspects. For example, what a tremendous transformation there is between Schenker's early and later ideas about just the particular issue of organicism; the same holds true for his views of race, which also changed dramatically![] Ewell assures us that Schenker would have objected to "decoupling" his philosophical, historical, political, racial, and other ideas from his

music theory. But is this claim really as self-evident as it might initially seem, since the question then becomes: which philosophical-historical-political ideas cannot be disassociated from which stages of music-theoretical development, given the very significant advances in both dimensions? Therefore, even Schenker himself must have recognized, especially late in his career, not only the possibility, but the absolute necessity of such decoupling. Some would like to demolish the classical canon of "Bach-to-Brahms," falsely claiming it to be exclusively a "white male" elitist meritocracy, and arguing that we should replace it with putatively egalitarian pop, hip-hop, punk, and world musics. This is a mischaracterization because the great tradition of classical music includes Black, Jewish, and female composers, and remains, as Schenker ultimately recognized, an "elitism of the hearing of the spirit, not of race." A colleague recently wondered - given the apparent current lack of focus on "the notes" of complete pieces within the Bach-to-Brahms canon (unfortunately, also a concept associated with Schenkerian analysis) - if we music theorists were not now metamorphosing into non-theorists. In other words, by divorcing ourselves from the detailed investigation of the structure of pieces within the canon - which now, because deemed elitist, becomes obsolete - we will all wake up one morning soon, just like the protagonist of Kafka's *Metamorphosis*, who found himself a giant beetle. But, perhaps, just as Schenker finally saw the light, albeit late in life, we music theorists will eventually also come to our senses. In all cases, better late than never.

[i] William Pastille, "Heinrich Schenker, Anti-Organicist," *19th-Century Music*, Vol. 8, No. 1 (Summer, 1984), pp. 29-36.

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 9:39 PM

to me

Dear Dr. Jackson,

No worries, I still have to put the page numbers for Slottow and Wiener into your response, anyway. As soon as I have Dr. Slottow's response, I will know the page numbers for sure, and will be able to cite them in yours. So I will add these sentences while I am at it.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Thursday, March 12, 2020 7:19 PM

To: Walls, Levi <LeviWalls@my.unt.edu>

Subject: [EXT] Final addition

...

[Message clipped] [View entire message](#)

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 10:03 PM to me

I've added the new sentences. I'm just waiting for those page numbers now. As soon as I get Dr. Slottow's response, I'll add the page numbers for Slottow and Wiener. As you previously specified I'll format it like so: "Since Stephen Slottow

addresses that issue (pp. x-x)..." "Furthermore, as Barry Wiener shows (pp. xx)..."
- Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 10:15PM

to Levi

Great!

By the way, I added you to my Skype contacts! So that way, we can talk if needed.

Best, Tim

[Levi's Introduction - Revising Process, March 9-10, 2020]

Symposium intro

Inbox x

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Mar 9, 10:54 PM

to me, Stephen, Benjamin

Dear Drs. Jackson and Slottow,

Here is the intro that Dr. Graf and I put together. Let us know what you think!

Short and sweet, as I said. Did Wen ever send a response? I think that is the only one we are missing.

Regards,

Levi Walls

Attachments area

[Preview attachment Ewell intro.pdf](#)

[Ewell intro.pdf](#)

Timothy Jackson Tue, Mar 10, 9:07 AM

Dear Levi and Ben,

It looks very good to me. Eric Wen wrote to me that he just could not come up with the right words, so that we do not have a response from him

[Levi's Introduction - Critiqued by Slottow and Revised by all Editors on March 12, 2020]

Levi's introduction

Stephen Slottow Thu, Mar 12, 1:03 AM

As we discussed before, Levi, for all his virtues, is not a good writer of English prose. Most of that introduction is embarrassingly pretentious and sophomoric.

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Mar 9, 1:45 PM

to Stephen, Benjamin, me

Hi all,

Alright, thanks! Dr. Jackson, we'll get a final typeset version of the response to you later today. Dr. Slottow, we'll add whatever alteration you wish to make, so just send the new version later today. On the subject of the intro, we are writing it and will send it to both of you today or tomorrow. Dr. Graf and I feel that it is best to keep it short and sweet, as we wish to let the various responses speak for themselves. But it won't go to print without your input. Thanks!

Regards,
Levi Walls

Subject: Re: [EXT] Final version
Symposium Bibliography, March 11, 2020
Symposium bibliography
Timothy Jackson <shermanzelechin@gmail.com>
Wed, Mar 11, 6:54 PM
to Levi, Stephen, Benjamin

Dear Levi, with Ben and Stephen on copy,
You have done an excellent job with the bibliography. The Politics of the Umlaut in Schenker's....I think *Umlaut* should be italicized. It is still a foreign word even though in common usage in music theory. paperson, la. 2017. A Third University Is Possible. Minneapolis: University of Minnesota Press. Something is wrong here. Paperson is the last name, is there a first name? Also, what does 1a refer to? Pellegrin, Rich. Is it Richard or Rich? Could you please add these items:....
Pellegrin, Rich. Is it Richard or Rich?

Timothy Jackson

Wed, Mar 11, 8:31 PM
OK. Got it!

Slottow, Stephen <Stephen.Slottow@unt.edu>
Wed, Mar 11, 8:48 PM
to Benjamin, Levi, me
Levi,

I'm attaching a short list of items that have either been left out or that need alteration (in my opinion).

-sps

Slottow, Stephen <Stephen.Slottow@unt.edu>
Wed, Mar 11, 8:50 PM
to Levi, Benjamin, me

I don't know, but in the introduction I'd mention that it is a combined bibliography for all the articles.

-sps

Agree.
Reply
allForward

[More Final Editing on March 10 and 11, 2020 – Jackson accepted colleagues' corrections, including Ben and Levi]

Ewell Response

final proof

Inbox x
schenker <schenker@unt.edu>

Tue, Mar 10, 6:01 AM

to me

Dear Dr. Jackson,

Please find attached the typesetting of your response. Thanks!

Regards,

Levi Walls

Attachments area

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 9:58AM

to Stephen, Benjamin, Levi, schenker

Dear Colleagues,

Just a few small corrections to my response listed below.

The more I consider it, the less sure I am whether to capitalize "Classical" throughout. I understand the reader's concern, but I believe it could be either way. What do you think?

Since Jack Boss refers to my comment by page numbers, I should probably do the same. Do you agree? Since Stephen Slottow addresses that issue (see pp.) as Barry Wiener shows (see pp.) Given his student Hans Weisse's (please add the words in bold since this is the *first* mention of Weisse).

Now, "With prescience, [cut: Schenker's student Hans] Weisse decided to emigrate to America already in the late 1920s because of anti-Semitism." "Furtwängler appeared, and [cut: Schenker's student] Weisse"

Footnote 1, " *The Atlantic* COMMA December 5, 2016, Ewell implies that the passages that Oster and Allen [replace with Forte] exiled to appendices «the Jews» Why not ordinary quotation marks?

Footnote 4. In Dennis HerdAPOSTROPHES

I think that is it!

Great proofs! Bravo!

Tim

Stephen Slottow <sslottow@gmail.com>

Tue, Mar 10, 10:38AM

to schenker, Benjamin, Levi, me

While we're doing corrections, I'll add that, clever though it be, comparing ethnomusicologists to giant beetles could be taken as both unfortunate and uncollegial. I'll get my corrections to you by tomorrow morning.
-sps

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 10:46 AM

to Stephen, schenker, Benjamin, Levi

My dear Stephen,

Not beetles but beetles.

But just one beetle. LOL.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Mar 10, 11:18 AM to me, Stephen, schenker
, Benjamin

From: Timothy Jackson

<shermanzelechin@gmail.com>

Sent: Tuesday, March 10,
2020 8:46 AM

To: Stephen Slottow

<sslottow@gmail.com>

Cc: schenker <schenker@unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>; Walls,
Levi

Stephen Slottow <sslottow@gmail.com>

Tue, Mar 10, 11:25AM

to me

Thanks for the correction. But my observation still stands. It is up to you, however.
-sps

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 11:26 AM

to Stephen

I would like to keep it that way. But perhaps it is best understood as a pun.

Stephen Slottow <sslottow@gmail.com>

Tue, Mar 10, 11:34AM

to me

OK. But how could it be understood as a pun? (P.S. I can't find the final version any more. Would you send me the last par.?)

Stephen Slottow <sslottow@gmail.com>

Tue, Mar 10, 12:31 PM

to Benjamin, Levi, me

I don't see a pun. I see a clever analogy between Kafka's beetle and ethnomusicologists. I like it, but it ain't diplomatic and, in these hysterical times, could be seized upon as an example of intolerance and chauvinism by those who are looking for such examples (Ewell, for instance). Most of the response is excellent and valuable. Is it good to end it in this way?

-sps

Graf@unt.edu>

Tue, Mar 10, 12:44PM

to Stephen, me, Levi

Colleagues,

I second Stephen's concerns about that portion. Tim, you make an excellent point with the beetle, but I admit that when I read it I was also a bit hesitant on what others might say/cite later.

Ben

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 2:10 PM

to Stephen, Benjamin, Levi

OK, here is a thought. Just cut the two words "as ethnomusicologists." That preserves the sense of my metaphor, but makes it hit the intended target, which is not ethnomusicologists, but *music theorists*: In other words, by divorcing ourselves from the detailed investigation of the structure of pieces within the canon - which now, because deemed elitist, becomes obsolete - we will all wake up one morning soon, just like the protagonist of Kafka's *Metamorphosis*, who found himself a giant beetle. I think that solves the problem.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Mar 10, 2:40PM

to Stephen, me, Benjamin
Alright, will do!
- Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 2:50 PM

to Stephen, Levi, Benjamin

[*Another professor*] just sent me some detailed comments. I need some time to review them. They are mostly small nuances. I will let you know by this evening what, if anything, I need to change or modify.

Best, Tim

Slottow, Stephen <Stephen.Slottow@unt.edu>

Tue, Mar 10, 3:17PM

to me

Not meaning to be difficult, I'm sure, but I don't think it does. It doesn't make sense as stands. "by divorcing ourselves from the...we will all wake up one morning soon, just like the protagonist..." Well, of course, if we're not dead or in a coma, we'll all wake up one morning soon. But that's not news. You're just saying that we'll wake up in the morning. That question is wake up as what or to what? Before it made sense—"as ethnomusicologists."

Now it doesn't. Wake up to a world in which...? Wake up as a...? Wake up as..." You can't just what or to what? Before it made sense—"as ethnomusicologists."

Now it doesn't. Wake up to a world in which...? Wake up as a...? Wake up as..." You can't just remove "ethnomusicologists," you have to replace it with something, or restructure the sentence, or abandon the metaphor. It doesn't work as stands. Before, it did work, but was politically...inadvisable?

-sps

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 10, 7:43 PM

to Stephen

I am thinking what to do about it.

Walls,Levi <LeviWalls@my.unt.edu>

Wed, Mar 11, 9:01AM

to me

Dear Dr. Jackson,

I have attached the new version of your response. I went ahead and uncapitalized "classical." I'll send the combined bibliography to you and Dr. Slottow in a bit. Thanks!

Regards,
Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Wed, Mar 11, 9:18AM

to Levi

Dear Levi,

Can you please insert the page number references in my response to Stephen Slottow's and Barry Wiener's responses respectively. I will keep reading.

Walls, Levi <LeviWalls@my.unt.edu>

Wed, Mar 11, 9:20 AM

to me

Dear Dr. Jackson,

Oh, I forgot to mention. I'm waiting for Dr. Slottow to send me his updated version.

Until then, I can't know the page numbers of his or anyone after for sure. I will make sure to put those in once I get that.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Wednesday, March 11, 2020 7:18 AM

To: Walls, Levi <LeviWalls@my.unt.edu>

Subject: Re: [EXT] Re: Final version

Timothy Jackson Wed, Mar 11, 9:22 AM

OK. I see. But there are other corrections still missing. I will send shortly.

Walls, Levi Wed, Mar 11, 9:30 AM

Ah, sorry about that. Along with those corrections that you send, I will make sure to italicize appropriate titles in the footnotes. Indesign likes to unitalicize.

Walls, Levi Wed, Mar 11, 9:42 AM

And I fixed footnote 2, which also mysteriously disappeared.

Timothy Jackson Wed, Mar 11, 11:23 AM

Dear Levi, Going through it line by line, I found that some of my earlier corrections were not made, and I have added one or two more corrections.

Walls, Levi Wed, Mar 11, 11:34 AM

Dear Dr. Jackson,

Ah, right. Completely forgot those earlier corrections. I'll go through and address all of these things. Sorry, somewhat poor showing from me

Timothy Jackson <shermanzelechin@gmail.com>

Mar 11, 2020, 11:35 AM

to Levi

Dear Levi,

I am not worried. I know that you are capable. We are all human, unfortunately.

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Wed, Mar 11, 2:47PM

to me

Dear Dr. Jackson,

Last thing before I send it back. In your new footnote, it looks like some of the things are in bold, but it's hard to tell with the red font. Did you wanted bolded phrases? If so, could you resend in black text? Thanks!

Regards,

Levi Walls

Walls, Levi Mar 11, 2020, 6:32 PM

Thanks. Alright, I have it written down at my desk and I'll do it as soon as Dr. Slottow's response comes in. I'm going to send you an updated bibliography.

On Feb 5, 2020, at 10:30 AM, schenker wrote:

Hi Barry, Congratulations! We like your response and would be happy to include it in the upcoming JSS, with the possibility of some revisions. We've included some comments on your response that you may wish to address. It is not a "must change" situation, but merely some suggested things to think about. We were also thinking that you might do more to structure your arguments in order to more easily guide the reader. Perhaps some transition sentences and a clearer statement in the introduction of the issues you seek to address. With the short time requirement, combined with the 3000 word limit, it's understandable that those conveniences weren't the priority. We can give you a week to make any changes you think appropriate (by midnight on Feb 12) and, of course, feel free to email me about questions/concerns you may have. Don't worry about the 3000 limit as you make any adjustments, just try to keep it under or near 4000 and it will be fine. Thanks very much! Regards, Levi Walls

From: schenker <schenker@unt.edu> Subject: Re: [EXT] Ewell article questions Date: February 9, 2020 at 12:06 PM To: Barry Wiener <bwiener8@icloud.com> Cc: Graf, Benjamin <Benjamin.Graf@unt.edu>, Timothy Jackson <shermanzelechin@gmail.com>

Hi Barry, Thanks for your email! No, we'd like you to be free to address any topics that you feel are germane to the discussion. I forgot to mention before that you may decide to tweak the title of the response (Philip Ewell's White Racial Frame). From our discussions with various people, we've noticed a misconception that the term "white racial frame" is a novel concept invented by Ewell. This confusion is due in part to Ewell's failure to clarify where he was deriving his terminology. But it's a term in use within critical race and gender studies that was coined by sociologist Joe Feagin in 2006. You're likely already aware of the term's history, but considering the apparent misconception, it may be worthwhile to

rethink the title. But you can also keep it as is, if you prefer. Thanks! Regards, Levi Walls From: Barry Wiener Sent: Friday, February 7, 2020 5:27:02 PM To: schenker Subject: Re: [EXT] Ewell article questions Dear Levi and Benjamin, I thought some of your suggestions were very helpful. I just was concerned, not that you were trying to censor me, but that you feel that professional considerations require that you set limits on the topics addressed in the responses. I'll get back to you in a few days. Thanks, Barry On Feb 6, 2020, at 7:47 AM, schenker

[Editing Symposium Introduction among the board advisory, March 12, 2020]

Slottow, Stephen <Stephen.Slottow@unt.edu>
Thu, Mar 12, 12:56 AM
to Benjamin, Levi,
me

Dear Levi and Ben,
I just looked at the introduction, and have a few comments, as follows. Most of these are my opinions, and the rest of you may differ, of course.
-Don't entitle my contribution "Ewell Response"--that's just the name of the file. Call it "An Initial Response to Philip Ewell."
-My overall reaction to the introduction is that far too much of it comes off as self consciously pompous and, frankly, sophomoric. I think it needs to have the rosy foggy vistas trimmed and become more sober and direct. For instance:
-"Symposium"? Well, I guess that's OK, but why not simply call it "Responses to Philip....". Isn't that more accurate and less hifalutin'?
-I don't really like "is proud." How about "is pleased"?
-"Indeed, academic discourse is the lifeblood of philosophical inquiry...? That's exactly the kind of thing I'm talking about. It's inflated and pretentious. First, cut "indeed." Then cut the rest of it. Just leave it as "No field or methodology stands to prosper or develop without such debates."
Perhaps the following:
The *Journal of Schenkerian Studies* is publishing the following responses to Philip Ewell's SMT 2019 plenary presentation, "Music Theory's White Racial Frame." As the co-editors of an academic journal whose mission it is to encourage the exchange of ideas, we are pleased that these responses express a variety of thoughts and perspectives. No field or methodology stands to prosper or develop without such debates. The *Journal of Schenkerian Studies* holds no official stance regarding the issues addressed by the following responses.
-sps

Walls, Levi <LeviWalls@my.unt.edu>
Thu, Mar 12, 10:23 AM

to Stephen, me, Benjamin
Hi Dr. Slottow, et al.,

I'll make sure to change the title in the intro. Please make sure to send the updated version of your response today so we can finish the layout of the journal. And thanks for your comments, your honesty is much appreciated!

Regards,
Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 12:44PM

to Stephen, Benjamin, Levi

Dear Colleagues,

Building on Stephen's comment, I would like to propose the following. "Indeed, academic discourse is the lifeblood of philosophical inquiry, and no field or methodology stands to prosper or develop without such debates" might be revised to read:

"Informed debate is the lifeblood of scholarly inquiry, and a field or methodology, such as music theory, stands to prosper by interrogating and critiquing itself." I think that the point comes off better when phrased positively.

What do you all think of that?

Best wishes,

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 12:56PM

to me, Stephen, Benjamin

Hi all,

That sounds fine. I was also thinking we could say "essence" instead of "lifeblood."

Regards,
Levi Walls

Slottow, Stephen <Stephen.Slottow@unt.edu>

Thu, Mar 12, 1:03 PM

to Levi, me, Benjamin

I'm not sure it IS the essence. I think I prefer lifeblood.

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 1:03 PM

to Stephen, Levi, Benjamin

Yes, "essence" works well if not better than "lifeblood."

If we all agree, then I think the sentence is positive rather than pompous, and accurate, and that the introduction is done. Please take out "Anonymous I," and just make it "Anonymous." "Anonymous I" is funny, but perhaps this is the wrong place for humor.

Are we done with everything and ready to submit?

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 1:04 PM

to Stephen

Dear Stephen,

I'll let you argue out "lifeblood" vs "essence" with Ben and Levi. I can live with either! Did you add your conclusion?

Slottow, Stephen <Stephen.Slottow@unt.edu> Thu, Mar 12, 1:07PM

to me

Can we read the full revised statement?

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 1:07PM

to Benjamin, me, Stephen

Alright, I'll change the intro and use "Anonymous." The only thing I'm missing is Dr. Slottow's updated response. I just have the version from last week. Everything else has been sent to Karen, who is starting to look through the materials.

- Levi Walls

[Final addition on March 12, 2020 Between Levi Walls and Jackson]

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 9:19PM

to Levi

Dear Levi,

I am sorry to burden you with this, but will do so anyway! I hope that it might still be possible to make one last addition to my conclusion without throwing the train off the track. Could you please insert the few sentences indicated in red in the final paragraph, and one last footnote. I think that the point is significantly important to try to make it, albeit just before the train leaves the station!

Although we now live in an era of "alternative facts," I believe that demagoguery and intellectual dishonesty must not go unanswered. We have seen what occurs when this happens on a massive scale, with catastrophic results in the 20th century, and now again in our own time. I was not present when Ewell spoke at the SMT plenary session, but I heard about the standing ovation he received, which, to my mind, is just as worrying as his talk itself. The warm reception, the applause that Ewell earned there, is as outrageous and dangerous as the contents of his speech, and bespeaks the sorry state of the field of music theory generally these days. Schenkerians of the different pedagogical schools have always "decoupled" ideological claims from music theoretical approaches. Furthermore, not only did Schenker's own ideas about politics and race evolve considerably (as I have shown), so did his analytical methodology (as Pastille, Bent, and others have amply documented). Looking back, at least two generations of

Schenkerians have explored and critiqued the evolutions of both aspects. For example, what a tremendous transformation there is between Schenker's early and later ideas about just the particular issue of organicism; the same holds true for his views of race, which also changed dramatically![] Ewell assures us that Schenker would have objected to "decoupling" his philosophical, historical, political, racial, and other ideas from his music theory. But is this claim really as self-evident as it might initially seem, since the question then becomes: which philosophical-historical-political ideas cannot be disassociated from which stages of music-theoretical development, given the very significant advances in both dimensions? Therefore, even Schenker himself must have recognized, especially late in his career, not only the possibility, but the absolute necessity of such decoupling. Some would like to demolish the classical canon of "Bach-to-Brahms," falsely claiming it to be exclusively a "white male" elitist meritocracy, and arguing that we should replace it with putatively egalitarian pop, hip-hop, punk, and world musics. This is a mischaracterization because the great tradition of classical music includes Black, Jewish, and female composers, and remains, as Schenker ultimately recognized, an "elitism of the hearing of the spirit, not of race." A colleague recently wondered - given the apparent current lack of focus on "the notes" of complete pieces within the Bach-to-Brahms canon (unfortunately, also a concept associated with Schenkerian analysis) - if we music theorists were not now metamorphosing into non-theorists. In other words, by divorcing ourselves from the detailed investigation of the structure of pieces within the canon - which now, because deemed elitist, becomes obsolete - we will all wake up one morning soon, just like the protagonist of Kafka's *Metamorphosis*, who found himself a giant beetle. But, perhaps, just as Schenker finally saw the light, albeit late in life, we music theorists will eventually also come to our senses.

In all cases, better late than never.

[] William Pastille, "Heinrich Schenker, Anti-Organicist," *19th-Century Music*, Vol. 8, No. 1 (Summer, 1984), pp. 29-36.

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 9:39PM

to me

Dear Dr. Jackson,

No worries, I still have to put the page numbers for Slottow and Wiener into your response, anyway. As soon as I have Dr. Slottow's response, I will know the page numbers for sure, and will be able to cite them in yours. So I will add these sentences while I am at it. And all the other changes were incorporated as well. Dr. Slottow may have a point about the Kafka reference. I can see some of our ethnomusicologist colleagues taking it the wrong way. It's up to you, of course, but it may be better to frame that last point in a more positive way. Perhaps, instead of placing a value judgement on ethnomusicology, you might consider framing the issue in terms of there being a good reason that theory, musicology, and ethnomusicology are different fields, because ethnomusicology, you might consider framing the issue in terms of there being a good reason that theory, musicology, and ethnomusicology are different fields, because they have different aims. In other words, the three branches are

separate but equal (for lack of a phrase without such baggage), and equilibrium will only result in a less diverse range of perspectives.

But, again, you could go either way.

Regards,
Levi Walls

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Mar 12, 10:03PM

to me

I've added the new sentences. I'm just waiting for those page numbers now. As soon as I get Dr. Slottow's response, I'll add the page numbers for Slottow and Wiener. As you previously specified I'll format it like so: "Since Stephen Slottow addresses that issue (pp. x-x)..." "Furthermore, as Barry Wiener shows (pp. xx)..."

- Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 10:15PM

to Levi

Great!

By the way, I added you to my Skype contacts! So that way, we can talk if needed.

Best, Tim

[Correspondence concerning the final proofs going to press, March 13, 2020]

All of the responses were read by Ben Graf, Levi Walls, Stephen Slottow, and Karen at UNT press. If there were further concerns about expressions of "racism" or other issues, they were not expressed.

Graf, Benjamin <Benjamin.Graf@unt.edu>

Mar 13, 2020, 8:24 PM

to Levi, Stephen, me

Colleagues,

I responded to Tim's inquiry but only to Levi (by mistake). I collected bios and contributor agreement forms together so we will get them shortly! Thank you for the reminder Tim!

Best,

Ben

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215

Timothy Jackson <shermanzelechin@gmail.com>

Fri, Mar 13, 7:50 AM

to Benjamin, Levi, Stephen

Dear Levi and Ben,

It seems like we are ready to go. Might it be possible to see proofs of the entire Ewell response section for one final check before it goes to press?

Best wishes,

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Fri, Mar 13, 9:39AM

to Stephen, me, Benjamin

Hi all,

Sure, I'll send the files in a bit. I'm just double checking page numbers.

Karen is also looking over them, as she always does before it goes to print, so we'll have an extra line of defense (though I don't really intend us to need one, but you never know).

Regards,

Levi Walls

[Suggestions on Slottow's Conclusion on March 13, 2020]

Your conclusion

Inbox x

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 12, 8:09 PM to Stephen

Dear Stephen,

The conclusion definitely strengthens and rounds out the piece.

"Schenker may have believed at some points in his evolution? that his political and racial beliefs were indistinguishable from his music theory and analytical methodology, but his successors haven't agreed, finding something very valuable in the latter but not in the former."

You might mention, in a footnote to this sentence, your article on teaching lines, where Schenkerians of the quite different branches have nevertheless always decoupled ideological claims from music theoretical approach. Furthermore, not only did Schenker's own ideas about politics and race evolve considerably (as I show), so did his analytical methodology (as Pastille, Bent, and others have demonstrated). Looking back, Schenkerians have explored and critiqued the evolutions of both. For example,

Heinrich Schenker, *Anti-Organicist*

William A. Pastille

19th-Century Music

Vol. 8, No. 1 (Summer, 1984), pp. 29-36.

What a tremendous evolution between Schenker's early and late ideas about just

this particular issue of organicism, and the same for his views of race! Ewell assures us that Schenker would have objected to "decoupling" his philosophical, historical, political, racial, and other ideas from his music theory. But is that claim about Schenker as self-evident as it might seem, since the question then becomes *which* philosophical-historical-political ideas cannot be decoupled from which stage of his music theoretical development, given the significant changes in both dimensions? Might you mention this?

However, in this important sentence: "Citing similar language in statements about politics and race on the one hand, and tonal function and the *Ursatz* on the other, suggests a false equivalence, the "will of the tones" notwithstanding.

I do not understand what you mean here by the qualification, "the "will of the tones" notwithstanding." Could you please explain.

Footnote 12 is missing a quotation mark: [1] William Rothstein, "The Americanization of Heinrich Schenker." In Hedi Siegel, ed., *Schenker Studies*, (Cambridge: Cambridge University Press), 1990: 193-203.

Stephen Slottow <sslottow@gmail.com>

Fri, Mar 13, 3:48 AM

to me

Tim,

Thank you for your timely critique.

I've implemented many of your points. See comments in bold.

"Furthermore, not only did Schenker's own ideas about politics and race evolve considerably (as I show), so did his analytical methodology (as Pastille, Bent, and others have demonstrated)." What is the Bent reference?

"What a tremendous evolution between Schenker's early and late ideas about just this particular issue of organicism, and the same for his views of race! Ewell assures us that Schenker would have objected to "decoupling" his philosophical, historical, political, racial, and other ideas from his music theory. But is that claim about Schenker as self-evident as it might seem, since the question then becomes *which* philosophical-historical-political ideas cannot be decoupled from which stage of his music theoretical development, given the significant changes in both dimensions? Might you mention this?" I'm thinking about this.

It's an important point, but I don't see how I can just "mention" it without laying it out in some detail--and that would take more research and writing than there is time for now. If SMT accepts it I'll devote time to making this point. I have made the point that neither Schenker's historical/political/etc. views nor his music theory/analytical methodology were static. I refer to your response for the former, but I need a good reference for the latter. That's why I'm asking about the Bent ref.

"However, in this important sentence: "Citing similar language in statements about politics and race on the one hand, and tonal function and the *Ursatz* on the other, suggests a false equivalence, the "will of the tones" notwithstanding. I do not understand what you mean here by the qualification, "the "will of the tones" notwithstanding." Could you please explain." I was making a sort of pun that, despite the "will of the tones" (Tonville), equating statements about tones

with statements about people can only go so far. I've deleted that bit.
By the way, how does one, I wonder, handle attendance in online teaching? Or take questions? Or should attendance even count any more?
-sps

[More Corrections on Pomeroy and Pellegrin on March 13, 2020]

Pomeroy corrections

Timothy Jackson Fri, Mar 13, 5:56 PM

Dear Levi, In Pomeroy,

Der Dreiklang needs to be italicized, both as a foreign expression and as the title of a journal. In this sentence, albeit within parenthesis.

Walls, Levi Fri, Mar 13, 6:46 PM

That's good. Fixing now. Though I let a few things slip by, considering the sheer volume of things I fixed in all the responses, I'm satisfied that only a thing

From: Walls, Levi <LeviWalls@my.unt.edu>

Sent: Friday, March 13, 2020 4:46 PM

To: Timothy Jackson <shermanzelechin@gmail.com>

Subject: Re: [EXT] Pomeroy corrections

2 Attachments

Thanks!

Done. Looks good.

Walls, Levi <LeviWalls@my.unt.edu>

Fri, Mar 13, 6:46 PM

to me

That's good. Fixing now. Though I let a few things slip by, considering the sheer volume of things I fixed in all the responses, I'm satisfied that only a thing here and there was wrong. Karen will also be having a go at these before they go to print, just in case. Also, the Wiener response has an incorrect date in it ("2109") but I've already changed it to 2019.

Timothy Jackson <shermanzelechin@gmail.com>

Fri, Mar 13, 5:37 PM

to Levi, Benjamin, Stephen

Dear Colleagues,

I read through Pellegrin's contribution, and found only one small thing: "America's classical music"; place quotation mark outside semicolon

Walls, Levi <LeviWalls@my.unt.edu>
Fri, Mar 13, 5:42 PM
to Stephen, me, Benjamin

Walls, Levi <LeviWalls@my.unt.edu>
Fri, Mar 13, 5:42PM
to Stephen, me, Benjamin
Fixed!
- Levi Walls

Walls, Levi <LeviWalls@my.unt.edu>
Mar 13, 2020, 5:56 PM
to me, Benjamin, Stephen
Oh, and I'm attaching the Segall response, which I think was actually just Wiener again in the version I sent you. I'm just having trouble exporting it right this minute. So it should show up in a little bit.

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Friday, March 13, 2020 3:41 PM
To: Timothy Jackson <shermanzelechin@gmail.com>; Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>
Subject: Re: [EXT] Pellegrin
Fixed!
- Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Friday, March 13, 2020 3:37 PM
To: Walls, Levi <LeviWalls@my.unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>
Subject: [EXT] Pellegrin
Dear Colleagues,

I read through Pellegrin's contribution, and found only one small thing:
"America's classical music"; place quotation mark outside semicolon

Timothy Jackson Mar 13, 2020, 6:01 PM
No, I got Segall, and will look through it tonight. Did you make all of the not insignificant corrections to Slottow? I am unsure whether I received the correct

Walls, Levi <LeviWalls@my.unt.edu>
Mar 13, 2020, 6:03 PM
to me
Haha. That must have been it.
I did make those changes to Dr. Slottow's shortly after he brought them up. I sent

it to him and he confirmed that it looked good. But I will attach it for you if you'd like to see.

- Levi Walls

Timothy Jackson Mar 13, 2020, 6:04 PM

Yes, I should eyeball it once to see if there are any small issues.

Walls, Levi Mar 13, 2020, 6:05 PM

Sure thing. Thanks for the extra set of eyes!

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Friday,

March 13, 2020 4:04 PM

Timothy Jackson Mar 13, 2020, 6:06 PM

Just between us, I like Pelligrin's response, which I find thoughtful and intelligent. I understand Clark's point, but she completely misconstrues and misunderstands Schenkerian analysis.

Walls, Levi <LeviWalls@my.unt.edu>

Mar 13, 2020, 6:26 PM

to me

I quite liked his as well. Rich and I discussed his response when I sent notes. I had suggested some minor rhetorical additions that better connects the defense of hierarchy to Ewell's ideas (in the middle, some time goes by without mentioning Ewell). But he expressed a discomfort toward pushing back too much against Ewell *specifically* because he didn't want his response to be misconstrued as racist. Of course, I said that I understood and it was entirely up to him. It would have been nice if he had included a refutation of Agawu's Schubert argument (as mentioned in Clark); but I couldn't have suggested that to him, because I would have been stacking the deck against Clark. And I'm meant to be impartial.

Yes, the idea that Schenkerian analysis inherently ignores parts of an analysis that don't fit into the fundamental structure is a severe misunderstanding. The focal point of many good graphs is how works *don't* adhere to that structure; if the goal was always simply "let's show how this piece expresses the *Ursatz*" (as many non-Schenkerian believe), such an analysis would most likely be unnuanced and boring.

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Friday, March 13, 2020 4:06 PM

To: Walls, Levi <LeviWalls@my.unt.edu>

Subject: Re: [EXT] Pellegrin

Could you make one last addition to mine

Timothy Jackson <shermanzelechin@gmail.com>
Fri, Mar 13, 3:50 PM
to Levi

Dear Levi,

One last addition to my conclusion, indicated in blue. Also, could you please put the "which" indicated in blue in italics.

For example, what a tremendous transformation there was between Schenker's early and later ideas about just the particular issue of organicism; the same holds true for his views of race, which also changed dramatically![] Schenker's critics assume that his cultural-political ideas were immutable, but in fact they were not: just as there were u-turns in the rapid developments in his analytical methodology and his readings of specific pieces, so too they occur in the ideological realm in his transformation from anti-organicist to organicist, racist to non-racist, etc.. To call attention to just one further striking example, Schenker's perception of the United States evolved significantly in his last years. For most of his life, Schenker had held America and Americans in low esteem, as is evidenced from the quotation given above and many other comments until the later 1920s. However, after Weisse emigrated to America in 1931 and began sending Schenker reports about the enthusiastic reception of his theory there, and especially after *Five Analyses in Sketchform* was published by the David Mannes Music School in 1933 with an English translation of Schenker's introduction, the great theorist's opinion of America became decidedly more positive! Ewell assures us that Schenker would have objected to "decoupling" his philosophical, historical, political, racial, and other ideas from his music theory. But is this claim, even if true, really as selfevident as it might initially seem, since the question then becomes: *which* philosophical-historical-political ideas cannot be decoupled from which stages of music-theoretical development, given the very significant evolutions in both dimensions?

Then the last paragraph should start here:

Some would like to demolish the classical canon of "Bach-to-Brahms," falsely claiming it to be exclusively a "white male" elitist meritocracy, and arguing that we should replace it with putatively egalitarian pop, hip-hop, punk, and world musics. This is a mischaracterization because the great tradition of classical music includes Black, Jewish, and female composers, and remains, as Schenker ultimately recognized, an "elitism of the hearing of the spirit, not of race." A colleague recently wondered - given the apparent current lack of focus on "the notes" of complete pieces within the Bach-to-Brahms canon (unfortunately, also a concept associated with Schenkerian analysis) - if we music theorists were not now metamorphosing into non-theorists. In other words, by divorcing ourselves from the detailed investigation of the structure of pieces within the canon - which now, because deemed elitist, becomes obsolete - we will all wake up one morning soon, just like the protagonist of Kafka's *Metamorphosis*, who found himself a giant beetle. But, perhaps, just as Schenker finally saw the light, albeit late in life, we music theorists will eventually also come to our senses. In all cases, better late than never.

William Pastille, "Heinrich Schenker, Anti-Organicist," *19th-Century Music*, Vol. 8, No. 1 (Summer, 1984), pp. 29-36.

[Correspondence between the board, Alan Cadwallader, Berry Wiener, Mar. 14-24, 2020]

In the end, Cadwallader submitted his response.

Important-- JSS Contributor Agreement Form schenker <schenker@unt.edu>

Sat, Mar 14, 9:00 PM

to Benjamin, me, Stephen, Levi

Dear JSS authors and advisory board,

As we put the finishing touches on volume 12 of our journal, I ask all contributors to reply (not reply all) with the following items within the next few business days:

- 1) Signed and dated contributor agreement form (see attached)
- 2) Current mailing address (for the distribution of your print copy)
- 3) Short bio for the "contributors" section (only 2-4 sentences please)

Levi Walls has done excellent work on this volume and the journal will be in good hands as he takes over sole editorship of the JSS. In my view, the additional content that we collected this winter following Ewell's SMT plenary makes a great addition to an already remarkable publication. Later this week, Levi will take on some additional responsibilities, so I will be keeping track of these forms and publisher information. All three items should be fairly simple to return, so thank you in advance for your prompt attention to these items.

Cheers to getting this to press!

Sincerely,

Ben Graf

Attachments area

Stephen Lett Tue, Mar 17, 2:07 PM

Dear Ben (and board),

Cheers! I am attaching my signed contributor agreement. My address is: 114 Elliott Ave Apt 203 Charlottesville, VA 22902

My bio is: Stephe

schenker <schenker@unt.edu>

Fri, Mar 20, 4:15 PM

to Allen, me, Stephen

Allen,

I hope this message finds you well. Is there any way that you could write a one or two sentence permission to print your contribution? UNT Press has approved my request for simpler, electronic written permissions during this time.

I think I can speak for all of us when I say that we would hate to see your section excluded! I include Tim and Stephen on carbon copy if they would like to echo my sentiments.

Please advise how we should proceed.
Best,
Ben

From: Allen Cadwallader <cadwallader78@gmail.com>
Sent: Saturday, March 14, 2020 9:02 PM
To: schenker <schenker@unt.edu>
Subject: [EXT] Re: Important-- JSS Contributor Agreement Form
I'm sorry I'm not in a position to do all of this right now. Please exclude my contribution from the volume
On Sat, Mar 14, 2020 at 10:00 PM schenker <schenker@unt.edu> wrote:
...

Barry Wiener Tue, Mar 24, 3:18 AM
Dear Tim and Ben, I just reread my article. If possible, I hope you can make two last-minute changes/adjustments. If it's too late, I will understand. p. 197, c

schenker
Tue, Mar 24, 6:59 PM
Dear Barry,
We'll be submitting the journal to the press later this evening (pending the tying up of one final loose end) so I went ahead and made those two cha

Barry Wiener <bwiener8@icloud.com>
Tue, Mar 24, 7:13PM
to schenker, me
Dear Levi,
Thanks. I just checked it.
I hope that everything is going well with you and your family.
All best,
Barry
2 Attachments
Support for you
Inbox

[More Corrections among Wiener, Jackson, and Levi Walls, March 13-14, 2020]

There are very collegial discussions/exchanges about some responses with Levi Walls.

Re: [EXT] More corrections
schenker <schenker@unt.edu>
Sat, Mar 14, 9:11 AM
to Barry, me

Hi Barry,
Thanks, I'll address all of these changes (including in yours and Slottow's).
Regards,
Levi Walls

From: Barry Wiener <bwiener8@icloud.com>
Sent: Saturday, March 14, 2020 12:28:18 AM
To: schenker <schenker@unt.edu>
Subject: [EXT] More corrections

Dear Levi,
Here are some small errors that I noted in the articles:

Beach

p. 127 I was taught very old-fashioned (non-musical) theory [What does this mean?]

p. 127 I, for one, would welcome into the analytical canon words [works] by both black and women composers.

Boss

p. 132 It seems to me that one of Allen Forte's priorities as a practitioner [practitioner] of Schenkerian analysis was to use the method to illustrate the genius of musicians who wrote in popular styles

Cadwallader

p. 136, note 5

"We stand before a Herculaneum and Pompeii of music! All musical culture is buried; the very tonal material—that foundation of music which artists, transcending the spare clue provided by the overtone series, created anew in all respects from within [within] themselves—is demolished."

p. 137: Notes 7, 8, and 9 are missing.

Anonymous, p. 200

What I do know is this: that the historical context is of upmost [utmost] importance for a topic like this.

For Schenker to have not, at some point, hold [held] those beliefs would be truly exceptional.

All best,

Barry

schenker <schenker@unt.edu>

Mar 14, 2020, 9:47 AM

to Barry, me

Alright, and these are fixed. Luckily, we'd already caught a few of them. Thanks so much for the extra set of eyes! Just let me know about Lād in your article and we should be good to go.

- Levi Walls

From: schenker <schenker@unt.edu>
Sent: Saturday, March 14, 2020 9:11 AM

To: Barry Wiener <bwiener8@icloud.com>
Cc: Timothy Jackson <shermanzelechin@gmail.com>

Subject: Re: [EXT] More corrections

Hi Barry,
Thanks, I'll address all of these changes (including in yours and Slottow's).
Regards,
Levi Walls

...

[Message clipped] [View entire message](#)
Timothy Jackson <shermanzelechin@gmail.com>
Mar 14, 2020, 10:41 AM

to Levi, schenker

Dear Levi,

Beach p. 127 "I was taught very old-fashioned (non-musical) theory"

In the Beach, this is NOT a mistake, even though Barry queried it. Beach is being sarcastic, and referring to the Roman numeral labeling type of music theory that is still widely taught. So please don't touch that!

I assume that we collectively have caught everything now. I have to be honest that I was too "turned off" by Segall to go through his response. Barry did read it through carefully and found nothing wrong, so I am willing to trust him on that.

Ben says that he has requested short bios from all contributors. We need to proof those too. I need to send you a couple of sentences - right? Also Stephen Slottow. Don't forget to ask him.

I appreciate your own comment about Clark. Of all of the more supportive comments for Ewell, I find Clark's the most interesting, and also the most worthy of careful and systematic rebuttal. I understand why she thinks as she does, and I would like to explain why her two main hypotheses are misguided, both about the inter-relationship between Schenker's ideas and ideology and his analytical technique and his putative "exclusion" of certain musical features in the song analyses. Re. the first, Clark (like Ewell) incorrectly wants to freeze Schenker's ideological positions in order to reject them, when they were in flux and metamorphosed into their opposites. I think that I made this point in my response: so "which" ideological position reasonably be inextricably aligned with "which" part of the analytical technique? But the most important and interesting part of her response - to me at least - concerns her point about "exclusion." Ironically, Schenker's putative exclusion of these important musical aspects - which is no exclusion at all - tells us more about their impact on the structure and semantics of these Lieder than her seeming valorization of them ever could! I need to unpack this point.

Best wishes, and thank-you for your hard work!

Tim

**[Updated files put together into a single PDF and printing timeline on March 14, 2020]
-discussions among Levi Walls, Slottow, Graf, and Jackson]**

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Mar 14, 4:55 PM

to me, Stephen, Benjamin

Hi all,

Using all the updated versions of articles, I've put everything together with accurate layout (so that new items begin on odd pages, as per house style) and page numbers (and pp. citations in Jackson and Boss have been updated). Please find this file attached.

In just a minute, I will send updated PDFs of separate articles to their respective authors, asking them to (once more) confirm that their contribution is to their specifications. Just to be sure.

Our current timeline looks like this: Dr. Graf is contacting authors with contributor agreements and a request for a short (2–3 sentence) bio. Those will be coming in a few days. Karen says she will finish her own proofreading by the end of this coming week. If Karen has any corrections that need to be made, Dr. Graf and I will quickly make those changes. After that, we should be about ready to go. So, in conclusion, printing should occur around March 23rd. Dr. Graf, does this sound about right?

Thanks for your work, everyone!

Regards,

Levi Walls

...

Walls, Levi <LeviWalls@my.unt.edu>

Mar 14, 2020, 5:51 PM

to Benjamin, Stephen, me

I'm doing it now so we can see what it looks like and compare. I'll send when I'm done.

- Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>

Sent: Saturday, March 14, 2020 3:43:50 PM

To: Timothy Jackson <shermanzelechin@gmail.com>

Subject: Re: [EXT] Re: Updated files put together into a single PDF and printing timeline

...

Walls, Levi <LeviWalls@my.unt.edu>

Mar 14, 2020, 6:15PM

to Benjamin, Step

hen, me

Alright. What do we think of this? I did it quickly, so I'll need to double check it, but as a sample, do we like it better? Again, I'm okay with either.

- Levi Walls

Attachments area

Timothy Jackson <shermanzelechin@gmail.com>

Mar 14, 2020, 6:27 PM

to Levi, Benjamin, Stephen

Personally, I think that it is really much better this way. Then we don't need a separate table of contents later, which is awkward.

On the front cover, it should say, "With contributions by....." these authors, and list the names in alphabetical order.

At the end, it should say BIBLIOGRAPHY FOR THE RESPONSES

Tim

Timothy Jackson Mar 14, 2020, 6:29 PM

First Proof of Volume 12.

Timothy Jackson<shermanzelechin@gmail.com> wrote: First Proof of Volume 12.

Walls, Levi <LeviWalls@my.unt.edu>

Mar 14, 2020, 7:44 PM

to Benjamin, Stephen, me

Hi all,

Okay, here is a version that has the "Bibliography for the Responses" in the ToC.

I've also changed the "Introduction to Symposium on..." to have no list of authors (as we now have that part in the ToC). I also changed the heading for the final Bibliography to "Bibliography to the Responses."

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Saturday, March 14, 2020 4:27 PM

To: Walls, Levi <LeviWalls@my.unt.edu>

Cc: Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>

...

[Message clipped] [View entire message](#)

Slottow, Stephen <Stephen.Slottow@unt.edu>

Mar 14, 2020, 8:05 PM

to Levi, Benjamin, me

I agree with Tim that each response should have it's on page numbers. But other changes should be made:

Symposium [or SYMPOSIUM] on Philip Ewell's SMT 2019 Plenary Paper, "Music Theory's White Racial Frame" should stand by itself, since it is the title to the concluding section of the issue.

Then "Introduction" [NOT "intro"] should be the first item of the symposium. I think that probably all of the items of the symposium (except the main heading) should be indented a bit so that they are clearly and graphically shown to be parts of and under the main heading: "Symposium for Philip...."

As it is now, there is a confusion of levels--really! The main heading is a middleground event, so to speak, and each item of the symposium is a foreground event that composes out the middleground event.

CONTRIBUTORS should not be indented, since it is not a subhead of the symposium.

-sps

Walls, Levi <LeviWalls@my.unt.edu>

Mar 14, 2020, 9:21 PM

to Stephen, Benjamin, me

Levels addressed. In past volumes, names of authors have been all capitalized, as well as titles of sections (like CONTRIBUTORS). Should I all-cap "Symposium on Philip Ewell's SMT 2019 Plenary Paper, 'Music Theory's White Racial Frame'"? It seems like a bit much. Or just capitalize "Symposium" (SYMPOSIUM)? Or leave as is?

- Levi Walls

Walls, Levi <LeviWalls@my.unt.edu>

Mar 14, 2020, 9:22 PM

to Stephen, Benjamin, me

ps. I'm putting more space between Clark and Cook.

From: Walls, Levi <LeviWalls@my.unt.edu>

Sent: Saturday, March 14, 2020 9:20 PM

To: Slottow, Stephen <Stephen.Slottow@unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>; Timothy Jackson <shermanzelechin@gmail.com>

Subject: Re: [EXT] Re: Updated files put together into a single PDF and printing timeline

Levels addressed. In past volumes, names of authors have been all capitalized, as well as titles of sections (like CONTRIBUTORS). Should I all-cap "Symposium on Philip Ewell's SMT 2019 Plenary Paper, 'Music Theory's White Racial Frame'"? It seems like a bit much. Or just capitalize "Symposium" (SYMPOSIUM)? Or leave as is?

- Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Saturday, March 14, 2020 6:15 PM
To: Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Timothy Jackson <shermanzelechin@gmail.com>
Subject: Re: [EXT] Re: Updated files put together into a single PDF and printing timeline

Alright. What do we think of this? I did it quickly, so I'll need to double check it, but as a sample, do we like it better? Again, I'm okay with either.

- Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Saturday, March 14, 2020 3:51 PM
To: Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Timothy Jackson <shermanzelechin@gmail.com>
Subject: Re: [EXT] Re: Updated files put together into a single PDF and printing timeline

I'm doing it now so we can see what it looks like and compare. I'll send when I'm done.

- Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Saturday, March 14, 2020 3:44 PM
To: Graf, Benjamin <Benjamin.Graf@unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>
Subject: Fw: [EXT] Re: Updated files put together into a single PDF and printing timeline
Forgot to reply all

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Saturday, March 14, 2020 3:43:50 PM
To: Timothy Jackson <shermanzelechin@gmail.com>
Subject: Re: [EXT] Re: Updated files put together into a single PDF and printing timeline

Hi all,

I don't have a strong preference for one or the other solution. Luckily, it works

out so that it won't require a full reformatting of the page numbers. So, it will be a simple change. Shall I do it?

Regards,
Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Saturday, March 14, 2020 3:29:09 PM
To: Graf, Benjamin <Benjamin.Graf@unt.edu>
Cc: Walls, Levi <LeviWalls@my.unt.edu>; Slottow, Stephen <Stephen.Slottow@unt.edu>
Subject: [EXT] Re: Updated files put together into a single PDF and printing timeline

Dear Colleague,

I think that the *front* table of contents should list the authors and page numbers for the responses to Ewell. In other words, they should be treated like short articles, which is what most of them actually are.

Perhaps then, we can dispense with the list of contributors at the beginning of the section of responses as redundant.

Do you agree?

Best, Tim

On Sat, Mar 14, 2020 at 4:57 PM Graf, Benjamin <Benjamin.Graf@unt.edu> wrote:
Confirmed, thank you Levi!

BG

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Saturday, March 14, 2020 4:55:05 PM
To: Timothy Jackson <shermanzelechin@gmail.com>; Slottow, Stephen <Stephen.Slottow@unt.edu>; Graf, Benjamin <Benjamin.Graf@unt.edu>
Subject: Updated files put together into a single PDF and printing timeline

Hi all,

Using all the updated versions of articles, I've put everything together with accurate layout (so that new items begin on odd pages, as per house style) and page numbers (and pp. citations in Jackson and Boss have been updated). Please find this file attached.

In just a minute, I will send updated PDFs of separate articles to their respective authors, asking them to (once more) confirm that their contribution is to their specifications. Just to be sure.

Our current timeline looks like this: Dr. Graf is contacting authors with

contributor agreements and a request for a short (2–3 sentence) bio. Those will be coming in a few days. Karen says she will finish her own proofreading by the end of this coming week. If Karen has any corrections that need to be made, Dr. Graf and I will quickly make those changes. After that, we should be about ready to go. So, in conclusion, printing should occur around March 23rd. Dr. Graf, does this sound about right?

Thanks for your work, everyone!

Regards,
Levi Walls

[Final Article Confirmation, March 14, 2020]

schenker <schenker@unt.edu>

Sat, Mar 14, 5:33 PM

to me

Dear *JSS* contributor,

Attached is the "final" PDF setting of your article. This current version incorporates the page numbers and layout that will appear in the printed journal. Minor corrections may also have been made, as the journal has undergone the near-final stages of proofing. In order to be certain that the final product is to your specifications, please take the next several days to review the attached file for accuracy. You may take up until Wednesday (3/18) in order to have time for careful review.

In the next few days, our editor Ben Graf will contact you regarding the contributor agreement and request for a short (2–3 page) bio. So please be on the lookout for that email.

Thank you for your contribution to the *JSS*, and I look forward to hearing from you.

Regards,
Levi Walls
Assistant Editor, *JSS*

[Correspondence between Ben Graf and Barry Wiener (one of the contra contributors to the *JSS*) on March 14 and 20, 2020]

On Mar 14, 2020, at 10:00 PM, schenker <schenker@unt.edu> wrote:

Dear *JSS* authors and advisory board,

As we put the finishing touches on volume 12 of our journal, I ask all contributors to reply (not reply all) with the following items within the next few business days:

- 1) Signed and dated contributor agreement form (see attached)
- 2) Current mailing address (for the distribution of your print copy)
- 3) Short bio for the "contributors" section (only 2–4 sentences please)

Levi Walls has done excellent work on this volume and the journal will be in good

hands as he takes over sole editorship of the JSS. In my view, the additional content that we collected this winter following Ewell's SMT plenary makes a great addition to an already remarkable publication. Later this week, Levi will take on some additional responsibilities, so I will be keeping track of these forms and publisher information. All three items should be fairly simple to return, so thank you in advance for your prompt attention to these items.

Cheers to getting this to press!

Sincerely,

Ben Graf

On 20 March, Ben Graf wrote to Wiener:

Thank you Barry! I should note that I enjoyed reading your response to Ewell. I am so glad you could contribute to this volume.

Best,

Ben

[Close to printing, May 2020]

Walls, Levi

Thu 5/21/2020 9:25 PM

To: Slottow, Stephen; Graf, Benjamin; Jackson, Timothy

Hi Dr. Slottow, and all,

As per house style and previous issues, new articles are to start on odd numbered pages, and if the previous article ends on an odd numbered page, the following even page is to be left blank. In regard to the Schachter article, Ben and I had discussed it and, after some consideration, weren't sure about singling out Schachter's article for republication because it would have been construed by some as a statement of a particular position on the part of the journal.

Congratulations on your promotion!

Regards,

Levi Walls

Slottow, Stephen

Wed 5/20/2020 11:10 PM

To: Walls, Levi; Graf, Benjamin; Jackson, Timothy

Levi (cc to Ben&Tim),

I was just now looking through the proofs for JSS 2019 and noticed numerous blank pages. Have these been removed? If not, why not?

Thanks,

-sps

Timothy Jackson <shermanzelechin@gmail.com>

Apr 9, 2020, 11:12 PM

to Cary

Dear Prof. Nelson,
Here is the latest issue of the *Journal* with the responses to Ewell. Please let me know if you have any problem reading it.
With best wishes,
Tim

Timothy Jackson <shermanzelechin@gmail.com>

Jul 3, 2020, 8:10PM

to Allen

Dear Allen,

Here is the latest issue with the complete symposium. This way, you can read all of the responses. I hope that this large file reaches you safely.

You absolutely MUST read Barry Wiener's response. He shows how Ewell's "Schenker quotations" misinterpret Schenker's true meaning.

This is not a matter of honest mistakes, but deliberate manipulation and decontextualization.

I look forward to your study of Rothgeb's counterpoint teaching very much. It will greatly enrich the Rothgeb issue. I will dig out the Laufer analysis instruction and send it to you. It is a bit in the same vein.

Best wishes,

Tim

Timothy Jackson <shermanzelechin@gmail.com>

Jul 3, 2020, 8:13 PM

to Allen

PS. The printed version is out, but I have not yet received a copy due to problems associated with the pandemic.

By the way, *JSS* is open source, which means that back issues are all available on line. <https://digital.library.unt.edu/explore/collections/JSCS/>

[Levi Walls appointed as an assistant editor to help Ben as editor. Description of his duties.]

Brand, Benjamin

Thu 12/19/2019 3:31 PM

To: Slottow, Stephen; Jackson, Timothy

Cc: Graf, Benjamin

Schenkerian Studies- RA job description.docx

17 KB

Thanks again for putting this together. I've made some very light editorial changes (e.g. changing references to TA to RA). Ben, could you please forward this on to Levy if you haven't done so already?

Best,

Benjamin

Center for Schenkerian Studies — Research Assistant Position Description (12.12.2019)

The position of RA for the Center for Schenkerian Studies is divided into two areas of responsibility: the RA (1) will serve as editor of the Journal of Schenkerian Studies (UNT Press) and (2) will facilitate research activity for the Center for Schenkerian Studies.

I. Editor, Journal of Schenkerian Studies

- Solicit articles, reviews, and other special contributions for each issue of the journal. Distribute submissions to the appropriate reviewers, ideally members of the editorial board, and correspond to authors regarding the status of their respective submissions. For manuscripts that are accepted for publications, work with authors during the revising process and create the layout of each issue using the software InDesign. This includes the typesetting of both complex illustrations and graphical voice-leading analyses. Ultimately, all articles for publication must adhere to the Journal of Schenkerian Studies style sheet.

1

- After creating the final proof, the editor will work with the staff at UNT Press to complete the last revisions, cosmetic changes, placement of advertisements, acknowledgements, etc. so that the PDF document can be sent out for publication. The editor should remain in communication with the advisory board throughout this process.

- Following the release of print copies, the editor distributes copies to both the authors, editorial board members, and advisory board, while maintain a current record of mailing addresses and other pertinent contact information. The recipients are often international, which requires more consultation with the UNT Mailing services and the College of Music budget office.

- As an ongoing routine, the editor checks the Schenkerian Studies email account, responds to inquiries, and distributes promotional materials at conferences, events, etc.

II. Other duties to the Center

- The RA helps maintain and edit the Center's websites, including uploading and editing material on webpages.

- Other tasks encompass type-setting examples for Journal articles, both music and Schenkerian graphs.

Re. Levi Walls' Public Denunciation

Levi Walls began studying with me in 2016 and ended in July 2020 when he published a public denunciation on his Facebook page reproduced at the end of this document. The extensive email correspondence begins at that time, and continues up to attack. I have reduced many hundreds of emails to this compendium in order to provide a manageable document; every statement is backed up by a dated email either reproduced here or available upon demand.

As may be verified here, I often wrote Levi long emails containing serious discussions of music; there was a free exchange of ideas on female composers of lesser-known but with great value, such as Louise Ferranc, Zara Levina (email from 8/25/2018), Ruth Gibbs (from 9/23/2018), Dora Pejacevic (6/27/2018), Maria Teresa Prieto (from 12/14/2018), etc., our private analytical work together on French opera, such works by Bertin and Berlioz. From these exchanges of information, I never hesitated to send more information on topics of interest to him, always trying to broaden the scope of his knowledge. One can easily see that Levi respected my work and me personally as a great teacher over these four years. He asked me politely if I could be his major professor for his master's thesis (email on July 15, 2017): "...But on that topic! Even though I've been talking to you about my thesis, I don't want to make assumptions: I'd like to work on my thesis with you as my major professor. Would that be acceptable for you? If you have no room, I could also put you as my secondary and you could be my major professor when I do my dissertation." He wrote his masters thesis under me and he asked me to be his doctoral dissertation major professor.

Not only did I consistently provide him with informative materials concerning our mutual interests and my own analytical interpretations of wide range of works, I always complimented him on his progress and sent positive/constructive comments on his development - look at the email from Oct. 8, 2017 "These insights are truly profound! Bravo! You have the essence of a great, penetrating analysis here. So, go forward, and we can meet next Friday....," the email from Nov. 11, 2017 ... "I read through the proposal carefully and think that it is superb." An email from me to Levi on April 17, 2019 says "Thank-you for this (sending the link of his thesis). I am pleased that your writing has made great strides; actually, I am not surprised..." An email from me to Levi on June 9, 2020: "Bravo on the SMT acceptance! Great news indeed!"

Regarding my availability to meet with Levi, one can see I always did my best to meet his needs. For example, I was always willing to meet with him for extra lessons. I constantly was in touch with Levi to help his work during non-regular semesters, such as in May, 2018, and very intensive work including long emails discussing his work, extended over the summer of 2018, June 1-July 31!

Our work on various projects continued and there was always mutual respect and collegiality. I showed Levi every kindness that a professor could show a student. In May-July 2019, I offered to give him some of my LP collection, and stereo equipment I was not using. An email from Levi on June 1, 2019: "Again, thanks so much for the records! I already got a new bookcase for them

and all the operas are now organized. One more bookcase should do it. Oh no, not overwhelmed at all. I can't wait to dive into all the recordings/inserts." From Levi on July 3, 2019: "Thank you for offering more records, I'd be happy to accept. Thus far, one of my favorite recording has been Franck's D minor symphony, under Furtwängler's baton. I read parts of his biography with interest, especially regarding his opposition to the Nazis..."

I always offered full support for his Teaching Fellowship, travel fund, etc., look at the email on Mar. 10, 2017 - I always encouraged him, congratulated him on his achievements.

I wrote Levi a strong recommendation for his application for continuing his doctorate at UNT - see the email from Nov. 13, 2017. I came up with the strongest letter of recommendation (Nov. 30, 2017): "It is with pleasure that I write in the strongest support of Levi Walls's application for a place in the doctoral program in Music Theory at the University of North Texas. This is, in fact, a very easy recommendation to write since Levi is a truly excellent all-round student. He is currently writing his Masters thesis on the opera "L'Esmeralda" by Louise Bertin (based on a libretto by Victor Hugo) under my supervision. I can report that he has made tremendous progress this semester and is on his way to completing a first-class study of the structure of this opera and its connection with the plot (based on Hugo's famous novel, *The Hunchback of Notre Dame*). There is no doubt that Levi is currently one of our strongest Masters students, and I am fully confident that he will prosper in the doctoral program going forward. I have heard that he is an excellent student from all of the other professors with whom he has studied, without any exception, which does not surprise me in the least given what I know of him and his work. Levi enjoys my full and unqualified backing as he progresses with his studies."

The correspondence among Dr. Brand, the Division Chair, Levi, and myself, Feb. 19-20, 2020 shows that I strongly recommended Levi, marking his research "extremely important" for him to receive support from a travel fund for doctoral students so that he could deliver a paper in Newcastle.

Not only did we discuss work-related matters, but we have been on friendly terms, exchanging personal news and family regards.

After our emergency meeting on July 26, 2020, regarding the vicious attack on the Journal on Twitter and other social media, Levi's attitude suddenly completely changed. Please look at the very last part [Self-Criticism by Levi Walls posted on FB, July 27, 2020: Total Transformation].

1. Levi defames my character by claiming he "feared" retaliation from me if he would have given up the job as Schenker TA. There is NO evidence in the correspondence for 4 years showing any kind of abuse of power on my part such that Levi simply had to do whatever I "ordered" him to do. Both verbal and written communications between us were based on mutual collegiality as documented here. I was always proud of his work and came forward with my strongest support on various occasions as described above because I truly believed in his potential capability to develop into a prominent young scholar.

2. In his self-criticism, Levi portrays me as a dictator who made all the important decisions by myself, but that is incorrect, as is documented by letters among 5 active advisory board members as well as 2 additional theory faculty members at UNT. Please read the email from Levi on Nov. 15-19, 2019. He came forward to me *first* with his own opinion and ideas about Prof. Ewell's talk, and he was very critical - especially Levi's email on Nov. 17, 2019 presents a long list of problems concerning Ewell's presentation. After our discussions on emails, I came up with the idea of publishing responses to Ewell's talk in the Journal. When I shared my proposal with Levi, he thought it was very appropriate to do so (Levi's email to me on Nov. 19, 2019) and took the initiative to discuss it with other board members voluntarily without me requesting it at all. His claim that he didn't have any power to do anything on his own is contradicted by the documents!

3. Levi "confesses" in this FB post that he essentially agreed with Ewell and was "dumbfounded" by my disgusting and harmful rhetoric after reading my response. In fact, Levi was unconstrained to criticize the conclusion of my article and urge that I made changes (March 12), and I heeded his and others' advice: "Hi all, Here is the new version of Dr. Jackson's response. Instances of "classical" are uncapitalized, page numbers for Slottow and Wiener are put in. And all the other changes were incorporated as well. Dr. Slottow may have a point about the Kafka reference. I can see some of our ethnomusicologist colleagues taking it the wrong way. It's up to you, of course, but it may be better to frame that last point in a more positive way. Perhaps, instead of placing a value judgement on ethnomusicology, you might consider framing the issue in terms of there being a good reason that theory, musicology, and ethnomusicology are different fields, because ethnomusicology, you might consider framing the issue in terms of there being a good reason that theory, musicology, and ethnomusicology are different fields, because they have different aims. In other words, the three branches are separate but equal (for lack of a phrase without such baggage), and equilibrium will only result in a less diverse range of perspectives. But, again, you could go either way.
Regards,
Levi Walls"

If Levi felt negatively at the beginning of March, why did he keep writing to me both personal and professional emails asking for me to become his dissertation advisor? He certainly didn't have to choose me as his dissertation advisor and it frequently happens that the students change their major professors for the dissertation, not to mention that I have no possibility to harm those students who wish to avoid me. Even on his email from July 25, 2020, he clearly goes against Ewell's and his followers' accusation toward the JSS for being unethical and unprofessional because Ewell was not invited to participate in the same issue, since he wrote: "...I'm also confused about what exactly people want. The responses were to Ewell's paper. Did Ewell want to respond to his own paper? If he wants to respond to the responses to his paper, then that is perfectly reasonable, and I don't think anyone would have a problem with that. We could publish something in the upcoming volume, if that is what people want. But he couldn't have responded to responses that hadn't yet come out..." If he went through so much inner suffering between March and July as he confessed in his FB post, how can he have acted this way?

4. On Dec. 2, 2019, in an email, Levi and Ben Graf both agreed to go forward with publishing responses in the JSS vol. 12, not delaying further. This is documented by Ben's email on Dec. 2 ("We should go forward with the call and be open to publishing more on this matter in future publications.")

5. Levi is a doctoral student who worries about developing his career and just had a baby. I understand his burdens and pressures fully; however, his public defamation of his professor is not the path that a scholar with integrity and personal honor would take. I am profoundly saddened by his false accusations widely publicized on Facebook – accusations by a student of whom I thought very highly. I cannot accept this public defamation of my character as a scholar and a human being, and that is why I feel compelled to share the documentary record, which paints a totally different picture of our student-teacher relationship as it actually existed.

Therefore, documentation of my collegial teacher-student relationship with Levi Walls extending back into 2016 is presented below.

Until Levi Walls' public Facebook denunciation of me I never heard him express any concerns whatsoever about his work with me as his mentor.

In his plenary lecture, Ewell included Allen Forte of Yale alongside Ernst Oster as one who had "whitewashed" Schenker in his slide. According to Ewell, Forte and Oster had colluded to conceal Schenker's "virulent racism." Now, Forte had been Ewell's dissertation advisor at Yale. I know from Madeleine Forte, Allen's widow, that Allen had shown Ewell every kindness and consideration. Even if Ewell's accusation had been true rather than being false, I think that he should never have made it public. I say this because I believe that there is - and should be - a *sacred bond* between teacher and student that is not dissimilar to that between father and son or father and daughter. This is why the Germans refer to a doctoral dissertation advisor as "Doktorvater" or doctoral "father." When I look at the behavior of some of my former students, I have to wonder about their personal code of honor, integrity, and honesty. Does self-preservation justify lying and misrepresentation? Does a student have the right to publicly shame his former teacher, especially one who showed him every kindness, and who went well beyond the call of duty to give him every possible material help and educational advice?

This question of personal integrity continues to haunt me.

The Idea for the Symposium Evolved from Discussions with Walls, Other Graduate Students and Schenkerians around the World

Levi asked to discuss Ewell's Plenary Speech with me. The idea that I forced any of my ideas on him – or any other student - is totally false. One can see from this correspondence that he had a clear picture of *shared concerns* about Ewell's presentation from the very beginning. At no time did I censor Levi's views, nor did I doubt that he was sincere in holding his own views.

Meeting

Inbox

Walls, Levi <LeviWalls@my.unt.edu>

Fri, Nov 15, 2019, 10:18 AM

to me

Dear Dr. Jackson,

Hope you are well! When would you like to get together to talk about Bach? Unfortunately, I haven't had any time to devote to Berlioz lately, as I've been swamped with classes and private teaching. But I would be happy to discuss the Passion in more detail. Of course, you've dedicated considerably more time to it than I have but I can surely follow you and share any thoughts/questions! At the moment, I can't leave Denton Thursday-Sunday because my wife takes the car to work all day. But I can travel monday- wednesday, or meet on campus any day.

Regards,

Levi

Walls, Levi <LeviWalls@my.unt.edu>

Fri, Nov 15, 2019, 10:40 AM

to me

I would also be very interested in discussing a particular Schenker paper from SMT. You've likely heard about it, as it caused quite a stir. I was very ambivalent about it because it suggested that analysis that utilizes levels of hierarchy is inherently racist, which strikes me as naive. Reinhold Brinkmann made a very similar claim about Lorenz, saying that his desire to have every part of a piece serve some structural whole was totalitarian (and obviously linking that idea to his political beliefs).

- Levi Walls

From: Walls, Levi

Sent: Friday, November 15, 2019 8:18 AM

To: Timothy Jackson <shermanzelechin@gmail.com>

Ewell

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Mon, Nov 18,
2019, 8:08 AM

to Levi

Dear Levi,

This is not a reply to your points, which I need to consider, but my own rumination:

Is Ewell making the absurd claim that Schenkerian voice leading analysis is inherently racist, and is his attitude to Schenker and Schenkerians anti-Semitic explicitly or implicitly? (I am reminded of fake news and the world-is-flat people!) Is Ewell a poseur?

I have been thinking that all demagogues have this in common: they use widespread legitimate grievances - here generalized racism in the US and the challenges it poses to academics of color - to lash out against perceived targets of opportunity. That is what Hitler did with the Jews, and what Trump does today with non-White immigrants and others: in this case, does Ewell seize upon Schenker and Schenkerians - mostly Jews, and mostly immigrants fleeing the Nazis - and blame them for the paucity of Blacks in the field of music theory? I have been thinking that Allen Forte, who gave Ewell - and, for that matter female and Jewish students, a chance - would be turning in his grave if he knew what Ewell is now saying, if that is indeed the case.

On another somewhat more genial topic, I send the score examples for a talk that I gave back in 2000 about Bach's Saint John Passion, and more specifically, about the role of the recapitulation in the aria No. 35, the soprano aria, "Zerfliesse, mein Herz." Usually, Bach employs the da capo aria form, with its clearly defined A and B sections, whereby the A section is repeated after the B. But here in this special aria - exceptionally - Bach limits himself to to just A and B sections. That being said, still, even without the literal repetition of the entire A section, he finds a way to preserve the da capo form. I believe that, quite remarkably, he achieves this by working repetitions of parts of the A section in the B section! In my annotated score, I indicate precisely those places in the latter part of the aria where elements of the A section reappear. Of course, from a tonal-structural perspective, these musical elements are now revalued, and their transformation represents the changes brought about in the worshipper's soul by experiencing Christ's sacrifice first-hand, i.e., by reliving the Passion with Christ. *That* is the underlying motivation for Bach's unusual treatment of the da capo form in this aria.

Best wishes, Tim
Attachments area

Tim
oth
y
Jac
kso
n

Mon, Nov 18, 2019,
8:12 AM

Dear Students, If we can find the time to discuss it, I send the score examples for a talk that I gave back in 2000 about Bach's Saint John Passion, and more sp

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Nov 18,
2019, 9:41 AM

to me

Dear Dr. Jackson,

Thank you, we're very excited about the baby. The due date is March 17, so still a little ways to go.

Yes, the paper's willful ignorance of Schenker's Jewish identity is indeed troubling. That seems to mark it as implicitly antisemitic, at the very least. I think that, had he limited his criticisms to Schenker the man, it would have been slightly less problematic. But his claim that the entire theoretical world view—and by extension those who helped spread it—is racist becomes very problematic when we consider the intimate connection between schenkerian analysis and the Jewish identity. I think that it is possible to address biases in Schenker studies (and academia in general) and advocate for increased transparency without demonizing an entire methodology (especially one with strong Jewish roots). Ewell's talk certainly failed in that regard.

Regards,

Levi

Response to Ewell

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Nov 19,
2019, 1:33 PM

to Levi

Dear Levi,

It occurred to me that it might be appropriate for the *Journal* to solicit responses to Ewell from a number prominent Schenkerians - if they would be willing to reply - and publish a small collection. What do you think of this idea?

In my view, some of Ewell's comments about Schenker are an example of intellectual dishonesty. I believe that this contention should be - politely - proven, and a "Response" to be justified and appropriate.

The racist passages from Schenker's letters and diary Ewell cited from "Schenker documents on line" were unknown to those scholars he critiques for sanitizing Schenker's published writings. To the point, these comments from SDO were not known by Forte, Rothstein, Rothgeb, and others because they were *inaccessible*, buried in the letters and diary. So, Ewell's critique of these scholars is unfair. But Ewell goes further and pretends that *racist* comments were excised by them from Schenker's publications, while the passages moved into appendices were not racist in content like these items cited from SDO. It is a cheap shot.

In fact, Schenker's strongest vituperation was *never* toward Blacks, but the French, who are and were, especially at that time, mostly White!, and primarily during and after WW I. There are sustained passages in Schenker's diary against the "White" French that prefigure Nazi anti-Semitic propaganda in their virulence.

Schenker's Eurocentrism - perhaps better, German-centrism - was by no means exceptional; it was also common at that time in European culture. It was based on many factors, Kant and German philosophy being one of them.

I read most of Schenker's 5600-page diary in the original before it was on SDO, and the comments Ewell cites about Blacks in particular are extremely rare and marginal at best. That does not excuse them; however, these views were so universal in the early 20th century, and by no means exceptional, that I would have been surprised if Schenker did *not* think in that way. What WAS noteworthy in Schenker was his extreme

"Volkisch" German Nationalism, and especially his sustained demonization of the French. So, if Schenker was the virulent anti-people-of-color that Ewell makes him out to be, why then did he pick so much on the (White) French, reserving for them his most hateful spleen? His comment about Black French soldiers is taken out of context; it is part-and-parcel of his tirade against everything French, and mostly *White* French.

Part - but not all - of the "dark" side of Schenker's personality was well known to his students and colleagues. Again, the diary and letters on SDO were still sleeping in the archives. However, I think that Schachter told me, for example, that Jonas studied for one year with Schenker when he was 19, but then left him for Weisse because he just could not stand Schenker's extremism.

A topic that comes up in different contexts in Schenker's diary is racism in the context of his and his wife's Jewishness - something that Ewell ignores - and the problem of anti-Semitism. As a Jew himself and as the target of racism, Schenker was keenly aware of both anti-Semitism and racism, and he became increasingly so as the Nazis assumed power in neighboring Germany; yet as the outside commentators on Ewell pointed out, he failed to mention even once Schenker's Jewishness, and that of most of his students, and what this meant, and this lacuna is self-serving. As Schachter pointed out years ago in a talk about Schenker that he gave in Tallinn, Schenker was not a fan of Hitler. This fact reveals that Schenker's views changed and evolved over time, and, especially in response to the rise of Nazism and anti-Semitism in Germany - and also Austria - in the late 1920s and early 1930s Schenker began to sober up.

Ewell's thesis that the practice of Schenkerian analysis cannot be divorced from Schenker's political theory means that the approach must be inherently anti-French, although Ewell fails to point this out, and none of the Schenkerians seem to have noticed it. Or, perhaps, following upon Ewell's conspiracy theory, they do know but are hiding it. Does this undercut our work on Berlioz, Mehul, and other French composers?

At some point I will send more the annotated score of the Saint John Passion.

With best wishes, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Nov 19,
2019, 3:16 PM

to me

Dear Dr. Jackson,

I agree that a response in the JSS would be very appropriate. It would be nice to have it for the upcoming issue, although it is very forthcoming (around mid-December).

A response in issue 13 would of course be quite late. Did you have any particular schenkerians in mind? Dr. Graf and I can discuss some candidates tomorrow at our weekly meeting and get requests out as early as tomorrow evening. Perhaps we should also set a page limit for each respondent, though we have room in the upcoming issue, so I don't think there's any need to be particularly restrictive.

Regards,

Levi Walls

Documentation (2016-2020)

Levi was interested in French music, so that I worked on the composer Alkan with him outside of any formal class setting to help him improve his analytical skills.

levi walls <chopinlevi@yahoo.com>

Thu, Dec 22,
2016, 10:56 AM

to me

Dr. Jackson,

I wanted to check in just to share what I'm working on this break. As I mentioned in your office, I'm studying the philosophies of Hegel. I also have some books I checked out about Schopenhauer and Kant that I'm studying. Other than analyzing the Schumann quartet in A minor (I'm also performing a four-hand transcription of it with a friend when I visit California in January) I'm trying to become more familiar with religious and mythological texts. I'm an atheist, but I'm interested from an academic standpoint and because it's obviously an important part of music history. I've found it difficult in the past to find scholarly unbiased interpretations of religious history but I've been watching a series of Yale lectures on YouTube that are very good. Right now, I'm in the middle of a videotaped course on the New Testament. That's usually what I study when my eyes get tired from reading, which happens quickly right now because I have the flu. I can tell it's almost better though. If you have any materials you'd like to suggest in the religion and mythology department I'll take a look. Otherwise, I'll continue my own course of

study. Thanks!

, Levi Walls

Sent from my iPhone

Timothy Jackson <shermanzelechin@gmail.com>

Fri, Dec 23,
2016, 11:24 PM

to levi

Dear Levi,

It is good to hear from you, and about your readings in philosophy and history.

Perhaps you might find interesting some work that I have been doing on the way - I believe - Chopin and Alkan recomposed a compositional idea that they may have taken from another pianist-composer by the name of Masarnau. I will forward you some of the material and you can see what you think.

With best wishes, Tim

Re: Audition

Inbo
x

levi walls <chopinlevi@yahoo.com>

Sun, Mar 19,
2017, 12:10 PM

to me

Hi Dr. Jackson,

Can I schedule an office appointment with you this Friday at 11am to talk about Alkan? Thanks!

, Levi Walls

On Fri, 3/10/17, Timothy Jackson <shermanzelechin@gmail.com> wrote:

Subject: Re: Audition
To: "levi walls" <chopinlevi@yahoo.com>
Date: Friday, March 10, 2017, 3:03 PM

Bravo on the Fellowship! That is important.
Yes, do work on the Alkan and then we can compare readings and discuss!

Bravo again. I am happy about that.
Tim

On Fri, Mar 10, 2017 at
11:54 AM, levi walls <chopinlevi@yahoo.com>
wrote:

Sorry, I didn't give you much notice for that. I think I'll use my noon hour to eat before class though. Over the break, I'll try to cobble my Alkan stuff into a coherent analysis that actually says something meaningful about the piece, rather than just analysis for analysis sake. I also wanted to mention that I got a theory fellowship, so that's exciting!

Sent from my iPhone

On Mar 10, 2017, at 9:56 AM, levi walls <chopinlevi@yahoo.com>
wrote:

Dr. Jackson,

No worries, I know you're busy. I can drop by at 11:15, if that works. Noon is also okay. Let me know if either of those times work.

, Levi Walls

Sent from my iPhone

On Mar 9, 2017, at 5:08 PM, Timothy Jackson
<shermanzelechin@gmail.com>
wrote:

Dear Levi,
I am sorry that I have not gotten back to you about your analysis of the B section of the Alkan. Perhaps it would be good to meet and discuss it in person. I am in MWF and teach from 10-11. We could meet before or after my class.

Your comment about "bells" is apt indeed. It also brings to mind Rachmaninov, who was fascinated by bells, and who incorporated references to them into multiple works, and not just "The Bells." The question I would ask is, how does the "bell" interpretation relate

the middle section to the surrounding music, not just syntactically but semantically: why does Alkan want to reference bells?

I have a slightly different interpretation, namely that the ostinato is a reference to a clock (rather than to bells per se), and thus to "the measuring of the passing of time." However it might be both to a clock and bells - rather than "either or" "both and" - since clock towers often mark the passing of time by ringing their bells on the hour, half-hour, and quarter-hour. Again, the question would be, if "the passing of time" is the central metaphor in the middle section, then how would this semantic interact with and relate to the surrounding music? Perhaps a clue to "the time passing" interpretation linking the middle section with the A and A' parts might be the whole problem of the opening, where we begin "in medias res," as already discussed. If this is an accurate interpretation, then we would have to assume a pre-existing time-space in which music starts and is playing before it becomes audible. According to this reasoning, the middle section and the transition from the middle section to the reprise of the opening might give us some clues as to the prehistory of the piece. This issue, then, might be the semantic link between the outer parts and the middle section.....

Best,
Tim

On Sun,
Mar 5, 2017 at 7:29 PM, levi walls <chopinlevi@yahoo.com>
wrote:
Dr.
Jackson,

I've been working on the Trio section. This is my graph for the first 80 measures or so (when it returns to Ab). I numbered the measures starting at the Trio rather than original measure numbers. It's especially clear from this section that Alkan was also an organ player; both the alternating Eb and Bb throughout, and the bass octaves at mm. 8, 40, and 78, are meant to function as pedals. In the case of the ever present Eb to Bb, it contributes to the bell-like sonority of the passage. French composers of the late nineteenth- and early twentieth-centuries were interested in bells, which had a social significance in French rural life (I recently checked out a book titled "Village Bells: Sound and Meaning in the 19th-century French Countryside" by Alain Corbin but haven't had time to read it yet). The bass octaves have more of a structural importance and, in each case, correspond to the prolonged harmony shown in my graphs. My graphs don't account for every pitch and may skip steps in their simplification of the material, but I believe the end result is accurate: measures 9-40 and 77-94 both prolong tonic harmony and utilize a 4+4+8 sentence structure (77-78 is a lead-in). Measures 41-76, meanwhile, prolong dominant harmony.

, Levi Walls

Levi applied for a Teaching Fellowship, and I supported him.

On Feb 21,

2017, at 12:47 PM, Timothy Jackson <shermanzelechin@gmail.com>

wrote:

Well, let's really hope

for the best as far as the TF position is concerned. You will improve, and hopefully, if you must reapply next year, then you will be better prepared. I think that it would be good to continue the kind of analysis that you were doing on the Alkan. The more in-depth analysis you do, the greater the facility that you have with analyzing harmony – and potentially explaining it as well.

When you have time, you should continue the Alkan, and I will be happy to discuss it further with you.

Tim

On Tue, Feb 21, 2017 at

9:28 AM, levi walls <chopinlevi@yahoo.com> wrote:

Haha. Not sure. I controlled my nerves pretty well. But then I inexplicably forgot what key I was in. It was an odd mistake, and normally I don't have trouble with something so simple.

But mistakes, regardless of circumstances, show that I'm not comfortable talking through an analysis in real time. I need to get faster and have it be natural. I got a collection of Bach chorales since the interview and I just practice playing through them and saying the analysis out loud, limiting the time I have to identify each chord to a few seconds. One more thing to improve on.

Sent from my

iPhone

On Feb 20, 2017, at 10:27 PM, Timothy Jackson

<shermanzelechin@gmail.com>

wrote:

Dear Levi,

Thanks for the report. What was the issue with the analysis, if I may ask?

Best, Tim

On Mon, Feb 20, 2017 at

8:46 AM, levi walls <chopinlevi@yahoo.com>

wrote:

Hey Dr.

Jackson,

I have to wait two weeks before I hear about my audition. It went alright. I had no trouble with aural skills and sight singing went alright. I read the Bach chorale without difficulties, but I confused myself while talking about the analysis (which should have been the easy part of the audition) and had to recover from that. It was alright overall. I might get an assistantship. We'll see. I'll let you know though, since you asked!

Thanks!

, Levi Walls

Giving Levi extra help with analyzing pieces outside of class:

levi walls <chopinlevi@yahoo.com>

Fri, Mar 24,
2017, 12:42 PM

to me

Hey Dr. Jackson,

We had a meeting at noon, but something must have come up. No worries, though. I appreciate all your help! I dropped some graphs under your door, some new, some redone. I'm still pretty slow at it, but I'm doing a lot of analysis this summer as I explore thesis topics and I'm taking the schenker class next semester, so I'll get plenty of graphing practice soon.

Best, Levi Walls

Levi expressed interest in female composers of Classical music, so that I suggested some worthy of study:

Timothy Jackson <shermanzelechin@gmail.com>

Sun, May 14,
2017, 11:08 PM

to Levi

PPS. If you are interested in a great work by a female composer of the 19th century, try out the *last* movement of Louise Farrenc's Third Symphony in G minor. I think that Farrenc, when she is inspired, as in this Finale, could be greatest female composer of the 19th century. Personally, I have the impression that Fanny Mendelssohn and Clara Schumann are somewhat mediocre composers, with Fanny a good notch above Clara. But Farrenc, by contrast, does have the spark of real "genius" for lack of a better word. I would be interested if you agree.

Walls, Levi <LeviWalls@my.unt.edu>

Mon, May 15,
2017, 5:12 PM

to me

Thank you, this all looks very promising! I'll be in touch soon on my studies!

Sent from my iPhone

Levi shared his idea for his masters thesis, which he wrote under my direction:

Thesis idea

Inbo

levi walls <chopinlevi@yahoo.com>

Thu, Jun 8,
2017, 2:12 PM

to me

Dear Dr. Jackson,

I would appreciate your opinion on a research topic I've been thinking about. It concerns an opera (La Esmeralda) by Louise Bertin (https://en.wikipedia.org/wiki/Louise_Bertin) that is based on Hugo's Notre-Dame de Paris. The libretto was written by Hugo himself, who Bertin was friends with. She was also friends with Berlioz, who assisted in staging the opera. The work (as well as Bertin's opera career) was ill-fated, however. Accusations were made concerning the extent of Berlioz's assistance and it became public opinion that the better parts of the opera were actually written by him. This resulted in the opera's run being cut short. It is clear from letters from Berlioz to his sister that the accusations had no truth to them (assuming he had no reason to lie in a personal correspondence to this sister), however I'd like to approach the issue theoretically. The paper would analyze parts of La Esmeralda and compare it to Berlioz's operatic works, and defend the authorship of Bertin's work by showing the differences in style (text-setting, orchestration, formal/harmonic structure, etc.). It would spotlight the work of a lesser-known composer, while also looking at the output of a well-known composer through a different lens. Practical reasons for this project include its originality, the fact that authorship-defense papers are interesting and exhibit both persuasive and analytical skill, the score and recording are both easily accessible (I have both), and I can read French at an adequate level, so I'd have access to those resources as well without too much trouble. In preparation, I would read as many articles/books about Berlioz as possible in order to become very familiar with his style of composition.

I read The Sexuality of Christ in Renaissance Art and Modern Oblivion. It was super interesting. I need to think more actively about visual art. I tend to just take it in passively, so the issues addressed in the book were things I'd never even thought about. I also bought a copy of Lives of the Artists, but I haven't gotten to it yet.

Hope you're enjoying your break!

, Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Jun 8,
2017, 8:26 PM

to levi

Dear Levi,

I think that you have here a potentially great topic! But let me qualify and define my enthusiasm as follows.

The whole story of Bertin's opera failing because it was believed that Berlioz had written parts of it strikes me as bizarre, and could even be historically incorrect. Re. authorship, like you, I am inclined to take Berlioz at his word!

If Bertin's opera failed, I suspect that the cause or causes had little to do with the improbable myth of Berlioz's authorship or contribution, but with other factors, which *might* include certain perceived weaknesses in the opera itself, and prejudice against a female composer. But with regard to prejudice against female composers in 19th-century France, it is noteworthy that Louise Farrenc (whose music I admire greatly) enjoyed considerable, real critical success in France, even though she was a woman. This fact suggests that prejudice against female composers, while it certainly existed, was insufficient in itself to *guarantee* failure for Bertin's opera, and it is most probably other factors intrinsic to the opera itself that were the cause. But this whole issue of the reasons for its failure seems something of a red herring anyway, since even if the work did not achieve popularity in its own time that does not mean that it is *necessarily* bad or weak but rather that it did not correspond to contemporary taste in a way to achieve success. Remember that the first version of Puccini's *Madame Butterfly* "failed" in its first performances, and then, with modifications by the composer, went on to become the most performed opera ever! This kind of delayed recognition and popularity can be observed in the reception history of not a few operas! So, what really matters is that *La Esmeralda* is of lasting value and importance - and the fact that it has enjoyed a revival in 2008 suggests that it IS an important work with its own internal integrity. The collaboration of Bertin with such figures as V. Hugo and Berlioz suggests that they believed this opera project to be important!!!!

In my experience, Berlioz's music is very idiosyncratic, and he also has different styles in different pieces, and even parts of them. I think that it would be a really very difficult and huge task to pin down all of Berlioz's stylistic languages, and then "prove" by means of such analysis that he could NOT have contributed to Bertin's opera. Furthermore, is such an effort really necessary, especially when we have his assurance to his sister that he did not write it? As you quite rightly point out, why would he lie to her?

Rather, what I think would be much more interesting, achievable, and (in my view) very valuable would be for you to focus on an in-depth analysis of Bertin's *La Esmeralda* as it stands, both the music and the libretto. *That I think would be a truly marvelous project!*

Of course, you could contextualize La Esmeralda by comparing it to other French operas of its time and slightly before to see how it conforms or deviates from potential models. But I still think that keeping the focus on the opera itself, analyzing its music, plot, and libretto in depth, would provide more than enough great material for a thesis!

I notice that a manuscript score of Act III is available on line. Is there a modern edition of the entire opera, both vocal and full scores? And is there just the CD of the 2008 performance, or also a video? Have you studied the music and begun to analyze it? I have just started listening to the opera to get a sense of it and it is not simple: to do the analysis well and do justice to the music will be sufficiently challenging for a thesis!

By the way, did I send you the finale of Farrenc's Third Symphony? I think that the conclusion of this symphony is truly remarkable.

Best wishes, Tim

levi walls <chopinlevi@yahoo.com>

Fri, Jun 9,
2017, 2:59 PM

to me

Dr. Jackson,

Yeah, I was a bit worried about that possibility; if it was going to do well, it probably wouldn't have been hindered so easily. But I agree that its support from figures like Hugo and Berlioz, as well as its recent revival, is a testament to its probable value.

I have a 2009 edition of the vocal score from 1837. It was apparently put together by Liszt, so add another figure who cared about the project. That being said, I believe the Bertin family had quite a bit of money, so I'll have to look into exactly how invested these figures were on the merits of the project alone. Anyway, I don't believe a full score was ever published. I think I found the same manuscript of the third act as you on gallica.bnf.fr. On the same site, I've found all the acts with choices to download or buy reproductions. I successfully downloaded the second act, but the others keep failing. I think it's just my internet though. The others will probably work if I keep trying.

I've just barely begun to analyze. But I like this for my thesis and can see there's plenty there to write about. I'll spend more time on it. I agree with you now on the focus being more general and not splitting the focus between Bertin and Berlioz unnecessarily. After all, the alleged controversy was already denied by Berlioz himself. I can still compare them, but more within the context of French opera of the time. Maybe I can even find a significant reason that it fell short with contemporary audiences. But

maybe not. At any rate, this work should serve as a good test of my analytical skills. Must get cracking on it immediately!

Yes, you sent me Farrenc. I'd heard her before from unsungmasterworks. The low strings at the last bit before the coda of the last movement remind me of Paganini. A superficial observation, but there it is.

Thanks for your valuable input! I gotta hit this one out of the park!

, Levi Walls

Sent from my iPhone

Timothy Jackson <shermanzelechin@gmail.com>

Fri, Jun 9,
2017, 5:29 PM

to levi

Dear Levi,

Just listening to the music on Youtube without the score, I can hear that Bertin's musical language is definitely allied to that of Liszt and Berlioz (and the so-called New German School, although she is French), but perhaps even closer to *Liszt* than Berlioz, which is why Liszt would have considered the opera important enough for *him* to prepare the vocal score. Farrenc's musical language, by contrast, in my view, falls more into the so-called "Classical" tradition. So these two streams co-existed side-by-side in France.

I have studied Liszt's oratorio *Saint Elisabeth*, and Bertin's *La Esmeralda* reminds me of certain techniques employed by Liszt. Analyzing this music will definitely pose challenges.

Could you please send me the score of the second act....? And also the links to the other acts, and I can see if I can get them.

Bertin herself could not really be part of the initial production because she was an invalid; the fact that she could not participate may have contributed very significantly to the opera's contemporary failure since composers were usually intimately involved with every detail of the premieres of their operas, and played a crucial role in achieving success.

All of this suggests that Bertin was a person with enormous strength of character to achieve as much as she did given the challenges she faced! My guess is that the subject of the opera appealed to her for personal reasons.....

I find the music that I have heard most interesting and compelling. Indeed, the enthusiastic reception accorded it by the modern audience suggests that the opera is much, much better than its reception history would lead one to believe!

With best wishes, Tim



ReplyForward

Louise Bertin and opera in Paris in the 1820s and 1830s

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Mon, Jun 12,
2017, 7:31 AM

to levi

Dear Levi,

You MUST read this dissertation on Proquest Dissertations on Line:

Louise Bertin and opera in Paris in the 1820s and 1830s

[BONEAU, DENISE LYNN](#). The University of Chicago, ProQuest Dissertations Publishing, 1989. T-31006.

<http://libproxy.library.unt.edu:2065/pqdtglobal/docview/252273506/57DBFAD855804DB4PQ/1?accountid=7113>

There is a huge amount of historical information relevant to your topic.

Best, Tim

In order to help Levi develop his thesis topic, I sent him some of my own unpublished work on Debussy's opera *Pelleas*:

On Sat, Jun 10, 2017 at 9:39 PM, Timothy Jackson <shermanzelechin@gmail.com> wrote:

Dear Levi,

Analyzing opera poses some special challenges, although the basics remain the same. I just sent you some of my analytical work on Pelleas to give you an idea as to how you might go about it. You need to map out the large-scale tonal structure for La Esmeralda.

It would be helpful to have clearer scans of the vocal score for La Esmeralda, so I look forward to receiving them!

I have analyzed Wagner's Tristan and Parsifal, Strauss's Salome, Elektra, and Die Frau ohne Schatten, Berg's Wozzeck, and Puccini's Butterfly, Tosca, Suor Angelika, and Turandot in a similar way to Pelleas, and in every case there is a coherent tonal structure governing every level of the opera. I have no doubt that there is such an organizational structure behind La Esmeralda as well.

I can send you my work on some of these other operas at a later point, but I think that you have enough right now with Pelleas, and also, of course, La Esmeraldo!

Best wishes, Tim

On Sat, Jun 10, 2017 at 8:09 PM, levi walls <chopinlevi@yahoo.com> wrote:
Dr. Jackson,

Oh yes. I took those scans just then with my phone for you. I need to make a trip to a real scanner soon. I'll also send you those since they'll be better in quality. I have snippets of a Pelleas et Melisande analysis from you. It's mostly act V excerpts in connection with Madama Butterfly. If there's more, I'd appreciate having it. Thanks!

, Levi Walls

Sent from my iPhone

On Jun 10, 2017, at 7:33 PM, Timothy Jackson <shermanzelechin@gmail.com> wrote:

Dear Levi,

I got it now. Before you return the vocal score, you may wish to check your scan and rescan certain pages, which are blurred.

It really is a great work! Amazing! As I wrote you, the contemporary failure may have been due to poor performance, partly the result of lack of supervision by the composer herself.

By the way, the 2008 performance on Youtube makes cuts. I can understand that they wanted to tighten it, especially since modern audiences will have trouble sitting through such a long work as it is....

Did I share with you my analysis of Debussy's Pelleas et Melisande? It might be helpful to look at it given the challenges posed in analyzing opera.

Best, Tim

levi walls <chopinlevi@yahoo.com>

Tue, Jun 13,
2017, 10:39 AM

to me

This is a great paper. I don't know how much you read, but the author had some serious access to Bertin's history through primary sources. She went to France on a Fulbright and actually connected with Bertin's descendants. The information about her relationship with Hugo is very interesting; Boneau suggests that, because he wrote the libretto almost concurrently with the novel, he had Bertin in mind as an inspiration from the get-go (pg. 39). I have to be skeptical of statements like that, because (as incredible as that would be) it seems unlikely considering what she says in chapter 6. Apparently, Hugo had aspirations of working on an opera early on and intended to have Notre-Dame set. But it seems like he settled on Bertin. That's not to say that he doubted her ability; he obviously held her in enormous regard (pgs. 32-33). But Hugo had reservations about working with composers of too grand a stature, explaining why he rejected Rossini and Meyerbeer, both of whom were interested in the project (pg. 403-405). Ultimately, he decided between Berlioz and Bertin, with whom he felt he could maintain artistic control (pg. 407). The relationship between Bertin and Hugo's wife was a bit strained. There's no evidence of romantic entanglement between Hugo and Bertin, but his wife really didn't like her. She felt that he wasted his only operatic venture on her and even went as far as to say that the project cursed everything even vaguely connected with it (citing the crashing of a ship called "Esmeralda").

Anyway, I'm still reading it, but it's clearly going to be invaluable! I should also read Hugo's novel. I've never read it before.

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Jun 13,
2017, 11:36 AM

to levi

Dear Levi,

Yes, I skimmed all of this, not having time to read the whole dissertation carefully. And, yes, it IS very important for your project.

Years ago, when I was 17, and on my first trip by myself to France, I visited Victor Hugo's house in Paris, which is also a museum. I recall being very struck by Hugo's drawings on exhibit there.

https://en.wikipedia.org/wiki/Maison_de_Victor_Hugo

https://www.google.com/search?q=victor+hugo+drawings&rlz=1C1CHZL_enUS732US732&tbm=isch&tbo=u&source=univ&sa=X&ved=0ahUKEwil39DsnbvUAhVI2SYKHR0eBaMQsAQIJw&biw=2560&bih=1335&dpr=1.5

Hugo's drawings are amazing, and closely related to the "gothic" quality of his writing. I don't know if he made drawings for the "Hunchback" - this is something that you must research. But there are clearly drawings related to the issues treated in both the novel and the opera!

The "Hunchback" is a great novel, which I read as a teenager in English translation.

The fact that Hugo selected Bertin, whether he wanted to "control" her artistically or not, is very significant from various points of view. By the way, just because Bertin was physically rather ugly and misshapen - like the Hunchback himself - does not mean that Madame Hugo would not be jealous of her husband having a close intellectual-artistic relationship with Bertin! I can understand Madame Hugo feelings on this point!

You might want to have a crack at reading the novel simultaneously in BOTH the original French and English translation to get a sense of Hugo's language.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jul 15,
2017, 12:02 AM

to me

Dr. Jackson,

You're welcome! I appreciate your time. My work on Bertin isn't progressing very fast at the moment. It's definitely what I want to write my thesis on, but I want to spend some more time reading literature before school starts back up and I'm sleeping and breathing Bertin. Right now, I'm going through Austen and the Brontë sisters' novels, plus a stack of Oxford "Short Introduction To" books my wife got me for our anniversary. I still want to get a good head-start on analyzing Bertin before the semester starts, so I'll get back to you on it soon.

But on that topic! Even though I've been talking to you about my thesis, I don't want to make assumptions: I'd like to work on my thesis with you as my major professor. Would that be acceptable for you? If you have no room, I could also put you as my secondary and you could be my major professor when I do my dissertation.

, Levi Walls

In July 2017, Levi decided to write his thesis on French opera composer Louise Bertin under me:

Sat, Jul 15,
2017, 7:57 AM

Timothy Jackson <shermanzelechin@gmail.com>

to Levi

Dear Levi,

Naturally I would like to work on the Bertin with you as your major professor! It is tremendously fascinating to me too for all the reasons we have discussed.

Recently, I have been discussing with my close friend Madeleine Forte a recent book (in French) about music in Paris during the Nazi occupation. Madeleine is, of course, French and a kind of still living connection with pre-WW 2 French culture (she is now almost 80). She KNEW many of the people involved!!!! She herself was an amazing pianist who studied with Cortot and Kempff, and wrote her doctoral dissertation on Messiaen (she was acquainted with both him and his wife). I have not yet discussed Bertin with her yet, but I or you should. Madeleine's aunt was an opera singer, her first teacher, and friendly with Faure and other major French opera composers! She knows an enormous amount about French music and culture, in which she is rooted, so if you have questions, I can put you in touch with her.

I think that it is important - in addition to the British authors, who are wonderful - that you read more deeply in Hugo to gain a certain familiarity with his work. English translations are OK.

By the way, are you familiar with Elizabeth Gaskell, who wrote the first biography of Charlotte Bronte, which is still highly regarded?

https://en.wikipedia.org/wiki/Elizabeth_Gaskell

She was more mid-19th century than Austin, who is both 18th and 19th century in her outlook. Gaskell was an amazingly good writer, and interesting person! She was one of my father's favorite writers.

Another French author I would recommend that you read (in addition to Hugo) is Balzac, a superb writer with tremendous breadth.

https://en.wikipedia.org/wiki/Honor%C3%A9_de_Balzac

Did you finish reading the dissertation on Bertin? It has a wealth of background information, and also good observations about the musical surface.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jul 15,
2017, 6:00 PM

to me

Dr. Jackson,

Great! I'll have to ask you to sign two forms (one is my major contract, which I went over with Dr. Conlon, and the other is the Request for Designation of Advisory Committee). When will you be on campus next? It's not horribly urgent, so I can get it whenever you happen to have prior business at UNT. I think I'll ask Drs. Bakulina and Schwarz to be my second and third members.

Wow, that's a fantastic connection! Allow me to consider some queries and I'll let you know. I'd primarily just be interested if she knows of Bertin. There are some political aspects concerning the family that I want to know more about after reading the Boneau dissertation. It seems clear now that the reputation of the family, along with some actual shortcomings of the opera, resulted in the bad reception of the opera more than any other controversy. From what I read, their paper took a royalist stance that wasn't popular with everyone. But considering that the paper hasn't existed in any form since the German Occupation, she may not have much knowledge of the family, as prominent as they were. I'd also (almost more so) be curious to know her insights on Cesar Franck, considering her close proximity (and surely her mother's, since she was friendly with Faure) to that time and circle. I performed Franck's Variations Symphoniques for my Senior recital and I've loved him ever since.

Yes, I plan to raid the third floor of our library for Hugo biographies next time I'm in town. Also, books on the cathedral couldn't hurt.

I've never read Gaskell, but I see her works in my iBooks so I'll take a look.

I've read the dissertation by now, but I need to go through again because I read it kind of casually and I usually take notes on things that I read when I know I need to use the info later. The biographical information is very thorough, especially concerning her relationship with Hugo and their collaboration; I thought the commentary on the musical elements was good for what the paper was (that is, non-theoretical). I felt it sometimes fell into the trap of a lot of music criticism where they don't exactly know how to talk about phrase-structure (works like Lerdaahl and Jackendoff's, and Rothstein's were just coming out around 1989) so they resort to kind of vague language -- like calling the phrases "fluid," "organic," or "short-winded." But there were also good observations and I appreciated all the name dropping of other composers when they discussed Bertin's stylistic similarities and differences. Thanks, Levi Walls

Levi wrote his thesis under me. There are many emails about it, which I do not include here. I spent huge blocks of time correcting its language and substance. He asked me to recommend him for the doctoral program, which I did in Nov. 2017:

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Nov 30,
2017, 2:03 PM

to Levi

Dear Levi,

How are things coming along with your analysis of "L'Esmeralda?" Would you like to meet tomorrow to continue going through it?

I submitted the following letter (I usually share letters of recommendation with the people for whom I write them so that the process is transparent):

It is with pleasure that I write in the strongest support of Levi Walls's application for a place in the doctoral program in Music Theory at the University of North Texas. This is, in fact, a very easy recommendation to write since Levi is a truly excellent all-round student. He is currently writing his Masters thesis on the opera "L'Esmeralda" by Louise Bertin (based on a libretto by Victor Hugo) under my supervision. I can report that he has made tremendous progress this semester and is on his way to completing a first-class study of the structure of this opera and its connection with the plot (based on Hugo's famous novel, *The Hunchback of Notre Dame*). There is no doubt that Levi is currently one of our strongest Masters students, and I am fully confident that he will prosper in the doctoral program going forward. I have heard that he is an excellent student from all of the other professors with whom he has studied, without any exception, which does not surprise me in the least given what I know of him and his work. Levi enjoys my full and unqualified backing as he progresses with his studies.

Timothy L. Jackson

Distinguished University Research Professor of Music Theory

Professor of Music Theory

College of Music

University of North Texas

Denton, TX 76203 USA

Walls Levi <LeviWalls@mv.unt.edu>

Thu, Nov 30,

to me

Dear Dr. Jackson,

Thank you for the letter and support! My analysis is coming along well, although I won't have the free time to meet tomorrow; my students have a test on Monday and I'm having extra office hours. Predictably, they have a lot of trouble with the 6/4 types. Could we meet Monday at 10?

In other news, I'm working on absorbing more repertoire and decided to organize a weekly list, focusing on about an hours worth of music for a composer each day. I thought you'd be interested in my list for next week (attached). Until Monday, I'm looking at the composers you mentioned on Monday.

Regards,

Levi Walls

I searched out a possible award for him to conduct research in France:

Fri, Dec 15, 2017,
10:31 PM

Timothy Jackson <shermanzelechin@gmail.com>

to levi, Levi

Dear Levi,

I am wondering whether you might apply for this award to conduct research in Paris at the Bibliothek Nationale on Bertain.

What do you think?

Best, Tim

Finishing the Semester

Inbo
x

Walls, Levi <LeviWalls@my.unt.edu>

Sun, Apr 22,
2018, 3:37 PM

to me

Dear Dr. Jackson,

Let's plan to meet next at the end of finals week (5/11). I know that's a big gap, but I need some time to focus on some other papers (one on the emergence of triadic harmony in Renaissance music for Lavacek, and one analyzing the first movement of Elfrida Andree's piano quintet for Cubero). I'm still working on the thesis daily of course, but I have a lot of work to finish for classes. Also, I'm doing a piano jury this semester and need to practice. Thanks!

P.S. Could you please send me your work on punctuation form?

Here's a link to that quintet I mentioned. It reminds me of Mahler, and also Mendelssohn.

<https://www.youtube.com/watch?v=-WE1p4k3qkg>

to me

Levi finished and defended his thesis. To increase his knowledge of the repertoire of French opera, I loaned him my own personal CDS of rare recordings:

French operas

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Sat, Jul 21,
2018, 12:27 PM

to Levi, Levi

Dear Levi,

How are things going with French opera?

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jul 21,
2018, 4:30 PM

to me, Levi

Dear Dr. Jackson,

Things are fine. I haven't gotten to all the cds you lent me, although I've made copies. I listened to Les Deux Journees with the full score and Lodoiska is next. Les Deux Journees is not as complex as La Esmeralda, but there are still worthwhile moments; I especially liked the act 1 finale, which is in Eb but starts with an auxiliary cadence (V) before going I-III ♯ 3-V/II-II-IV-V-I. So, it was the most fleshed-out in terms of large-scale structure. When I listen with a score, I like to make notes on an index card about tonal structure for later; that didn't necessarily lead to any profound conclusions with Les Deux Journees, but the preliminary data is at least there for me to look at if I make a more detailed study later. Tonal structure and form is obviously so important for understanding a composition, so I'm trying to build up a rolodex of these index cards. There was some discrepancy between the recording and the score. The recording cut out no. 8 (a melodrama) which was weird because it was only 26 measures long and taking it out obviously changed the tonal structure. The other thing was that Constance's act 3 aria was missing from both the full score and the vocal score, but it was pretty steadily in Bb, so I could still include it in my notes.

I watched Bleak House and you were right, it was incredible! A great production, and clearly a fantastic work. Dickens is so good at writing altruistic characters (like John Jarndyce) and, at the same time, he can write characters that are basically the devil (like Tulkinghorn). They're both very interesting, although each is really stock character (but you could say that every character imaginable is at least a variation on a stock character). His ability to write both so well makes A Christmas Carol (which, not caring much for Christmas, I never liked) more interesting to me because he manages to write a character that expresses both stock types.

We should set up a time that I can return your cds (including the big book). I made copies of everything, which will really come in handy. I'm leaving for California in less than a week to visit

my in-laws, although I'm sure I'll spend a lot of my time there studying. They won't mind. Are you available on Tuesday for me to drop by?

Regards,

Levi Walls

From: Timothy Jackson <shermanzelech@gmail.com>
Sent: Saturday, July 21, 2018 10:27:01 AM
To: Walls, Levi; Levi Walls
Subject: [EXT] French operas

In the summers, Levi visited my house for private consultations. I also lent him my own DVDs of dramatizations of 19th century English novels:

Timothy Jackson <shermanzelech@gmail.com>

Sat, Jul 21,
2018, 6:48 PM

to Levi

Dear Levi,

Tuesday should work. I think that Heejung teaches in the afternoon, so perhaps the later morning would be best.

Just a brief reply for now. I am pleased that you enjoyed Bleak House - it is both a great book and wonderful dramatization that truly captures the essence of Dickens' original novel.

Is there a DVD of the dramatization of George Elliott's *Daniel Deronda* in there? It too is superb. If it is not there, I will look for it and lend it to you when you come.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jul 21,
2018, 7:28 PM

to me

Yep, Daniel Deronda is in there. How about 11 o'clock on Tuesday?

- Levi Walls

Eichner, father and daughter

Inbo

x

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Jul 31,
2018, 12:24 PM

to Levi

Dear Levi,

I thought that this information about A M Eichner might interest you.

https://en.wikipedia.org/wiki/Adelheid_Maria_Eichner#Works

In my article on "Punctuation Form" I discuss the MP 1 of her father Ernst Eichner's Symphony in G minor.

Now, for the follow-up article, I have been studying and analyzing the rest of the movement (MP 2-3). It is really fine. Clearly, Eichner (father) was a top-class composer.

Now the daughter's music - her Lieder - is published in a modern edition, but as far as I can tell, there is no recording - yet!

I am going to get the Lieder scores and take a look. Apparently, the daughter received superb musical training from the father, and became famous as a virtuoso singer AND pianist.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Jul 31,
2018, 3:44 PM

to me

Dear Dr. Jackson,

Thanks for the email. I'd like to see those lieder scores at some point. You might be interested in this composer: [https://en.m.wikipedia.org/wiki/Elfrida Andr  e](https://en.m.wikipedia.org/wiki/Elfrida_Andr  e)

She was quite accomplished as an organist and activist, and I like her music, especially her piano quintet. I might have mentioned her before. Here's a link to her complete solo piano works: https://m.youtube.com/results?search_query=elfrida+andree+piano+works I'd like to look at her opera, but it doesn't seem to be published aside from some arias in a collection of various Swedish works.

Working on the article has taken a backseat to studying for entrance exams and quals (also I'm in California with family) but it's on my mind. I really need to start publishing soon in order to be competitive.

I most recently read Anna Karenina, The Hunger Artist, and a collection of Tolstoy short stories, so you could say I'm on a Russian kick at the moment. I read something recently that said Kafka's works, which often center around a character who is wrongly persecuted or made to feel worthless by an indifferent force, were his way of working out his feelings towards his abusive father; but I think that interpretation may be reading too far into his biography. It's possibly better to say that his pessimism simply fits into the realist and naturalist movements of the time. But maybe there is also something to the biographical component.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Tuesday, July 31, 2018 10:24:59 AM
To: Walls, Levi
Subject: [EXT] Eichner, father and daughter

Timothy Jackson <shermanzelechin@gmail.com>

Sat, Aug 25,
2018, 1:03 PM

to Levi

Dear Levi,

Since you have an interest in women composers, I thought that I would forward this information about the Russian-Jewish composer Zara Levina. The new CD of her piano concertos has been nominated for a Grammy. I have to delve into her music more carefully, but my initial impression is very positive, especially of the later, Second Piano Concerto.

<https://libproxy.library.unt.edu:2086/catalogue/item.asp?cid=C5269>

https://en.wikipedia.org/wiki/Zara_Levina

<https://theaderks.wordpress.com/2017/12/28/zara-levina-piano-concertos-rachmaninov-meets-shostakovich/>

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Aug 27,
2018, 6:18 AM

to me

Dear Dr. Jackson,

This is great! Her harmonies (especially in the piano sonata) give me a very unique feeling in the core of my brain that, previously, only Prokofiev had managed. Both concertos are great, but I actually prefer 1 to 2, though it is hard to say why. I'm definitely showing Levina to my young aural skills students as part of my attempts to widen their musical purviews!

Here's something by Elisabeth Lutyens, a British serialist:
<https://m.youtube.com/watch?v=73kMX1ENUEo>
She claimed to have developed her style without the influence of the second Viennese school of composers, which she said she only became aware of afterwards. However, I feel that she may have been taking a leaf from Wagner's book by mythologizing her own musical upbringing. She seems to have a liking for symmetrical structures. You may hear that in the piece I posted, but also in her larger work, Quincunx, which involves symmetrical 5-part groupings of sections (like a Quincunx).

Regards, Levi Walls

Ruth Gipps

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Sun, Sep 23,
2018, 11:40 PM

to Levi

<https://libproxy.library.unt.edu:2086/catalogue/item.asp?cid=CHAN20078>

I thought that this new release from Chandos of Ruth Gipps might interest you.....

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Sep 24,
2018, 2:55 PM

to me

Dear Dr. Jackson,

Yes, thank you, I'll check this out. I appreciate your emails, especially since I know you're busy! I read Dr. Murtomaki's article on the neglect of Bohemian composers, which was informative and gave me a good long list of new composers to check out. Currently reading Latham's *Tonality as Drama*, which I've referenced before but not yet read in full. I think there is a lot in there that I can use to inform my own research on opera. And for the first time in a while, I'm practicing piano regularly. And analysis of course.

I recently discovered an online resource that I knew you would appreciate. It's a database of thousands of composers who are female or from non-European/US countries. In general, just composers from outside the canon, and you can search by genre and instrumentation! Of course, there are so many European male composers who are also overlooked, but this database chooses to focus on those other groups.

<https://composerdiversity.com>

Regards, Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Sunday, September 23, 2018 9:40:38 PM
To: Walls, Levi
Subject: [EXT] Ruth Gipps

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Sep 25,
2018, 11:23 AM

to Levi

Dear Levi,

Thank-you for all of this interesting information!

Here a little tidbit: In 1830, Hummel gave three concerts in Paris; at one of them, a rondo by Hummel was performed by Aristide Farrenc's wife, the composer [Louise Farrenc](#), who also "sought Hummel's comments on her keyboard technique."

Best wishes, Tim



ReplyForward

Maria Teresa Prieto

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Fri, Dec 14,
2018, 8:57 PM

to Levi

<https://www.youtube.com/watch?v=cKkKZyUn1PU&list=PLshMjd9c4cQZNZ7fXJCJxyg4-hTevojth>

Dear Levi,

Have you heard of this composer?

Best, Tim

Attachments area

Preview YouTube video Impresion sinfonica



Walls, Levi <LeviWalls@my.unt.edu>

Sat, Dec 15,
2018, 7:21 AM

to me

Dear Dr. Jackson,

I had not. I'll listen to more of her music today. I see that she studied with Milhaud. I went into the piece you sent expecting to hear a mixture of the French and Spanish styles, but the first half actually reminds me a lot of Tristan (which is funny considering Milhaud's antipathy towards Wagner's music). But, of course, that dislike wouldn't necessarily have been inherited by Prieto, and even composers who purportedly had a distaste for Wagner still exhibited his influence (like Franck and his D major string quartet, although I've heard it argued that he's actually mocking Wagner in that case). The key structure of Prieto's piece seems interesting. I don't have music in front of me, but it seems to begin and end in G major although, in both cases, the voicing of the chord substantially weakens the strength of tonic. Then there's the big half cadence in the relative minor (around the 7-minute mark) before a rather shocking move to G minor. Since she really draws out the half cadence, it seems clear that she wants to draw as much attention as possible to the lack of resolution. If I were analyzing it, I'd probably look for evidence of tonal pairing between G and E minor and maybe between G and B major. But I'd have to be prepared to relinquish that theory if the score didn't support it since I'm basing so much off of an initial hearing. Thanks for sending it to me!

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Friday, December 14, 2018 6:57:36 PM

To: Walls, Levi

Subject: [EXT] Maria Teresa Prieto

Your card

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Mar 5,
2019, 8:25 PM

to Levi

Dear Levi,

I want to thank you for your very kind card, which Stephen Hahn brought with him when he visited me on Monday.

In January I suddenly had increasingly excruciating pain in my groin and my right leg, which only became worse and worse.

The doctors noticed problems with my spine, but they also thought that I might have a hernia. It was not until I was able to have a MRI done of both my lower back and groin areas that the hernia could be definitively ruled out; however, it turned out that I have three problematic discs in my back, and these were and are affecting nerves in the groin area and in my right leg.

A month ago, I had the first of two spinal injections to reduce the inflammation, which alleviated the terrible pain, and two weeks ago, I had the second shot. On this Thursday, I will meet the specialist to discuss the next steps. It is clear that I will need to have physical therapy, and perhaps further procedures to deal with "collateral damage" to the nerves in my leg. At present, it is difficult and painful to sit at the computer too long, so that I have mainly been occupied analyzing music on my back, consoling myself with the thought that I might be a bit like Michelangelo working on the frescoes in the Sistine Chapel, and hopefully have just a tiny modicum of his talent!

One of the things I have done is to have a crack at analyzing Dora Pejacevic's Second Piano Sonata, which I think is a superb work. Also, of late, I have been analyzing the music of Polish composers: Paderewski, Szymanowski, and Bortkiewicz (although the Ukrainians claim him!).

How are your courses going? I do miss our lively and interesting discussions! Have you thought more about your dissertation topic, and research interests?

It would be nice to hear from you.

With best regards,

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Wed, Mar 6,
2019, 10:05 AM

to me

Dear Dr. Jackson,

Thanks for the update. That sounds incredibly uncomfortable, but I'm glad you're finding ways to work through it.

Courses are going well. I'm in the last part of analytical systems, where I got to give a very interesting presentation on major philosophical inspirations in Schenker's work. So, I got to talk a lot about Kant, Schopenhauer, Leibniz, and Goethe. I'm also in a rock music seminar with Dr. Heetderks and a scholarly writing class in the English department. My writing has improved significantly since my thesis.

In the scholarly writing class, we spend all semester workshopping a single paper, with the end goal being to submit it to a journal. I've been writing a paper on the historical circumstances that have held back Schenkerian approaches to opera, focusing on Schenker's myopia, formalism, and the false dichotomy of absolute and programmatic music. I also feel that the rejection of Alfred Lorenz has contributed somewhat to the issue. Even though he wasn't a Schenkerian, he argues for the possibility of unity in opera (or, at least, in Wagner's operas) and theorists seem keen on sacrificing his approach on a political altar. Of course, I have to be careful to frame that facet of the issue in the right way. In general, I have to be especially careful.

Another paper I've had simmering is a little outside my normal research interests but it's good to work a little with canonized repertoire. I haven't yet done much with it because I came up with it spontaneously while listening to Brahms's second piano concerto in concert. Brahms seems to take a simple triplet from the first movement, evolve it into a 2/3 grouping dissonance in the second movement, making it more pronounced in the third, then finally creates a somewhat jarring subconscious grouping dissonance (Krebs's term) in the last movement. But I need to check what others have written about it.

Other than my normal studies and research, I've been reading a lot. Trying to get through a book a week. Out of the 10 or so that I've in the last two months, my favorite has been Wives and Daughters by Gaskell; I was so sad when it ended before Molly

and Roger finally got together (since Gaskell died before finishing it). At the moment I'm reading *You Can't Go Home Again* by Thomas Wolfe. So far it seems to be an exposé of decadence during the roaring 20s.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Tuesday, March 5, 2019 6:25:48 PM
To: Walls, Levi
Subject: [EXT] Your card

Levi is giving a paper at the Society for Music Theory this November on Berlioz's opera *Les Troyens*. The topic and the analysis itself grew out of his work with me:

Les Troyens

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Wed, Mar 13,
2019, 2:17 PM

to Levi

Dear Levi,

I have been watching the 1983 Met production of Berlioz's *Les Troyens*. Jessye Norman as Cassandra is amazing! Wow!

My feeling is that this opera is Berlioz's greatest work. It probably is the best French opera of all time.

Full and vocal scores are on IMSLP.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Wed, Mar 13,
2019, 9:55 PM

to me

Dear Dr. Jackson,

Thanks for the emails! I'm still looking through your Szymanowski materials that you were kind enough to send; I got extremely engulfed in the book I was reading, but I've now finished it. I can already see/hear the centrality of C in the third act. I'll enjoy following your analysis. I notice (just listening, *sans* score) that the first act also seems to center around C and E as you suggested. To start, the chorus and bass seem to emphasize B, then C#, then A, but these first few minutes seem more like a prelude. So, the "real" beginning (so to speak) would be the huge crescendo that arrives on a triumphant C major sonority, which is also when the tenor comes in with that third progression. And it sounds like it keeps coming back until the first act finally ends in C. Very interesting.

I have the 2010 Dutch National Opera video recording of *Les Troyens*, and the 1970 Colin Davis Royal Opera House recording on vinyl. You might be interested in a part of the insert from the record, which includes excerpts of letters/memoirs regarding the opera. I'll attach pictures here (font may be small, but you'll be able to zoom in if you download them).

The end of the first part (*La prise de Troie*) is very interesting because it seems as if it is going to end in FM (the key of the prelude for the second part) but then it somewhat abruptly ends in Cm. Because of this, both parts feature a V-I key relationship from beginning to end (*La prise de Troie* starts in G and ends in Cm, while *Les Troyens* starts in F and ends in Bb). Since I haven't graphed the opera, it's more of a casual observation than a serious hypothesis, but those key relations make a lot of large-scale tonal sense (In Bb, V/ii-ii-V-I). Could be something there. I'll have to keep the opera in mind, especially since Berlioz fits very nicely into my research interests. He's one of the composers that has a clear love and appreciation of literature.

Regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Wednesday, March 13, 2019 12:17:39 PM

To: Walls, Levi
Subject: [EXT] Les Troyens

4 Attachments

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Mar 14,
2019, 9:07 AM

to Levi

Dear Levi,

I will look at the tonal structure in light of your comments. I have the vinyl Colin Davis and will check the notes (thank you for the photos). I also have Dutoit's recording on cd.

Is the 2010 dvd good?

Everything you are hearing in King Roger is correct! The opera begins with a big aux cadence to C. Perhaps Szymanowski learned this from studying Strauss' Electra, which does the same except in C minor.

I think that Les Troyens would be well worth an in depth study along the lines of your investigation of Bertin!

Berlioz's libretto is masterly! It reflects his literary sophistication.

Best wishes,

Tim
Sent from my iPhone

Notre-dame

Inbo
x

Levi

Schenkerian Studies TA

Inbo

Graf, Benjamin <Benjamin.Graf@unt.edu>

Mon, Apr 22,
2019, 9:50 AM

to me, Stephen, Benjamin

Tim, Stephen, and Benjamin,

I wrote to Levi and he already responded; he has accepted the position. I am sure he will thrive in the in his new role and I look forward to mentoring him starting in August/September!

Best,
Ben

Benjamin Graf, Ph.D.

University of North Texas

Music History, Theory and Ethnomusicology

Office: MU215



Brand, Benjamin <Benjamin.Brand@unt.edu>

Mon, Apr 22, 2019,
11:03 AM

to Benjamin, me, Stephen

Thank you, Ben. To reiterate, Levi's appointment is still conditional on our ability to cover aural skills. Once that is confirmed, I would ask that Tim, Stephen, and you formulate a job description that clearly specifies Levi's duties. I am attaching a similar document that Frank created for the *Theoria* TA position for the sake of comparison.

Best,
Benjamin

Benjamin Brand | Professor of Music History | Chair, Division of Music History, Theory, and Ethnomusicology
College of Music | University of North Texas | 1155 Union Circle #311367 | Denton, TX 76203 | (940) 536-3561

Attachments area

Berlioz

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 10,
2019, 10:21 AM

to Levi

Dear Levi,

If you find yourself liberated, and are interested, I would like to look at some Berlioz with you.

I have worked on the outer sections of Cleopatre. If you would like to analyze them on your own, then we could compare readings. What do you think?

At some point, I am keen to go through parts of Les Troyens. In my opinion, this opera is Berlioz at his very best! Parts of it are just stupendous.

Also, I did some analysis of the Second Piano Sonata by Pejacevik; it is very unusual and fascinating. I have been working with Juana Montsalve on her doctoral dissertation on Maria Theresa Prieto, with a focus on her song cycle, and that has proven fascinating. Juana won a grant to do some archival digging in Mexico about Prieto, and she is leaving for Mexico next week.

With best wishes, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Fri, May 10,
2019, 1:02 PM

to me

Dear Dr. Jackson,

Yes, looking at some Berlioz sounds nice. I'm finally done with the semester, so I can start my summer studies. I'll go print out the score for Cleopatre so I can analyze it on the large papers and we can compare. We can also talk about Les Troyens.

Have you ever analyzed Berlioz's La Damnation de Faust? I'm interested in Les Troyens, naturally, but I'd like to analyze the Faust opera. Faust has always been a character that interests me. I identify with Faust at the beginning of the work (not so much after he signs the contract and adopts his Hedonistic lifestyle). On a related note, I'm reading Doctor Faustus by Mann. It's been on my list!

Regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Friday, May 10, 2019 8:21:00 AM
To: Walls, Levi
Subject: [EXT] Berlioz

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 10,
2019, 1:09 PM

to Levi

Dear Levi,

I have not analyzed the Berlioz Damnation although I have also been interested in it for a long time. So, why not Cleopatre first and then Damnation. There are also the Schumann Scenes from Faust, and Mahler's Eighth Symphony Part II. I have studied the Mahler very carefully, and also gone through the Schumann too superficially - but enough to believe it is one of Schumann's really strong pieces. I have also studied Liszt's Faust Symphony in depth.

I will pull out my score of the Damnation.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Fri, May 17,
2019, 8:52 AM

to me

Dear Dr. Jackson,

I'm most interested in the fact that the opera follows a very similar tonal trajectory to La Esmeralda, starting in D major and centering around a tonal pairing between D major and F major. This is consistent for the first three acts. It's not until the fourth act that things go off the rails. Of course, act four is where things go sour in this version of the story. Marguerite, having accidentally killed her mother, is in prison and Faust must sign away his soul in order to save her. At this point in the opera, the tonal structure turns to darker keys, focusing on Ab and Db major. So, the opera ends in Db instead of D. As we've discussed before, I see downward semitonal shifts as tragic in nature.

The tonal similarities to La Esmeralda (with D major and F major as focal points) is especially interesting since Berlioz wrote La Damnation afterwards. Of course, Berlioz would have been extremely familiar with the score since he edited it. Furthermore, the only other adaptation of Faust to move the contract signing to the end of the story (which makes Faust a more sympathetic character) is Bertin's.

Beginnings and endings are sine qua non to understanding the deeper meaning of any story, but I'm starting by examining act 2 and the first part of act 3. Act 2 is almost entirely in D major, which is obviously very unusual (and important); from there, it moves to F major (once again).

Did you want to get together sometime to talk about opera? I'm unable to travel Friday through Sunday because my wife works all day and has our only car, but I'm available the other days of the week. And, of course, I'm always walking distance from campus. I'm working on fixing the css site this month, so I'll give you an update in a week or so.

Regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Thursday, May 16, 2019 9:13:29 PM
To: Walls, Levi
Subject: [EXT] Which part of the "Damnation" to study?

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 17,
2019, 10:07 AM

to Levi

Dear Levi,

That is very interesting indeed! I see your point now. Yes! I do understand exactly what you are getting at.

I had in mind that you might want to analyze one or two of the parts of "Damnation" in detail, because there are many interesting motivic, harmonic, and other features. My preference would be the Third and Fourth Parts if you are up for it.

Otherwise, my preference would be to dive into Les Troyens, which I consider Berlioz's supreme achievement.

What do you think?

I am in the process of moving into a new house, so my books, CDs, scores, etc. are all in boxes. Still, life and thought go on, and I feel it is important to dig deeper into Berlioz.

We could meet when you have mobility.

Also, have you had a chance to look through the outer sections of Cleopatre? It is worthy of study.

Best wishes, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Fri, May 17,
2019, 1:09 PM

to me

Dear Dr. Jackson,

Yes, I've been going through Cleopatre. It's starting to make more sense. I have ideas about the overall structure, which I currently read as a massive II-V-I auxiliary cadence in Ab. Key areas like B major and F minor function as contrapuntal

embellishments on Eb and Ab major, respectively. At the moment, I'll hold off on saying more until I have graphs in order. Perhaps we can meet during the week next week.

Sure, I can analyze the 3rd and 4th parts of Faust. That would show the movement from D to Db pretty clearly. I'll keep Les Troyens in mind, though. I'm interested in both operas; Faust is just winning by a nose. Looking at an old email, I realized that I forgot to answer your question about the 2010 recording of Les Troyens. The production quality is really high, but I'm lukewarm about the set and costume design. It's just a bit minimalistic for my tastes. The chorus could have been more together, as well, but I'm really nitpicking. Overall, it's a fine recording.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Friday, May 17, 2019 8:07:13 AM
To: Walls, Levi
Subject: Re: [EXT] Which part of the "Damnation" to study?

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 17,
2019, 7:19 PM

to Levi

Dear Levi,

Let's meet next week, if possible, to discuss Cleopatre. I will start looking deeper into the last parts of "Damnation," time permitting.

I might want to make a trip to Houston next week to see the amazing exhibition of Van Gogh paintings there - a once in a life time opportunity, apparently. You might want to see it.

I don't know if I mentioned that we are moving to a new house at the end of the month. So, lots of boxes are around and most of my library is packed up! But I kept out my score of "Damnation."

Best wishes, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, May 18,
2019, 2:09 PM

to me

Dear Dr. Jackson,

Yes, let's meet on Thursday, if that works for you. Perhaps 1 pm?

Moving is the worst! Thanks for keeping the Damnation score at hand, and for encouraging my research interests!

Regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Friday, May 17, 2019 5:19:14 PM

To: Walls, Levi

Timothy Jackson <shermanzelechin@gmail.com>

Tue, May 21,
2019, 7:39 PM

to Levi

Dear Levi,

I will see you on Thursday at 1pm.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, May 21,
2019, 8:30 PM

to me

Dear Dr. Jackson,

Great, I'll see you then, and I'll bring my Cleopatre graphs!

Regards,

Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Sat, May 25,
2019, 10:45 AM

to Levi

Dear Levi,

I fully agree with your auxiliary-cadence analysis of *Cleopatre* as II-V-I in Ab major! Bravo! The difficult question (as I see it) is, what precisely is the meaning of the F minor episode, and how does it fit into this overarching background scheme? Also, there are many, many complexities in the opening Bb *minor* (in spite of the key signature) section, the Eb major section, and then the motion from Eb major to F minor, and F minor to Ab major. After intensive struggle, I now have an idea as to how to explain the voice leading connections, and it will be most interested to compare my reading with yours. The delay in meeting was good. I was unhappy with my earlier analysis. Now I think that I have something much better!

Before I forget, I should alert you to the upcoming Euromac 10 Music Analysis Conference in Moscow. I think that you definitely should put in a proposal. It would be a good place to scout out some future submissions to the JSS.

Walls, Levi <LeviWalls@my.unt.edu>

Sun, May 26,
2019, 2:20 PM

to me

Dear Dr. Jackson,

I'm glad you agree. Yes, that reading seems especially appropriate considering the *in medias res* nature of the text.

Yes, thank you for the heads up. I will definitely submit a proposal for that conference, along with others.

I wasn't very familiar with settings of Whitman until a few months ago. A student in the scholarly writing class was doing research on Whitman and opera and asked for some feedback, so I did some listening at that time. I especially like the reconciliation section of *Dona nobis pacem*. I feel that Williams really grasped the meaning of the text, as evidenced by the three-fold repetition of the first half. It's first experienced by the individual (baritone), then the individual is subsumed into the collective (chorus), as is the case with war. The third varied repetition may represent the arrival of a new, fresh, collective, as if the "washing of the soiled world" took place during the second half of the poem. "Reconciliation" seems like a very interesting poem for Whitman (or, at least, how I tend to think of him). It's definitely not pro-war, but it also accepts war as a necessary evil.

Wednesday at 2 is good for me. I'll see you then! I assume it's at your previous address (Woodside Drive in Highland Hills), rather than the new one. Let me know if I should go to the new house.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Saturday, May 25, 2019 8:45:06 AM

To: Walls, Levi

Subject: [EXT] Re: Feeling sick today

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Sun, May 26,
2019, 3:52 PM

to Levi

Dear Levi,

We don't close on the new house until Thursday. Still, I have been distracted a bit with packing up my library.

I like VW's Whitman settings a lot; he seems to capture something essential in the poetry. Interesting that you notice an acceptance of war as a necessary evil. The piece was composed at a time when VW was really struggling - as were many in Britain - with the possibility of another war with Germany - this time with Hitler's Germany. VW was involved with settling German-Jewish refugees coming to England, so that he knew first hand what the Nazis were doing to the Jews - the Jews being the canaries of the world. Like most Europeans - non Germans - at that time, VW did not want another war. Therefore, I believe that he was drawn in two directions: on the one hand, to want to avoid conflict, and on the other perceiving the necessity of confronting the bully, and this tension is felt in the work. Then there is the whole episode of the Hamburg Prize, which VW accepted from Nazi Germany in the hope of easing tensions, but which left a bitter after-taste - and he never did receive the promised monetary component. The backstory to this prize is extremely interesting and important for understanding VW's works of the later 1930s.

Best wishes, Tim

Timothy Jackson <shermanzelechin@gmail.com>

Wed, May 29,
2019, 10:00 AM

to Levi

Dear Levi,

Just confirming your visit at 2pm today. We are in a bit of disarray, but I am ready to discuss Cleopatre.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Wed, May 29,
2019, 10:49 AM

to me

Dear Dr. Jackson,

Yes, I will be there at 2. See you then!

Regards,

Levi

In May 2019, we were moving. I gave Levi about 600 recordings to help him expand his knowledge of repertoire and study for his qualifying exams. I also gave him stereo equipment that I was not using.

pick of records

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 31,
2019, 6:11 PM

to Levi

Dear Levi,

Would you have time this weekend to pick up the records that I have put aside for you?

Best wishes,

Tim

some equipment that works that I don't use

Inbo
x

Timothy Jackson <shermanzelechin@gmail.com>

Fri, May 31,
2019, 6:17 PM

to Levi

Dear Levi,

I have a projector that works; it is about 12 years old, but still has life left in it. It was excellent quality when I bought it.

Also, I have a Rotel Amplifier that needs a fuse replaced. If you know someone who is good with electronics, they could probably do it. Rotel is a good brand.

Additionally, I have an Adcom Preamp that has an issue with one of the settings - I forget which. At one point, I was thinking of getting it repaired, but then I moved to a higher level of equipment.

If you would like these pieces, then I would be happy to give them to you. Otherwise, I will donate them to Goodwill, which will repair and sell them.

In terms of records, I have about four or five boxes of them!

Best wishes,

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jun 1, 2019,
12:30 AM

to me

Dear Dr. Jackson,

Sorry for the delay. Great, I can swing by tomorrow to pick up the records. Normally, I wouldn't have a car but my wife won't be at work because she has bronchitis. So I'll be able to travel tomorrow. I can come by any time tomorrow, but I'll be without a car again on Sunday. I can also take the equipment off your hands. I should be able to put them to some use. Thanks a bunch!

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Friday, May 31, 2019 4:17:24 PM
To: Walls, Levi
Subject: [EXT] some equipment that works that I don't use

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Sat, Jun 1,
2019, 7:31 AM

to Levi

Dear Levi,

Would you like to come by around 11?

Best wishes,

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jun 1,
2019, 7:33 AM

to me

Dear Dr. Jackson,

Yes, I'll see you then!

Regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Saturday, June 1, 2019 5:31:59 AM
To: Walls, Levi
Subject: Re: [EXT] some equipment that works that I don't use

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Sat, Jun 1,
2019, 7:36 AM

to Levi

Great! Make sure that you have room in your car!

Walls, Levi <LeviWalls@my.unt.edu>

Sat, Jun 1,
2019, 8:51 PM

to me

Dear Dr. Jackson,

I'm okay! I have a baby grand at home, which was a generous gift from a patron when I lived in California. I'm also good on screens, printers, and storage. Very much appreciated though.

Again, thanks so much for the records! I already got a new bookcase for them and all the operas are now organized. One more bookcase should do it. Oh no, not overwhelmed at all. I can't wait to dive into all the recordings/inserts.

I'll be in touch about Berlioz/research.

Regards,

Levi Walls

Regarding the Symposium, Levi and Ben asked me if Clark, Beaudoin and Lett responses should be published; I agreed that they should be published in fairness to have both sides, and they were.

Clark, Beaudoin, and Lett responses

Inbo
x

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Feb 13,
10:54 AM

to me, benjamingraf@unt.edu

Dear Dr. Jackson (with Dr. Graf in copy; Dr. Slottow not copied because he asked to be recused),

Dr. Graf and I were wondering what your thoughts were concerning the submissions from Clark, Beaudoin, and Lett. As you may have seen, these responses are (at least) implicitly anti-Schenkerian. Despite disagreeing with much of what they have to say, Dr. Graf and I think it is important to publish these responses along with the others that we have received (Wiener, Pomeroy, Wen, Cadwallader, etc.). We wouldn't want the JSS's account of the debate to appear one-sided, and having a mixture of opinions will lend more credibility to those responses that we do agree with. Just want to check in with you before we proceed!

And thank you for all your time and effort in getting responses from prominent names in the field!

Regards,

Levi Walls

recommendation for conference

Timothy Jackson <shermanzelechin@gmail.com>

Wed, Feb 19,
8:57 PM

to Levi

Dear Levi,

So..... this afternoon I did receive an email requesting my approval for your application, to which I have responded with the highest possible numerical ranking.

I am unsure whether I have to write a more detailed letter of support, and have written to Dr. Brand to see. Just in case I do need to craft an actual letter, might you send me your abstract and details about the conference, which I will need for my letter.

Today I picked up a recording of Berlioz's Beatrice and Benedict: https://www.amazon.com/BERLIOZ-BEATRICE-BENEDICT-JOHN-NELSON/dp/B00007M8T1/ref=sr_1_3?keywords=Beatrice+and+benedict+nelson&qid=1582167159&s=music&sr=1-3

It seems very good indeed.

The cycles in the Bertain are clearly damaged; but, I wonder if they are in the Berlioz *Les Troyens*? Perhaps, in the latter, the opposite might be the case?

Best, Tim

As Levi's advisor in the doctoral program, the Chair Benjamin Brand asked me for a letter of support for his application for travel funding to present his work in England. I wrote such a letter:

Walls U.K. travel funding

Inbo
x

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Feb 18,
4:55 PM

to me

Dear dr. Jackson,

I think dr. Brand sent you an email (as my advisor) regarding the request I put in for funding to go to the U.K. I believe he requires a response from you before the request can go through. Thanks!

Regards,

Levi Walls

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Feb 18,
7:52 PM

to Levi

Dear Levi,

I looked through my webmail account under Brand, but I don't see any communication about this travel funding for you. Plus, I do not recall writing a letter of recommendation for your travel, nor reading your application! I did assist another student with an application for travel funding, but not you!

If you received a note from him about this application, could you please forward it to me, along with a copy of your application.

I hope that senility has not accelerated at light speed!

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Feb 18,
8:52 PM

to me

Dear dr. Jackson,

Yeah, I was surprised when he said he needed your feedback. I'm not sure why. He mentioned it in passing today. Hopefully, it requires nothing more than for you to push a button and submit. I'll email him.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Tuesday, February 18, 2020 5:52:27 PM

To: Walls, Levi <LeviWalls@my.unt.edu>

Subject: [EXT] Re: Walls U.K. travel funding

...

[Message clipped] [View entire message](#)

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Feb 18,
9:06 PM

to me

I emailed him to reach out to you. Apologies, I would have given you more heads up if I had known any action was required on your end. I only knew about it because he mentioned it when I ran into him today.

- Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Tuesday, February 18, 2020 6:52:43 PM
To: Timothy Jackson <shermanzelechin@gmail.com>
Subject: Re: [EXT] Re: Walls U.K. travel funding

...

[Message clipped] [View entire message](#)

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Feb 18,
9:20 PM

to Levi

Dear Levi,

I would like more information. I don't recall you mentioning a travel application to the UK; rather, I thought that you were interested in France! So, why England?

Tim

Walls, Levi <LeviWalls@my.unt.edu>

Tue, Feb 18,
9:25 PM

to me

Dear dr. Jackson,

Oh, yes, it's for the international conference of musical form on June 30 that I was accepted into. Just to help with the funding to get to the conference. Nothing substantial like the planned work in France.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Tuesday, February 18, 2020 7:20:01 PM
To: Walls, Levi <LeviWalls@my.unt.edu>
Subject: Re: [EXT] Re: Walls U.K. travel funding

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Feb 18,
9:34 PM

to Levi

Dear Levi,

OK. That is totally different from the student *research* grant application (I believe that I sent you the call for applications for that competition thinking you might want to go to Paris). Well, of course I will strongly support your application for travel funding to present at the British conference. But, as I said, I have not heard a peep from Brand about that. Maybe he does not need my input to make a decision.....

Keep me posted regardless.

By the way, if you have a chance to make a pit stop at the British Library near Charing Cross in London to photograph something for me, I would be infinitely grateful. But only if you have time. Their music collection is spectacular and important, and a resource that you should be familiar with! I have spent many happy hours puttering around there.

Best, Tim

Walls, Levi <LeviWalls@my.unt.edu>

Thu, Feb 20,
8:15 AM

to me

Dear Dr. Jackson,

Thanks for taking care of the funding request. Hopefully Brand doesn't require much more from you as I don't wish to inconvenience you without warning! Of course I'm happy help you by making a stop at the British Library. I'll be staying with a friend in London and commuting to Newcastle from there (which will be cheaper in the end), so the Charing Cross library won't be too out of the way. What is it that you would like me to photograph?

Regards,

Levi Walls

Cordial relations with Levi persisted for nearly five months *after* the Symposium was submitted to UNT press, and we were assembling the next issue. Levi's daughter was born. There was no sign of any issues or concerns.

I sent Levi a project that I was working on:

Walls, Levi <LeviWalls@my.unt.edu>

May 19,
2020, 10:01
AM

to me

Dear Dr. Jackson,

Thanks for your email, and the detailed graphs. Since musical setting is, itself, a translation of sorts, these pieces would seem to offer an especially interesting challenge (a Wellesz translation of Rilke's translation of E.B. Browning, like a game of "telephone"). Technically, there are four levels (or at least three and a half) to the process because Rilke didn't know English and was assisted by his hostess in Capri. If you haven't already, there are a few articles that you might find useful, especially in regards to the relationship between Rilke's and Browning's texts.

"Rilke's Translations of English, French, and Italian Sonnets" by Furst: <https://www.jstor.org/stable/pdf/4172561.pdf?refreqid=excelsior%3Ad54da7f70c99859abb26629bc5b5c137>

and "Translating Desire: Elizabeth Barrett-Browning and Rilke's women in love" by Catling (although I couldn't manage to find this article, which appears in a German-language book called *Rilke und die Moderne*). <https://ueaeprints.uea.ac.uk/id/eprint/26337/> It seems like it would be useful if it can be tracked down. I'm unsure of the state of ILL during this shutdown.

Part of the Furst article mentions that, because Rilke changes the structure of the sonnets he translates, the resultant rhyme scheme "gains a musical and symbolical element" that wasn't necessarily there before (132). According to the author, this change is due in part to Rilke's alternating use of masculine and feminine rhymes, whereas Browning's rhymes are consistently masculine. I wonder if the translations set by Wellesz feature similar changes.

Ophelia is well for the most part. My wife works 6pm-6am three days a week, so I am on my own with her those nights. It can be pretty rough (because she cries more when Rebeca is gone) so I often go without sleep. But it's a labor of love. I think, all in all, I'm doing well in fatherhood.

My biggest challenge, as I always thought it would be, is not to be too neglectful because of work. It's a delicate balance.

I'm currently studying for my related field quals, so I'm buried in English literature texts. I think more music theorists would do well to be more familiar with some of these literary theory texts. A few that I've committed to reading are unrepentantly intentionalist though, especially Hirsch's *Validity in Interpretation* (an ironic title, to be sure, because when our analyses are absolutely beholden to the supposed intentions of authors, we might as well throw out the possibility of interpretation). One of the novels I'm currently reading is *Romola*. Knowing your interest in George Eliot and Vasari's *Lives of the Artists*, it seems like a book you would appreciate.

This talk of English literature reminds me. Would you mind signing my degree plan? Just the "major professor" line near the bottom of the front page. You'll have to do it electronically, which should be straightforward using the "annotate" tool of whatever PDF program it opens in. I attached it. Let me know if it gives you trouble. Thanks!

Regards,

Levi Walls

----- Forwarded message -----

From: **Stephen Slottow** <sslottow@gmail.com>

Date: Thu, May 14, 2020 at 6:49 PM

Subject: Re: [EXT] Re: Confidential

To: Colin Davis <colindavis@gmail.com>

Cc: Walls, Levi <LeviWalls@my.unt.edu>, Timothy Jackson <shermanzelechin@gmail.com>

Dear Levi,

That all sounds excellent.

But when should the present issue be out?

-sps

Walls, Levi <LeviWalls@my.unt.edu>

Mon, Jun 8,
8:49 AM

to me

Dear Dr. Jackson,

Thanks for the email. I'm afraid it's a negative on the sleep issue. She's still pretty fussy at night so I only get an hour here and there.

In regards to your journal questions, I've been emailing Karen at UNT press about the printing, but she hasn't been responding (which is frustrating). Even with the virus, I feel like it's taking too long. I emailed Ron yesterday, so hopefully he will respond. I've been chipping away at the Novack and I've gotten through the first couple files. While I'm at it, I'm also formatting it in Indesign for the journal style. I had a question: should I change the British-style punctuation and spellings (i.e. periods outside of quotation marks and words like "focussed")? I assume the answer is yes, but wanted to double-check. I'll send some of the proofs this week.

Thanks for your kind offer to meet. Always much appreciated. Perhaps sometime later in the summer; now's just not a good time. In a month or so, I'll have finished teaching my summer course (aural skills III), Ophelia will hopefully be sleeping better, and I'll have gotten my massive reading list under control, all of which will significantly improve my sanity.

I'll be presenting my double cycle work at SMT this year, so that will be good.

How have you been doing this summer? How is your family?

Regards,

Levi Walls

PS. Just as I was about to hit send, Ron responded to my email. He said that the printing has been underway but running behind because of the virus. We should have copies by the end of this month, he said.

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Sunday, June 7, 2020 1:29 PM

To: Walls, Levi <LeviWalls@my.unt.edu>
Subject: [EXT] Making contact - Novack text

Timothy Jackson <shermanzelechin@gmail.com>

Tue, Jun 9,
7:46 PM

to Levi

Dear Levi,

Bravo on the SMT acceptance! Great news indeed! Are they going to hold the meeting physically or on-line? I will not travel this year, considering it just too risky - and expensive, given the cuts to faculty travel funding. I have read some reports indicating that there are patients recovering from the virus who have exhibited lasting damage to their hearts. No one knows the long-term repercussions. It is depressing that the infection rate in the Denton area shows no decline.

<https://gis-covid19-dentoncounty.hub.arcgis.com/pages/covid-19cases>

On the contrary, it is increasing daily!

Thank-you for the update about the *Journal* and the Novack. Good news about the text. Use our house style (American). Once I have that text from you, I will start working with Colin on the examples.

I am teaching "Analysis and Performance" for the first time as a summer course. With 15 students, entirely on-line, it is challenging. However, the good news is that the students are almost all DMAs and highly motivated, so that I think we will make real progress. Right now, we are looking at a scene from Jommelli's opera *Armida abbandonata*, which I believe to be an absolutely amazing opera.

I send you my annotated score with some ideas about how it works.

There is one very significant difference between the two recorded performances, both available on Youtube. https://www.youtube.com/watch?v=F3_skCJBSJg

<https://youtu.be/FrPRKb-xhzY?t=2337>

Both are very good, but Rousset makes a significant cut in the A' section. I am trying to figure out if he made it based on Jommelli, or on his own. It is possible that Jommelli compressed the A' because he revised the opera for different performances.

This opera is one of the truly great Classical operas! I cannot recommend it highly enough!

Your baby will sleep through the night - eventually. Hang in there!

Best, Tim

On July 23, 2020, just six days before the public attack and his subsequent denunciation of me, Levi wrote:

Walls, Levi

Thu, Jul 23,
2:11 PM

to me

Dear Dr. Jackson,

I attached the requested files. Ah, yes, I remember from my first semester at UNT that you were working on the late quartets (op. 131, to be specific). That was back when I barely knew what Schenkerian analysis was. Hard to believe it was only 4 years ago! Let's hope I come just as far in another 4 years.

I'd be interested in seeing your Beethoven work, as with anything. Studying Beethoven will always be important, even if I don't ever plan on presenting/publishing work on him. I always feel a little apprehension at doing Beethoven research. He's been done so much over the years (for good reason, to be sure, as he is without a doubt one of the greatest composers that ever lived). But still, I inwardly groan a little when I see paper after paper on Beethoven at conferences. I think you know what I mean, since you were sitting right next to me when I heard you say something to a similar effect in response to a Beethoven paper at TSMT 2018. But, I'm glad to see what you have to say since, as I said, it's very important to continue studying Beethoven. Something new and valuable might come out of it, and it would be an awful shame if Beethoven research stopped *entirely*.

For my own part, I have a few projects going for the next conference season. I once wrote a paper about finding a musical analogue to Transatlantic Modernism (the Imagist poets, plus the likes of T.S. Eliot and Gertrude Stein). I had noticed that documentaries on these figures used a mixture of classical-romantic era music and Coplandesque Americana, but I argued that it was the music of the second Viennese school that really mirrors the Transatlantic Modernist aesthetic/philosophical views. And it should be the job of a documentary to choose music that represents their subject's aesthetic/philosophical views, when that documentary is on an artist. So I'm reworking that paper for a few American literature conferences. Then, I've recently

started thinking about writing a proposal for upcoming theory/musicology conferences that compares formalism in music vs. formalism in literary theory. Confusingly, the two ideologies are complete opposites when it comes to matters of interpretation. One of our main formalist representatives is Peter Kivy, whose perspective is almost semiotically barren. On the other hand, the main representatives of formalism in literary theory are the New Critics and the Russian Formalists, who are extremely flexible in regards to semiotics. In part, the New Critics pushed Barthes' idea of the "death of the author," which I find indispensable to interpretation (and Kivy found distasteful). I think that the underlying reasons for this disparity between formalism in music and in literary theory will say something important about the ideological differences between the two fields. But that project is in its infancy, so we'll see what happens with it.

Ophelia is okay. She's getting so much smarter and her hand-eye coordination is improving a lot. If I put her on my lap at the piano, she hits the keys with interest, which is very good for a four-month-old! A surprising lack of change in the sleep department, though. But, at least I don't have to take care of her alone at night anymore (at least, for the foreseeable future) because my wife's work schedule changed to daytime shifts.

Regards,

Levi Walls

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Thursday, July 23, 2020 9:53 AM
To: Walls, Levi <LeviWalls@my.unt.edu>
Subject: [EXT] Re: Updates on articles, websites, and printing.

...

[Message clipped] [View entire message](#)

3 Attachments

Timothy Jackson <shermanzelechin@gmail.com>

Thu, Jul 23,
6:49 PM

to Levi

Dear Levi,

Thank-you for the update. I would like to discuss these issues with you and learn more about them! I also would like to recommend that you take a closer look at the last movement of Op. 127 for starters because I believe that the way of thinking here is relevant to Berlioz. Here, Beethoven departs quite radically from "Classical" principles of design-tonal organization, and I can see now how this kind of freedom would have impressed Berlioz, and inspired some of his procedures. I presume that you plan to go forward with *Les Troyens*.....If so, doing so would be helpful.

By the way, I did not realize this, but Salieri wrote quite a bit for the French opera, being "anointed" for this task by Gluck. The results are impressive. *Les Danaïdes*, for example, while gruesome, is quite an opera! There are boring parts of *Tarare*, but also superb sections in a highly imaginative frame.

I will look over Wason's comments and get back to you and Dr. S.

Best, Tim

Shortly after the Twitter attack, Levi Walls posted on FB, July 27, 2020 this denunciation:

I have written the following statement in an attempt to share my experiences and shed light on the situation regarding the Journal of Schenkerian Studies. Furthermore, the purpose of this statement is to emphasize how deeply sorry I am for my involvement in the journal. Although I had no control over the content of the journal, or over the decisions regarding review processes, I am guilty of complicity because I remained in the position after I realized that my whistleblowing efforts were for naught. I hope the following account provides helpful context:

In summer 2019 (when I had just finished my first year as a PhD student in music theory at UNT) I was asked if I would like to take on a research assistantship, as assistant editor of the JSS. It would allow me to gain skills in typesetting, copyediting, and general understanding of the process that goes into an academic journal. I saw the assistantship as a good opportunity, as I am interested in research. And, naturally, as the position was under the supervision of no less than five UNT faculty members who I believed had my best academic interest at heart, it didn't seem like something I would regret. Throughout the process, myself and the editor at the time were to report directly to Timothy Jackson and Stephen Slottow, with major decisions about the journal's contents to be decided by them. As I will explain, what appeared to be a positive opportunity for a young graduate student quickly turned into an extremely shameful position that I feared I could not leave without significant damage to my career.

For the first few months, the job seemed fine, as I got to work with three articles on various topics, typesetting and offering clarity-related edits. However, after Philip Ewell's SMT presentation, Timothy Jackson decided that it was the responsibility of the journal to "protect Schenkerian analysis." Although—after serious thought—I essentially agreed with Ewell's talk, it was not up to me what did or did not go into the journal. After seeing some of the responses, I started to become incredibly worried. I gave comments to one author, including that they seemed

to devalue other fields of study, that they cherrypicked information to make Schenker appear in a better light, and that they confused cultural appropriation with egalitarianism. Shortly after, I was told by Timothy Jackson (my superior in at least three senses: a tenured faculty member who ran the journal and also served as my academic advisor) that it was not my job to censor people.

After this, things continued to go in a direction that I found to be disgusting.

I set up a secret meeting with my department chair, specifically acknowledging that I was coming to him as a whistleblower because I was worried about the potential dangers that the journal posed for the College of Music and for rational discourse in music theory. My warning was not heeded and—although I feel that he had the best of intentions—he expressed reluctance to step in and control the actions of the journal. Furthermore, after my warning that Dr. Jackson was woefully ignorant about politically correct discourse and race relations, he rebutted that “Dr. Jackson did very well in the recent diversity and inclusion workshops.”

After this, I feared that I would remain powerless and voiceless in regard to the running of the journal (despite my misleading title of “assistant editor,” and the fact that I was meant to become “editor” for volume 13). In hindsight, I should have quit the journal in protest. However, I feared retaliation from Timothy Jackson: he is an incredibly well-connected and influential figure in Schenkerian circles, and I’ve lost count of the number of people who have told me over the years that I would regret it if I ever got on his bad side. Despite this—as well as my worry about losing the financial means to support my family—I am ashamed to say that I stayed in the position. I continued to do the administrative tasks assigned to me, to typeset the articles, provide basic copyediting, and to correspond with authors about their edits via email. Eventually, I read Timothy Jackson’s response, which left me dumbfounded by its disgusting and harmful rhetoric. Even after that, I feared to do anything other than grin and bear a job that I knew was harmful to UNT, the field of music theory, people of color, and basic human decency. For that cowardice, I am truly sorry.

Sincerely,
Levi Walls

Dear Colleagues,

Thank you for the time you have all dedicated to this task and for listening in our meeting on Friday. I am writing now to follow up on a few issues raised by your questions.

The Journal of Schenkerian Studies (JSS), vol. 12, has been attacked for four main reasons: 1. assembling a Symposium of responses to Prof. Ewell without inviting him to respond in the same issue, 2. not censoring the negative responses, 3. including one anonymous response, and 4. not subjecting the responses to peer review.

As far as censorship is concerned, our purpose was to create a “safe space” in the Symposium in vol. 12 for an open and honest exchange of scholarly opinions regarding Ewell’s controversial Plenary Speech at the November 2019 Annual Meeting of the Society for Music Theory, where no such room for debate had been afforded at the 2019 Annual Meeting. I. Regarding not inviting Ewell and including the one anonymous response, there are precedents listed below. A comment posted on Facebook (anonymously!) noted, **“The principle of the ‘right to respond [in the same venue]’ that was invoked in the open letter by the Society for Music Theory (SMT) —and in the SMT board’s statement—has NOT hitherto been uniformly upheld in academic music research circles**

As I described our editorial process, the Journal was edited by an UNT student editor assisted by other students, and supported by a community of outside and inside readers; Dr. Slottow and I were always there to provide counsel and authority when it was needed, especially to deal with certain potentially problematic issues. I would also like to add about the editorial independence of the student editor that it is very necessary to make sure the scholarly community at large knows the student editor is backed up by me and Dr. Slottow. There is always a danger with junior scholars, especially a graduate student, that more senior contributors will intimidate them or ignore their criticism. Dr. Slottow and I therefore purposefully stand behind the student editor. I would hope your panel will suggest means to protect institutions like the journal and Center for Schenkerian Studies from the kind of politically motivated pressure Levi Walls was placed under as a result of accusations of “racism” from the Society of Music Theory as well as from our own faculty. The message Walls received was clearly that he had to “repent” and buckle under the pressure for censorship. Without institutional support for academic freedom, what we do as senior scholars to support the student editor is unlikely to be enough. If the message is, every time you publish something that deviates from orthodoxy you may not only be subject to a Twitter mob but the University will initiate an investigation of your work, I frankly think this will make serious scholarship untenable. In Walls case, it led to his own self flagellation and public claims to be some sort of “whistleblower.”

Our policy, generally speaking, however, was to allow student editors considerable leeway; we consulted specifically about issues concerning differences of opinion among reviewers, and also how to tone down harsh book reviews. We were always able to successfully navigate potential problems through consultation and discussion. The Symposium was the first and only time we published anything of this nature; we felt that a series of responses was justified by Ewell’s bitter attack on Schenker, Schenkerian scholars, and the methodology itself, especially since the SMT, by presenting it as a statement of policy, had prevented any criticism.

I also want to say a few additional things about the panel’s questions concerning “conflict of interest.” You asked how many times I have published in the journal, and I said that had published three articles over the past 20 years. I would like to emphasize that this is a very small portion of my scholarly output, and I include a list of my publications below. The journal is important to me, but not simply as a venue

for my work and it never has been the primary venue for my publications. It also seems to me that publication in a journal by members of the board of editors or others involved in the journal is quite common, and I have never heard that considered to be a conflict of interest.

To avoid "conflict of interest," we involved seven scholars from UNT in drafting the call for responses so as to attract both pro- and contra-Ewell contributors (this consultation is documented in the attached PDF). Respondents trusted the process, including those who supported Professor Ewell, and both points of view were indeed published. I must say, this is much more leeway than the SMT gives me and other Schenkerians to respond to Prof. Ewell, namely none. Lesser known people (Dr. Ben Graf and Levi Walls) worked with the pro-Ewell respondents so that they did not have to deal directly with Dr. Slottow and me (given our known pro-Schenker stance); we arranged matters precisely this way so that the pro-Ewell contributors would be as comfortable as possible in expressing their views. I entered at the end of the editorial process to read and correct the proofs for all but one of the responses (I had one other scholar replace me for that task). My role, and that of other editors and colleagues in the College of Music, is fully documented by the attached files. (Re. Editorial Process - there is a longer file of 126 pages available upon the committee's request, 2. Levi Walls doc - there is a longer one of 172 pages. In my opinion, the longer documents offer no new significant new information.) My contribution was read and critiqued by all of the other editors, including my student Walls, and I adopted their suggestions.

I believe you will see that the internal deliberations of the editorial board, its working correspondence presents a record of unimpeachable behavior in the editorial process. (I might point out that the SMT journal *Spectrum* has no ethics statement and does not conform to COPE.)

The second file concerns my relationship with my former student Levi Walls (2016 to July 2020), who was employed by UNT to work on the Journal. I regard him as, in part, a victim of the attack upon me, externally by the SMT, and internally by students and faculty within the College of Music. Since he is still a student at UNT, he should be protected by FERPA regulations, although according to guidelines from the Department of Education, he forfeited his right to confidentiality by his public attack on me as a university employee and on the University through his public pronouncements including his post on Facebook. In any event, this file is self-explanatory and is submitted confidentially to the internal UNT investigation. Levi made a public recantation of his work with and for me, which, and I am not alone in this observation, recalls the spirit of show trials in totalitarian societies. The documents in the attached file contradict Walls's public accusations.

I also wanted to bring to the panel's attention some additional evidence:

1. There is precedence for assembling a symposium of responses to an author without inviting the author to respond. The responses are not - indeed cannot be - vetted in the same way as scholarly articles. Such responses can be also understood to fall under the category of "commentaries" and these are handled in a variety of ways, dependent again, on the journal. It is a "grey area" with no definitive protocol. Here are some examples, to which others could be added:

<https://www.editage.com/insights/a-young-researchers-guide-to-perspective-commentary-and-opinion-articles:>

“Commentaries draw attention to or present criticism of a previously published article, book, or report, often using the findings as a call to action or to highlight a few points of wider relevance to the field. Commentaries do not include original data and are heavily dependent on the author’s perspective or anecdotal evidence from the author’s personal experience to support the argument. Commentaries are usually very short articles, of around 1000-1500 words, and are in most cases invited by editors from reviewers or experts in the field.”

<https://www.beilstein-journals.org/bjoc/instructionsCommentary>

“Commentary articles seek to provide a critical or alternative viewpoint on a key issue or provide an insight into an important development that is of interest to a large number of scientists. These narrowly focused articles are usually commissioned by the journal.”

All the pro-Schenker responses were from established Schenkerian scholars, including authors of textbooks on Schenkerian analysis. All the pro-Ewell responses were from scholars with Ph.D.s in music theory, and all received were included. The most distinguished of the pro-Ewell responses was from the chair of the Harvard music department. All authors signed publication release forms from UNT Press.

After the SMT petition was released, one on-line critic of it noted:

- **Would the 2010 *Journal of Music Theory* (Yale) special issue on Cavell's "Music Discomposed" be deserving of censure IF the editors didn't offer Cavell an opportunity to respond in the same issue?**
- **What about when multiple articles in a special journal issue deal with the work of someone who may not necessarily identify as a "scholar"? Should Lin-Manuel Miranda have been given an opportunity to respond—in the same issue—to the 2018 *American Music* (University of Illinois Press) special issue on *Hamilton*?**
- **It is highly likely that special journal issues devoted to a single scholar's work such as the 2005–2006 *Perspectives of New Music* (Princeton) issue on Benjamin Boretz don't always employ especially rigorous peer review, if any.**
- **“*The Opera Quarterly* (Oxford University Press) is a themed journal for which content is typically solicited in advance.” Quoted from Ann Lewis, Managing Editor. It is unclear whether articles are peer reviewed or not, but they are not reviewed blind.**

2. Anonymous responses are indeed published in prestigious academic journals under these circumstances: when revealing the identity of the respondent could endanger his/her life and well-being, possibly for political reasons, **and/or ability to find and retain a job or position**. The most common anonymous responses are to political events, discussions of illegal activities, embarrassing medical conditions, difficult academic situations, and unpopular viewpoints. In the case of JSS, the anonymous scholar was a recent Ph.D. in music theory who requested anonymity to protect his chances for landing a job. The fact that viewpoints opposing the application of critical race theory to music theory are now unpopular is an understatement. The vehemence of the mob-like reaction against the Journal, against the Center for Schenkerian Studies, and against me personally speaks for itself. We have also received ample evidence that many people who signed petitions against the Journal and the

symposium authors who were critical of Professor Ewell are in fact being coerced. As you know, this entire process is a scandal that has attracted national attention, something music theory very rarely does. So I have always been puzzled by criticism that one author was permitted to publish anonymously. In retrospect, this author had more foresight than we did in requesting to do so; the anonymous author foresaw the political explosiveness of this issue when we thought we were engaging in the normal course of open scholarly debate. It is also a crowning irony that at least one of the petitions, promoted by the Society for Music Theory, circulated against me personally, the Journal, and our center is itself being promoted anonymously. Apparently, it is okay to anonymously attack the publication of an anonymous article.

The following are examples of anonymous publications in scholarly work:

- ***Journal of Management Inquiry* 24.2 (2015): 214-216.** "The case of the hypothesis that never was; Uncovering the deceptive use of post hoc hypotheses."

See the editor's note that precedes the case: "Editor's Introduction: The Provocations and Provocateurs section thrives on the idea of challenging conventional thought, action, and practice. When someone wants to publish an essay anonymously, you know that essay either has the potential to be explosive or someone is assuming anonymity to protect the semi-innocent or the demonstrably guilty. The following essay is by an author who has requested anonymity for both reasons. It concerns a practice that apparently has become increasingly common in organization study: constructing hypotheses *after* analyzing the data and then presenting those hypotheses as if they were guiding the study. Unwittingly deceiving one's self is a fascinating process; wittingly deceiving others is something else entirely. Yet, if we are to believe our anonymous author, both processes can be at play. Read the piece. This one could get you going as a commentary on how questionable practices can insinuate themselves into the fabric of our field."

- Symposium with Three Anonymous Contributions (employment issues):

***Narrative Inquiry in Bioethics*, Volume 6, Number 1, Spring 2016, pp. 3-36 (Article) Published by Johns Hopkins University Press.**

Narrative Symposium: Political Influence on Bioethical Deliberation Jean–Christophe Bélisle Pipon, Marie–Ève Lemoine, Maude Laliberté, Bryn Williams–Jones, Dan Bustillos, **Anonymous One**, **Anonymous Two**, Ashley K. Fernandes, **Anonymous Three**, Thomas D. Harter, D Micah Hester, **Anonymous Four**, Mary Faith Marshall, Philip M. Rosoff, Giles R. Scofield.

- Anonymous Article (political repercussions):

Survival Global Politics and Strategy, Anonymous (2018) "Iran Disillusioned," ***Survival*, 60:2, pp. 231-236**, DOI: 10.1080/00396338.2018.144859 **Published by Routledge**. To link to this article: <https://doi.org/10.1080/00396338.2018.1448598>

- Two Identified Authors, One Anonymous:

***Common Knowledge*, Volume 16, Issue 2, Spring 2010, pp. 223-232** "Decorate the Dungeon": A Dialogue in Place of an Introduction. Jeffrey M. Perl, Colin Richmond, with Anonymous (Article) **Published by Duke University Press.**

- Article by an Anonymous Author (employment issues):

***The American Sociologist*, Nov., 1976, Vol. 11, No. 4 (Nov., 1976), pp. 193-198** "Reflections of an Unemployed Sociologist" Author(s): Anonymous. Source: **Published by: American Sociological Association** Stable URL: <https://www.jstor.org/stable/27702242>

- Article by an Anonymous Author (employment issues):

***Litigation*, Winter 2015, Vol. 41, No. 2, Regrets (Winter 2015), pp. 41-45** "A Woman at Big Law: No Regrets (Off the Record)" Author(s): ANONYMOUS **Published by: American Bar Association** Stable URL: <http://www.jstor.com/stable/44677753>

■ Article by an Anonymous Author (political repercussions):

***Political Geography*. Volume 62, January 2018, pp. 170-183** An interdisciplinary journal for all students of political studies with an interest in the geographical and spatial aspects of politics. The journal brings together leading contributions in the field and promotes interdisciplinary debates in international relations. "Rosewood democracy in the political forests of Madagascar."

■ Article by an Anonymous Author (political repercussions):

***Journal of Contemporary Asia* 48:3, pp. 363-394 (2018)** "Anti-Royalism in Thailand Since 2006: Ideological Shifts and Resistance," DOI: 10.1080/00472336.2018.1427021 To link to this article: <https://doi.org/10.1080/00472336.2018.1427021> **Published by Routledge.**

■ Article by an Anonymous Author (problems in academe):

***International Review of Qualitative Research*, Vol. 12, No. 3, Fall 2019, pp. 215-218.** ISSN 1940-8447, eISSN 1940-8455. © 2019 International Institute for Qualitative Research, University of Illinois, Urbana-Champaign. DOI: <https://doi.org/10.1525/irqr.2019.12.3.215> "Cleaning a Tarnished Bloodstained Anchor?" Anonymous

■ Article by an Anonymous Author (political repercussions)

***Feminist Review*. VOLUME: 82 ISSUE: MONTH: YEAR: 2006 PAGES: 118-119.** "Eyewitnesses to the murder of migrants at the Spanish border"

It is also my hope that the panel will make a strong statement about the need to protect academic freedom and open scholarly discourse at UNT (and in academic work beyond UNT). I think the example of the student editor, Levi Walls, and the pressure he was placed under to retract and renounce his scholarly interests, which I think you will clearly see in our correspondence, should serve as an example to what happens when faculty, graduate students, and even the administration submits to attacks on academic freedom. From the UNT statement on academic freedom:

Academic freedom and academic responsibility give vitality to the UNT and its mission. As such, the academic freedom to be able to freely consider or investigate important, and, **perhaps, controversial questions [my underline] is essential to the education of students and advancement of knowledge.**

I believe that publishing all of the responses in the Journal Symposium "by peers who are experts in the relevant subject material" - *both* pro and con - falls clearly within the responsibility of academic freedom, and "the academic freedom to be able to freely consider or investigate important, and, perhaps, **controversial** questions." I further assert that none of the responses that were published expresses support for racism or condones it. Rather, all of them disavow

racism, and some - like my own - seek an alternative way forward that will lead to genuine engagement with vital issues. We did not cherry-pick or censor the responses but published all responses from scholars with Ph.D.s in music theory, with some editing of course, and an amalgamation of the scholarly apparatus in a unified bibliography.

To support my statements about “conflict of interest” above, I am listing my publications here to show that the three articles that I have published in JSS are but a small percentage of my total output: I have bolded the three articles I published in JSS.

Books and Monographs:

Bruckner Studies, eds. Timothy L. Jackson and Paul Hawkshaw (Cambridge: Cambridge University Press, 1997). (refereed)

Cambridge Handbook on Tchaikovsky’s Sixth Symphony (Pathétique) (Cambridge: Cambridge University Press, 1999). (refereed)

Perspectives on Anton Bruckner, eds. Timothy L. Jackson, Paul Hawkshaw (Yale), and Crawford Howie (Manchester), (London: Ashgate Press, 2001). (refereed)

Sibelius Studies, eds. Timothy L. Jackson and Veijo Murtomäki (Sibelius Academy), (Cambridge: Cambridge University Press, 2001). (refereed)

Sibelius in the Old and New World: Aspects of His Music, Its Interpretation, and Reception, eds. Timothy L. Jackson and Veijo Murtomäki (Peter Lang: New York, Bern, Berlin, Bruxelles, Frankfurt am Main, Oxford, Wien, 2010).

“The Schenker-Oppe Exchange: Schenker as Composition Teacher,” *Music Analysis* 20/1 (2001) (Oxford), pp. 1-116. (refereed)

Article on “Bruckner” in *The New Grove Dictionary of Music and Musicians* ed. S. Sadie and J. Tyrrell (London: Macmillan, 2001) and Grove On-line (Oxford University Press, 2004).

Published Articles:

“Richard Strauss’s *Winterweih*e — An Analysis and Study of the Sketches.” *Richard Strauss-Blätter* XVII (1987), pp. 28-69.

“Compositional Revisions in Richard Strauss’s *Waldseligkeit* and a New Source.” *Richard Strauss-Blätter* XXI (1989), pp. 55-84.

“Mozart’s *Little Gigue* in G major — A Study in Rhythmic Shift, A Reminiscence of the Competition with Haessler?” *Mitteilungen der internationalen Mozart-Gesellschaft* XXXVII (1989), pp. 70-80.

Comment on Steven Parkany's "Kurth's Bruckner and the Adagio of the Seventh Symphony." *Nineteenth Century Music* XIII/1 (1989), pp. 74-75.

"The Enharmonics of Faith: Enharmonic Symbolism in Bruckner's *Christus factus est* (1884)." *Bruckner Jahrbuch 1987-88*, Austrian Academy of Sciences, Linz, 1990, pp. 4-20.

"Schubert as John the Baptist to Wagner-Jesus' — Large-scale Enharmonicism in Bruckner and his Models," in *Bruckner Jahrbuch 1991-93*, Austrian Academy of Sciences, Linz, 1995, pp. 61-108.

"Gabriel Fauré's Expansions of Non-Duple Hypermeter in *La Fleur qui va sur l'eau* Op. 85, No. 2." *In Theory Only* XII (November 1991), pp. 1-24.

"Schoenberg's Op. 14 Songs: Textual Sources and Analytical Perception," *Theory and Practice* XIV (1989/90 double issue), pp. 35-58.

"Bruckner's Metrical Numbers," *Nineteenth Century Music* XIV/2 (Fall 1990), pp. 101-31.

"Schubert's Revisions of *Der Jüngling und der Tod* D 545a-b and *Meeres Stille* D 216a-b," *The Musical Quarterly* LXXV/3 (1991), pp. 335-60 (American Oxford).

"The Metamorphosis of Richard Strauss's *Metamorphosen* — New Analytical and Source Critical Discoveries," in *Richard Strauss: His Life and Work*, ed. Bryan Gilliam, Duke University Press, 1992, pp. 193-241.

"Current Issues in Schenkerian Analysis." Feature review-article on *Trends in Schenkerian Research*, ed. Allen Cadwallader (Schirmer Books, 1990) and *Schenker Studies*, 1990, ed. Hedi Siegel (Cambridge University Press) for *The Musical Quarterly* LXXVI/2 (1992), pp. 242-63 (American Oxford).

"*Ruhe, meine Seele!* and the *Letzte Orchesterlieder*," in *Richard Strauss and His World*, ed. Bryan Gilliam, Princeton University Press (1992), pp. 90-138. Translated as "*Ruhe, meine Seele!* und die *Letzten Orchesterlieder*" in *Richard Strauss-Blätter* XXI (1995), pp. 84-128.

Review of *Arnold Schoenberg, the Composer as Jew* by Alexander Ringer, *Theory and Practice* 18 (1993), pp. 171-78.

"Bruckner's Rhythm: Syncopated Hyperrhythm and Diachronic Transformation in the Second Symphony," in *Anton Bruckner — Persönlichkeit und Werk*, Austrian Academy of Sciences, Linz, 1995, pp. 93-106.

"Hearing Schoenberg," review-article on Silvina Milstein, *Arnold Schoenberg. Notes Sets Forms*, Cambridge: Cambridge University Press, 1992, for the *Journal of Musicological Research* 15/4 (1995) pp. 285-311 (Gordon Breach, UK).

"Aspects of Sexuality and Structure in the Later Symphonies of Tchaikovsky," *Music Analysis* 14/1 (1995), pp. 3-25 (British Oxford).

"The Tragic Reversed Recapitulation in the German Classical Tradition," *Journal of Music Theory* 40.1 (1996), pp. 23-72 (Yale University Press).

"The Finale of Bruckner's Seventh Symphony and Tragic Reversed Sonata Form," in *Perspectives on Anton Bruckner*, eds. Timothy L. Jackson and Paul Hawkshaw, Cambridge University Press, 1997, pp. 140-208.

"'Your Songs Proclaim God's Return' — Arnold Schoenberg, the Composer and His Jewish Faith," *International Journal of Musicology* VI (1997), pp. 277-315.

"Bruckner's *Oktaven*," *Music and Letters* 86 (1997), pp. 391-409 (British Oxford University Press). Expanded version published as: "*Bruckner's Oktaven: the problem of consecutives, doubling, and orchestral voice-leading.*" *Perspectives on Anton Bruckner*, eds. Timothy L. Jackson, Paul Hawkshaw, and Crawford Howie, (London: Ashgate Press, 2001).

"Dmitri Shostakovich, the Composer as Jew," in *Shostakovich Reconsidered*, eds. Dmitri Feofanov and Allan Ho, (New York, London, Paris: Toccata Press, 1998), pp.597-642.

"'A Heart of Ice:' Crystallization in Sibelius's *Pohjola's Daughter* and Other Works." Conference Report of the Second International Sibelius Conference in Helsinki, November 1995, ed. Eero Taarasti, 1998, pp. 100-123.

"Diachronic Transformation in a Schenkerian Context. A Study of the Brahms Haydn Variations Op. 56a-b," in *Schenker Studies 2*, eds. Hedi Siegel and Carl Schachter, Cambridge University Press (1999), pp. 195-237.

"Brahms's 9 *Lieder und Gesaenge*, Opus 63," in *The Compleat Brahms. A Guide to the Musical Works of Johannes Brahms*," ed. Leon Botstein (New York and London: W. W. Norton & Company, 1999), pp. 251-254.

"Diachronische Transformation im Schenkerschen Kontext: Brahms' Haydn-Variationen," in *Johannes Brahms. Quellen – Text – Rezeption – Interpretation. Internationaler Brahms-Kongress Hamburg 1997*, eds. Friedhelm Krummacher and Michael Struck (Munich: Henle Verlag, 1999), pp. 453-92.

"The *Adagio* of Bruckner's Sixth Symphony: The Anticipatory Tonic Recapitulation in Bruckner, Brahms, and Dvorak." In *Perspectives on Anton Bruckner*, eds. Timothy L. Jackson, Paul Hawkshaw, and Crawford Howie, (London: Ashgate Press, 2001).

"Die Wagnersche Umarmungs-Metapher bei Bruckner und Mahler" ("The Wagnerian 'Embrace' Metaphor in Bruckner and Mahler,"), in *Bruckner-Probleme, Beiheft zum Archiv für Musikwissenschaft*, ed. Albrecht Riethmüller (Stuttgart: Franz Steiner Verlag, 1999), pp. 134-52.

"Observations on crystallization and entropy in the music of Sibelius and other composers," in *Sibelius Studies*, eds. Timothy L. Jackson and Veijo Murtomaki (Cambridge: Cambridge University Press, 2001), pp. 175-275.

"A Contribution to the Musical Poetics of Dmitri Shostakovich: Observations on 'Putting the Jew back in Christ,'" in *Dmitri Schostakowitsch und das juedische musikalische Erbe*, eds. Ernst Kuhn, Andreas Wehrmeyer und Guenter Wolter (Berlin: Verlag Ernst Kuhn, 2001), pp. 19-55.

"Brucknerian Models: Sonata Form and Linked Internal Auxiliary Cadences," Sibelius Forum II. Proceedings from the Third International Jean Sibelius Conference, Helsinki December 7-10, 2000, Sibelius Academy, 2003, pp. 155-171.

"The Problem of the Second Group in the First Movement of Tubin's Fifth Symphony: A Schenkerian View," *Yearbook of the International Eduard Tubin Society*. Vol. 3 (2003). International Eduard Tubin Society: Tallinn, 2003. ISSN 146-7077, pp. 59-69.

Translation of Schenker's article on Mozart's A minor Sonata in *Der Tonwille*, ed. William Drabkin (New York: Oxford University Press, 2004), pp. 55-71.

"[Paul Kletzki and Reinhard Oppel: two forgotten composers](http://www.jmi.org.uk/suppressedmusic/publications/ifsmnews6.html)," *JMI International Forum for Suppressed Music Newsletter No. 6*, January 2004.
<http://www.jmi.org.uk/suppressedmusic/publications/ifsmnews6.html>

CD Program booklet for BIS CD 1399, Paul Kletzki, Third Symphony "In Memoriam," Concertino for Flute, 2004.

"*Schliesse mir die Augen beide*: an Analysis of Six Settings by Berg, Oppel, Tintner, Zilcher, and Kletzki," *A Composition as a Problem*. Vol. IV. *Scripta Musicalia*: Tallinn (2004), pp. 51-88.

"Representations of "Exile" and "Consolation" in Hindemith's *Mathis der Maler*," *A Composition as a Problem*. Vol. IV. *Scripta Musicalia*: Tallinn (2004), pp. 17-44.

"The Finale of Tubin's Fifth Symphony from a Schenkerian Perspective." *Proceedings of the International Conference "Eduard Tubin 100."* (Tallinn: Estonian Academy of Music and Theatre, 2007).

"The *Umlinie* in Hindemith's String Quartet Op. 22, Second Movement?" in *A Composition as a Problem*, *A Composition as a Problem*. Vol. V. *Scripta Musicalia*: Tallinn (2008), pp. 146-174.

"Eine Annäherung an Paul Kletzki." *Musica Reanimata* Nr. 58 (2006), pp. 6-17.

"*Hinauf strebt's* : Song Study with Carl Schachter" in *Structure and Meaning in Tonal Music: Festschrift in honor of Carl Schachter*, eds. Poundie Burstein and David Gagné, (Hillsdale, NY : Pendragon Press, Year: 2006), pp. 191-202.

"Sibelius the Political" in *Sibelius in the Old and New World: Aspects of His Music, Its Interpretaton, and Reception*, eds. Timothy L. Jackson and Veijo Murtomäki (Peter Lang: New York, Bern, Berlin, Bruxelles, Frankfurt am Main, Oxford, Wien, 2010, pp. 69-124.

"The *Umlinie* in Hindemith's String Quartet Op. 22 Second Movement?" in *A Composition as a Problem V*, (Tallinn: Estonian Academy of Music and Theatre, 2008), pp. 146-86.

"Escaping from a Black Hole: Facing Depression in Academia," read at the National Joint Conference of the American Musicological Society and the Society for Music Theory, Nashville, 7 November, 2008, published in *Music Theory Online (MTO)* Volume 15, Numbers 3 and 4, August 2009.

"Punctus contra punctam: Hans Weisse's Counterpoint Studies with Heinrich Schenker," read at the National Joint Conference of the American Musicological Society and the Society for Music Theory, Nashville, 7 November, 2008, *The Journal of Schenkerian Studies IV* (2010), pp. 87-186.

"Thierfelder's 1935 Open Letter to Sibelius and Adorno's Critique – Some Preliminary Observations," *Säteitä* (Sibelius Academy Yearbook, 2010), pp. 10-42.

"Heinrich Schenker's Comments on Some Compositions by Reinhard Oppel," *A Composition as A Problem VI* (2012), pp. 5-95.

Obituary/eulogy for Prof. Edward Laufer, "*Musae Iovis plangite!*" in the *Society for Music Theory Newsletter* (Volume 37/2), pp. 20-21.

Program book essay for the special Festival Concert for the 150th Birthday Celebration of Richard Strauss in the National Theater of the Bavarian State Opera [Bayerische Staatsoper, Munich], June 10, 2014.

Program book essay for the Production of Richard Strauss's *Ariadne* at the National Theater for the Bavarian State Opera, June 15, 2015. *Anmerkungen zur Oper Arabella: Aspekte biografischer Verstrickungen* [Observations on the Opera Arabella: Aspects of the Biographical Omissions] in the Program Book for the performance of Richard Strauss's *Arabella* in the National Theater of the Bavarian State Opera, Munich, July 2015.

"The 'Pseudo-Einsatz' in Two Handel Fugues: Heinrich Schenker's Analytical Work with Reinhard Oppel" in *Bach to Brahms. Essays in Musical Design and Structure*, edited by David Beach and Yosef Goldenberg (Rochester and London: Rochester University Press, 2015), pp. 173-203.

"The First Movements of Anton Eberl's Symphonies in E flat major and D minor, and Beethoven's *Eroica*:" Towards "New" Sonata Forms?" in *Explorations in Schenkerian Analysis*, eds. Su Yin Mak and David Beach (Rochester and London: Rochester University Press, 2016), pp. 61-98.

"Elucidations of Post-Tonal Free Composition," *Journal of Schenkerian Studies X* (2017), pp. 23-177. Edward Laufer Festschrift.

"The Company You Keep:' Recipients of the Honorary Doctorates from the 1936 Heidelberg Celebration – Sibelius and Those Honored with Him," in *Jean Sibelius's Legacy*, edited by Daniel Grimley (Professor of Music, Merton College, Oxford) and Veijo Murtomäki (Professor, Sibelius Academy) (Cambridge: Scholars Press, Cambridge, UK, 2017), pp. 88-110.

"'Punctuation Form' and Expressive Contents in the First Main Period of Selected G Minor Symphonies's First Movements of the Classical Era—Kochian-Schenkerian Approaches," with Veijo Murtomäki (Sibelius Academy), *Journal of Schenkerian Studies XI* (2018), pp. 2-59. Edward Laufer Festschrift.

"Berg's Linear Counterpoint," under review.

“The Punctuation Forms of Mozart’s Symphonies in G minor,” under review. Co-authored with Veijo Murtomäki (Sibelius Academy).

“Sibelius and the SS,” under review.

Please note that I interpreted the mandate of the investigating committee rather more narrowly, based on Provost Crowley’s letter to me of September 7, 2020, in which she states that the focus is on Volume 12:

The university is investigating neither you nor the Journal of Schenkerian Studies. I think it is fair to presume that we agree the journal is a UNT publication, since it is housed in the Center for Schenkerian Studies and is funded by the university. As such, the university has an interest in the complaints about the circumstances surrounding Volume 12 that have come from all corners, and ensuring the journal meets the standards of a peer reviewed, academic publication. The university has the discretion, if not the obligation, to look into these circumstances. A panel of faculty with experience editing peer-reviewed journals has been appointed to do just that; not to investigate you or the journal, or to look into whether a particular policy has been violated. Hopefully, this clarification puts an end to the misinformation and mischaracterization about this matter.

My purpose in founding the Journal was to bring prestige and a reputation for excellence in the field of Schenkerian Studies to the University of North Texas. I should note that while initially Volume 12 was greeted with complaints, it has increasingly also been widely praised for its critique of Ewell. Now this controversy has become international, with primarily European scholars opposed to the SMT and UNT petitions expressing their views, for example, here: <https://heinrichschenker.wordpress.com/open-letter-on-schenkers-racism-and-its-reception-in-the-united-states/>

At the present time, articles critical of Ewell, the SMT, and unfortunately also UNT, are increasingly appearing in important *both* liberal and conservative venues across the globe. The fact that outside observers writing in both left- and right-wing news organizations can agree on anything in the current polarized climate, and especially in their criticism of Ewell and his followers, seems highly significant. Consider, for example, that the largest Israeli newspaper *HaAretz*, which is left-of-center and the equivalent to *The New York Times*, published an article here: <https://www.haaretz.com/us-news/.premium-wagner-in-yiddish-the-jewish-composer-roiling-a-texas-campus-1.9127237?v=1599309166077> critical of Ewell and the SMT. I understand that *The New York Times* has conducted its own in-depth investigation and will be publishing a report in the coming week or so. Other more conservative voices are also being raised: <https://www.nationalreview.com/2020/07/at-the-university-of-north-texas-the-mob-comes-calling-for-a-music-theorist/>

I also attach a more philosophical critique of Ewell by Prof. Bruno Chaouat of the University of Minnesota. Therefore, while the initial response on Twitter and Facebook, and the hastily assembled condemnations supported Ewell, a slower but ultimately more significant counter movement is beginning to emerge among musicians and non-musicians world-wide.

I sincerely hope that the international good will that both the Journal and the Center have generated and fostered over the years will continue to grow, and I am motivated to quickly move forward in a

positive direction. I believe that I have answered all the committee's questions clearly and in a forthright manner. Thank-you for your consideration.

Sincerely,

Timothy L. Jackson
Distinguished University Research Professor of Music Theory
Professor of Music Theory
College of Music
University of North Texas
Denton, TX 76203

EXHIBIT GGG



November 30, 2020

Dear Dr. Jackson,

I am writing to share with you the recommendations of the panel charged with reviewing the 12th volume of the *Journal of Schenkerian Studies*.

Specifically, the panel was charged with the following: (1) identify the *Journal of Schenkerian Studies* standard conception and production criteria and practices; (2) identify the criteria and practices the journal used in past volumes; (3) determine the criteria that were applied and practices used in the production of volume 12; (4) determine whether the criteria and practices for volume 12 were consistent or inconsistent with those for past volumes; and (5) determine whether the standards of best practice in scholarly publication were observed in the conception and production of volume 12.

The panel has produced a report with findings, see attached report, that there are opportunities to improve the journal's production processes. I am requesting you, as the Director of the Center for Schenkerian Studies, to develop a plan to address the recommendations by December 18th and submit the plan to Chair Benjamin Brand and Dean John Richmond for review and approval.

Thank you for participating in this review process. I look forward to seeing the Journal continuing its role in providing an important forum for the discussion of scholarly ideas related to Schenkerian studies. I believe by improving the processes of production, as outlined by the panel, the Journal will be strengthened.

Sincerely,

Jennifer Cowley, PhD

Provost and Vice President for Academic Affairs

cc:

Benjamin Brand, Chair, Division of Music History, Theory, and Ethnomusicology

John Richmond, Dean, College of Music

EXHIBIT HHH

From: Walls, Levi <LeviWalls@my.unt.edu>
Date: Sun, Nov 17, 2019 at 5:52 PM
Subject: Re: [EXT] Re: Meeting
To: Timothy Jackson <shermanzelechin@gmail.com>

Dear Dr. Jackson,

After watching Ewell's presentation, I wanted to share some of my thoughts with you. I am sympathetic to his views, but I also have important disagreements. I am inclined to be against the main points of his paper, but I also take issue with some of the criticisms I have heard, especially in regard to *tone*. And, of course, the tone of discourse is very important in these political discussions.

This particular paper comes at an interesting time for me. On a personal note, I'm very sympathetic to desires for increased diversity for a few reasons. My wife and her family (which I am infinitely closer to than my own, who I'm estranged from) have been the targets of racism; we're also having a daughter very soon who will be mixed-race; **and I personally carry an extraordinary amount of white guilt and disgust for the state of my own country's politics.** Despite these caveats, and the fact that Ewell and I obviously share *political* views, I find some of his points to be extremely suspect:

1. **Schenker's racist ideologies cannot be divorced from his analytical methods *because he believed these views to be central to his theories*:** I find this point to be problematic and a little naïve. The suggestion is that Schenkerians of today are objectively incorrect in separating Schenker's politics from his theories simply because Schenker asserted that they were connected. In other words, if Schenker said it, it must be true. The argument is based on the somewhat unthoughtful idea that the stated intentions of creators are utterly indisputable. Of course Schenker said his theories are undivorceable from his politics! This was a fashionable statement of the time, and the exact same thing was said by Lorenz. Brinkmann took Lorenz at his word and came to the conclusion that Lorenz's desire to have every part of a piece serve a governing whole was totalitarian; McClatchie also argued that Lorenz's politics and theories could not be separated, though he does it far more responsibly by refusing to leave Lorenz's ideas unexamined. The fact of the matter is that Schenkerians today regularly violate Schenker's original intentions for voice-leading analysis (mixing it with Weberian RN analysis including applied chords, using it for non-absolute music, and, indeed, music by non-Germans and non-whites). The suggestion that we are forced to think a particular way because Schenker did does not hold up to scrutiny.
2. **Hierarchical analysis—in which certain musical elements exert power over others—supports white power structures:** I find it very difficult to swallow this claim. Structure of any kind is almost nonexistent without some form of hierarchy. I can see how it would be problematic if we were to suggest the following: the power structures of society map directly onto music; therefore, just as tonic is the governing sonority in tonal music,

the white race is *rightfully* the master of the lesser races. Ewell persuasively shows that *Schenker* may have thought this way, but (like in my first point) it does not mean that we have no choice but to throw up our hands and say “hierarchical analysis is inherently racist!”. If hierarchy is racist, we would also have to accept the idea that, say, the Fibonacci sequence is racist. The racist thing would be to claim that race does or should mirror this hierarchy.

But I also take issue with the *tone* of the responses. Race and gender are amazingly touchy issues because those in the privileged group have conditioned responses that cause them to become defensive. These responses often manifest themselves through sarcasm, strawman arguments, and condescension. For instance:

1. **The very first comment is troubling:** “The talks at the plenary were demoralizing.” Not Ewell’s lecture specifically, but the plenary *in general*. Since the talks at the plenary were focused on issues of diversity, I find this first comment to be highly problematic. Granted, I’ve only seen Ewell’s talk so I can’t speak to the content of the other papers; however, papers on issues in diversity are categorical failures if they do nothing to challenge the status-quo, which is something that I can see being “demoralizing” to those within privileged groups. I would also feel demoralized in the plenary, but with the understanding that these demoralizations serve to break me out of my racially/socially conditioned bubble. It’s incredibly unpleasant to acknowledge our implicit biases, but it’s important as well lest we go through life believing ourselves to be the center of the universe. Also, the statement that they “didn’t expect much” from his talk seems needlessly vicious toward a fellow scholar.
2. **The suggestion that Ewell pushed Schenkerianism as “the root of all white racism” is a mischaracterization, the aims of which seem to be to make his paper seem more ridiculous.** Obviously, white racism has existed for far longer than Schenkerianism. This person seems to be letting their anger get the better of them.
3. **While it is odd that Ewell completely glossed over Schenker’s Jewish identity, I worry that the commenter is suggesting some sort of mutual exclusivity between Jewishness and racism.** I may merely be misinterpreting their argument here, but obviously any person of any race or ethnicity has the potential to have racist views. If we accept the undeniable conclusion that Schenker had racist views, it doesn’t really make sense to let him off the hook simply because he faced his own prejudices. In fact, it makes it even worse, in a way! Of course, as I already expressed, I take issue with the projection of these views into Schenkerian analysis in general.
4. **Although I don’t necessarily disagree with the second commentator, I find their tone extremely unprofessional.** The sarcastic comment that Ewell doesn’t find the study of music important is quite condescending. And, while they may be right to point out the contradiction in Ewell’s focus on Russian music theory, the way in which it was done did not do them credit.

Overall, I think that Ewell’s talk is asking us to be more introspective, and to approach culturally received truths with skepticism. I find this practice to be very healthy (in theory), especially for those within the privileged classes. Just like the deconstructions of philosophers like Foucault and those within the Frankfurt School, these skepticisms are important tools for examining the hallowed truths of the world; like these philosophers, Ewell also goes too far in some of his points. Yet, I do not think Ewell wants to throw out *any* methodologies. If he does, he’s clearly a fool; but I don’t think that’s his aim (as some have led me to believe). Above all, I think Ewell is advocating for increased transparency in how we teach music theory. I agree that nothing is apolitical, and it’s important to offer our students the whole story. But never at the expense of repertoire, methodologies, or any form of knowledge. These things should never be sacrificed for any reason!

Let me know what you think! I’d like to hear your opinions on these matters, even if they may be different from my own (although I anticipate that we will agree on several points).

Kind regards,

Levi

From: Timothy Jackson <shermanzelechin@gmail.com>
Sent: Saturday, November 16, 2019 5:55 PM
To: Walls, Levi <LeviWalls@my.unt.edu>
Subject: [EXT] Re: Meeting

Dear Levi,

I presume that you are referring to Ewell's talk. I have not watched it yet because I suppose that I will find it difficult to put up with. In any event, perhaps a response in the JSS will be warranted.

I sent this note to other Schenkerian colleagues at UNT:

Dear Schenkerian colleagues,

Not everyone who attended the SMT was enthusiastic about Ewell's talk. I forward a comment I received today from a colleague with some Schenkerian chops:

"The talks at the plenary were demoralizing. I didn't really expect that much, but Philip Ewell's vitriolic attack on Schenkerism as the root of all white racism was disgusting.

He received a standing ovation. They need to read Richard Kramer's *Spectrum* review of the collection of Schenker's correspondence.

It's nice that Ewell cynically discussed intellectual anti-Semitism at the end of his talk, **without mentioning once that Schenker was a Jew, that all of his Jewish disciples had to flee, that those who did not were murdered by the Nazis (including Schenker's wife and most talented students, i.e., Angelika Elias) and that they were hated here when they arrived.** Instead, he accused them of institutionalizing racism in music theory, *precisely* because all of them abhor Schenker's political ideas."

I place in bold type some of the concerning comments.

When I was a student at CUNY, Saul Novack arranged for me to meet privately with Felix Salzer, who had recently retired from teaching because of the onset of dementia. Fortunately, when I visited him in his apartment, he was still almost completely lucid, and I spent the better part of a day just listening to him reminisce about his Vienna years, immigration to the US, studying with Schenker himself in the last year of his life. Later, after Salzer's death, I also met with his wife and had several long conversations with her about related topics. It is a pity that I did not record these discussions. During our conversation, Hans Weisse did not come up. However, I did discuss the topic of anti-Semitism with Weisse's daughter, who died some years ago, and that time I DID videotape the conversation. I need to dig out the tape and digitize it.

The fact of Schenker's Jewishness, and that of most of his students, came up repeatedly in all of these conversations in different contexts. It is of central importance to understanding the reception of Schenkerian Analysis first in Europe, in the period of the rise of Nazism, and then in early post-war America.

I need to listen to Ewell's talk before reacting. However, if it is indeed true that he does not mention Schenker's own Jewish identity, that raises questions.

This comment also came:

I have known about Schenker's repugnant political views for fifty years. At the time, Schenker's ideas about music were mostly inaccessible; Ernst Oster's translation of *Der*

freie Satz was not published until 1979, and there were few advocates of Schenker in American universities. There was no point in discussing Schenker's politics.

Schenker eventually became fashionable, but in a way that was not surprising—as William Rothstein said in 1985 at the Mannes Schenker conference—he was “Americanized.” His musical theories were transformed into “Schenkerian analysis,” and what Rothstein described humorously as “Schenker-flavored” techniques.

Ewell said that Schenker is the dominant music theorist in American university theory programs: “Schenker is our shared model, whether we study tonal music, popular music, or post-tonal music.” (2:23) Would Schenker have recognized the uses to which his theories have been put? Of course not; he would have rejected out of hand almost all of what passes for discussion of his ideas. Just think: Schenker as analyst of pop and atonal music.

To simplify: *The Jews are our misfortune.*

To summarize, Wittgenstein and Schenker participated in the same intellectual culture; eventually Wittgenstein was able to work through these problems in a more intelligent manner.

Ewell also dropped Kant's name in his discussion of intellectual anti-Semitism. This is a real problem, but it's important to note that Schenker's artistic elitism was a response to Kant's concept of the sublime [and NOT an expression of bigotry of any kind]. Aside from Kant's central position in German culture, he was an extraordinarily important figure for acculturated German Jews during the nineteenth century; plenty has been written about that.

Since politics is so important for the “new music theory,” theory programs should require one semester of modern European history, and one semester of modern Jewish history. They could, of course, have students study music as well - if they think it's really necessary.

Ewell's conclusions: Schenker's concepts of scale degrees and dissonance resolution is inherently racist. [*To study voice leading is racist*] (2:30) Study of Schenker's musical ideas has helped to legitimize harmful stereotypes about blacks and other people of color. (2:32) “Diversity” is a cynical strategy to reinforce inequality. (2:32) Reduce the study of Western music theory to two semesters (this would certainly solve a lot of problems, because then no one would even be able to attempt to study Schenker's ideas, which is apparently the point). (2:34) Scrap the German requirement for graduate students (ditto). (2:34)

If we critique the history of Western music, we will quickly find that almost everyone is guilty of virulent anti-Semitism and probably racism as well, not just Wagner. That doesn't mean that we should stop studying music.

What I would like to know is how Ewell's advocacy of Russian music theory—product of an anti-democratic and deeply prejudiced culture—helps to negate music theory's “white racial frame.” In my opinion, it just reinforces it. Other than Stravinsky, and, perhaps, Scriabin, how central is Russian music to the discipline? I would suggest, following the

logic of Ewell's "analysis" of Schenker, that the study of Russian music and music theory simply be excised from the curriculum.

Let's discuss all this.

Best wishes, Tim

With best wishes,

Tim

On Fri, Nov 15, 2019 at 10:40 AM Walls, Levi <LeviWalls@my.unt.edu> wrote:

I would also be very interested in discussing a particular Schenker paper from SMT. You've likely heard about it, as it caused quite a stir. I was very ambivalent about it because it suggested that analysis that utilizes levels of hierarchy is inherently racist, which strikes me as naive. Reinhold Brinkmann made a very similar claim about Lorenz, saying that his desire to have every part of a piece serve some structural whole was totalitarian (and obviously linking that idea to his political beliefs).

- Levi Walls

From: Walls, Levi

Sent: Friday, November 15, 2019 8:18 AM

To: Timothy Jackson <shermanzelechin@gmail.com>

Subject: Meeting

Dear Dr. Jackson,

Hope you are well! When would you like to get together to talk about Bach? Unfortunately, I haven't had any time to devote to Berlioz lately, as I've been swamped with classes and private teaching. But I would be happy to discuss the Passion in more detail. Of course, you've dedicated considerably more time to it than I have but I can surely follow you and share any thoughts/questions! At the moment, I can't leave Denton Thursday-Sunday because my wife takes the car to work all day. But I can travel Monday-Wednesday, or meet on campus any day.

Regards,

Levi

EXHIBIT III

**RESPONSE TO THE AD HOC PANEL REPORT DIRECTED TO
DISTINGUISHED UNIVERSITY RESEARCH PROFESSOR OF MUSIC THEORY
TIMOTHY JACKSON**

I. INTRODUCTION

This Response was requested of me, and me alone, by Provost Jennifer Cowley after a Report by an Ad Hoc Panel (Panel), which condemned me (but no one else) of editorial mismanagement. The Panel convened at the request of Provost Cowley and Dean John Richmond to investigate me and the *Journal of Schenkerian Studies* (JSS or the Journal) and issued various recommendations on November 25, 2020. The Response is organized as follows:

Section II presents a plan for reorganization of the JSS. This plan indicates what the JSS should adopt from the Report. Many suggestions identify common sense practices that the Journal has been following since its inception in 2003. Nevertheless, the Journal will benefit from codifying these practices and making them more transparent. In addition, a reform of the editorial structure is clearly necessary now because, unexpectedly and precipitously, the Journal has become the focus of an assault on academic freedom and free expression which render the position of any student or junior faculty editor untenable. This section also indicates those recommendations of the Panel that the JSS should respectfully decline and that I plan to remain on the editorial board of the JSS, albeit in a role that wards off accusations recently leveled at the JSS of alleged “power imbalance.”

Section III, IV and V use solid evidence, that was provided to the Panel but not considered, demonstrating that the Report is itself a pretext for viewpoint discrimination. I explain why the Report endorses the inaccurate and reductive claims, leading to defamation of me, that have circulated in social media, been promoted by the Society for Music Theory, and officially adopted by the Division of MHTE since the publication of a special Symposium in Volume 12 of the JSS.

Section III summarizes the broader cultural and ideological context surrounding the publication of the Symposium, which should have been, but was not considered by the authors of the Report. This involves the scholarly dispute addressed in Volume 12 between me, along with other Schenkerian scholars, and Dr. Philip Ewell of Hunter College in New York, who has accused scholars dedicated to Schenkerian analysis of “racism.” My opposition to Ewell’s view became the catalyst for petitions labeling me, the Journal, and the Center for Schenkerian Studies (Center) as “racist,” “institutionalized racism,” “whitewashers of music theory,” and other malicious slurs. Next, this Section III explains the genesis of the Symposium.

Section IV then explains the role of Levi Walls, the student editor of the JSS appointed April 22, 2019 (effective September 2019), and who was supervised by the outgoing Editor Dr. Benjamin Graf. Unfortunately, this must be addressed because of public claims, now perpetuated by the Panel, that I coerced Mr. Walls to publish “racist” content in the JSS. Rather than rely on social media accounts and hearsay, this section relies on evidence in contemporary emails of the JSS’s editorial staff. This evidence demonstrates that Mr. Walls’ claim to be “coerced” and to be some sort of “whistleblower” is simply untrue.

Section IV follows the editorial process from the first Call for Papers vetted by the Music Theory Faculty Drs. Ellen Bakulina, Diego Cubero, and Andrew Chung and the editorial staff of the Journal, which included Drs. Benjamin Graf, Stephen Slottow, Levi Walls, and myself. This pays special attention to Levi Walls' and the Panel's accusations of editorial "mismanagement," insinuating that I somehow forced Walls to publish articles against his will and even threatened him in my car.

Section V concludes with the illiberal assault on the JSS as well as with the process followed by the UNT, explaining why this has been a pretext for the suppression of academic freedom.

II. A PLAN FOR REORGANIZATION OF THE JSS IS NECESSARY

I propose to adopt four of the main recommendations of the Report as necessary for the survival of the JSS in order to assure that there is no perception of conflict of interests or "power imbalance." Unfortunately, this necessarily eliminates the opportunity for talented graduate students to gain the same experience that the Journal provided in the past, but the current climate has simply rendered this no longer possible. Before proceeding, I would like to summarize the accomplishments of the student editors of the JSS, in whose footsteps Levi Walls would no doubt have followed but for the current assault on the JSS for publishing unpopular viewpoints.

A. The Former Position of Graduate Student Editor

In terms of the history of the Journal, previous student editors were always outstanding graduate students interested in Schenkerian analysis, who could, through the JSS, gain editorial experience and network in the field for the purpose of training and promoting their careers. They enjoyed considerable leeway, and past editors Jennifer Sadoff Auerbach, Colin Davis, and Benjamin Graf had extensive autonomy. Levi Walls was somewhat of an exception, but not because he was subordinated to me. The exception was that Dr. Graf supervised and mentored him in his transition to editor.

This model has been a resounding success. With the exception of the first student editor, who left academics to start her own successful music business, all editors of the JSS have leveraged their experience to establish themselves in professional positions at universities and colleges, including Drs. Colin Davis, Alex Amato, Benjamin Graf, and (very soon) Dr. Jason Patterson.

Coincidentally, this was explained to the Chair Benjamin Brand on April 2, 2019, attached as **Exhibit A**. In April 2019, Dr. Slottow and I also raised the issue with Brand that the Journal should depart from this model and keep Dr. Graf as editor. Brand rejected this idea and insisted that we appoint a new graduate student editor, which led to the selection of Levi Walls. Dr. Brand did not raise any concerns over "power imbalances" at that time. This was, of course, before it was made clear that Journal editors would be subjected to remorseless attack and discriminated against on the basis of viewpoints published by the JSS's authors.

B. JSS's Plan for Reorganization Necessary to Confront Viewpoint Discrimination

There are several suggestions that the JSS will adopt in the interest of preserving a unique venue for serious Schenkerian scholarship. Working on such a plan in good faith, I propose the following:

- The JSS Will Publish Transparent Explanations of the Editorial Process

First, the JSS can certainly benefit by publishing a clear and transparent explanation of its editorial processes on the website of the Journal. Importantly, however, the Panel had no criticism of any reviewed scholarly publications that have appeared in the JSS since its inception almost 20 years ago.

- The JSS Will Restructure the Editor-in-Chief Position and Editorial Board

It is now absolutely necessary that the editor-in-chief be a full time, tenured faculty member whether at UNT or at an outside institution.

The current controversy demonstrates that the Journal can no longer succeed with a student editor. It must be protected from attack by the kinds of specious and untrue accusations that have been leveled against it -- and against me. Only a senior, tenured faculty member can withstand baseless accusations of “editorial mismanagement” when unpopular opinions are published.

I have solicited and received positive responses from the following respected Schenkerian senior scholars at other institutions, who would be happy to collaborate with me on formulating a new Editorial Board: Prof. Wayne Petty (University of Michigan), Eric Wen (Curtis Institute), Prof. Nicolas Meuus (The Sorbonne, Paris), Hedi Siegel (Mannes College of Music), and Prof. Kerri Kotta (Estonian Academy of Music). I have already extended an invitation to a potential Editor-in-Chief at another university. With their help and corporation, we can draw up a new editorial structure for the Journal going forward, which will be published on the website of the journal.

An Editorial Board of senior faculty and an Editor-in-Chief who will likewise be a peer, rather than a student, with strong expertise in the field of Schenkerian theory, will eliminate any controversy concerning “editorial independence.”

- Conflict of Interest Statements

The JSS can easily include a “conflict of interest” statement as recommended by the Panel whenever a member of the editorial board or the Editor-in-Chief publishes an article in its pages. However, every journal of any note publishes articles by members of its editorial board and occasionally by its editor-in-chief. In fact, it is usually a prerequisite that an editor publish at least at one time or another in a journal in order to be qualified to assume editorial duties. This is not ordinarily considered a conflict of interest but a demonstration that the editor is knowledgeable and competent to judge publications in the field, particularly in a specialized journal like the JSS. As the Panel is aware from the evidence provided to it, the JSS never handled publications by members of its editorial board in any special manner different from those of other publications. But an express statement of how such publications are handled can easily be included in the future to avoid controversy.

- The Journal Will Not Publish Anonymous Contributions in Future

The Report condemns me in particular and by extension, the Journal, for publishing a contribution anonymously. This is despite the fact that the Panel “acknowledges [this] is ultimately up to the editor” (p. 12). It is also self-evident why any active scholar in the field of Music Theory cannot

publish reasoned arguments defending Schenkerian analysis from spurious charges of “racism” without paying a steep cost in professional reputation. For younger scholars, this would also mean sacrificing career opportunity. The assault on the JSS and the example of Levi Walls’ confessional discussed below make this clear. The publication of one junior scholar’s response to Professor Ewell was therefore justified.

Yet there can be no serious dispute that the defense of Schenkerian analysis, as in any other field, will succeed best if scholars come forward and engage their peers rather than remain anonymous. Furthermore, although thankfully, the anonymous author in Volume 12 remains anonymous, the JSS should not incur any potential liability or take risks to safeguard the anonymity of authors. The Journal will therefore commit itself to publishing only contributions under the name of the author in the future. The single anonymous contribution in the Symposium, although valuable, was the lone exception to this general policy that the JSS had observed since its inception.

- The Journal Reserves the Right to Engage in Free and Open Exchange of Ideas with or without Peer Review

Peer review of the Symposium in Volume 12 would have undermined its purpose, which was to express the unmediated responses of established scholars to the attack on Schenkerian analysis as so-called “systemic racism” in a plenary talk before the Society for Music Theory by Professor Philip Ewell in November 2019. The JSS has also published a “Festschrift” in the past, also without peer review, for much the same reason: this was to be the unmediated explanation of the influence that the distinguished scholar Edward Laufer had on their careers and thought. Importantly, no objection was raised at that time to this practice. This practice is not uncommon in scholarly journals. The Panel makes a distinction between “commentaries” and “symposia,” and suggests that I disingenuously tried to present the Symposium as a Commentary, which is untrue. I have used these labels interchangeably, as well as “responses.” The Panel provides no basis in the standards of COPE or other authorities other than their own opinions for this distinction. Given the pretextual nature of the Panel’s attack on me, the Journal will not for that reason alone limit itself to such a narrow conception of scholarly discourse.

At the same time, the Panel makes a useful suggestion concerning the Symposium, however. Should the Journal elect to publish a Symposium (or “Commentary”) in the future (which will always represent the exception rather than the rule), the JSS should publish a brief explanation for the Symposium and how the process for reviewing submissions are handled. This would serve the interests of transparency as the Panel recommends.

III. BACKGROUND TO THE CONDEMNATION OF VOLUME 12 AS “RACIST” OMITTED BY THE PANEL

A. Philip Ewell’s and the SMT’s Condemnation of Schenker, Schenkerians and Schenkerian Theory as “Racist”

On November 7-9, 2019, Dr. Philip Ewell of Hunter College in New York delivered a plenary address at the Society for Music Theory (“SMT”). There was no “response” invited or allowed to this plenary address. Dr. Ewell delivered the plenary address as a policy statement of the SMT.

This is ironic, because the SMT's first principle of "ethics" reads as follows: "The Society for Music Theory upholds and promotes the following basic principles of ethical conduct in our profession ... freedom of inquiry and the widest possible access to information of use to scholars." (See https://societymusictheory.org/administration/ethics_policy.)

Dr. Ewell's talk, "Music Theory's White Racial Frame," can be found here: <https://vimeo.com/372726003>. Put simply, Dr. Ewell condemns music theory as "racist" to the extent that it continues to teach the tradition of Western music rooted in the great achievements of composers like Johan Sebastian Bach, Ludwig van Beethoven, Wolfgang Amadeus Mozart, to name only some of the most well-known. There are many others. Because there is an underrepresentation of black students in music theory programs, according to Dr. Ewell this is incontrovertible evidence that this tradition is "racist."

In particular, Ewell singled out Heinrich Schenker, the namesake of the Journal and Center. He contends that Schenker was a "virulent racist." By association, he accuses scholars who have promoted and established the study of Schenker in the United States of being equally "racist;" moreover, he argues, they have conspired to conceal Schenker's racial supremacist views.

Heinrich Schenker was an Austrian Jew born in 1868 into a family of Talmudic scholars in the pale of settlement at the contested periphery of the Austrian and Russian Empires. By the end of his life, he had moved to the Austrian capital city and the capital of classical music, Vienna. Typical of many Jews who traveled this path of assimilation after the European Enlightenment, Schenker had a deep love of German culture. He was undoubtedly a German cultural supremacist and sometimes obnoxiously so. At the same time, he was forever excluded by Germans and Austrians due to anti-Semitism. However much Schenker's love of German culture and Western classical music nurtured his system of music theory, he was never considered a proper Austrian (let alone German). He suffered racism firsthand through pervasive anti-Semitism, including from other well-known musicians. He also experienced racism directly rather than as "implicit bias." He died in 1935, just three years before the National Socialist annexation of Austria. His wife, many of his students, and family members were subsequently persecuted and perished in the Holocaust. Remarkably, at the end of his life, he was full of hope for the power of music to reach across human hatreds and unify humankind. He declared: "*[M]usic is accessible to all races and creeds alike. He who masters such progressions in a creative sense, or learns to master them, produces art which is genuine and great*" (emphasis added).

B. Volume 12 of the Journal Addresses Ewell's Plenary Talk to the SMT

Given that Schenker and the serious study of music theory is the very reason for the existence of the Journal and Center, the editorial staff of the Journal including Dr. Slottow, Dr. Graf, and Mr. Walls, felt that a response should be made to Professor Ewell's plenary address to the SMT in an open and honest forum. After many suggested revisions, there was a consensus on the text of the Call for Papers. See **Exhibit B** and **Exhibit C**, provided to the Panel.

As a result, the JSS published a Symposium in Volume 12 in July 2020. The Symposium expressed various unmediated viewpoints by established scholars on Dr. Ewell's idea of the "White Racial Frame," including five contributions positively disposed towards Dr. Ewell.

As explained in more detail below, publication of the Symposium was relatively swift by academic standards. The editorial staff with the participation of theory faculty from UNT worked out a call for papers which was sent through the server list of the SMT, including to Dr. Ewell, on 31 December 2019. All submissions were received by March 2020. Publication was then delayed by the COVID-19 pandemic. Volume 12 did not appear until July 24, 2020.

Upon publication, Ewell's supporters immediately began to demand my firing and cancellation of the Journal and Center. Ironically, however, all opinions expressed in Volume 12 fall within the mainstream of American discourse. My arguments in response to Dr. Ewell draw on my forty years of experience in music theory more generally, the work of Heinrich Schenker specifically, and painstaking work at the intersection of Jewish identity and the arts. My critique was an analysis of how race and music are complex and multidimensional, and that whiteness is not a monolithic construct, as in the case of Schenker, I demonstrate that his Jewishness complicates a reductive construction of whiteness and the extent to which antisemitism may implicitly, if not explicitly, underlie such unnuanced constructions of Schenker's legacy.

My contribution in particular was singled out for the harshest criticism for suggesting that music theory is not successfully recruiting black students because very few black students from an early age are introduced to the appreciation of the classical musical tradition. I called for additional resources to be dedicated to that effort. My critics, however, condemned my call for additional resources to be dedicated to the education of underprivileged minorities "racist."

IV. THERE WAS NO COERCION OF THE EDITORIAL STAFF BY ME: THE GENESIS AND PUBLICATION OF THE SYMPOSIUM

The Report attacks my personal and academic integrity, reputation, and freedom chiefly by misrepresenting the facts concerning the publication of the Symposium in Volume 12 of the JSS. These facts are demonstrated by contemporaneous emails between myself, Dr. Benjamin Graf, Mr. Levi Walls, Prof. Stephen Slottow, and others. I provided these to the panel, and they are attached here as **Exhibit B** and **Exhibit C**. Yet this documentation was dismissed by the Panel as "only generally discuss[ing] the special section in Volume 12." In fact, these emails demonstrate exactly how the Symposium project was handled, and handled responsibly, from Mr. Walls' first suggestions that the JSS host a response to Ewell's keynote address to the SMT through its publication.

The contemporaneous emails conclusively prove the following points on which this Response will now concentrate:

- 1) There was no "whistleblowing,"
- 2) There was no coercion or domination of the editorial staff by me,
- 3) I did not corral Mr. Walls in my car in what is insinuated to have been a gangster-like effort to repress his control of the Journal or his will to censor allegedly "racist" views,
- 4) Prior to the public assault upon me and the Journal, Dr. Graf, Mr. Walls and the whole editorial staff supported and shared in the open scholarly critique of Professor Ewell,

- 5) Dr. Graf and Mr. Walls changed their position only after the SMT's assault on the project (and UNT's division faculty and graduate students' condemnation of me and JSS, Volume 12),
- 6) Every member of the editorial board, including the student editor Levi Walls, commented on my contribution, and I accepted their criticism.

A. Levi Walls' Denunciation

An accurate account of these events should begin in the middle, with Student Editor Levi Walls. Mr. Walls was hired as an Assistant Editor of JSS on April 22, 2019, effective September 2019, to be supervised by the existing Editor Dr. Graf. The Report suggests that only my students are appointed editor, making them somehow dominated by me. Yet, as clearly known to the Panel, Chair Benjamin Brand, and others, Mr. Walls elected to do his dissertation with me *over a year after* he was appointed editor and was completely free to choose another dissertation advisor.

On July 27, 2020, Mr. Walls, posted the following public statement on his Facebook page, which is attached as **Exhibit D**.

I have written the following statement in an attempt to share my experiences and shed light on the situation regarding the Journal of Schenkerian Studies. Furthermore, the purpose of this statement is to emphasize how deeply sorry I am for my involvement in the journal....

For the first few months, the job seemed fine, as I got to work with three articles on various topics, typesetting and offering clarity-related edits. However, after Philip Ewell's SMT presentation, Timothy Jackson decided that it was the responsibility of the journal to "protect Schenkerian analysis, [sic.] Although—after serious thought—I essentially agreed with Ewell's talk, it was not up to me what did or did not go into the journal. After seeing some of the responses, I started to become incredibly worried. I gave comments to one author, including that they seemed to devalue other fields of study, that they cherrypicked information to make Schenker appear in a better light, and that they confused cultural appropriation with egalitarianism. Shortly after, I was told by Timothy Jackson (my superior in at least three senses: a tenured faculty member who ran the journal and also served as my academic advisor) that it was not my job to censor people. After this, things continued to go in a direction that I found to be disgusting.

I set up a secret meeting with my department chair, specifically acknowledging that I was coming to him as a whistleblower because I was worried about the potential dangers that the journal posed for the College of Music and for rational discourse in music theory. My warning was not heeded and—although I feel that he had the best of intentions—he expressed reluctance to step in and control the actions of the journal. Furthermore, after my warning that Dr. Jackson was woefully ignorant about politically correct discourse and race relations, he rebutted that "Dr. Jackson did very well in the recent diversity and inclusion workshops."

After this, I feared that I would remain powerless and voiceless ... Despite this—as well as my worry about losing the financial means to support my family—I am ashamed to say that I stayed in the position. I continued to do the administrative tasks assigned to me, to typeset the articles, provide basic copyediting, and to correspond with authors about their edits via email. Eventually, I read Timothy Jackson's response, which left me dumbfounded by its disgusting and harmful rhetoric. Even after that, I feared to do anything other than grin and bear a job that I knew was harmful to UNT, the field of music theory, people of color, and basic human decency. For that cowardice, I am truly sorry.

Sincerely,

Levi Walls

In this denunciation of me (and his own work), Mr. Walls remade himself, in his own words, as someone who understood “politically correct discourse and race relations” and a “whistleblower.” The Report reproduces this in even more lurid terms, suggesting that I was somehow a gangster-like figure:

Mr. Walls reported to the panel that he raised concerns to Dr. Jackson about the content of the pieces as well as the quality of writing in February 2020. He stated that after raising concerns, he was taken into Dr. Jackson's car, where Dr. Jackson told him that it was not his “job to censor people” and was told not to do it again.

(See p. 8.) The Panel Report also claims, without producing any evidence, that Mr. Walls “said he shared these concerns with Dr. Benjamin Brand (the Division Head of MHTE) and Dr. Graf, and then directly with Dr. Jackson. However, he said these concerns were dismissed by Dr. Jackson” and that “Dr. Brand confirmed this meeting with Levi Walls when we interviewed him. Dr. Graf confirmed the existence of email communications between him and Mr. Walls about Mr. Walls' concerns.” See p. 8 and n. 8. These emails were never shared with me, nor to my knowledge, with Dr. Slottow.

The problem with the Panel's and Mr. Walls' "whistleblower" account is that it is counterfactual and contradicted by the paper trail of the Journal's internal correspondence. I have asked UNT to allow me to disclose these emails to defend myself against the malicious defamation of Mr. Walls and, now, by the Panel. UNT, however, forbid me expressly from doing so because Mr. Walls' education records are protected by the Family Educational Rights and Privacy Act. On October 14, 2020, the attorney of UNT, Reynaldo Stowers, wrote: “Dr. Jackson is not authorized to disclose information from any UNT student's education record” even though Walls, and now the Panel, have put the substance of these records at issue. See his letter attached here as **Exhibit E**. Yet in the meantime, the Panel has selectively disclosed personal identifying information concerning Mr. Walls' work on the Journal and made statements about supposed communications with me and others by publishing the Report. UNT now uses FERPA as a sword, rather than a shield of confidentiality; it insists that I remain unable to defend myself and cannot show what these individuals said at the time. This is another example of the pretextual nature of the Panel's work and of UNT's retaliation against me for publishing unpopular viewpoints in Volume 12.

B. What Really Happened: The Symposium Originates in Email Discussions with Mr. Walls

One obvious falsehood that the internal correspondence clearly shows is that I somehow forced my ideas upon Mr. Walls, Dr. Graf, or any other graduate student or junior colleague. At no time did I censor Mr. Walls' ideas.

Shortly after Professor Ewell delivered his plenary address, Mr. Walls asked to meet with me to discuss the presentation at the SMT. On November 15, 2019, Mr. Walls wrote:

I would also be very interested in discussing a particular Schenker paper from SMT. You've likely heard about it, as it caused quite a stir. I was very ambivalent about it because it suggested that analysis that utilizes levels of hierarchy is inherently racist, which strikes me as naïve.

Mr. Walls' first impression of Professor Ewell's plenary address was thus not to "essentially agree[] with Ewell's talk," but to consider Ewell naïve. These emails are attached to this Response as **Exhibit B** and previously provided to the Panel.

In that first week after Professor Ewell's plenary talk at SMT, I had not yet listened to his talk and had not attended the SMT conference that year. I learned about it, among other sources, from Mr. Walls. I wrote back to Mr. Walls on November 16, 2019:

The fact of Schenker's Jewishness, and that of most of his students, came up repeatedly in all of these conversations [between me and Schenker's student Felix Salzer] in different contexts. It is of central importance to understanding the reception of Schenkerian Analysis first in Europe, in the period of the rise of Nazism, and then in early post-war America. I need to listen to Ewell's talk before reacting. However, if it is indeed true that he does not mention Schenker's own Jewish identity, that raises questions.

See **Exhibit F**. Mr. Walls then laid out his views of Ewell's talk. He suggested that we might both agree and disagree, noting: "I personally carry an extraordinary amount of white guilt and disgust for the state of my own country's politics. Despite these caveats, and the fact that Ewell and I obviously share political views, I find some of his points to be extremely suspect." See **Exhibit F**.

I responded, mentioning that my children, like Mr. Walls own daughter, are mixed-race, and we began to discuss race:

As you know, my children are also mixed race: 'white' and Asian (Korean). I put 'white' in quotes because many Jews don't consider themselves to be 'white-white.'

See **Exhibit G**. I also sent a reference to "Blacks, Whites, and Anti-Semitism," Lee Sigelman, The Sociological Quarterly, Vol. 36, No. 4 (Autumn, 1995), pp. 649-656, discussing Black anti-Semitism in America. On November 18, 2019 Walls replied:

Yes, the [Ewell] paper's willful ignorance of Schenker's Jewish identity is indeed troubling. That seems to mark it as implicitly antisemitic, at the very least. I think

that, had he limited his criticisms to Schenker the man, it would have been slightly less problematic. But his claim that the entire theoretical world view—and by extension those who helped spread it—is racist becomes very problematic when we consider the intimate connection between schenkerian [sic] analysis and the Jewish identity. I think that it is possible to address biases in Schenker studies (and academia in general) and advocate for increased transparency without demonizing an entire methodology (especially one with strong Jewish roots). Ewell's talk certainly failed in that regard.

See **Exhibit H**. Clearly these were not the words of a coerced student editor who “agreed” with Ewell but was forced to publish views of critical of Ewell against his will. They were the words of a spirited and freethinking student exploring ideas of race in music theory. The idea for the symposium grew out of this free exchange of ideas.

On November 19, 2019, I watched Professor Ewell's plenary speech to the SMT and again took up the issue with Mr. Walls again:

It occurred to me that it might be appropriate for the Journal to solicit responses to Ewell from a number prominent Schenkerians - if they would be willing to reply - and publish a small collection. What do you think of this idea?

In my view, some of Ewell's comments about Schenker are an example of intellectual dishonesty. I believe that this contention should be - politely - proven, and a “Response” to be justified and appropriate.

See **Exhibit B**. My original proposal was to solicit comments on Professor Ewell's plenary address only from Schenkerian scholars, whom he had more or less accused of being racist by virtue of valuing Schenker. Mr. Walls then proposed the following on November 19, 2020:

I agree that a response in the JSS would be very appropriate. It would be nice to have it for the upcoming issue, although it is very forthcoming (around mid-December). A response in issue 13 would of course be quite late.

Did you have any particular schenkerians [sic] in mind? Dr. Graf and I can discuss some candidates tomorrow at our weekly meeting and get requests out as early as tomorrow evening. Perhaps we should also set a page limit for each respondent, though we have room in the upcoming issue, so I don't think there's any need to be particularly restrictive.

See **Exhibit B**. Thus, contrary to the Report, this internal correspondence sheds quite a bit of light on the internal processes of the Journal. It shows that the Symposium project was born of a joint commitment of Mr. Walls, myself, and the other editorial staff to responding to Professor Ewell's condemnation of the Journal's subject matter as “racist.” There was no domination of Mr. Walls; in fact, he suggested the budding Symposium be included in Volume 12.

C. The JSS Solicits Responses from the Entire SMT, Including Professor Ewell

It is one of the most persistent misrepresentations about the Symposium, from the earliest so-called “petition” forward, that Professor Ewell was not invited to participate. In retrospect, it would have perhaps been preferable to invite Ewell personally, but it is simply untrue that he was not invited. He received the Journal’s Call for Papers but chose not to respond. As the editorial staff worked collectively toward the Symposium, we sent the Call for Papers because we felt it would be one-sided to solicit responses only from Schenkerians. The JSS and Center has always been committed to open discourse rather than the repression and censorship of others’ viewpoints.

In the meantime, however, Professor Ewell has said in the media and elsewhere that “I won’t read them [the Symposium papers] because I will not participate in my own dehumanization.” See e.g., https://dentonrc.com/education/higher_education/a-unt-professor-challenged-claims-of-racism-in-music-theory-and-now-hes-facing-the/article_e7cdab75-c6cb-5972-878d-fea7e2fb8b9d.html. Sadly, this refusal to engage in open scholarly discourse with colleagues begs the question, what obligation should a Journal have to an individual who not only condemns its very existence and subject matter as “institutionalized racism” but also refuses to engage in reasoned discussion? In other words, what would have been the point of inviting Professor Ewell, whether personally or not?

As outlined above, the editorial staff drafted the call for papers inclusively, drawing upon all of the following faculty at UNT, Drs. Ellen Bakulina, Diego Cubero, Andrew Chung, Stephen Slottow, Benjamin Graf, Levi Walls, and myself. With the exception of Professor Slottow, all of these individuals later signed some form of the petitions calling for my cancellation, the demise of the JSS, and Center. As the internal correspondence of the Journal shows, however, not one of these individuals, including allies of Dr. Ewell within the MHTE such as Professor Ellen Bakulina, raised the idea that Professor Ewell needed a personalized invitation. It simply did not come up. Nor did anyone object to the editorial structure of the Symposium or the review process during the entire process, even though there were plenty of opportunities to do so. As with Levi Walls, those who eventually turned on the JSS, did so only after the SMT and UNT began to clamor for its censorship.

It should also be noted that no standards of COPE or elsewhere **require** that a keynote presenter or other subject of a Symposium be invited to respond. The Panel cites no standards requiring personal invitations for responses.

In terms of scheduling, the JSS already had three peer-reviewed articles in the pipeline, and Volume 12 was scheduled to be published in March 2020 (about whose publication processes the Report expresses no criticism, but these were not focused on the issue of Ewell’s “white racial frame”). By December 5, 2019 we were ready to send out the call. Dr. Bakulina, a professional friend of Professor Ewell’s who had invited him to campus to speak, raised the question as to whether we should wait for Volume 13 given the possibility that another version of Ewell’s talk might be published later. I responded, echoing the student-editor Levi Walls’ earlier concerns about timing, “if others are interested in responding but wish to wait for the published version of Ewell’s talk, then they are welcome to do so, and we should be open to publishing additional responses to that version in a subsequent issue (after the upcoming one) of the Journal of Schenkerian Studies.” See **Exhibit C**. Benjamin Graf responded, “I agree with Tim. We should go forward with the call and be open to publishing more on this matter in future publications.” Id.

As this internal correspondence makes clear, had Professor Ewell ever decided to respond to anything published in the JSS, this would have been treated in the same manner as any other Symposium submission and published.

The JSS collectively decided to submit the call for papers to the entire SMT List. I wrote:

To close out this discussion of the Call [for Papers], I want to draw attention to my own comment on Dec. 3: “We still have to address the issue of why the JSS in particular is asking for responses. I thought that Andrew's point was very well taken, namely that we don't want to be seen to be disagreeing with Ewell's broader point of advocating inclusion of different ethnicities in the discipline of music theory, which I assume that we all support and is not contentious, at least here, but rather focus on his central example of racism in music theory, namely on Schenker, Schenkerian scholars, and Schenkerian analysis. As you know, independently I came to exactly the same conclusion as Andrew. We need to judge the call carefully, and make it clear that Ewell's hypothesis of Schenkerian racism is the primary focus.

See **Exhibit C**. Again, my comment—which everyone agreed with—shows that the primary motivation was not to dispute the need to include underprivileged racial and ethnic minorities in music theory, but to discuss Ewell's denunciation of Schenker and Schenkerians as contributing to “systemic racism” and his charge that Schenkerian methodology itself was “racist.” Far from presenting themselves as members of some sort of “resistance,” junior members of the editorial staff such as Dr. Graf and Mr. Walls were full participants. Their contributions were valued and, in most cases, adopted.

The Call for Papers is attached as **Exhibit I**, which the JSS sent to the entire SMT. I note that the Panel expressed no criticism of its language, the process of its formulation, or its dissemination to the SMT, including to Professor Ewell.

D. Whistleblower Levi Walls

The idea that Mr. Walls was some sort of “whistleblower” is, of course, a blatant misrepresentation disproven by numerous contemporary emails made available to the Panel, but knowingly perpetuated by the Panel in spite of the evidence. Indeed, the Report foregrounds this defamatory story that Mr. Walls was somehow forced to accept manuscripts against his will and even “taken into Dr. Jackson's car, where Dr. Jackson told him that it was not his ‘job to censor people’ and was told not to do it again.” (p. 8.)

As we began to receive submissions, Mr. Walls wrote on January 9, 2020:

Would you be so kind as to send us the Ewell responses you have gotten thus far? Of course, we understand that they may need to be workshopped a bit, so it would be best to get an idea of what we are working with. As we discussed previously, the content of responses will be kept confidential until such a time as they are deemed ready. It goes without saying that there are good ways and bad ways for these responses to be framed, and it will be important for us to screen them for

tone and misinformation (*lest we allow the JSS to fall into some of the same pitfalls that Ewell himself fell into*).

See **Exhibit J** (emphasis added.) I shared responses of Schenkerians critical of Professor Ewell that I had received at this time, namely those of David Beach, Charles Burkhardt, and Nicholas Cook. All four members of the editorial staff, Professor Slottow, myself, Dr. Graf and Mr. Walls agreed that our task was to edit for tone but not to censor, whether responses were pro or con, as they came in. This is precisely the tenor of Mr. Walls correspondence prior to the supposed “coercive” meeting he alleges took place in my car. Furthermore, although I shared the pro-Schenker manuscripts I had received by this time, no one voiced any concerns about them. It was the responsibility of all four members of the editorial board to read all responses, which they all received. The Panel faults me alone for some (Slottow and Graf) who later claimed that they did not do their job and review them. But my assumption was perfectly reasonable that everyone had done their due diligence in reading all of the responses prior to final submission to UNT Press. In addition, all members of the editorial staff worked on the introduction to the Symposium, first drafted by Mr. Walls. Yet I alone was singled out for alleged editorial mismanagement for these as well.

After going through the entire editorial correspondence and my personal correspondence with Mr. Walls, I have found only one example where Mr. Walls and Dr. Graf asked me a question about censoring content. This email was also provided to the Panel but was ignored. The reason seems obvious: it does not show any intent to censor content favorable to Professor Ewell. It does not fit the narrative of “editorial mismanagement” that UNT has determined to fasten upon me.

Mr. Walls and Dr. Graf asked not whether to condemn and exclude *pro-Schenker* statements critical of Professor Ewell but whether we should publish *pro-Ewell, anti-Schenkerian* viewpoints. In his email dated February, 13, 2020, which must have been within days of our meeting in my car, which I will explain briefly below, Mr. Walls states:

Dr. Graf and I were wondering what your thoughts were concerning the submissions from Clark, Beaudoin, and Lett. As you may have seen, these responses are (at least) implicitly anti-Schenkerian. *Despite disagreeing with much of what they have to say* Dr. Graf and I think it is important to publish these responses along with the others that we have received (Wiener, Pomeroy, Wen, Cadwallader, etc.). We wouldn't want the JSS's account of the debate to appear one-sided, and having a mixture of opinions will lend more credibility to those responses that we do agree with. Just want to check in with you before we proceed! And thank you for all your time and effort in getting responses from prominent names in the field!

Exhibit B (emphasis added.) As Mr. Walls makes clear in this email, his concern was with any perceived censorship of pro-Ewell contributions, which he expressly disagreed with. This was the only context in which censorship came up. Of course, I agreed with Mr. Walls, as was the consensus among all the editorial staff.

Again, the issue was not forcing Mr. Walls to accept pro-Schenkerian papers against his will; the issue was to abide by the standards of open scholarship and publish viewpoints even when Mr. Walls disagreed “*with much of what they have to say*.” The Panel Report turns this discussion on its head, disregarding the proof in the emails that Mr. Walls was obviously misrepresenting the facts

as they actually occurred. (As this email also makes clear, and contrary to Dr. Graf's statements to the Panel, Dr. Graf had indeed read at least seven of the responses by that date. By later claiming that he had not read all of the responses, Dr. Graf was insinuating to the Panel that he had not read contributions critical of Ewell.

E. Mr. Walls Meeting with Chair Benjamin Brand Could Not Have Been About "Whistleblowing"

I knew from Mr. Walls' public apologia on Facebook that he claimed to have met with Dr. Brand as a "whistleblower." I had no way of knowing when until a recent communication with Dr. Brand. I learn from him that this meeting took place on January 13, 2020. I myself met with Dr. Brand on January 14, 2020, the day after Walls. Brand never mentioned his meeting with Mr. Walls the day prior.

Walls therefore met Dr. Brand only four days after he had written to the editorial staff, "It goes without saying that there are good ways and bad ways for these responses to be framed, and it will be important for us to screen them for tone and misinformation (lest we allow the JSS to fall into *some of the same pitfalls that Ewell himself fell into*)" (emphasis added). In a phone conversation on December 1, 2020, Dr. Brand stated, "When I met with him (Levi), he did not claim to have seen them (critical responses to Ewell). In fact, he explicitly stated that he had not." So there is no way Mr. Walls could have "blown" the "whistle" on papers he had not even seen.

Mr. Walls and Dr. Graf did not see the first version of one of the most pro-Schenker pieces until later, because it came in January 29, 2020 (by Dr. Barry Wiener), and I did not circulate my own first draft until March 5, 2020. I bring this up only because there is no way that Mr. Walls could have seen the most polemical anti-Ewell pieces, especially my own, prior to his so-called "whistleblower" visit to Brand. Why would the chair of the department, Dr. Brand, not raise such a serious issue? The simplest explanation is the correct one: there was no "editorial misconduct" to blow the whistle on and no "whistleblower" communications have ever been disclosed.

Thus, there is also another reason he could not have "blown" a "whistle" to Dr. Brand on January 13, 2020. The timing simply does not add up. In particular, at the time of the meeting with Brand (January 13, 2020) and with me in my car (February 7, 2020), he could not have objected to the content of my own response or some of the other pro-Schenker/anti-Ewell responses because he would not have been able to read them until a significantly later date. The Panel Report does not address the plain evidence of this fact.

F. The Meeting in the Car

I did meet with Walls in my car, probably on Feb. 7, 2020. This was nothing like how Mr. Walls now presents it.

The incident occurred as follows: Towards the end of that day, I met Walls by chance in the parking lot opposite the main Music Building at UNT. It was the week after he had delivered a paper on Berlioz's opera *Les Troyens* at the UNT Graduate Student GAMUT Conference on Feb. 1, 2019. As is all too common in North Texas, all of a sudden it started raining heavily. Walls and I were both standing there right next to my car, so I offered, "why don't we just sit in my car for a minute rather than getting soaked."

Our main purpose was not to discuss the Journal at all, but to speak about Walls' conference presentation the previous Saturday. Indeed, after Walls finished his masters thesis on Bertin's opera under my direction, I thought that it would be beneficial for him to study Berlioz's *Les Troyens*, and therefore, I had proposed that he analyze this opera under my guidance. Walls had chosen to work on this project with me over the previous summer. In any case, the only thing that I recall saying to Walls that late afternoon in my car about the Journal was to apologize that I had not yet sent him, Dr. Graf, and Dr. Slottow, all of the Responses that I had been collecting, including my own. At no time during that conversation, either before it or subsequently, until his Facebook apologia of July 27, 2020, did Walls express concerns about censoring opinions favorable to Schenker. As his email of February 13, 2020 demonstrates, we discussed *including*, not excluding, anti-Schenker, pro-Ewell viewpoints, and we agreed these *should be included*.

On February 5, 2020, two days before the meeting in my car, Mr. Walls had also sent Dr. Barry Wiener, one of the other most pro-Schenkerian contributions, a message from the Journal's editorial email, telling him,

Hi Barry, Congratulations! We like your response and would be happy to include it in the upcoming JSS, with the possibility of some revisions. We've included some comments on your response that you may wish to address. It is not a "must change" situation, but merely some suggested things to think about. ... We can give you a week to make any changes you think appropriate (by midnight on Feb 12) and, of course, feel free to email me about questions/concerns you may have. Don't worry about the 3000 word limit as you make any adjustments, just try to keep it under or near 4000 and it will be fine. Thanks very much! Regards, Levi Walls

See **Exhibit C**. Given the voluminous emails exchanged amongst the editorial staff, it is simply inconceivable that a subject as explosive as censoring allegedly "racist" contributions would have gone undiscussed. Furthermore, if he had concerns about my "editorial misconduct," Mr. Walls could have turned to Dr. Slottow, but he never did.

G. Publication of the Symposium

The JSS, Volume 12 was ready for publication by approximately mid-March 2020. Due to COVID-19 and other factors, it was not released by UNT Press until around July 24, 2020. Vicious attacks on the JSS, upon me personally, and upon the Center erupted immediately. These attacks were orchestrated by Professor Ewell's supporters in the SMT, especially those centered at the University of Michigan where the leadership of the SMT is on the faculty. The University of Michigan Department Chair of Music circulated emails encouraging everyone to sign on, as did important figures at other universities such as CUNY, Yale, and Indiana University.

Ironically, the Report sees no reason for publishing one contribution in the Symposium (from a younger scholar) anonymously. But the reason is self-evident: there was a lot of coercion. I have personally received correspondence from other members of the University of Michigan faculty indicating they were coerced to join in the condemnation of me and the JSS, and that they felt exposed if they did not condemn all of Schenkerian studies as "racist."

I attach one email as **Exhibit K**, sent to me anonymously under a pseudonym for reasons explained by the author, reasons that are also self-evident. The author perfectly captures the illiberal atmosphere promoted by the supporters of Professor Ewell:

Hey I'm writing this email anonymously I registered a new email for this. I'm sorry I signed that letter [i.e. the SMT petition] too. I resisted signing it but my advisor is super involved in this (one of the most active people) and everyday he checks that letter to look for people he knows. My name is among one of the last ones. I saw that pretty much everyone signed, so for a moment there I thought "he's got tenure but I still need to build a career" I'm sorry I been feeling like a coward since I signed I'm so weak and I owe you one. I'll remember that I owe you one and I'll make it up to you some day

A few more things:

Even last year at SMT I didn't agree with prof Ewell's plenary but I ended up standing up and clapping anyway. When you're in the middle of a standing ovation it's kind of hard to remain seated, especially when you're surrounded by people who know you... I did resist the standing ovation for as long as I could and was probably the last person who stood. Even then people looked at Me all mean. Just saying I do despise myself but not as much as I despise the dozens of people who were involved in the making of the journal but later posted on the internet and blamed it ALL on you. "Jackson made me do it" says the editor the vice editor the authors ... all these people! who are you, the president? Did you kidnap their families? It's ridiculous.

This comment shows that coercion that is stifling free expression extends far beyond UNT.

V. THE AFTERMATH

A. UNT Faculty and Graduate Students Endorse the Society for Music Theory's Call for Censorship

The very act of publishing a Symposium with any contributions critical of Professor Ewell was immediately denounced as "racist," including by the SMT -- in open violation of its principles of ethics. An SMT petition calling for my cancellation and the demise of the Center and Journal can be found appended to the Report as Exhibit 2. Ironically, one of the chief complaints is that the Journal published one contribution anonymously, yet this SMT petition was organized anonymously, something the Report declines to mention.

Some graduate students at UNT quickly followed the SMT, circulating a petition likewise condemning free and open scholarly debate as "racist" and calling for me and my life's work to be canceled. The Report appended this as Exhibit 3. The UNT students' petition demanded, among other things, that UNT:

Hold accountable every person responsible for the direction of the publication. This will involve recognizing both whistleblowers and those who failed to heed them in this process. This should also extend to investigating past bigoted

behaviors by faculty and, by taking this into account, the discipline and potential removal of faculty who used the JSS platform to promote racism. Specifically, the actions of Dr. Jackson—both past and present—are particularly racist and unacceptable.

Finally, almost the entire faculty of the Division of MHTE retaliated against me, in clear violation of UNT's rules and policies that safeguard academic freedom. Seventeen faculty endorsed the graduate student petition. The Report appended the faculty's demands for cancelation as Exhibit 4, which basically parrots their students' rhetoric.

This was an express call for viewpoint discrimination and was a violation of UNT policy. Based solely on the kinds of accusations made in the petition, the majority of the division faculty signed it, *including* faculty who had participated in conceiving Volume 12—essentially condemning their own documented record of extensive participation in its realization.

It did not matter that this type of reaction directly violated UNT's policies and rules. Instead, there was a rush to judgement. The faculty and student petitions were drawn up and signed within just a few days. And no sooner did the call go out for me to be fired, the Journal to be eliminated, and the Center to be closed, than Dean John Richmond issued the following statement on July 31, 2020:

The University of North Texas College of Music has begun a formal investigation into the conception and production of the twelfth volume of the Journal of Schenkerian Studies, which is published by the Center for Schenkerian Studies and UNT Press. The University, the College of Music, and the Division of Music History, Theory, and Ethnomusicology reaffirm our dedication to combatting racism on campus and across all academic disciplines. We likewise remain deeply committed to the highest standards of music scholarship, professional ethics, academic freedom, and academic responsibility

This email is attached as **Exhibit L**. Thus Dean Richmond unambiguously announced an investigation of me and the Journal less than a week after its publication.

Dean Richmond made clear that this was a direct response to the viewpoints expressed in Volume 12, which had somehow transgressed what he and others perceived as “dedication to combating racism on campus and across all academic disciplines”—without ever identifying exactly how or why what was published in Volume was somehow “racist.” Rather than protect scholarly debate on these issues or call for evidence, the faculty, Dean Richmond, and UNT's administration all rushed to judgment, calling for me and the Journal to be investigated in the name of “combating” racism. The Ad Hoc Panel was the eventual result of Dean Richmond's “call to action.”

I repeatedly asked the university to begin grievance proceedings according to UNT's established policies and rules, including UNT's Policy 06.035 Academic Freedom and Academic Responsibility, which states that UNT will “assure and protect academic freedom within the governing framework of the institution, and it is the responsibility of faculty members to ensure that their actions fall under appropriate academic responsibility...” ...” Policy 06.035 also ensures “[t]he right to academic freedom and the demands of academic responsibility apply equally to all faculty members at UNT.” It defines, “Academic Freedom” as “the right of members of the academy to study, discuss, investigate, teach, conduct research and/or creative activity, and publish, perform, and/or

display their scholarship freely as appropriate to their respective UNT-assigned roles and responsibilities.” Among other things, Policy 06.035 requires “respect for diverse personalities, perspectives, styles and demographic characteristics, and maintenance of an atmosphere of civility.”

I have repeatedly submitted a grievance to UNT under Policy 02.1400 Reporting Suspected Wrongdoing and 03.1001 Employee Grievances. These were all ignored in violation of UNT’s policies.

On July 7, 2020, approximately a week after Dean Richmond announced the investigation of the Journal for “racism,” Provost Cowley announced the formation of what became the “Ad Hoc Panel.” At the same time, she claimed she “could not identify the policy under which [I] was filing a grievance.” This was clearly false, as my attorney’s letter to UNT in response to Dean Richmond’s investigation, dated July 31, 2020 and attached here as **Exhibit M**, directly identified all of the policies above. These policies were all expressly identified in the letter of July 31, 2020, which I sent to UNT’s President, Trustees, Provost Cowley, Dean Richmond, and Department Chair Benjamin Brand.

Another example of Provost Cowley’s pretextual approach to calls for my censorship was her confusing announcement that the “university is investigating neither you nor the Journal of Schenkerian Studies.” And yet, in the same letter, she announced, “A panel of faculty with experience editing peer-reviewed journals has been appointed to ... look into these circumstances [of the Journal’s publication of Volume 12]”; yet again insisted that this was “not to investigate you or the journal.” In other words, UNT was investigating me and the JSS but claiming that it was not doing so and, to this end, constituted a special “Ad Hoc Panel” whose very name indicated that it was formed outside the rules, policies, and procedures of the UNT. Provost Cowley’s letter is attached as **Exhibit N**.

As stated in the report, Provost Cowley appointed the “Ad Hoc Panel” on August 6, 2020 to make good on Dean Richmond’s announcement. Although I have repeatedly asked UNT to identify what policy or rules the Panel is supposed to apply and what established rules and policies the Journal has allegedly violated, none have ever been identified. Thus, UNT ignores its existing policies in favor of an “ad hoc” investigation, the processes and standards for which are being made up as it goes along.

The Panel eventually disclosed that it would consult various guidance documents published by the Committee on Publication Ethics (“COPE”). COPE is a serious institution largely targeted at scientific journals whose research results and publications are funded by federal research grants and subject to their regulatory requirements, not humanities journals which must survive without such extensive funding. UNT has not required that COPE guidelines be followed during the twenty years prior to the JSS’s expression of unpalatable viewpoints in Volume 12. In fact, no publication of the UNT Press has yet, to my knowledge, been subjected to the kind of interrogation that Provost Cowley has now imposed upon the JSS.

Of course, as discussed above, some suggestions made by the Panel *are* clearly sensible and necessary, but not for the reasons the Panel suggests in its defamatory attack on me for alleged “editorial misconduct.” Changes to the Journal are now **absolutely** necessary precisely to protect academic freedom and also prevent pretextual abrogation of that right.

B. The Atmosphere of Censorship

This is no doubt the sort of pressure felt by the anonymous correspondent quoted above have been experienced by UNT's own students like Levi Walls, who could not stand up to this organized professional repression. UNT's music theory faculty held an emergency meeting on July 26, 2020, which resulted in their endorsement of calls for the censorship of the Journal and my termination as a professor, which Dean Richmond swiftly acted on.

Vulnerable as he was, Mr. Walls' attitude suddenly changed. He posted the public denunciation of me on his Facebook page (the next day, July 27, 2020) in addition to other false and defamatory statements. The email trail he left with the Journal and its editorial staff (and provided to the Panel) clearly shows the statements made in his public apologia to be untrue. The Panel ignored this evidence and endorsed Walls' defamatory story. As soon as UNT made clear that anyone associated with the JSS would be censured, Mr. Walls joined in the faculty's, graduate student's, and SMT's bad-faith condemnation of open scholarly discourse.

The most defamatory and troubling allegation in the Report is that I bullied Mr. Walls to publish material to which he somehow morally objected. Not only do his emails show the opposite to be true; Mr. Walls actions between March and July 2020 also demonstrate the opposite.

And what had Levi Walls done between March 2020 and his sudden change of position on Facebook? On May 19, 2020—after the contributions to the Symposium had been vetted and delivered to the UNT Press for final publication—he asked me to be his dissertation advisor in the following email attached as **Exhibit O**. Mr. Walls wrote:

Would you mind signing my degree plan? Just the "major professor" line near the bottom of the front page. You'll have to do it electronically, which should be straightforward using the "annotate" tool of whatever PDF program it opens in. I attached it. Let me know if it gives you trouble. Thanks!

UNT, especially Department Chair Benjamin Brand (the recipient of the supposed “whistleblower” complaint), knew this. Until forced to defend myself from Walls' and the UNT's defamatory accusations as indicated above, I have also done everything I could to support Mr. Walls.

If, prior to the publication date in July 2020, Mr. Walls felt that I was guilty of “editorial misconduct” or otherwise unethical behavior, it is simply inconceivable that he would have asked me to be his faculty advisor on the eve of the appearance of JSS, Volume 12. Indeed, on July 23, just four days prior to his Facebook posting, Walls wrote me this email about Beethoven, which was included in the materials provided to the Panel:

Ah, yes, I remember from my first semester at UNT that you were working on the late quartets (op. 131, to be specific). That was back when I barely knew what Schenkerian analysis was. Hard to believe it was only 4 years ago! Let's hope I come just as far in another 4 years. I'd be interested in seeing your Beethoven work, as with anything. Studying Beethoven will always be important, even if I don't ever plan on presenting/publishing work on him. I always feel a little apprehension at doing Beethoven research. He's been done so much over the years (for good reason, to be sure, as he is without a doubt one of the greatest composers that ever

lived). But still, I inwardly groan a little when I see paper after paper on Beethoven at conferences. I think you know what I mean, since you were sitting right next to me when I heard you say something to a similar effect in response to a Beethoven paper at TSMT 2018. But, I'm glad to see what you have to say since, as I said, it's very important to continue studying Beethoven. Something new and valuable might come out of it, and it would be an awful shame if Beethoven research stopped entirely.”

See **Exhibit P**. No one can seriously contend that this kind of email or Mr. Walls’ request to have me supervise his dissertation (which he has since revoked) resulted from a “power imbalance” between me and my student.

Levi Walls sent another email on July 25, 2020 as social media and emails to the College of Music called for my and the Journal’s cancelation. This was a mere two days prior to Walls’ taking to Facebook. In this email, he denied Professor Ewell's followers’ accusation against the JSS, and his first response was confusion:

I just heard about this. It's very worrying, especially as I don't want my career to be ruined before it properly began. I have a family to take care of now. I'm also confused about what exactly people want. The responses were to Ewell's paper. Did Ewell want to respond to his own paper? If he wants to respond to the responses to his paper, then that is perfectly reasonable, and I don't think anyone would have a problem with that. We could publish something in the upcoming volume, if that is what people want. But he couldn't have responded to responses that hadn't yet come out...!

See **Exhibit Q**. This email was probably his last communication as JSS’s editor, and it shows that he was perfectly receptive to Ewell publishing a response (contradicting another malicious untruth circulated by the SMT and other petitions). Two days later, he tried to present himself as a victim and ardent “anti-racist” on Facebook.

C. The Pretextual Nature of the Report

Not only has the Panel whitewashed the background to UNT's investigation of the JSS (the charge of “racism”), it also presents its investigation as an investigation of the Journal rather than an investigation and condemnation of me. This pretext has been made perfectly clear, not only in the findings and conclusions of the Report which are frankly defamatory of me; it is also expressed in the process itself.

After ensuring that I could not defend myself with the internal correspondence of the Journal—and make the internal process more transparent as the Panel itself supposedly advocates—the Panel published its Report to the internet on November 25, 2020. This disclosed information directly identifying the student Levy Walls and referring to his educational records as the student editor of the Journal. In other words, UNT finds it perfectly acceptable to disclose confidential student information if used to condemn me, but UNT forbids me from doing the same to defend myself.

Provost Cowley sent me, and me alone the letter attached here as **Exhibit R**, dated November 30, 2020. This was not sent to the editorial staff, or even to Dr. Slottow or Dr. Graf. This further

indicates the pretextual nature of the investigation, which was convened for the purpose of falsely condemning me.

Provost Cowley's letter instructed me alone, "as the Director of the Center for Schenkerian Studies, to develop a plan to address the recommendations by December 18th and submit the plan to Chair Benjamin Brand and Dean John Richmond for review and approval."

The adverse consequences were immediate and make clear that UNT had no intention of waiting for my Response. More than a week *before* the deadline to respond to the Report, Dr. Brand called me to a meeting. He then sent the following directive on December 11, 2020, attached as **Exhibit S**. Among other things, he stated: "I cannot support a plan according to which you would remain involved in the day-to-day operations of the journal, and its editorial process in particular, given the panel's findings of editorial mismanagement at JSS."

D. Next Step

Rather than forcing me to resign from the Editorial Board of the JSS, which I founded, I look forward to a positive outcome of this ad hoc process by implementing the points recommended by the Panel as agreed to in Section II of this Response and by UNT making this Response public and undertaking to make good on the guarantees in its policies to ensure that the faculty and administration protect academic freedom and free expression. It is in that spirit of carrying on the Journal's and the University's important work, both nationally and internationally, that I submit this Response.

Sincerely,

Timothy L. Jackson
Distinguished University Research Professor of Music Theory
Professor of Music Theory
College of Music
University of North Texas

EXHIBIT JJJ

Message

From: Brand, Benjamin [Benjamin.Brand@unt.edu]
Sent: 5/17/2021 4:51:46 PM
To: Cowley, Jennifer [Jennifer.Cowley@unt.edu]; Stowers, Renaldo [Renaldo.Stowers@untsystem.edu]; Richmond, John [John.Richmond@unt.edu]
Subject: FW: [Smt-Announce] Call for Applications: Editor of the Journal of Schenkerian Studies

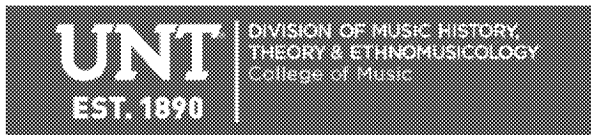
Dear Jennifer, John, and Renaldo,

The call for applications for a new editor of the JSS has been publicized on the SMT email list. Applications are due July 30. The search committee will begin its review of them shortly thereafter.

All the best,
Benjamin

Benjamin Brand, Ph.D.

Pronouns: he, him, his | Professor of Music History
Chair, Division of Music History, Theory, and Ethnomusicology
College of Music | University of North Texas | (940) 536-3561



From: Smt-announce <smt-announce-bounces@lists.societymusictheory.org> on behalf of Bakulina, Ellen <Ellen.Bakulina@unt.edu>
Sent: Saturday, May 15, 2021 4:22 PM
To: smt-announce@lists.societymusictheory.org <smt-announce@lists.societymusictheory.org>
Cc: Napoles, Jessica <Jessica.Napoles@unt.edu>
Subject: [EXT] [Smt-Announce] Call for Applications: Editor of the Journal of Schenkerian Studies

Dear Colleagues,

The University of North Texas (UNT) is seeking applications for a new editor or editorial team for the *Journal of Schenkerian Studies*. Editor(s) will serve a 3-year term, beginning (tentatively) no later than January 2022. We hope that the new editor(s) will help rejuvenate the journal, redefine it in light of the current state of music theory as a field, and restructure and rebrand it to promote its long term viability. We are open to the possibility of teams of co-editors, and/or editors with associate editors, applying for the editorial role. The relationships between the journal and its institutional stakeholders can be examined and revised where appropriate.

The Journal of Schenkerian Studies is the only peer-reviewed research journal featuring articles on all facets of Schenkerian thought, including theory, analysis, pedagogy, historical aspects, and reviews of relevant publications. It currently is published annually by the Center for Schenkerian Studies and the University of North Texas Press.

Previous issues of the journal can be found here:
<https://digital.library.unt.edu/explore/collections/JSCS>

The University of North Texas Press co-publishes the journal with the Center and/or journal editor. The Press receives final print-ready files from the Editor and arranges for print publication and dissemination to subscribers for each annual issue. Within one year of print publication the journal is loaded with the UNT Libraries for open access.

Job description/responsibilities:

The editor is responsible for developing a process for determining editorial board membership, terms and length of service, and restructuring of journal guidelines. The editor will also ensure a fair and high-quality peer review of articles written in (or related to) the traditions of prolongational analysis.

The journal is expected to abide by the Committee on Publications Ethics (COPE) guidelines regarding best practices in editorial management.

https://publicationethics.org/files/COPE_G_A4_SG_Ethical_Editing_May19_SCREEN_AW-website.pdf

Minimum Qualifications:

A record of sustained, high-quality research publication in peer-reviewed research journals
Expertise in Schenkerian analysis/Schenkerian studies

Preferred Qualification:

Editorial experience, as either an editor or an editorial board member of a research journal

Applications should include:

- a cover letter with expression of interest in the position, including the candidate's goals for the journal
- a curriculum vitae, including all contact information for the applicant
- a list of 3 references with current contact information

Inquiries, nominations, and application materials should be directed to the search committee chair, Jessica Nápoles via email at Jessica.Napoles@unt.edu. Search committee members include:

Dr. Ellen Bakulina, Assistant Professor of Music Theory, UNT

Mr. Ron Chrisman, Director, UNT Press

Dr. Graham Hunt, Professor of Music Theory, UT Arlington

Dr. John Ishiyama, University Distinguished Research Professor of Political Science, UNT

Dr. Jessica Nápoles, Associate Professor of Choral Music Education, UNT

All applications must be submitted electronically in a single .pdf. Review of applications begins July 30th and will remain open until filled.

EXHIBIT KKK



**SCHENKER ANALİZİ YOLUYLA F. SCHUBERT'İN "ARPEGGIONE SONATI"NIN
YORUM VE İCRASININ YÖNLENDİRİLMESİ;
1. MUVMAN (ALLEGRO MODERATO),
1. TEMA'DAN BİR KESİT**

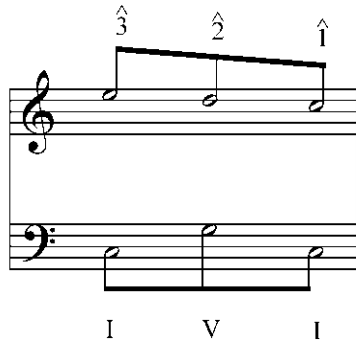
SANATTA YETERLİK SEMİNERİ

HİLMİ NADİR YÜKSEL

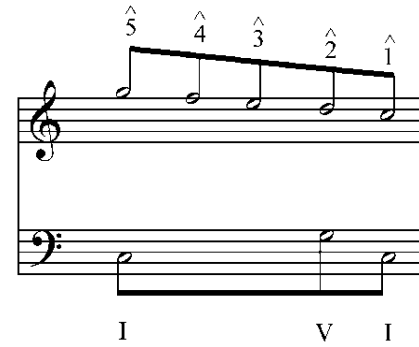
Danışman

Dr. Öğretim Üyesi Fulya AÇIKSÖZ

3'lü Temel Yapı



5'lü Temel Yapı



Ana hat; (3^; Mi- 2^; Re- 1^;Do) (5^; Sol- 4^; Fa3^; Mi- 2^; Re- 1^;Do)

Bas Arpeji; I-V-I

Yapısal Seviyeler: [Arka Plan (Temel Yapı), Orta Plan, Ön Plan]

Kuramsal Birikim  **Yorumda Özgürlük ve Kişilik Kazanma**

~~**Çözümleme**~~



Sentez Ulaşma



Yönelimli Hareket Çatısı

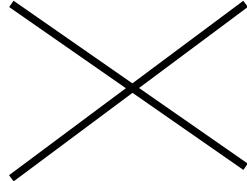


Bütüncül Yorum



Bütünlüğün sınırlarını enerjinin toplanması ve çözülmesi belirler!!!!

The diagram illustrates a musical concept through a series of visual and musical elements. At the top, a series of circles (blue and black) are arranged in a descending arc, representing a melodic line. Below this, a series of five notes (5, 4, 3, 2, 1) are shown, with the note '2' highlighted in red. These notes are connected by a thick black horizontal bar. Below the notes, a musical score is shown, featuring a treble clef and a bass clef. The treble clef staff contains a series of notes corresponding to the notes above. The bass clef staff contains a series of notes corresponding to the notes above. A thick black horizontal bar is placed below the bass clef staff. The word 'rit.' (ritardando) is written above the bass clef staff, indicating a slowing down of the tempo. The letters 'I', 'V', and 'I' are placed below the bass clef staff, indicating the first, fifth, and first chords respectively.

YER ÇEKİMİ  SÜRTÜNME

5[^] : Durgunluk

5[^]-4[^]-3[^]-2[^] : Harekete başlama ve hızlanma maksimum hız
(Zirve)

2[^]-1[^] : (Zirve) maksimum hız, yavaşlama

1[^] : Hareketin sonu

Yapısal seviyelerin icrası

Basit



Karmaşık



Dinamik fonksiyon yapısı

Temel doğrular

İçselleştirme

Bütüncül İcrâ

Dolaysız Aktarım

- Yapısal seviyeleri sırayla, basitten karmaşığa çalmak,
- Basit yapısal seviyeleri daha çok çalmak,
- Seviyelerin hepsi duygusal adanmışlık içinde yorumlayarak çalmak.

Hedef duygusunu güçlendirmek için seviyelerin sonunda detaylandırma yapılabilir.

The musical score consists of two staves. The treble staff contains five notes, each with a finger number above it: 5, 4, 3, 2, and 1. The bass staff contains three notes, each with a Roman numeral below it: I, V, and I. A 'rit.' marking is placed in the middle of the piece, between the second and third measures of the treble staff. The notes are connected by a horizontal line, and the bass staff notes are also connected by a horizontal line.

Zirve 2[^]; Si

Kadans $4^6_3^5$

The musical score is written for a single melodic line and a figured bass line. The melody is in treble clef and consists of five eighth notes, each with an accent (^) and a finger number (5, 4, 3, 2, 1) above it. The bass line is in bass clef and consists of three half notes (I, V $^6_4$, I) and a final half note (I). A *rit.* (ritardando) marking is placed over the first two half notes of the bass line. The figured bass notation is as follows: I, V $^6_4$, $\frac{5}{3}$, I.

Zirve 3[^]; Do, süsleme,

Tırmanış, [(5'li iniş, Bölen 3'lü (i⁶)), [Baş sese komşu ses, Yardımcı armoni (IV)]

ölçü nr. 10

12 17 18 20 21 22
^ ^ ^ ^ ^
5 (6) 4 3 2 1

Komşu sesler

ölçü nr. 10 11 12 13 14 15 16 17 18 20 21 22

5 6 4 3 2 1

mf *pp* *fp* *rit.*

i i⁶ iv V⁶/₄ ⁵/₃ i

I IV V I

	(ölçü) Komşu Sesler	
soprano	(10) Si	(12) Fa
bas	(14) Sol#	(16) Re

Yapısal motifler

ölçü nr. 10 11 12 13 14 15 16 17 18 20 21 22

^ 5 6 ^ 4 ^ 3 ^ 2 ^ 1

mf *pp* *fp* *rit.*

i i⁶ iv V ⁶/₄ ⁵/₃ i

I IV V I

; Sol# lokal zirve, (17. ölçü cümle sonu)

	(ölçü) Yapısal Motifler	
soprano	(10-11) Si-Do-La	(16-17) Sib- Sol#-La
bas		(16-17) Re- Mi- Do

Yapısal motifler ve (“Mİ- LA-si-DO-Mİ” arpeji ile) baş ses uzatması

ölçü nr. 10 11 12 13 14 15 16 17 18 20 21 22

5 6 4 3 2 1

mf *pp* *fp* *rit.*

i i⁶ iv V⁶₄ 5₃ i

I IV V I

	(ölçü) Yapısal Motifler		
soprano	(13-14) Mi-Fa-Re	(14-15) Re-Si-	Do

G İ R İ Ş (1-9. ölçüler)

K E S İ T (10-22. ölçüler)

F İ N A L (22-29. Ölçüler)

1 2 3 4 5 6 7 8 9 1

.5 4 3 21'

Allegro Moderato.

organo.

forte.

This image shows a handwritten musical score on a page with numbered lines (1-9 and a final 1). The score is for an organ and piano. The organ part is written on a single staff with a treble clef and a key signature of one sharp (F#). It begins with the tempo marking "Allegro Moderato." and the dynamic marking "organo." The piano part is written on a grand staff (treble and bass clefs) with a key signature of one sharp. It begins with the dynamic marking "forte." The score is heavily annotated with handwritten lines and markings. A large, curved line spans across the organ staff and the piano grand staff, indicating a sustained or pedaled sound. There are numerous vertical lines and brackets, some of which are highlighted in red ink, likely indicating specific measures or phrases. The notation includes various musical symbols such as notes, rests, and accidentals. The overall appearance is that of a working draft or a composer's sketch.

Handwritten musical score on a page with a pre-printed staff grid. The page is numbered 10 through 22 at the top. The score is written in black ink, with some red ink used for markings. The notation includes various musical symbols such as notes, rests, and beams. A large, stylized '5' is written in the upper left corner of the staff area. The score is organized into measures, with some measures containing multiple staves. The handwriting is dense and fills most of the page.

5
5
10 11 12 5 13 14 15 16 17 18 20 21 22

5 4 3 b2 1

This image shows a handwritten musical score for measures 22 through 29. The notation is written on five staves. The first staff contains measure numbers 22 through 29. Above the first staff, there are handwritten numbers: 22, 23, 24, 25, 26, 27, 28, and 29. Above measure 22, there is a handwritten '5' and a '2 1' below it. Above measure 23, there is a handwritten '5'. Above measure 24, there is a handwritten '1'. Above measure 25, there is a handwritten '5'. Above measure 26, there is a handwritten '1'. Above measure 28, there is a handwritten '3'. The notation includes various musical symbols such as notes, rests, and beams. There are also handwritten annotations in red ink, including 'cresc.' and 'pp'. The score is written in black ink on a white background.

Handwritten musical score for voice and piano, featuring a complex arrangement of staves and measures. The score is marked with a tempo of *Allergo moderato*.

The score is divided into two main sections, each with a key signature change indicated by a sharp sign and the number 5 (likely indicating a key signature of one sharp).

Section 1 (Measures 1-11): The tempo is marked *Allergo moderato*. The score includes a vocal line and a piano accompaniment. The piano part features a complex, rhythmic pattern with many beamed notes. The vocal line is marked with a *pp* (pianissimo) dynamic. The section ends with a measure marked 21'.

Section 2 (Measures 12-29): This section begins with a key signature change to one sharp (F#). The tempo remains *Allergo moderato*. The score continues with the vocal and piano parts. The piano part features a complex, rhythmic pattern with many beamed notes. The vocal line is marked with a *pp* (pianissimo) dynamic. The section ends with a measure marked 29.

Red handwritten markings are present throughout the score, including a large red bracket under the piano part in measures 12-18, and a red bracket under the piano part in measures 22-26. There are also red markings in the vocal line in measures 12-18 and 22-26.

	<i>Giriş</i>	<i>Kesit</i>	<i>Final</i>	(+)
<i>Arpegg.</i>		Mi <i>fa</i> Re Do Si La	Mi fa <i>si</i> La -	Mi La
		Mi Re Do Sib la sol# La		
<i>Piano</i>	Mi <i>fa</i> Re Do Si La	MiReDo Sib la sol# La	Mi Re Do Sib la sol# La -	<i>DoSiLa</i>
	MiReDo Sib la sol# La			
	< >	< >	< >	
<i>pp</i>	<i>mf</i>			<i>pp</i>
<i>pp</i>				<i>pp</i>

TABLO 1. DOĞRUSAL YÜRÜYÜŞLERİN, SÜSLEMELERİN VE ÖNEMLİ NÜANSLARIN DAĞILIMI

*******DİNAMİK FONKSİYON!!!**

(Bütünlüğün sınırlarını enerjinin toplanması ve çözülmesi belirler)

ZİRVE NOKTASI !!! [Final bölümü 3. kısım (“Mi” La”)]

	<i>Destek hat (6)</i>
Mi <i>fa</i> Re Do Si La (2)	Mi Re Do Sib La (5)
Mi <i>fa</i> si La (2)	Do Si La
Mi La	
Değişken; tematik gelişim	<i>Sabit; tematik bütünlük</i>

TABLO 2. ANA VE DESTEK HATLAR VE SIKLIKLARI

Temanın özü *5’li Temel Yapı*

Ancak tek bir *ana hat* altında toplanmamış; bütünlük zayıf-yorum kırılğan

Bunun için “enerjinin zirve noktasına (Final bölümü 3. Kısım;

) kadar doğru bir şekilde taşınması”na dikkat!!!.

Final bölümünün üçüncü kısmında, piyano partisinde ortaya çıkan **üçlü yürüyüş** dikkati çekmektedir. *Giriş* ve *Kesit* bölümlerinde (**3[^]**; **Do**, sesinden hemen önce) ortaya çıkan süslemeler, ait oldukları **ana hat** yürüyüşlerini adeta ikiye bölmektedir. Bu durumun söz konusu **üçlü yürüyüşü** hazırladığı (öncelediği) düşünülebilir.

Giriş'te ve *Kesit* bölümünün ilk kısmında yerel cümle sonlarını artiküle eden (ardışık **cresc.** ve **decresc.** lardan oluşan) “hair-pin”ler görülmektedir. *Kesit* bölümündeki söz konusu decrescendo sonucunda **pp** gürlüğüne düştüğü de ayrıca dikkati çekmektedir. Bu durumun da (önceki maddedeki duruma benzer şekilde) temanın sonunda, Final bölümünün üçüncü kısmında ortaya çıkan **crescendo-diminuendo-pp** şeklindeki (*I. Tema*'nın zirvesini vurgulayan) artikülasyonu hazırladığı (öncelediği) düşünülebilir.

Zaten 3 lü ilişkiler genel kaba yapıda da var, giriş ve kesit ana hatları benzer, Final bölümünün ana hatları değişik olması beklenir (3. Cüsü her zaman farklı olur) . aynı 3'lü ilişkiyi final bölümünün içinde de bulabiliriz, ilk iki kısmın ana hatları benzer, üçüncüsü değişik.. burda bütünlüğü sağlamak için 3 kere aynı ögeyi kullanmak gereken iki tekrarlı yapılarda üçüncünün değiştirilerek gelmesi beklentisini oluşturuyor, Kapiş?

EXHIBIT LLL

UNT professor accused of racism continues lawsuit against the university

- By Lucinda Breeding Features Editor cbreeding@dentonrc.com

Aug 15, 2021

https://dentonrc.com/education/unt-professor-accused-of-racism-continues-lawsuit-against-the-university/article_4b1a53c8-f613-5cbc-84c5-164e818ae689.html



University of North Texas music theory professor Timothy Jackson, shown in his office in 2011, continues to defend himself against a claim of racism that led UNT officials to remove him from the leadership of the Journal of Schenkerian Studies. Jackson is the grandson of Jews who fled from Poland during the Holocaust, and says that his teaching career is a demonstration of his devotion to music and teaching students — both white and Asian — Schenkerian analysis.

- LM Otero/AP file photo



Heinrich Schenker

Correction: An earlier version of this story misspelled the name of composer Adolphus Hailstork.

The attorney for a University of North Texas professor accused of “racist acts” and of fomenting a racist academic attack on a fellow music theorist, said depositions have weakened the university’s defense in a lawsuit.

In 2020, UNT graduate students in the division of Music History, Theory and Ethnomusicology denounced Timothy Jackson, a tenured music professor and the director of [the UNT Center for Schenkerian Studies](#) on Twitter.

The students also asked UNT officials to dissolve the scholarly publication he co-founded, the *Journal of Schenkerian Studies*.

Michael Thad Allen, the attorney representing Jackson, said students and music faculty deposed by the plaintiff have admitted they gave false information to the university during its investigation, and that some didn’t have firsthand knowledge of the allegations they posted online.

‘Racist acts’ or a ‘Twitter mob?’

[In a statement circulated on social media last year](#), UNT students and music faculty alleged that Jackson and the journal were guilty of “platforming racist sentiments” in a symposium published in the journal in 2020.

The symposium, made up of 15 essays (including an anonymous entry) rebutted a plenary paper by music theorist Philip Ewell that was presented at a 2019 Society for Music Theory conference.

That plenary paper took aim at 20th century music theorist Heinrich Schenker and proposed that Schenker exemplified “Music Theory’s White Racial Frame” in his work. Ewell, who is one of very few Black music theorists, said Schenker was an ardent racist whose white

supremacy is reflected in his analysis of music. Ewell, who teaches music theory at Hunter College of the City University of New York, received widespread support for his work from his peers.

Ewell declined to comment for this story.

The students' petition on Twitter led to [criticism from the Society for Music Theory](#), which drew additional statements condemning Jackson from his colleagues in the College of Music and from faculty in other colleges across the country.

The university launched an investigation of Jackson and the journal, which resulted in Jackson's removal from the journal and the defunding of the publication.

The Foundation for Individual Rights in Education sent a letter to UNT President Neal Smatresk and UNT College of Music Dean John Richmond last year, [asking the university and college to drop the investigation of Jackson and the journal](#). The foundation is a nonpartisan, nonprofit public advocacy group that defends faculty and student publications and speech from censorship.

An attorney from the Foundation said Friday that UNT has yet to respond to the letter, and the foundation hasn't retracted its criticism of the university and the college.

How a professor offended students, professors

Specifically, critics took issue with a statement Jackson made in his paper, which was published in the symposium. While Jackson acknowledged that Black and other nonwhite Americans face barriers in classical music and music theory, he suggested that some of those barriers are self-imposed. Jackson wrote that perhaps the biggest barrier

for potential Black classical musicians and music theorists lies within Black families, who largely “don’t profoundly value classical music.” Later in his paper, Jackson discussed documented antisemitism in the Black community.

In January, Jackson sued the university for violating his academic freedom and First Amendment rights. The suit also names graduate students, who attorney Michael Thad Allen said defamed the professor.

“We conducted a number of depositions,” Allen said. “Some of things that became prominent in the investigation of Timothy — I’m talking about things in the university’s investigation that accused Tim of extortion and ‘racist actions,’ and which really amount to Timothy saying things that made them uncomfortable and hurt their feelings — amount to defamation. If I accuse you... of burning a cross in someone’s yard and you did not do it, that is defamation in any state.”

The lawsuit details portions of the university’s investigations that read as dramatic, including an instance in which Jackson allegedly forced a student on the journal’s editorial staff into Jackson’s car and coerced him not to censor submissions to the symposium the student disagreed with. In his affidavit, Jackson said he did invite the student to sit in his car to wait out a rainstorm, but said their discussion of the symposium was perfunctory, not coercive.

Allen said a deposition of UNT music theory graduate student Rachel Gain was also revealing.

“The graduate student, Rachel — these are public record — this defendant admitted on record that she had no firsthand knowledge of any of these claims,” Allen said. “That’s a pattern with these allegations. Many of Timothy’s critics don’t have firsthand knowledge of the claims they shared.”

Gain didn't respond to a request for comment by press time.

Allen said the university has moved to dismiss Jackson's suit, citing sovereign immunity — a legal doctrine that claims the state can't be sued in its own courts without the consent of the Texas Legislature.

"But the investigation of Timothy and the actions taken are a violation of his First Amendment rights," Allen said, adding the plaintiff will press forward with the case.

Allen said another deposition, from UNT Music Theory professor Frank Heidlberger, showed that Jackson isn't the only journal editor who doesn't strictly adhere to a formal peer review process. Heidlberger edits a music theory journal titled *Theoria*.

"Frank Heidlberger admitted to publishing papers without peer review, and to publishing his own articles in his own journal," Allen said. "These were the very things that were a complaint against Timothy. We're not suggesting that Frank or Timothy shouldn't publish their own work, work that they contribute in a field that is their specialty. But it was wrong for Timothy to do what Frank Heidlberger did? It makes no sense. And it makes no sense that it's considered a conflict of interest on Timothy's part, but evidently not on the part of Frank Heidlberger."

Allen said *Theoria* also includes citation from Wikipedia, a point that caused graduate students and faculty to question the rigor and scholarship of Jackson's journal.

"These are the very practices that Timothy is accused of doing as 'editorial mismanagement,' and even as evidence of systemic racism," Allen said. "Has this other professor been accused of 'racism' and investigated by an ad hoc panel? You know the answer to that is no."

Smatresk hadn't responded to a request for comment by press time.

Another view

Kevin Scott, a Black composer, musician and conductor in New York City, has been a friend of Jackson's for years.

Scott said he'd followed Ewell's presentation, and read the symposium in the UNT journal.

Scott said it's true that nonwhite students face barriers to participating in classical music.

Some of the barriers are systemic, he said. And some of the barriers are much closer to the students themselves. Scott recalls growing up in a house that brimmed with jazz.

"My dad loved John Coltrane, Miles Davis, Charlie Parker, Art Blakey," Scott said. "Duke Ellington was too highbrow. He was more into the bebop and big band. I grew up listening to this music."

Then, one night, Scott was suddenly enthralled with music that concluded a popular 1960s news show, *The Huntley-Brinkley Report*. It was music from Beethoven's Symphony No. 9, and Scott said he was smitten. His love of classical music was a mystery to his father, who didn't exactly approve.

Students of color who want to pursue music can start hitting snags early, he said.

"Part of it has to do with finding the right teacher and finding an understanding teacher who will see them as a human being and a musician," Scott said. "Students need a teacher who won't see color,

won't see gender, sexuality, sexual orientation or anything like that, not first."

Scott wasn't ready to demonize teachers wholesale. Rather, he said, many private teachers matured in a form that is very much centered on European culture and unconsciously steeped in whiteness.

"You run into a lot of teachers, older teachers, who are used to one kind of student," Scott said. "And a Black student or a student of color walks in, and they wonder, 'What are you doing here?' They aren't sure what brings that student into their studio. But they don't say that out loud. Because the second you say it out loud? You're branded a racist, and it goes everywhere. The NAACP, the internet, everyone will brand you a racist."

Scott said that nonwhite musicians and musical academics often encounter assumptions that they are committed to and only fluent in their own musical heritage. Gifted students who connect with a teacher, work hard and take on the competition circuit can break into professional orchestras.

But for much of America's symphonies, the bottom line is bringing in money. And that can result in programs that center on the masters, like Mozart, Beethoven and Mahler. The focus on masters means that other parts of the classical music canon — including music by Black, Asian and Latino composers — are neglected. Representation in the program and in the orchestra continue to skew white and Asian.

Classical music is a meritocracy, Scott said, so the competition for orchestra chairs, conductor positions and composition publication and performance is fierce. And a musician who rubs an influential person the wrong way "for any little reason" can find it hard to get work. Black

conductors have had regional success, he said, but leadership of major metropolitan orchestras has been elusive.

“What Ewell has pointed out, I’ll give him some credit, is that there is a hierarchy that keeps some people out,” Scott said. “There are a lot of people in classical music who want to keep to their Euro-centric ideas, like fools. We’ve always felt that the right conductor has to come from Europe, but a lot of them are not familiar with American music.

“They might know Gershwin, Copland, Ives, Bernstein, Barber... and maybe they’ll know Duke Ellington,” Scott said. “So if you mention William Grant Still, Adolphus Hailstork... or Shelly Washington, they go, ‘Who?’ These are great composers. Older composers know the names, but not the music. Younger conductors might not even know the names.”

Ultimately, Scott said he disagrees with Ewell on Schenker. Scott doesn’t think Schenkerian analysis promotes racism in its structure.

“The only way to further his idea that white people are out to keep their music was to find a fall guy, a patsy,” Scott said. “Schenker said German music was the only music worth studying, with a few exceptions. Schenker thought Wagner was the end of German music. What Ewell did, he tries to introduce these hierarchy of tones, and this is the biggest piece of hogwash, that in these tones Schenker was expressing this racism. It just doesn’t work.”

Scott said the recent interest in promoting Black art and anti-racism comes from good intentions. He said the promotion of Black artists and music can be a real contribution.

“The murders of George Floyd and Breonna Taylor changed some things,” he said. “The interest is there because of genuine concern. The people who do these things out of genuine concern will stay with it.

People who are doing this because it's the news of the moment will leave it behind in a second."

EXHIBIT MMM

From: **Agawu, Kofi** <kagawu@gc.cuny.edu>
Date: Wed, Mar 9, 2022 at 9:21 AM
Subject: Re: [EXTERNAL] Apology
To: Timothy Jackson <shermanzelechin@gmail.com>

Dear Tim,

Many thanks for your message and for the links to various articles. When I first read the *JSS* issue, I found myself nodding in agreement with many of the points you made in your response to Ewell. So I was truly astonished to see the subsequent attacks on you. I can only imagine what a nightmarish situation you've had to endure this past year and a half. I'm encouraged by the recent legal ruling, however, and I hope very much that justice will be served.

As for TSMT, there's no need at all to apologize for missing my simple talk on African art music. I chose this topic because composers of "art music" in Africa are not often talked about; interest seems to reside in old, traditional music or popular music. So I had the audience listen to several samples of this music to acquaint them with their sound worlds. Interesting how the Q@A session afterwards kept circling back to current obsessions in our field.

Yes, I remember Randall Horton's application to the musicology program at Princeton, although I can't say that I remember all his referees! I enjoyed his linking of the hymn "Abide with me" to the main Adagio theme of the finale to Mahler's Ninth. I believe he got into Stonybrook in the end.

Thanks again for being in touch, and all best,

Kofi

From: Timothy Jackson <shermanzelechin@gmail.com>

Sent: Saturday, March 5, 2022 7:59 PM

To: Agawu, Kofi

Subject: [EXTERNAL] Apology

Dear Kofi,

I would like to apologize for not attending your talk yesterday; Stephen Slottow has kindly forwarded me a copy of it. I would have liked to attend and also to say hello, but I felt uncomfortable doing so at this point.

As you probably know, I was "cancelled" by the majority of my "colleagues" a year and a half ago. I have sued those responsible at UNT and the case is proceeding.

About a month ago, the Federal Judge ruled on the all-important "motion to dismiss" in my favor on all absolutely crucial points: 1) my academic freedom was violated, 2) I was defamed, and 3) that those responsible in the university administration and faculty can be held liable. Therefore, the case can go forward to trial.

My article "The Schenker Controversy" in *Quillette Magazine* contains links to the earlier actual court-case documents: <https://quillette.com/2021/12/20/the-schenker-controversy/> Anyone who is interested can read this article and the documents cited in the links to get a detailed picture of exactly what happened. See also: <https://www.foxnews.com/politics/texas-professor-sues-univ-after-being-punished-saying-music-theory-isnt-racist>

Also: <https://www.nas.org/blogs/article/an-initial-victory-for-unt-professor-timothy-jackson>

<https://legalinsurrection.com/2022/01/cancel-culture-win-u-north-texas-prof-timothy-jacksons-free-speech-and-defamation-case-can-move-forward-court-rules/>

UNT, represented by the Texas Attorney General's Office, then appealed this decision to the Court of Appeals. However, it is unusual for a decision to be successfully appealed prior to a verdict being handed down in Federal Court. My lawyers have filed a counter-motion before both the Federal Judge (who issued the ruling) and also the Court of Appeals asking that the preparations for the trial be allowed to go forward and rejecting the legal objection now before the Court of Appeals.

My lawyers are encouraged. They consider UNT's appeal to be unlikely to succeed given the Federal Judge's extremely detailed ruling. However, in the event of a loss in the Court of Appeals, they are prepared to take this matter to the US Supreme Court. However, if the Appeals Court does in fact deny UNT's appeal of the Judge's ruling, they say that we will then be in an even stronger position when continuing to prosecute our case before the Federal Court.

Based in part on my own article in *Quillette*, other scholars are now starting to speak out about Prof. Philip Ewell's false and misleading claims regarding Schenker. In my article, I showed how Ewell in his *MTO* article censored the Austrian scholar Martin Eybl to make him say the opposite to what he actually wrote and meant (see attachment). Ewell claims that Schenker was a Jewish Nazi-like racist and a supporter of Hitler and the Nazis.

Ewell's article in *MTO*, which is advertised as "peer reviewed research" actually contains academic fraud.

After pointing out Ewell's "distortion" of the work of Austrian scholar Martin discussed in my above-mentioned article, I received a response from Eybl himself: "**As I have clearly stated in my book, Schenker was not a racist in the sense of the National Socialists. I am grateful that you [Jackson] have corrected the point vis-à-vis Ewell, who *distorts* [my emphasis] the meaning by omitting parts of the text when he is quoting me**" (letter from Eybl to Jackson, January 23, 2022). This statement is from the author whose words were turned upside down by Ewell.

As I documented in my *Quillette* article, **Schenker expressly condemned the Nazis two and a half months after Hitler seized power in 1933.** Schenker never supported any proto-Nazi movement! On the contrary, he condemned the Nazis and their "New Germany."

And yet 900+ professors in the Society for Music Theory (SMT) endorsed Ewell's plenary speech and *MTO* article, both of which violated the Society for Music Theory own "Policy on Ethics."

This year I submitted the following proposal to the National American Musicological Society Conference for their consideration. While the musicologists are also permeated with the same so-called "progressive" ideology, I am hoping that some members still might be open to dialectical viewpoints - to real "viewpoint diversity" - and "scholarly inquiry which respects evidence, precision, and **complexity**."

The Schenker Controversy Reconsidered

Hunter College (CUNY) Professor Philip Ewell, who self-identifies as black, shocked the music theory world at the SMT Conference in 2019 when he condemned Heinrich Schenker (1868-1935) as a "virulent racist" and accused generations of Schenker scholars of attempting to "whitewash" the German-Jewish theorist. In March 2020, Ewell's claims were rebutted by scholars in a *Symposium* in the *Journal of Schenkerian Studies*. There, Barry Wiener argued that, "in his discussion of art, Schenker enunciated a doctrine, common to his time and place, of German *cultural*, not biological racism." While Schenker harshly castigated those nations allied against Germany and Austria in World War I, and attacked Slavic nations for their pogroms, in the last phase of his life, with Nazism ascendant, Schenker changed his mind, believing it his mission to save German music for everyone, *even from the Germans themselves(!)* – without distinction of race, religion, or national origin.

In Ewell's *MTO* article "Music Theory and the White Racial Frame" (published later in 2020), as Timothy Jackson revealed in an article appearing in December 2021 ("The Schenker Controversy," *Quillette Magazine*), Ewell had censored his quotation of Austrian scholar Martin Eybl by removing key sentences undercutting his thesis: "Again, Schenker does not argue on the basis of race, but of German national [culture]." Eybl responded by objecting on January 23, 2022, "As I have clearly stated in my book, Schenker was not a racist in the sense of the National Socialists. Ewell distorts the meaning by omitting parts of the text when he is quoting me."

The "SMT Policy on Ethics" states, "The SMT upholds and promotes the following basic principles of ethical conduct in our profession...honesty and integrity in scholarly investigation." The SMT adopted these guidelines from the AMS "Guidelines for Ethical Conduct:" "Relevant supporting evidence

should be presented **in a well-reasoned manner, free of misrepresentation and distortion; evidence that contravenes one's operating hypothesis *should not be suppressed.***" This paper explores the larger implications of "The Schenker Controversy;" while learned societies like the AMS and SMT and universities are supposed to pursue the search for truth, has its tendentious distortion become the new norm?

It will be interesting to see whether or not this proposal is accepted. It is a kind of litmus test.....

Anyway, again, I hope that you will understand the reason for my absence, which should in no way imply disrespect for you.

In spite of the publicized claim that I am "a long-term racist," although you may not remember, some years ago I tried to help a former Black student get into Princeton. He was an older student who published an interesting article on Mahler's Ninth Symphony, the chorale-like theme in the Adagio of the Ninth.

With all best wishes,

Tim

EXHIBIT NNN

Re: talk with the UNT Ad Hoc Journal Review Panel

From: "Walls, Levi" <leviwalls@my.unt.edu>
To: "Ishiyama, John" <john.ishiyama@unt.edu>
Date: Wed, 30 Sep 2020 19:21:03 -0500

Dear Dr. Ishiyama,

Sorry, one more thing I forgot to talk about. In my public statement, I mention offering criticism of one of the authors (and subsequently being told not to "censor" people) then going to Dr. Brand as a whistleblower. I actually had the chronology of these two things accidentally switched around when I wrote the public statement. It was only a few weeks later that I realized I'd switched the order of those two events in the statement. But, as I said in our interview, I went to Dr. Brand after seeing some of the insensitive things being said in an email chain of people considering writing responses, then a little while later I tried offering a critique on one of the writer's responses and was told not to do so again (by Dr. Jackson in his car). Sorry for that confusion! Let me know if you need me to talk to the panel again about either of those two things I thought of after the meeting was over. But I wanted to make sure to email about them.

Regards,

Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Wednesday, September 30, 2020 1:47 PM
To: Ishiyama, John <John.Ishiyama@unt.edu>
Subject: Re: talk with the UNT Ad Hoc Journal Review Panel
Dear Dr. Ishiyama,

That post was from July 27, by the way.

Also, I thought of something that I should have mentioned. Around the time of the public backlash, there was an email chain where Dr. Cubero asked Dr. Jackson what the review process was for those responses. In response, he said,

"The majority of the authors are well-known, highly seasoned scholars, ranging from the Chair of the Harvard Music Department to the authors of books on Schenker and Schenkerian analysis. If you want to use the word "vetting" in this context of allowing distinguished scholars to communicate their views, then you can say that the respondents were "vetted" on the basis of their academic qualifications. The distinguished pedigrees of the contributors is supported by their short biographies at the end of the issue."

So that's, I think, an illuminating view into the mindset of Jackson (and by extension, the journal) as far as the "review" process for those responses goes.

Let me know if you have any other questions.

Regards,

Levi Walls

From: Walls, Levi <LeviWalls@my.unt.edu>
Sent: Wednesday, September 30, 2020 12:24 PM
To: Ishiyama, John <John.Ishiyama@unt.edu>
Subject: Re: talk with the UNT Ad Hoc Journal Review Panel

I have written the following statement in an attempt to share my experiences and shed light on the situation regarding the Journal of Schenkerian Studies. Furthermore, the purpose of this statement is to emphasize how deeply sorry I am for my involvement in the journal. Although I had no control over the content of the journal, or over the decisions regarding review processes, I am guilty of complicity because I remained in the position after I realized that my whistleblowing efforts were for naught. I hope the following account provides helpful context:

In summer 2019 (when I had just finished my first year as a PhD student in music theory at UNT) I was asked if I would like to take on a research assistantship, as assistant editor of the JSS. It would allow me to gain skills in typesetting,

UNT_002552

EXHIBIT 000

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 SHERMAN DIVISION
4 TIMOTHY JACKSON, *
5 Plaintiff, *
6 VS. * CASE NO. 4:21-CV-00033-ALM
7 LAURA WRIGHT, ET AL., *
8 Defendants. *

9
10 ORAL AND VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
11 DIEGO CUBERO
12 SEPTEMBER 26, 2024
13

14
15
16 ORAL AND VIDEOTAPED VIDEOCONFERENCE
17 DEPOSITION of DIEGO CUBERO, produced at the instance of
18 the Plaintiff, and duly sworn, was taken in the
19 above-styled and numbered cause on the 26th day of
20 September, 2024, from 3:14 p.m. to 5:52 p.m., before
21 Carla A. Sims, AAS, CSR, RPR, in and for the State of
22 Texas, reported by method of machine shorthand, via Zoom
23 videoconference, pursuant to the Federal Texas Rules of
24 Civil Procedure and the provisions stated on the record
25 or attached hereto.

A P P E A R A N C E S

ALL PARTIES AND WITNESS APPEARED VIA
ZOOM VIDEOCONFERENCE

COUNSEL FOR THE PLAINTIFF:

Mr. Michael Thad Allen
ALLEN LAW, LLC
P.O. Box 404
Quaker Hill, Connecticut 06375
860/772-4738 (tel)
m.allen@allen-lawfirm.com

COUNSEL FOR THE DEFENDANTS and DIEGO CUBERO:

Ms. Mary Quimby
TEXAS ASSISTANT ATTORNEY GENERAL
P.O. Box 12548
Capitol Station
Austin, Texas 78711
mary.quimby@oag.texas.gov

COUNSEL FOR THE UNIVERSITY OF NORTH TEXAS:

Mr. Renaldo L. Stowers
DEPUTY GENERAL COUNSEL, UNIVERSITY OF NORTH TEXAS
115 Union Circle No. 310907
Denton, Texas 76203
940/565-2717 (tel)
renaldo.stowers@untsystem.edu

ALSO PRESENT:

VIDEOGRAPHER:

Mr. Jason Warner
Legal Video Group
lv.g.dallas@gmail.com
214-598-5229

I N D E X

	PAGE
Appearances.....	2
DIEGO CUBERO	
Examination by Mr. Allen.....	5
Changes and Signature.....	95
Reporter's Certificate.....	97
Further Certification.....	99

REPORTER'S NOTE

Please note that due to the quality of the transmission data for a Zoom videoconference, cross-talk causes audio distortion in the testimony when preparing a videoconference transcript.

E X H I B I T S

NO.	DESCRIPTION	PAGE
1	Deposition Notice.....	15
2	JSS Editorial Board Contact Information. UNT_000109	16
3	Ad Hoc Review Panel Report..... JACKSON000208 to JACKSON000233	42
4	Ad Hoc Panel Report Student Statement...	44
5	Email String..... UNT_000458 to UNT_000463	68
6	Email String..... UNT_000452	87
7	Email String..... UNT_000304 to UNT_000309	91

P R O C E E D I N G S

(Time 3:14 p.m.)

VIDEOGRAPHER: Today is September 26th, 2014. The time is 3:14 p.m. Central. On the record.

DIEGO CUBERO,
having been first duly sworn, testified as follows:

EXAMINATION

BY MR. ALLEN:

Q. Good afternoon, Professor Cubero.

A. Good afternoon.

MR. ALLEN: Mary, should we state our names for the record and who we represent?

My name is Michael Thad Allen. I represent the Plaintiff Timothy Jackson.

MS. QUIMBY: And I am Mary Quimby. I'm from the Texas Attorney General's Office, and I represent the University of North Texas and the other defendants in this matter. In this deposition today, I represent Dr. Diego Cubero.

MR. STOWERS: I'm Renaldo Stowers, Deputy General Counsel for the University of North Texas System.

Q. (By Mr. Allen) Professor Cubero, can you state your full name for the record, please.

A. My name is Diego Enrique, middle name, Cubero Hernandez. In Serika (phonetic) we use two last names.

1 That's my official name.

2 Q. Certainly. Is it okay if I refer to you as
3 Professor Cubero?

4 A. That's fine with me.

5 Q. Most of the documents I've seen refer to you as
6 Diego Cubero, and I think that will just be the easiest.

7 A. Yes.

8 Q. So can I ask if you've ever been deposed
9 before, Professor Cubero?

10 A. Yes, you may. I've not been deposed.

11 Q. Okay. So I'm just going to discuss a few
12 ground rules. First of all, as you know, we're creating
13 a record for the court, so this is a very peculiar kind
14 of conversation. And many of the things that are
15 perfectly normal in everyday conversation we have to
16 avoid in order to create a clear record.

17 So, for instance, if you nod or say uh-huh or
18 nonverbal cues, those can't be picked up on the record,
19 so I'm going to ask you to answer audibly to all
20 questions. Is that understood?

21 A. It is.

22 Q. If any question is unclear to you, please feel
23 free to interrupt me at any time. If you ask for a
24 clarification, I'll do my best to give it to you. Is
25 that understood?

1 A. Yes. And in the matter of interruptions, let
2 me turn off my cell phone too so it didn't interrupt me
3 later.

4 Q. Absolutely.

5 A. It's off.

6 Q. So following up on that statement, if you do
7 not ask for clarifications of a question, I will assume
8 you've understood the question as asked. Is that clear?

9 A. It is.

10 Q. Okay. From time to time, your attorney,
11 Attorney Quimby, may object. We're creating a record for
12 the court. It does not, however, relieve you of the
13 obligation to answer a question that's before you. Is
14 that clear?

15 A. It is.

16 Q. There is or there are a few exceptions. It
17 will be very clear to you because Attorney Quimby will
18 undoubtedly instruct you not to answer a question. But
19 for the most part, you must answer a question that's in
20 front of you.

21 A. I understand.

22 Q. Can you explain for the record what you did to
23 prepare for your deposition today?

24 A. I met with the attorneys representing me.

25 Q. For approximately how long? And I'm not asking

1 you to disclose any contents of those conversations.

2 A. For about three hours, I would say.

3 Q. Okay. Did you review any documents?

4 A. I did.

5 Q. What documents specifically did you review?

6 A. I reviewed faculty -- I forget the official
7 name but the faculty statement and the student statement.

8 Q. Were these the petitions that were sent to Dean
9 Richmond by the MHTE students and the statement that was
10 sent by the faculty and signed by you and, I believe, 16
11 other faculty members?

12 A. I cannot speak of whether the students'
13 statement was sent to Dean Richmond, so I cannot answer
14 that. But it will be the statement that our faculty
15 statement links.

16 Q. Okay. And you signed the faculty statement
17 that you're referring to, correct?

18 A. I did.

19 Q. Okay. I think we'll have an opportunity to
20 look at those today. Any other documents that you
21 examined?

22 A. No.

23 Q. Okay. I want to ask you a little bit of the
24 background about your own career at the University of
25 North Texas and elsewhere. Why don't we start with your

1 education. Can you describe the course of your education
2 starting with your undergraduate degree including each
3 degree you've earned, where, and when?

4 A. I begin studying -- I started my undergraduate
5 at Loyola University. I transfer to Georgia State
6 University where I completed my undergraduate degree.
7 Then I did my master's and my Ph.D. at Indiana
8 University.

9 Q. When did you graduate from Georgia State?

10 A. I'll have to do the mental math. And I will
11 say probably 2008, but I'm not certain.

12 Q. What degree did you earn at Georgia State
13 University?

14 A. To my recollection, it was a BM, Bachelor's of
15 Music.

16 Q. And then you attended ISU, Indiana State
17 University?

18 A. That's incorrect. I attended Indiana
19 University at Bloomington campus.

20 Q. Sorry about getting that wrong.

21 A. That's fine.

22 Q. When did you enter Indiana University?

23 A. To the best of my recollection, be 20 -- 2008.

24 Q. So immediately after GSU, you went to Indiana
25 University?

1 A. That's correct.

2 Q. And when did you graduate from Indiana
3 University?

4 A. I completed two degrees. One had been two
5 years after that. So presumably if I started 2008, it
6 would be 2010. And the other one was -- I cannot tell
7 you precisely. I can tell you definitely the station in
8 2014, but I'm not sure when the degree was granted.

9 Q. Okay. What is the specific degree? A master's
10 of what?

11 A. I believe it's Master's of Music.

12 Q. And is that the same for the Ph.D.? Was that a
13 continuation of your studies?

14 A. The Ph.D. is by definition a philosophy
15 doctorate, but it was on music, with a focus on music.

16 Q. Uh-huh. Did you concentrate on music theory?

17 A. Yes.

18 Q. Okay. Thank you. Now, similarly can you
19 describe your professional career in academia starting
20 with your graduation in 2014 from Indiana University?

21 A. Can I ask you to be more specific?

22 Q. Sure.

23 A. Ask again that question, please.

24 Q. Well, I know you said you're not sure when the
25 degree was conferred, so let's just ask it this way.

1 After your degree was conferred, where did you start
2 work?

3 A. Okay. I started working at University of North
4 Texas.

5 Q. There was a little bubble in the internet there
6 so could you say --

7 A. Yeah. I can repeat that, yeah. I started
8 working at the University of North Texas in fall of 2014.

9 Q. And have you stayed there ever since?

10 A. Yes.

11 Q. What professional societies are you a member
12 of?

13 A. I'm a member of the Society for Music Theory.
14 Though I believe my membership might be lapsed, and I
15 just need to renew it because I'm going to be presenting
16 there.

17 Q. I won't tell them.

18 A. Since we're on the record, I'm telling the
19 truth. I was a member. I don't know if I -- it's still
20 lapsed -- in the Brahms -- Brahms Society. And I'm
21 actually not sure of the official name. We'll call it
22 Brahms Society.

23 Q. Yeah.

24 A. And I would be the member of the Texas Society
25 for Music Theory. That one is certainly lapsed, I think.

1 Q. All right.

2 A. Those two counter each other. I think it's
3 certainly lapsed. Let me put it like that.

4 Q. And I assume you started as an assistant
5 professor on a tenure track position at the University of
6 North Texas?

7 A. I mean, that's a question. No. So I
8 didn't --

9 Q. What was your --

10 A. I did not start it as an assistant professor.

11 Q. Please state for the record the position you
12 started in fall of 2014 at the University of North Texas.

13 A. Yes. I started as a lecturer, music theory.

14 Q. Is a lecturer someone who is expected to
15 primarily teach?

16 A. Yes. I believe the expectation is teaching and
17 service. At least that's how most are. I cannot speak
18 as to -- to my understanding, that's what it is.

19 Q. Did you start with a four of four course load?

20 A. I don't remember what my course load was.

21 Q. Okay. And incidentally if you don't remember,
22 that's a perfectly acceptable answer. That's fine. Had
23 you remained a lecturer today?

24 A. No. Now I am associate professor.

25 Q. Now you're an associate professor?

1 A. Uh-huh.

2 Q. So at some point, you did jump onto the tenure
3 track, correct?

4 A. That's correct.

5 Q. Can you explain how that happened?

6 A. There was a search for an assistant professor
7 of music theory, and I was hired as part of the search in
8 2016, I believe. Though I'm not certain. It's a long
9 time ago.

10 Q. And at some point, you were granted tenure,
11 correct?

12 A. Yes.

13 Q. When was that?

14 A. To my best guess, 2021.

15 Q. It was after COVID?

16 A. It was after COVID.

17 Q. Okay.

18 A. It might have been 2022. I don't remember.

19 Q. So it's safe to say -- but correct me if I'm
20 wrong -- there were no consequences for you participating
21 in the publication of the Journal of Schenkerian Studies?

22 MS. QUIMBY: Objection, form.

23 Q. (By Mr. Allen) To you personally in your
24 career?

25 MS. QUIMBY: Objection, form.

1 A. I wouldn't say so. I think it is possible
2 consequences.

3 Q. (By Mr. Allen) What have been the consequences
4 to you for participating in the publication of the
5 Journal of Schenkerian Studies?

6 MS. QUIMBY: Objection, form.

7 A. Trying to -- so the question is why were my --
8 what were the consequences as part of my participation in
9 the Journal of Schenkerian Studies. Would that correct
10 what you asked?

11 Q. (By Mr. Allen) Sure -- let me. Let me back up.
12 So we have documents indicating that you participated in
13 the publication of the journal from time to time; that
14 you were on the editorial board. Is that correct?

15 A. I was a member of the editorial board of the
16 journal.

17 Q. Okay. And would you consider that
18 participation in the journal?

19 A. Would I consider? I will -- I will consider
20 that being part of the editorial board. The question is
21 to my level of participation, I think. I cannot answer
22 that.

23 Q. Well, I'll ask you about that later. I'm not
24 saying that you were doing anything one way or another.

25 MR. ALLEN: While we're at this juncture,

1 I'm just going to introduce for the record Exhibit Number
2 1.

3 (Deposition Exhibit No. 1 was marked)

4 Q. (By Mr. Allen) Do you see this document,
5 Professor Cubero?

6 A. I do.

7 Q. Do you recognize document entitled re: Notice
8 of taking deposition?

9 A. I'm reading the document so give me a moment.

10 Q. Oh, absolutely.

11 A. Will you mind showing the rest of the document?

12 Q. No. And this is a good question. If at any
13 time when we're examining an exhibit you want to review
14 it, have time to read it, just ask, please. I don't want
15 you answering questions that you haven't been able to
16 inform yourself of the document.

17 Do you see it goes down to here, and there is
18 nothing more. There is just legal stuff, and this is the
19 body of the document. Is that enough?

20 A. Yes. Can you state your question now as to the
21 document since I forgot it in the meantime?

22 Q. That's fine. Do you recognize this document?

23 A. I recognize that as the document that was sent
24 to me notifying me of the deposition.

25 Q. And that was going to be my followup question

1 is do we understand that you've appeared today to testify
2 in response to this document?

3 A. Well, I understand that, yeah, that I've been
4 asked to -- that I've been summoned with this document
5 for a deposition. That's what I understand.

6 Q. Okay. And I don't really have any other
7 questions about that document.

8 MR. ALLEN: I'm going to introduce into
9 the record Exhibit 2.

10 (Deposition Exhibit No. 2 was marked)

11 A. Okay. I see it. It's there.

12 Q. (By Mr. Allen) So let me -- if it's readable,
13 I'm going to shrink it to get the entire page on.
14 You'll see this is a one page document. It has UNT Bates
15 Number 109. It's captioned JJS Editorial Board Contact
16 Information.

17 Did I read that correctly?

18 A. I believe that's what the document says on the
19 top, yes.

20 Q. Now, I don't know why these names are -- or the
21 addresses or whatnot are redacted. We were given this by
22 the University of North Texas as part of the exchange of
23 documents in this case. I don't know.

24 Again have you ever seen a document like this JJS
25 Editorial Board Contact Information?

1 A. No.

2 Q. It lists you as --

3 A. You said -- you said -- let me kind of clarify.
4 You asked if I seen a document like this?

5 Q. Yes.

6 A. I've not seen this document.

7 Q. Okay. No. And I -- I didn't know if you did
8 or not, so that's why I'm asking. All right.

9 A. But it's possible that I may have seen
10 something like it, but I have not seen this one.

11 Q. Okay. Have you seen a list of people who were
12 on the Editorial Board of the Journal of Schenkerian
13 Studies?

14 A. Not to my recollection.

15 Q. Okay. It has your name and Ellen Bakulina's
16 name down here. Do you see that?

17 A. I do see that.

18 Q. Were you on the Editorial Board of the Journal
19 of Schenkerian Studies then in 2020?

20 A. Yes.

21 Q. When did you join the editorial --

22 A. 2020. Please ask the question.

23 Q. It's only to ask on the Editorial Board of the
24 Journal of Schenkerian Studies in 2020.

25 A. I was part of the editorial board. I don't

1 know when I became part of it. So I can -- so the exact
2 date, 2020, I cannot answer as to that.

3 Q. Well, I wasn't really asking when you joined
4 yet, but I was going to ask that. So your answer is that
5 you can't remember precisely when you joined?

6 A. Yes. I cannot remember precisely when I joined
7 the editorial board.

8 Q. Do you remember joining the editorial board
9 before COVID?

10 A. Yes. It sounds to my present day that that
11 is -- sounds true.

12 Q. Okay. And this -- do you have any reason to
13 believe that this list of people on the editorial board
14 in the timeframe we're talking about, 2020, is inaccurate
15 in any way?

16 A. I don't have reason to believe it's inaccurate.

17 Q. Okay. Thank you.

18 A. And I'll say the names don't -- don't strike me
19 as odd. That's why I say it doesn't strike me as
20 inaccurate. But I cannot name -- I cannot tell you for
21 certainty that all those were members of the editorial
22 board.

23 Q. Okay. And I won't ask you to confirm whether
24 anyone else but yourself is on the board except for your
25 colleague Ellen Bakulina, right? You knew that she was

1 on the editorial board as well, correct?

2 A. To this moment, like I -- I do -- I would say
3 that that seems about right, but I cannot -- I don't know
4 under what -- what will have led for certain when she had
5 joined.

6 Q. Okay. Well, I'm not -- actually, if I could
7 just ask you if you could answer the question I asked
8 you, I think this will go a lot faster. And I'm not
9 criticizing you. But if I -- if I am going to try to get
10 to that information, I'll probably ask a followup
11 question, and then I think we'll get through this faster.
12 I know it's late in the day so...

13 A. I got coffee so I'm set.

14 Q. Good for you. Sir, I want to ask you a little
15 bit about your experience in academia. Have -- beside
16 the Journal of Schenkerian Studies, have you ever served
17 on the editorial staff in any capacity of an academic
18 journal?

19 MS. QUIMBY: Objection, form.

20 A. I have served on other editorial boards.

21 Q. (By Mr. Allen) Can you name the journals on
22 which you served as a member of the editorial board?

23 A. Music Theory Online and Sumula, Spanish.

24 Q. Can you spell that? Sumula?

25 A. S-u-m-u-l-a with an accent -- an accent on the

1 first U.

2 Q. Yeah. Can you give a rough translation of that
3 for the record?

4 A. What I -- what I take this to mean is it's like
5 a -- a -- I'm trying to recall the -- it's not a word we
6 use in Spanish. It's Costa Rican Spanish, so I'm trying
7 to recollect the name. So I don't know if I can give you
8 an accurate translation.

9 Q. That's fine. And I just wanted to clear that
10 up. So what was your -- let's start with Music Theory
11 Online. In what capacity did you serve the Music Theory
12 Online journal?

13 A. Editorial board member.

14 Q. What was your responsibility as an editorial
15 board member?

16 A. I reviewed articles that I was -- that were
17 sent to me. I proofread copy edit articles. That is
18 different than reviewing them. And also kind of
19 miscellaneous, typically once that -- at least once a
20 year, editorial briefs, so to speak.

21 Q. Can you explain what an editorial brief is at
22 the Music Theory Online journal?

23 A. Often the editor will give the sense of
24 accepted rates of some of the topics represented within
25 the articles. He will break sometimes those -- those

1 numbers down in different ways such as number of, let's
2 say articles, for submissions and so forth. Articles
3 that were accepted upon one first glance upon
4 resubmission and so forth.

5 And there were some things other -- that is
6 typically the beginning of the meeting. And the other
7 part often is other things and can be initiatives. So
8 there is a big miscellaneous aspect to this that often is
9 -- it depends on the year-to-year operation.

10 MR. ALLEN: Okay. Can I ask that the
11 camera on Professor Cubero be raised just a bit? The top
12 of his forehead is sort of off the screen, or maybe you
13 could lower your seat. I don't know. It doesn't matter.

14 THE WITNESS: I don't think I can lower
15 the seat, but I might have a book here. Try it how.

16 MR. ALLEN: There we go. Yeah. That's
17 better.

18 THE WITNESS: Okay.

19 Q. (By Mr. Allen) Sorry, professor Cubero. So
20 back to this. As a member of the editorial board of
21 Music Theory Online --

22 THE WITNESS: Excuse me, Mr. Allen.

23 Can you press the okay so my face is not
24 covered by this little sign? There is a little sign, and
25 now I cannot see the rest of the -- there we go. Thank

1 you.

2 Q. (By Mr. Allen) Thank you. So back to some
3 questions about Music Theory Online and that as a member
4 of the editorial board, were you asked to read a conflict
5 of interest policy at any time?

6 MS. QUIMBY: Objection, form.

7 A. Of what editorial board?

8 Q. (By Mr. Allen) I thought you had testified that
9 you were a member of the Editorial Board of the Music
10 Theory Online?

11 A. Yes. In your question, you didn't specify what
12 editorial board you were talking about. So do you mean
13 Music Theory Online?

14 Q. Yes, sir. Sorry if that was unclear. I'm
15 still discussing Music Theory Online, and then we'll talk
16 about the Spanish journal in a moment. Okay. So for
17 Music Theory Online -- let me restate the question. As a
18 member of the editorial board, were you ever asked to
19 read a conflict of interest policy?

20 A. What I recall reading is a conflict of interest
21 policy especially with reviewing one for --
22 for -- I call this for when you -- when there's a
23 book -- I review for like book reviews. And, well, and
24 now that I -- you mention, also the -- there is a policy.

25 I cannot speak for certain about the conflict

1 of interest within that one has to look at every time --
2 one is prompted to look at every time when we review an
3 article for MTO --

4 Q. Okay.

5 A. -- and our best practice.

6 Q. What's in that policy? Can you explain what's
7 in that policy?

8 A. I cannot tell you for sure even though I have
9 reviewed articles. So like it has -- it's kind of
10 guidelines as to how to -- how to provide a review, and I
11 wouldn't -- maybe the word policy.

12 Q. You prefer guidelines? That's fine with me.

13 A. So I believe that, yeah, these are guidelines
14 as to review the article or like guidelines, yeah, to
15 review the articles.

16 Q. And so about this conflict of interest
17 instruction about book reviews that you discussed for the
18 Music Therapy Online journal, what does that say, to the
19 best of your recollection?

20 A. I don't recollect what it says. I just know
21 that it was recently -- recently kind of within the last
22 year revised, so I cannot -- so I cannot speculate as to
23 what it...

24 Q. That's fine. When did you join the Editorial
25 Board of Music Theory Online?

1 A. I don't know for certain, but at least -- I've
2 been there at least two years, I would say, maybe three.

3 Q. Were you on the Editorial Board of Music Theory
4 Online in 2020, if you remember?

5 A. My guess would be -- and it's a guess -- that
6 no, I was not part of their editorial board.

7 Q. So it was subsequent to your experience on the
8 Journal of Schenkerian Studies that you were -- excuse me
9 -- that you became a member of the Editorial Board of
10 Music Theory Online?

11 A. I believe that it was after 2020, yes, that I
12 became a member of the MTO, Music Theory Online Editorial
13 Board.

14 Q. So whatever your experience was with the
15 Journal of Schenkerian Studies did not prevent you from
16 being asked to be a member of the Editorial Board of the
17 Music Theory Online journal, correct?

18 MS. QUIMBY: Objection, form.

19 A. What I -- what I can say is that there was the
20 publication of the Journal of Schenkerian Studies, and
21 subsequently I became a member of the editorial board.
22 I cannot speak to causation or -- between those two.

23 Q. (By Mr. Allen) You certainly weren't prevented
24 from joining the editorial board of that journal, were
25 you?

1 A. No. I was not prevented.

2 Q. Was there some sort of interview, or were you
3 just simply invited?

4 A. There was not an interview with me. I cannot
5 speak as to the vetting process that they went through,
6 but what I got on my end was an invitation. I believe
7 so.

8 Q. Okay. Thank you. So back to this issue of a
9 conflict of interest policy. Are you aware of any
10 published policy by the Music Theory Online journal
11 addressing the conflict of interest of editors who may
12 want to publish in Music Theory Online?

13 A. Sorry. Something sounded here.

14 I'm not currently aware right now of a one such
15 policy. That doesn't mean that I have not encountered
16 before, but I cannot recollect.

17 Q. That's fine. Who is the editor in chief of the
18 Music Theory Online journal?

19 A. Currently? Yeah. Brent Auerbach.

20 Q. Has Brent -- Brent? Did I get that right?
21 B-r-e-n-t?

22 A. That's correct.

23 Q. Okay. Thanks. Brent Auerbach, has he
24 published in the Music Theory Online journal?

25 A. I don't know.

1 Q. Is he the only editor? Editor in chief? I
2 mean not just on the board. Like I mean the editor,
3 editor?

4 A. There is areas. I don't know what their title
5 is, but there are, I guess, associate editors might be
6 what I might call them. That title might not be correct.

7 Q. Okay. So I don't really need to know their
8 names, but have any of the associate editors, to your
9 knowledge, published in the Music Theory Online journal
10 since you have been on the editorial board?

11 A. If I can have a moment of levity, I'm like
12 trying to match apples and oranges. Some of the names, I
13 cannot recollect, and then I have to see if they were
14 published in there.

15 Q. Yeah, sure.

16 A. So I can -- I cannot say for certain that the
17 associate editors were or were not published.

18 Q. Okay. That's fine.

19 A. In MTO, in Music Theory Online.

20 Q. Does the Music Theory Online journal ever
21 publish non-peer reviewed pieces by authors?

22 A. Can you specify what you mean by peer review?

23 Q. Well, what I mean isn't so important as what
24 you mean. So why don't you explain what you understand
25 as peer reviewed.

1 A. I will say that to my knowledge in Music Theory
2 Online, articles are sent upon submission by the editor
3 or one of the associate editors to two anonymous
4 reviewers which give a recommendation. And then from
5 there, depending on the recommendation, it might be
6 reviewed by more members, by more people.

7 Q. And does the author know who the reviewers are?

8 A. Not -- ideally not. I cannot say. I cannot
9 say that -- that it is true. Maybe someone knows, but
10 ideally no one knows what the -- it's blind on both ends.

11 Q. Okay. That was going to be my followup
12 question. So ideally the reviewer doesn't know the
13 author, and the author isn't allowed to know the
14 reviewers. Is that accurate?

15 A. Yes.

16 Q. And that's called double blind peer review?

17 A. Yes.

18 Q. Has, to your knowledge, the Journal of Music
19 Theory Online ever published articles that were not
20 subjected to the double blind peer review process?

21 A. Not to my knowledge.

22 Q. Okay.

23 A. Book reviews go through a slightly different
24 process that I cannot speak to since I'm not partaking in
25 that part.

1 Q. Sure. Now I'm going to ask you some of the
2 similar questions about Sumula. I assume Sumula is also
3 a music theory journal?

4 A. Yes.

5 Q. When did you become a member of the Editorial
6 Board of Sumula?

7 A. I will be guessing, so I don't know for
8 certain. But I will say a year and a half ago. That
9 would be a ballpark guess.

10 Q. So your experience with the Journal of
11 Schenkerian Studies didn't prevent you from joining
12 Sumula as an editorial board member, did it?

13 A. I would say that the Journal of Schenkerian
14 Studies was published, and I subsequently became a
15 member. So, yeah, there was not to my knowledge someone
16 that stopped me from becoming a member, yes.

17 Q. Does Sumula have a conflict of interest policy
18 that addresses editors of the journal publishing in its
19 own pages?

20 A. I don't know if it has a policy, per se, but
21 it's something that actually came out recently. There is
22 not too many submissions. So the editor said that
23 editorial members can submit material but not editors.
24 I cannot -- I don't know for sure, but it was something
25 to that extent.

1 Q. So let me -- I think I heard you right, but I
2 just want to summarize because I think something cut out
3 there. So editorial board members can publish but not
4 the editor, editor. Does that make sense?

5 A. Yeah. Editorial board members can submit an
6 article for review. I believe so. It was -- it was in
7 passing message since the journal is not very -- has not
8 seen too many submissions. But I'm not saying that that
9 policy is because of that. I'm saying that that email
10 originated in relationship to that.

11 Q. Okay.

12 A. So I believe, yeah, I think that is accurate.

13 Q. So is it fair for me to summarize what you're
14 saying is that the editor is facing a shortage of
15 submissions, right?

16 A. Actually I can -- maybe I misspoke now. So I
17 think your summary might be correct, but I'm trying
18 to -- let me say -- let me --

19 Q. That's fine.

20 A. I don't know if it was a shortage of
21 submissions or a shortage of accepted publications, so
22 there is slight difference.

23 Q. Sure. So let's say quality submissions. Is
24 that fair?

25 A. I cannot speak as to the quality of

1 submissions. I can just say that is what gets published.

2 Q. Okay. And so the editor sent an email saying
3 that editorial board members should feel free to submit
4 papers for review.

5 A. I think that although that might be accurate, I
6 think that the message that I received and I think that
7 the editor convey was not a soliciting of articles. It
8 was more of a -- of a -- I didn't feel like she was
9 soliciting an article for me or for editorial members,
10 what's that. I reminded that they would entertain that,
11 but I didn't feel like I was being asked to contribute.

12 Q. Okay. And has she ever -- whoever the editor
13 is, and I'm not really interested in her name, per se.
14 No insult to her. But has she ever published in the
15 pages of Sumula?

16 A. Not that I know.

17 Q. Have any of the editorial board members
18 published in the pages of Sumula?

19 A. Not that I know.

20 Q. Okay. And as you characterize it, this wasn't
21 a conflict of interest policy, right?

22 A. No. It was not sent as a policy.

23 Q. Okay. Does Sumula subject articles to the same
24 double blind peer review process that you described
25 before in the Journal of Music Theory Online?

1 A. I'll be speculating. And my speculation will
2 be that it does, but it's a speculation.

3 Q. So as an editorial board member, you're not
4 entirely clear on the review process at Sumula?

5 A. Well, that would be the -- that would be my
6 assumption, and I have no reason to think otherwise since
7 it's common practice.

8 Q. Sure, sure. But I -- well, I don't want you to
9 speculate on this question because you're a member of the
10 editorial board, right?

11 A. Uh-huh.

12 Q. And so I'm just asking, and again I'm not
13 casting any kind of judgments on Sumula one way or
14 another.

15 A. Yeah.

16 Q. But I'm taking it from your testimony that you
17 don't know of the specific practice, regular practice of
18 review that is applied by the editor of Sumula?

19 MS. QUIMBY: Objection, form.

20 A. I have assumed that it is the typical practice
21 with an academic journal, at least in music theory, that
22 it's sent to reviewers. And I have no reason to -- I had
23 no reason to doubt that practice.

24 Q. (By Mr. Allen) But I'm more interested in your
25 experience as the -- as a member of the board of editors.

1 Has there been any training to be on the Board of Editors
2 at Sumula?

3 A. Training, per se? No. And I think it's worth
4 noting that the journal was founded when I became the
5 editorial board. So it's a relatively new journal too in
6 the sense that it doesn't have the -- I'm not saying that
7 -- it's a slightly different scenario than music theory
8 is.

9 Q. Sure. So you're a founding editorial board
10 member in a sense, right?

11 A. I am -- that suggests that I founded the
12 journal. I was asked to be on the editorial board when
13 the journal was founded.

14 Q. Okay.

15 A. But I did not found the journal.

16 Q. And all I'm asking is as part of those
17 discussions that led to you becoming an editorial board
18 member, whatever they were, there was no clear rule for
19 how articles would be subjected to review, as far as you
20 know?

21 MS. QUIMBY: Objection, form.

22 A. Can you repeat the question?

23 Q. (By Mr. Allen) Sure. I've asked you if they
24 send every article out for -- or excuse me. Strike that.
25 I've asked before if you know how they review

1 articles. Do they apply the same double blind peer
2 review process as Music Theory Online? And I believe you
3 answered that you would be speculating to say they do or
4 they don't. Is that fair?

5 A. I said that --

6 Q. Or assume?

7 A. -- I am assuming that they do. I don't have a
8 reason to --

9 Q. Right.

10 A. -- to second guess that assumption.

11 Q. And I --

12 A. But I don't remember -- I don't remember
13 reading a document that this was spelled out, if that's
14 your question.

15 Q. That was going to be my question. Thank you.
16 Do you know of any articles that have been published in
17 Sumula that were not subjected to peer review in its
18 short existence, I suppose, since you said it came into
19 being a year and a half ago?

20 A. Not that I --

21 Q. Okay. Are you familiar with the journal --
22 excuse me -- the academic publication music theory -- I
23 think it's SMT Spectrum?

24 A. Yes. I'm familiar with it. Music Theory
25 Spectrum so it would be MTS, Music Theory Spectrum. Is

1 that what you were asking? The one you were asking
2 about?

3 Q. It is.

4 A. Okay.

5 Q. Were you aware that the article of -- well,
6 excuse me. Back up.

7 In November of 2019, were you aware that Philip
8 Ewell, a professor at Hunter College in New York gave a
9 plenary address at the Society for Music Theory?

10 A. Yes.

11 Q. And does the Society for Music Theory run
12 Spectrum?

13 A. It is considered a journal, the Society for
14 Music Theory, so, yeah, so I would say yes. It's part of
15 the society. It's published as part of the --

16 Q. And were you aware that the talk that Professor
17 Ewell gave at the 2019 SMT conference was also published
18 in Spectrum after that?

19 MS. QUIMBY: Objection, form.

20 A. I'm aware that -- not for certain. I'm aware
21 that his talk led to some publications, but I cannot say
22 that it was the talk.

23 Q. (By Mr. Allen) Okay. Are you aware of the
24 publication by Philip Ewell in Spectrum based on his 2019
25 plenary address at the SMT conference?

1 A. I'm aware that he published material from that,
2 and I think it was in Spectrum. But it might have been
3 in Music Theory Online, so I cannot say for sure that it
4 was in Spectrum.

5 Q. Okay. Are you aware of any controversy about
6 the nature of his publication in Spectrum in your field?

7 MS. QUIMBY: Objection, form.

8 A. Can you repeat the question? I just --

9 Q. (By Mr. Allen) Sure. Do you know if anyone
10 complained about Music Theory Spectrum publishing Ewell's
11 contribution based on his 2019 plenary address to the
12 Society of Music Theory?

13 A. To the best of my knowledge, I don't recall
14 there being an issue with his publication in Music Theory
15 Spectrum. And I am not even certain whether it was in
16 Music Theory Spectrum. The other journal is Music Theory
17 Online, so to my day, I get that confused.

18 Q. Fair enough. And just to -- just so you know,
19 I think he published in both of them, so -- but I'm not
20 going to ask you anything further about that. That's
21 fine. About your publications, approximately how many
22 journal articles have you published in your career?

23 MS. QUIMBY: Objection, form.

24 A. I publish five, six.

25 Q. (By Mr. Allen) And it's okay if it's not exact,

1 but I just wanted to know the number.

2 A. It might be around there. It might be four.
3 Not seven.

4 Q. Less than seven but more than four?

5 A. Yeah. That's good.

6 Q. Okay. And are all of those double blind peer
7 reviewed?

8 A. In some cases, they were sent to actually three
9 readers. So I guess you can call it -- call it, yeah. I
10 know it's double blind, but it's three reviewers, yes.
11 So it's double blind. To my knowledge, yes, they were.

12 Q. Okay. Have you ever published an article that
13 was not peer reviewed?

14 MS. QUIMBY: Objection, form.

15 A. I had -- I haven't had an article appear in an
16 academic journal that, to my knowledge, was not peer
17 review.

18 Q. (By Mr. Allen) Okay. Have you published any
19 articles in books?

20 A. Yes. I publish a book chapter.

21 Q. Okay. Was that book chapter peer reviewed?

22 A. It was reviewed by the editor. I don't know
23 what -- what was the extent of the peer. I don't know
24 exactly what that review was. I know that it was
25 certainly reviewed by the editor.

1 Q. Do you remember getting reviews by anonymous
2 reviewers when you published that book chapter?

3 A. I don't remember.

4 Q. When did that come out, by the way?

5 A. A while back. 2017, '18. I don't know. Some
6 of these things take a long time to come out so I'm not
7 sure.

8 Q. Believe me, I know. So that must have been one
9 of your earlier publications, right?

10 A. I guess. By earlier you mean, yeah, I guess it
11 kind of maybe third, second, fourth, somewhere in there.

12 Q. Okay. So can you explain briefly your
13 relationship to Professor Timothy Jackson at the
14 University of North Texas?

15 A. Do you mind being more specific with your
16 question? It's quite broad.

17 Q. Well, I want it to be open ended, so when did
18 you first meet Timothy Jackson?

19 A. I met Timothy Jackson, I'm guessing, in the
20 year, probably the semester I was hired in 2014.

21 Q. Did you work with him in any capacity? And I'm
22 not -- I don't want to talk about the Journal of
23 Schenkerian Studies yet. Let's leave that out of it.
24 Did you work with him in any capacity other than on the
25 journal you mentioned?

1 A. Well, we work both at UNT, so I will say that I
2 work with him. But also that word can suggest
3 collaborate, and I did not collaborate.

4 Q. Okay. What was your experience of Timothy
5 Jackson as a colleague?

6 A. He was -- felt like he wanted to kind of -- let
7 me think about the precise word -- involve you in some of
8 the things he was interested in.

9 Q. And it's -- and I suspect that had something to
10 do with Schenkerian analysis?

11 A. He was interested in my involvement with the
12 Center for Schenkerian Studies.

13 Q. Well, I'm glad you brought up the center. Did
14 you get involved in the Center of Schenkerian Studies?

15 A. I -- I was part of the editorial board of the
16 Journal of Schenkerian Studies that I believe is
17 published under the umbrella of the Center for
18 Schenkerian Studies.

19 Q. Okay.

20 A. But not to any more extent than that that I can
21 think of.

22 Q. Okay. Leaving the summer of 2020 aside, from
23 the time you were hired as a lecturer, which I believe
24 you said was 2014 up to the summer of 2020, had you heard
25 any complaints about the Center of Schenkerian Studies?

1 MS. QUIMBY: Objection, form.

2 A. I don't recall anybody coming to me with a
3 complaint about the Schenkerian -- about the Center for
4 Schenkerian Studies prior to 2020 or between 2014 and
5 2020.

6 Q. (By Mr. Allen) Okay. And prior to the summer
7 of 2020, did anyone complain to you about the Journal of
8 Schenkerian Studies?

9 A. I cannot recall one such complaint presently.
10 It was a long time ago.

11 Q. Thank you. You know, in -- how close would you
12 say you were to Timothy Jackson on a scale from almost
13 never talk to him to we were very close and I went over
14 to his house for Thanksgiving dinner?

15 A. Maybe the example that you gave is not the
16 best. I remember going to his house, not for
17 Thanksgiving dinner. But I wouldn't -- I wouldn't
18 consider a colleague I was particularly close to.

19 Q. Okay. That's fair. Can you identify any
20 specific actions of Timothy Jackson that you considered
21 racist?

22 MS. QUIMBY: Objection, form.

23 A. Can you -- actions? Can you -- do you mind
24 asking the question a little different? I'm kind of hung
25 up on the word actions.

1 Q. (By Mr. Allen) Well, I understand why, but you
2 understand that the graduate students and by extension
3 the faculty who endorsed their statement and reproduced
4 it in a publication by incorporating it by reference
5 accuses Timothy Jackson of racist actions and behaviors.
6 So the question is for you, Professor Cubero, what are
7 those actions?

8 MS. QUIMBY: Objection, form.

9 A. I cannot speak as to what the students have
10 particular in mind since you're asking the actions in
11 reference to what a student said.

12 Q. (By Mr. Allen) Okay. And I'm asking you about
13 in particular because you signed your name to a petition
14 styled a Faculty Statement about Timothy Jackson,
15 correct?

16 MS. QUIMBY: Objection, form.

17 A. I signed a letter in reference to the
18 publication of the Journal of Schenkerian Studies.

19 I don't know if anyone is waiting to speak but
20 I --

21 Q. (By Mr. Allen) Do you need a break?

22 A. No, no, no. I just -- since no one is
23 speaking, I didn't know if you were expecting me to say
24 more, but I think I understand your question.

25 Q. No. I'm looking for an exhibit that I wanted

1 to --

2 A. Okay. Cool. I was just making sure that you
3 were not looking at me and waiting to talk more because I
4 was done. No. I'm good.

5 Q. No. I mean, you're free to add to what you've
6 just said. But you'll see that sometimes I am trying to
7 find an exhibit, and that's the only reason.

8 A. No. That's good.

9 Q. Thank you, sir.

10 MR. ALLEN: And, for instance, here I'm
11 going to introduce into the record as Exhibit 3 a
12 document that's styled the Ad Hoc Panel Report of
13 November 25th, 2020.

14 (Deposition Exhibit No. 3 was marked)

15 Q. (By Mr. Allen) And you'll see the date here,
16 Professor Cubero. I don't know if you've read this
17 document. And I'm not -- I don't want to talk about this
18 document just now, but it has certain attachments. And
19 one is this. Do you see this?

20 This is captioned Statement of UNT Faculty on
21 Journal of Schenkerian Studies. It's dated here as
22 published news from SEM General News, a public forum,
23 hosted by someone named Stephen Stuempfle. And it's
24 dated here it least July 31st, 2020.

25 Do you recognize this document?

1 A. Let me read it a second, and I'll answer the
2 question.

3 Q. Absolutely. Is this big enough for you, or
4 should I expand it?

5 MS. QUIMBY: Part of it is like the
6 right-hand side is slightly cut off. I think it's almost
7 within -- yeah. There we go.

8 Q. (By Mr. Allen) Is this better?

9 A. That's better. I will squint, but I will get
10 through it.

11 Q. I can make it bigger, honestly. I have a lot
12 of sympathy for people who have to squint because I have
13 to.

14 A. Well, mine is because I don't wear glasses.
15 Let me read it.

16 Q. Here, let me just make it a little bigger.

17 A. I finished reading what I can see, and I assume
18 that the rest is signatories.

19 Q. I'm just scrolling down so you can see it.
20 And you are correct, sir. The next page has a few other
21 people, and then that's the end. Is that -- do you want
22 to see anything more?

23 A. No. That's okay.

24 Q. Okay. So I have a question about this
25 statement of UNT faculty. Do you recall agreeing to sign

1 this statement?

2 A. Yes.

3 Q. And there is your name right there, correct?

4 A. That's right.

5 Q. So this document refers to the student letter.

6 Do you see that here?

7 A. Yes.

8 Q. In fact --

9 A. I cannot attest the length, but I'm assuming it
10 --

11 Q. Well, you do see that the statement is or at
12 least this document represents that the statement is
13 incorporated by reference through this URL link, right?

14 A. Yes. And as part of the exhibit, I don't know
15 what actual is being linked in the URL, but I'll assume
16 it is what I recall being the student letter.

17 MR. ALLEN: Well, and then I'm going to
18 introduce as Exhibit 3 --

19 COURT REPORTER: 4.

20 MR. ALLEN: You got me again. Sorry about
21 that.

22 Sorry, Professor Cubero. This is Exhibit
23 4 for the record.

24 (Deposition Exhibit No. 4 was marked)

25 Q. (By Mr. Allen) And I'm going to represent to

1 you that this is the link --

2 A. Okay.

3 Q. -- which if you click on that URL, this will be
4 pulled up on some Google drive whose owner is not
5 important and I don't know. All right? At least for our
6 purposes here.

7 So as part of this, you understood that
8 students were -- as part of their call to action, they
9 were calling for your colleague, Professor Jackson, to be
10 fired, right?

11 MS. QUIMBY: Objection, form.

12 A. Can you ask the question again, please?
13 Dr. Jackson what?

14 Q. (By Mr. Allen) Did you understand -- yes, yes.
15 Did you understand that the student statement, what they
16 call the statement, I guess, was calling for Professor
17 Jackson to be fired?

18 A. I did not understand our -- our letter as
19 calling for Dr. Jackson to be fired.

20 Q. You endorsed the students' call for action,
21 correct?

22 MS. QUIMBY: Objection, form.

23 A. I endorsed the students' call to action, and
24 then I provided a clarification as to what that call to
25 action I was endorsing was.

1 Q. (By Mr. Allen) Where is the qualification?

2 A. If you can show me that previous document, I'll
3 tell you.

4 Q. Okay. Let's -- I will and I want to save that
5 thought. But first I want to call -- you asked me -- we
6 brought this up because I was asking you to identify
7 racist actions of Timothy Jackson.

8 And this is something that the students say
9 about Timothy Jackson and you incorporate it by reference
10 in your publication to the UNT faculty letter. Do you see
11 this right here under Number 3? Hold accountable every
12 person responsible?

13 A. Uh-huh.

14 Q. This should also extend to investigating past
15 bigoted behaviors by faculty and by taking this into
16 account the discipline and potential removal of faculty
17 who use the JSS platform to promote racism.
18 Specifically the actions of Dr. Jackson both past and
19 present are particularly racist and unacceptable.

20 So what I'm asking you is what specific actions
21 can you identify by Dr. Jackson that are racist?

22 MS. QUIMBY: Objection, form.

23 A. By referring to this document, which I did not
24 write, I -- by actions, I'm not sure I cannot -- I cannot
25 speak to the -- for the students.

1 Q. (By Mr. Allen) I'm not asking you to speak for
2 the students. I'm just asking what you know. Do you
3 have any direct knowledge of actions by Timothy Jackson
4 which are racist?

5 MS. QUIMBY: Objection, form.

6 A. The -- what I understand right now, as I read
7 this document, is that my understanding is that the
8 students are referring to the publication of the Journal
9 of Schenkerian Studies. That's my current understanding
10 of it.

11 Q. (By Mr. Allen) Okay.

12 A. But again I'm speculating because I did not
13 write it so...

14 Q. Right. And I'm not asking you to speculate
15 about what the students thought or conceived of. I'm
16 asking you do you have any direct knowledge of actions,
17 specific actions, that Timothy Jackson committed that you
18 consider racist?

19 MS. QUIMBY: Objection, form.

20 A. I believe that there is -- I recollect there is
21 passages in his publication that were perceived as
22 racist.

23 Q. (By Mr. Allen) Okay. Besides what he published
24 in writing, and I assume you're referring to Volume 12 of
25 the Journal of Schenkerian Studies?

1 A. Yes.

2 Q. Okay. So we've identified that. Is there any
3 action besides speaking through a journal that you would
4 identify as racist by Timothy Jackson?

5 MS. QUIMBY: Objection, form.

6 A. A question involving a remark involving race
7 that was -- it was a long time ago. It's when
8 Dr. Jackson alluded that a certain person didn't have a
9 position because he was white, and that to me seemed --
10 that could be construed as racist. But I don't -- I
11 don't read that paragraph thinking about that particular
12 action.

13 Q. (By Mr. Allen) I'm sorry. You strategically
14 cut out just when you said that very important thing you
15 just said. So there was a person in the past, and
16 timothy Jackson suggested that he didn't get a position.
17 And what did you say after that?

18 MS. QUIMBY: Objection, form.

19 A. Yeah. I didn't strategically cut out. I think
20 it's the internet.

21 Q. (By Mr. Allen) No, no. Not you. It was the
22 internet. I'm not saying you did it. It's just I
23 couldn't hear. I really honestly couldn't hear it so I'm
24 asking you.

25 A. There was -- and this is going a long time ago,

1 and I'm just trying to remember the moment where Dr.
2 Jackson -- Dr. Jackson mentioned to me that a certain
3 faculty member, you know, might not have this position
4 because he was white.

5 I took to mean -- the way I took this is that
6 it was a little bit -- I took it as kind of something
7 that could be interpreted there as racist.

8 Q. It could be interpreted as racist?

9 A. Yes.

10 Q. A comment about a white faculty member?

11 A. Well, the implication being that -- that -- and
12 this was my understanding of this moment of this long
13 time ago. It was a moment that just stuck with me. That
14 -- that this person was being treated -- treated unfairly
15 because they were white, and there was an interesting
16 hire of people that were not.

17 Q. Say that again. What was the last part?

18 A. It was -- it was -- I understood it as a
19 comment that reflected more on passing judgment on this
20 person based on being white rather than it was not about
21 the -- the skills of this particular person.

22 MR. ALLEN: Can we go off the record?

23 MS. QUIMBY: Sure.

24 VIDEOGRAPHER: Off the record, 4:22.

25 (Recess taken from 4:22 to 4:31)

1 VIDEOGRAPHER: The time is 4:31. We're on
2 The record.

3 Q. (By Mr. Allen) Thank you, Professor Cubero, for
4 allowing me to take that break. I believe you were
5 saying that sometime ago, Timothy Jackson had made a
6 comment about a white professor who he thought did not
7 get a job or something. Could you explain that again?

8 A. Yes. That a while back, he made a comment as
9 to a white person not getting a job because --

10 Q. Because of race?

11 A. Because of race. And that it's something since
12 you asked me what actions that could be construed as
13 racist, I didn't take it to mean that that is what --
14 what The student response was referring to and nor did I
15 endorse that.

16 Q. Okay. And how long ago was this statement by
17 Timothy Jackson that you remember?

18 A. I don't remember. I really don't.

19 Q. Was it in The 2020 timeframe?

20 A. I don't think so.

21 Q. Okay. Do you consider yourself Latino?

22 A. Yes. I consider myself of white race and
23 Latino ethnicity.

24 Q. Has Timothy Jackson ever expressed anything
25 racist towards you for your national origins?

1 A. Not that comes to mind.

2 Q. And he was on faculty at The time you were
3 hired, correct?

4 A. That's correct.

5 Q. Was he part of The hiring process?

6 A. I believe he was in The search committee, but I
7 don't recall.

8 Q. Did you have any indication that you were
9 discriminated against by Timothy Jackson individually?

10 A. No.

11 Q. Have you ever witnessed Timothy Jackson
12 discriminate against a black American?

13 MS. QUIMBY: Objection, form.

14 A. I believe that The -- some of The statements
15 might have -- in his journal, in The journal, 12 Volume,
16 are construed as -- can be construed as racist.

17 Q. (By Mr. Allen) Okay. But I'm asking you a
18 little bit different question. Have you ever witnessed
19 Timothy Jackson discriminate against a black American
20 like in hiring, anything of that nature?

21 MS. QUIMBY: Objection, form.

22 A. Since you gave The example, I would say
23 I don't --

24 MR. ALLEN: He's frozen.

25 A. I don't recall he discriminating against a

1 black American in a hiring scenario.

2 Q. (By Mr. Allen) So you wanted to go back to this
3 statement. I think you said something about what you did
4 or did not endorse, correct?

5 A. Yes.

6 MS. QUIMBY: Objection, form.

7 Q. (By Mr. Allen) And were you directing my
8 attention to this document in saying that? This is The
9 Statement of UNT Faculty on Journal of Schenkerian
10 Studies that's attached to Exhibit 3 in The record.

11 MS. QUIMBY: Can you show The document?

12 MR. ALLEN: I am so sorry. I thought it
13 was up, and, of course, it was not.

14 Q. (By Mr. Allen) Here it is again, Exhibit 3.

15 A. Yes. So I forget your question but, yes, that
16 is The document.

17 Q. Well, before we broke, you said you did not
18 endorse The statement in The record, The student
19 statement which was introduced as Exhibit 4, which
20 identifies, quote, "racist actions" or words to that
21 effect. And you said I didn't endorse that part of The
22 student statement and you wanted to refer to this
23 document.

24 And I promised you we would come back to talk
25 about it, so I'm now putting Exhibit 3 back up and asking

1 you to show me why you believe you did not endorse The
2 student letter in that regard.

3 A. In this document The way I currently understand
4 it is that it's endorsing a call to action meaning that
5 The College of Music probably condemn that it shouldn't
6 release freely online to the public and to provide a
7 public account of the editorial publication process and
8 its failures.

9 So I see that as what this -- currently that's
10 how I see it as this statement is endorsing those two
11 action points.

12 Q. Okay. And nothing more? That's your -- is
13 that your testimony? That you weren't endorsing anything
14 more than publically condemning The issue and asking that
15 it be released freely online to The public, and you
16 weren't endorsing anything other than what's in
17 quotations?

18 A. That is how I read The statement currently. I
19 cannot go back to my mindset.

20 Q. Sure. Can you point to any language in The
21 sentence here that was published that says you only
22 endorse those quoted sections?

23 A. Can you repeat your question, please?

24 Q. Sure. Point to language in this statement of
25 UNT faculty on Journal of Schenkerian Studies that

1 indicates that you endorse exclusively those two
2 passages.

3 A. The way I read it is that The clause that
4 starts which asks is explaining what is being endorsed in
5 The call for action.

6 Q. Okay. And you don't deny that -- oh, go
7 ahead --

8 A. Yeah. So which asks, I see it as a restrictive
9 clause.

10 Q. Okay. And you say which asks, that you argue
11 restricts your endorsement only to those two quotations?

12 MS. QUIMBY: Objection, form.

13 A. The way I interpret that sentence is that it's
14 serving to show what it's endorsing.

15 Q. (By Mr. Allen) Okay. And you don't -- you
16 don't deny that this URL incorporates The students'
17 statement in its entirety into your letter, do you?

18 MS. QUIMBY: Objection, form.

19 A. That URL links The statement.

20 Q. (By Mr. Allen) Okay.

21 A. That we -- whose to actions we are endorsing.

22 Q. Okay. Is there anything else you want to
23 testify to in this document which you argue limits its
24 endorsement of the students statement?

25 MS. QUIMBY: Objection, form.

1 A. Nothing is coming to mind.

2 Q. (By Mr. Allen) Okay.

3 A. Currently.

4 Q. Sure. You worked on The Journal of Schenkerian
5 Studies when they were formulating a call for paper --
6 papers for Volume 12, correct?

7 MS. QUIMBY: Objection, form.

8 A. I was an editorial board member when it was a
9 call for, yeah.

10 Q. (By Mr. Allen) Okay. And I'm specifically
11 focusing on The call for papers that was fashioned in The
12 late -- late months of 2019.

13 (Court Reporter requested clarification)

14 Q. (By Mr. Allen) I'm focusing on the call for
15 papers that The Journal of Schenkerian Studies was
16 drafting and sent out in The last months of 2019,
17 November December.

18 (Court Reporter requested clarification)

19 THE WITNESS: I was an editorial board
20 member. Apologies.

21 COURT REPORTER: I'm so sorry. Thank you.

22 THE WITNESS: Soft spoken by nature.

23 Q. (By Mr. Allen) And you participated in The
24 formulation of The call for papers, correct?

25 A. I was asked for feedback.

1 Q. Okay. Is that participation?

2 A. I guess. That's -- that's how I would
3 ordinarily construe it as, yes, I provided feedback.

4 Q. Okay. And you knew that The call for papers
5 went out on The SMT server list, correct?

6 MS. QUIMBY: Objection, form.

7 A. I cannot know for certain where it was -- what
8 it was -- where it was sent out so...

9 Q. (By Mr. Allen) Are you a member of The Society
10 for Music Theory in 2020? Or were you? Excuse me.

11 A. Yes.

12 Q. Did you receive emails from a server list that
13 was maintained by The Society for Music Theory?

14 A. I may or may not. I don't remember. I get a
15 lot of emails. That's my second email address so...

16 Q. Okay. How did you understand that The call for
17 papers in which you participated formulating was
18 distributed?

19 A. To -- how it was distributed, or what? Can you
20 repeat your question? Sorry.

21 Q. Yes. How was The call for papers distributed?

22 A. I don't know for sure so...

23 Q. You had no personal knowledge of that?

24 A. No.

25 Q. Okay. And just one last question. Is that

1 because you may have known but forgot, or you just were
2 simply not involved in that part of it?

3 A. So if it was distributed through music theory,
4 a society threads on TIE (phonetic) would probably have
5 received that email. But again I get a lot, so there is
6 some that's quite an active society. So sorry. I forgot
7 your question. That is The kind of The knowledge to
8 which I have how it was distributed.

9 Q. Well, did you know that Levi Walls or Levi
10 Walls, I suppose his name is pronounced. Levi Walls
11 distributed the call for papers?

12 MS. QUIMBY: Objection, form.

13 A. I don't know who distributed. I think it was
14 an email from him that he asked me about The call for
15 papers, but I don't know who distributed and how it was
16 distributed.

17 Q. (By Mr. Allen) Okay. All right. That's fine.
18 Did you ever learn after July 25th, 2020, that Philip
19 Ewell had announced that he would refuse to read Volume
20 12 of The Journal of Schenkerian Studies?

21 A. I don't recall learning that.

22 Q. Okay. You don't recall any controversy over
23 Philip Ewell refusing to read The Journal of Schenkerian
24 Studies, do you?

25 MS. QUIMBY: Objection, form.

1 A. I don't recall a controversy about him reading
2 it or not. I don't.

3 Q. (By Mr. Allen) Okay. Thanks. Are you familiar
4 with The journal Theoria?

5 A. I know of it, yes.

6 Q. Have you published in it?

7 A. No.

8 Q. Do you read it on a regular basis --

9 A. No.

10 Q. -- as part of your academic work? Okay. Were
11 you aware that in 2020 (inaudible) published an article
12 in Theoria?

13 MS. QUIMBY: I'm sorry. You cut out.

14 A. You got cut off.

15 Q. (By Mr. Allen) Sorry. Were you aware that
16 Philip Ewell published a journal article in 2020 in The
17 journal Theoria?

18 A. I was not aware.

19 Q. So what -- back to The Journal of Schenkerian
20 Studies, Volume 12. Let's just concentrate on Timothy
21 Jackson's article. As you sit here today, can you
22 identify what you believe in that article was, quote,
23 "racist," closed quote?

24 A. I recall that it kind of alluded to The lack of
25 involvement of black people in music theory. I have not

1 read it since. And that it came from a lack of trying
2 hard or practicing. It's been a while. Five years.

3 Q. Anything else?

4 A. Not that comes to mind right now.

5 Q. That's The thing that stands out in your
6 memory, right?

7 MS. QUIMBY: Objection, form.

8 Q. (By Mr. Allen) Did you answer The question?
9 Sorry. I didn't hear The answer.

10 A. That is what I recall at this moment.

11 Q. Okay. That's fine. Professor Cubero, do you
12 have any familiarity with rap and hip-hop?

13 MS. QUIMBY: Objection, form.

14 A. I know of it, but I wouldn't describe myself as
15 being familiar.

16 Q. (By Mr. Allen) Have you ever read any books on
17 rap or Hip-hop?

18 A. I have not read books on rap or hip-hop.

19 Q. Okay. How about jazz?

20 A. I've read books on jazz, yes.

21 Q. Have you discussed any of those music forms
22 with colleagues at The University of North Texas?

23 MS. QUIMBY: Objection, form.

24 A. Rap or hip-hop, I don't recall discussing with
25 colleagues. Jazz, it seems that I -- likely that I have

1 discussed it, yes.

2 Q. (By Mr. Allen) Okay. So I have a simple
3 question. Is it at all controversial in music theory or
4 among your colleagues, let's say, that jazz originated as
5 an African-American art form?

6 MS. QUIMBY: Objection, form.

7 A. Can you repeat your question, please?

8 Q. (By Mr. Allen) Yeah. Is it a controversial
9 viewpoint that jazz music originated as an
10 African-American art form?

11 MS. QUIMBY: Objection, form.

12 A. I am not learned on whether there is
13 controversy or not.

14 Q. (By Mr. Allen) Okay. That's fine. So did you
15 have any objections to The way Volume 12 of The Journal
16 of Schenkerian Studies was organized?

17 MS. QUIMBY: Objection, form.

18 A. Can you be more specific?

19 Q. (By Mr. Allen) Well, you said you participated
20 in The formulation of a call for papers, correct?

21 A. Yes. I gave feedback.

22 Q. And did you have any objections to The
23 formulation of The call for papers in its final form?

24 A. I don't recall at The present moment having an
25 objection as to how The call paper was -- The wording for

1 The call for papers in its final form.

2 Q. And as you know, there was a controversy
3 surrounding The Volume 12 of The Journal of Schenkerian
4 Studies, correct?

5 A. Yes.

6 Q. Some of The controversy surrounded allegations
7 about The mismanagement of The journal, correct?

8 MS. QUIMBY: Objection, form.

9 A. It seems that people were questioning The way
10 that The editor -- how this particular journal issue was
11 edited.

12 Q. (By Mr. Allen) Okay. What were their specific
13 criticisms, as you understand them?

14 A. Well, maybe questions, I think, maybe is The
15 word I used. That's at least what I meant to. People
16 wanted to know how -- how The editorial process that led
17 to this publication.

18 Q. Do you know or do you remember specific
19 criticisms of The editorial process levied at The Journal
20 of Schenkerian Studies, Volume 12, at that time? We're
21 talking July 2020 and there after.

22 A. The specific criticism was The publication of
23 an anonymous article.

24 Q. Any others?

25 A. As to The editorial process? People were

1 questioning what The editorial process was, and that's
2 what our letter endorsed. The knowing -- finding out
3 what The process was.

4 Q. Well, I'm just going to put Exhibit 3 up online
5 again. Well, I read this, but I want you to help. As
6 far as I can tell, they had these criticisms in The
7 faculty statement which you signed. But I'm happy for
8 you to read this again and tell me what criticisms of The
9 editorial process were being raised by The UNT faculty at
10 that time?

11 A. The part they highlighted, it raises the -- to
12 read it, The fact that he -- that he, being Dr. Ewell,
13 was not afforded an opportunity to respond in print. So
14 that's being a criticism.

15 Q. And --

16 A. And The lack --

17 Q. -- The lack of peer review?

18 A. Yes. That's what The -- that's what The
19 statement says.

20 Q. So I believe now I have three criticisms
21 according to what you remember and are testifying to, so
22 just correct me if I'm wrong. But one was that they
23 published an anonymous article, right? The other was --
24 you were nodding. Did you answer audibly?

25 A. Yes, yes. I forgot that was a --

1 Q. That's fine. I do it too. That Philip Ewell
2 allegedly was not afforded an opportunity to respond.
3 That was this second one. And that there was no peer
4 review or lack of clearly defined peer review. Is that
5 The sum total of The criticisms that you remember?

6 MS. QUIMBY: Objection, form.

7 A. Those are The ones that come to mind from The
8 moment -- from The document you're showing me and from my
9 personal recollection that I just told you about, The
10 anonymous article.

11 Q. (By Mr. Allen) Okay. And The last question on
12 this is as you sit here today, can you remember any other
13 criticisms of The procedures that The JSS used to produce
14 Volume 12 of The Journal of Schenkerian Studies?

15 MS. QUIMBY: Objection, form.

16 A. Those The ones that come to mind. Sorry. I
17 started thinking about The question and forgot The
18 question. Sorry. I hope this answered. So these are
19 The three that come to mind at this moment, those three.

20 Q. (By Mr. Allen) And you can't remember anything
21 else at this time?

22 MS. QUIMBY: Objection, form.

23 A. No.

24 Q. (By Mr. Allen) Okay.

25 A. Because at 5:00 o'clock, I start --

1 Q. Yeah. It's okay. And I actually think we're
2 going to be done relatively soon.

3 So if Philip Ewell received the call for
4 papers, is it true that he was not afforded The
5 opportunity to respond in print?

6 MS. QUIMBY: Objection, form.

7 A. The -- if I recall correctly, The call for
8 papers were essays in response to his -- to his plenary
9 lecture.

10 Q. (By Mr. Allen) Sure.

11 A. So from The way I read it, it would be odd that
12 Dr. Ewell would respond to himself.

13 Q. I agree with you. But if he received The call
14 for papers like everyone else, is it true that he did not
15 get The opportunity to respond in print?

16 MS. QUIMBY: Objection, form.

17 A. Sorry. There was a -- sorry. I construed it
18 that he was not able to respond to The articles that were
19 written -- to The essays that were written in response to
20 his essay.

21 Q. (By Mr. Allen) But to your point, could he
22 respond before they were even written?

23 A. It could be -- he could respond before they're
24 published.

25 Q. And that's what you think they mean here -- you

1 mean here when you signed this statement?

2 A. Yes.

3 Q. Is that said any -- is that said anywhere in
4 this sentence?

5 A. The way I interpret that sentence is that he
6 was not given The opportunity to respond to The essays
7 that were written as a response to his plenary lecture.

8 Q. It doesn't say that here, does it?

9 A. We like nice sentences. But, yeah, The fact
10 that he was not afforded The opportunity to respond in
11 print. So by response, their response, I mean respond to
12 The essays that were written. That's how I understand
13 this.

14 Q. But again that's not stated in this letter, is
15 it?

16 MS. QUIMBY: Objection, form.

17 A. It's The way -- it's The way I understand The
18 sentence.

19 Q. (By Mr. Allen) I'm sorry. I didn't hear what
20 you just said because of The --

21 A. It is the way I understand The sentence as
22 written. That's what it takes to be submitted.

23 Q. My question was a simple one. That what you
24 understand, what you've just explained is not written in
25 this document, is it?

1 MS. QUIMBY: Objection, form.

2 A. I think it's written in The document because if
3 I were reading it, and I'm currently reading, that's how
4 I would read it.

5 Q. (By Mr. Allen) That it doesn't say he was not
6 afforded The opportunity to respond in print, but that it
7 actually says that he was not afforded the opportunity to
8 respond in print to The responses?

9 MS. QUIMBY: Objection, form.

10 Q. (By Mr. Allen) That's what you think it says?

11 MS. QUIMBY: Objection, form.

12 A. I take it -- I take it that its meaning is that
13 he was not afforded opportunity to respond in print to
14 The responses. That's what I believe is The meaning of
15 The sentence.

16 Q. (By Mr. Allen) Okay.

17 A. As that would be quite funky.

18 Q. Or it could be a lie, right?

19 A. Excuse me?

20 Q. It could be a lie as well that it's actually a
21 misrepresentation because Philip Ewell was given a
22 response to respond to The SMT call for papers like
23 everyone else.

24 MS. QUIMBY: Objection, form.

25 Q. (By Mr. Allen) That's also an interpretation

1 that someone could read into The sentence, couldn't they?

2 MS. QUIMBY: Objection, form.

3 A. I cannot speak to The way other people read it.
4 I can speak to The way I read it.

5 Q. (By Mr. Allen) Sure.

6 A. And it is that -- again I'll repeat myself.
7 That he was not afforded The opportunity to respond to
8 The essays written in response to his plenary lecture.

9 Q. Do you know of any documents in the
10 correspondence of the Journal for Schenkerian Studies
11 that indicated if Philip Ewell submitted something that
12 they would not publish it?

13 MS. QUIMBY: Objection, form.

14 A. I don't know of any such document.

15 Q. (By Mr. Allen) Do you know of documents in
16 which The editorial staff discussed inviting Philip Ewell
17 to respond after The responses in Volume 12 were
18 published?

19 MS. QUIMBY: Objection, form.

20 A. Sorry. It's late and probably even later for
21 y'all since you have been doing this for a while. Can
22 you repeat your question?

23 Q. (By Mr. Allen) Sure. Do you know of documents
24 in which The editorial staff discussed inviting Philip
25 Ewell to respond once Volume 12 had been published? In

1 other words, once The responses in Volume 12, The
2 symposium, had appeared in print, do you know of any
3 documents in which they discussed inviting Philip Ewell
4 to respond to those already published articles?

5 A. None come to my mind at this moment.

6 Q. Okay. Thank you. I think we only have two
7 more things, and then I think we'll be done if I'm not
8 mistaken.

9 A. Hydration.

10 Q. Yes, please. I don't want you to be
11 dehydrated.

12 A. I brought it soon, but this is more dehydrating
13 than anything.

14 MR. ALLEN: I'm going to mark for The
15 record as Exhibit 5. Am I correct?

16 COURT REPORTER: Yes, sir.

17 MR. ALLEN: Thank you.

18 (Deposition Exhibit No. 5 was marked)

19 Q. (By Mr. Allen) Sorry, Professor Cubero. But
20 I've been getting it wrong too many times, so I'm always
21 asking for confirmation.

22 This is an email. Exhibit 5 is an email thread
23 that begins -- well, The top lead email is
24 July 26, 2020. Do you remember getting this email,
25 Professor Cubero?

1 A. Do you mind if I read it? I read slowly. And
2 I'm tired, so I'll read slowly.

3 Q. No. I don't know. Would you like it this size
4 so it all fits on one page or larger and then I'll just
5 --

6 A. Either way. That's good, that's good.

7 Q. Okay. And I don't want you to spend too much
8 time on this but the -- because it goes -- see, it goes
9 six pages. But I'm not going to ask you about every
10 email. There is only a couple where you are relevant to
11 The discussion.

12 But if you could read The beginning email
13 enough to get a sense of an answer to my question whether
14 you received it and remember it, please. Just tell me
15 when you're through.

16 A. I read it as far as you're showing so...

17 Q. Okay. Do you remember receiving this email?

18 A. No. That doesn't mean I didn't receive it
19 because I am there.

20 Q. All right. Look, I understand. I'm just --
21 I'm just trying to ask questions for The purpose of
22 discovery here. And this is your email right here,
23 correct?

24 A. Yes.

25 Q. And is that The email you used to

1 correspond --

2 A. Yes.

3 Q. -- for The purpose of UNT business?

4 A. Uh-huh.

5 Q. Okay. And let me just ask it again because we
6 interrupted each other, and then there was a kind of
7 uh-huh. So this is your email for The purposes of UNT
8 business --

9 A. Yes.

10 Q. -- as a professor at UNT?

11 A. Yes.

12 Q. Thank you. All right. Now, it's the nature of
13 emails that they begin at The end and they proceed to The
14 top, so I'm skipping all The way to The bottom. Do you
15 remember getting this email from Andrew Chung on July
16 25th, 2020?

17 A. So The thread, I guess, does seem familiar.
18 It's been a long time. I guess I've not read it since
19 what is it? Four years.

20 Q. I understand. So Andrew Chung is sending this
21 email. Can you say for The record who is Andrew Chung?

22 A. Andrew Chung is a Music Theory Assistant
23 Professor at University of North Texas.

24 Q. And he also signed the faculty petition that we
25 just looked at in detail which was introduced as Exhibit

1 3 at The end of The Ad Hoc Panel Report?

2 A. I presume so. I will have to see it again, but
3 I presume that.

4 Q. Okay. And he says that in this email on
5 July 25th, 2020, I apologize for interrupting your
6 weekends but via Twitter I have been seeing that there
7 has been some early and vociferous pushback re: The new
8 issue of JSS.

9 Did I read that correctly?

10 A. Yes.

11 Q. Is it fair to say this is how you first heard
12 about what would become The Schenker controversy?

13 MS. QUIMBY: Objection, form.

14 A. I don't know for sure.

15 Q. (By Mr. Allen) Okay. That's fine.

16 A. Yeah.

17 Q. Also do you know of any journalistic practices
18 that make Twitter The arbiter of what is and is not a
19 sound publication?

20 MS. QUIMBY: Objection, form.

21 A. So, yeah, I don't know of any editorial
22 practices that make Twitter -- I forgot The rest of
23 it -- so I guess The arbiter of what makes a fair
24 publication.

25 Q. (By Mr. Allen) I'm just going to scroll through

1 quickly, and then we'll get to an email by you, sir.

2 Here is Ellen Bakulina. She's participating.

3 Were you aware that Ellen Bakulina participated in The
4 formulation of The call for papers?

5 A. I don't know if she did. I don't know.

6 Q. Okay. Here is Andrew --

7 A. I will presume she did, but I'm not sure.

8 Q. Okay. That's fine. Here is some more by Ellen
9 Bakulina. Levi Walls chimes in. You received this email
10 from Levi Walls, correct?

11 A. That seems right, yes. My name is --

12 Q. Do you recall -- do you recall talking to Levi
13 Walls at this time about The Journal for Schenkerian
14 Studies?

15 MS. QUIMBY: Objection, form.

16 A. I don't -- I don't recall having a conversation
17 with him. I remember this being The extent of what I --
18 and I have exchanged ideas with Levi Walls.

19 Q. (By Mr. Allen) Okay. You didn't respond to him
20 directly?

21 MS. QUIMBY: Objection, form.

22 A. No. I don't remember writing him an email.

23 Q. (By Mr. Allen) Okay.

24 A. Or calling him.

25 Q. He also says here -- I mean, do you -- does

1 this email -- I'm going on The assumption that you
2 remember this email. But if you say you don't, as you
3 sit here today, we can -- we'll move on. But it seems to
4 me you said you remembered this email. Is that true?

5 A. Yeah. This thread seems --

6 Q. Okay.

7 A. -- seems to be one I remember.

8 Q. Why would Levi Walls say he didn't want his
9 career to be ruined before it properly began? Do you
10 have any understanding of why he would say that?

11 A. At that moment, I'm not sure what I -- was in
12 my mind. The way I read it right now is that he was
13 The -- The -- he appears The editor of The journal, and
14 The journal was controversial.

15 Q. So is he fearing retaliation from people in the
16 Society for Music Theory, The people on Twitter, all of
17 that?

18 MS. QUIMBY: Objection, form.

19 A. I cannot speak about The fears, but it seems
20 that he's concerned that this won't serve his career.

21 Q. (By Mr. Allen) In your work on The journal, to
22 The extent there was any, did you ever hear Levi Walls
23 express concern that Timothy Jackson was forcing him to
24 do things?

25 MS. QUIMBY: Objection, form.

1 A. I'll have to read his email again now to make
2 sure, but let me see. Can you repeat your question now?

3 Q. (By Mr. Allen) In your experience participating
4 in The journal, to The extent that you did, did you ever
5 recall or did you ever witness Levi Walls complain that
6 Timothy Jackson was forcing him to do things in the
7 journal that he didn't want to do?

8 MS. QUIMBY: Objection, form.

9 A. I don't have a recollection of Levi Walls
10 coming to me and expressing again such concern.

11 Q. (By Mr. Allen) Okay. All right. And this
12 is -- he does say this in this email of July 25th, 2020.
13 He says, Since The journal printed every response that we
14 got, it should go without saying that we weren't
15 interested in presented a one-sided picture.

16 Was that your understanding at this time of
17 what The journal had done as well?

18 MS. QUIMBY: Objection, form.

19 A. I didn't have -- I didn't know what The
20 editorial process was. And this would be, I guess, The
21 first time that I get a sense of what it might have been,
22 that they publish everything that was submitted or sent.

23 Q. (By Mr. Allen) Did you read The articles in
24 Volume 12?

25 A. I did.

1 Q. Did you read them before you signed The faculty
2 statement?

3 A. Yes.

4 Q. Did you think that they were all one sided?

5 A. No. That they were all one sided? I think it
6 presented different perspectives.

7 Q. Do you think that's appropriate in a scholarly
8 journal?

9 A. To present different perspectives?

10 Q. Yes.

11 A. I think it's appropriate, yes.

12 Q. Now again we're just scrolling up. You're on
13 The CC line. Here is Benjamin Graf. Now, The first time
14 on July 26, 2020, in The morning you send an email. Do
15 you remember sending this email?

16 A. Yes.

17 Q. Why did you think The controversy over The
18 Journal of Schenkerian Studies would affect The
19 reputation of our program? I presume meaning the music
20 theory program at UNT? Am I correct about that
21 assumption?

22 MS. QUIMBY: Objection, form.

23 A. By our program, I will say music theory is
24 probably the ethnomusicology and part of The (inaudibly).

25 Q. (By Mr. Allen) The MHTE?

1 A. That's correct.

2 Q. Okay. So now I can rephrase my question. Why
3 did you think that The controversy growing around The
4 Journal of Schenkerian Studies was going to affect The
5 reputation of The MHTE?

6 MS. QUIMBY: Objection, form.

7 A. Because people were raising criticisms, and
8 this journal is -- is published as part of The Center for
9 Schenkerian Studies that is associated with our division.

10 Q. (By Mr. Allen) And were those criticisms
11 primarily that it was racist? The publications in Volume
12 12 of the Journal of Schenkerian Studies?

13 MS. QUIMBY: Objection, form.

14 A. I believe that they were things that people
15 construed as racist, but that was not The only criticism.

16 Q. (By Mr. Allen) I'm not saying it was the only
17 criticism. Was that one of The most important criticisms
18 that people were making?

19 MS. QUIMBY: Objection, form.

20 A. I cannot rate importance, but it was definitely
21 one, one criticism.

22 Q. (By Mr. Allen) Well, in The faculty statement
23 you sign, sir, accusing The journal and basically Timothy
24 Jackson of racism was in The first paragraph, right?

25 MS. QUIMBY: Objection, form.

1 Q. (By Mr. Allen) Should we go back and examine
2 that?

3 A. We can go back if you like. You didn't -- I
4 did not accuse Dr. Jackson specifically of racism, as
5 your question suggests.

6 Q. You signed this statement, right? We've seen
7 this before. This is Exhibit 3.

8 A. Uh-huh.

9 Q. It says, The forthcoming issue, a set of
10 responses to Dr. Philip Ewell's plenary lecture, is
11 replete with racial stereotyping and tropes.

12 Did I read that correctly?

13 A. Yes, sir. I was -- I was -- I was daydreaming
14 for a second. Dr. -- so can you repeat that a second?
15 Sorry. I completely spaced out.

16 Q. Sure. Doesn't this statement that you signed
17 accuse The Journal of Schenkerian Studies of being,
18 quote, "replete with racial stereotyping and tropes"?

19 MS. QUIMBY: Objection, form.

20 A. It says The forthcoming issue.

21 Q. (By Mr. Allen) That's Volume 12, right?

22 A. Yes. It's replete with racial stereotyping and
23 tropes. It does.

24 Q. And that's in The first paragraph, right?

25 A. Yes.

1 Q. And, in fact, it said before any of these
2 comments about Ewell not being able to respond in print
3 and The peer review process, right? You put that first,
4 right?

5 MS. QUIMBY: Objection, form.

6 A. I think that The statement is first in The
7 paragraph.

8 Q. (By Mr. Allen) And then you go on to say in
9 your statement, To be clear, not all responses contain
10 such egregious material, right?

11 A. That's what it says.

12 Q. Some were thoughtful. Which ones were
13 thoughtful, Professor Cubero? Can you identify The ones
14 that were thoughtful?

15 A. It's been a long time, but I remember in my
16 opinion one about Russian music theory and kind of
17 association as one being one that stood out to me.

18 Q. Okay.

19 A. But I don't want to say that's The only one.
20 It's just one that comes to mind.

21 Q. Here it says, Some were thoughtful and
22 meaningfully address and amplified Dr. Ewell's remarks
23 about systemic racism in The discipline.

24 Doesn't that state that The so-called
25 thoughtful and not egregious material amplified

1 Dr. Ewell's remarks?

2 MS. QUIMBY: Objection, form.

3 Q. (By Mr. Allen) I mean, we don't have to read
4 text into this sentence that isn't there to understand
5 that this is talking about pieces that, quote, "amplified
6 Dr. Ewell's remarks," right?

7 MS. QUIMBY: Objection, form.

8 A. The way I read that, that sentence right now is
9 some were thoughtful and -- and he's referring to -- it
10 has what we call in Spanish an omnipresent subject. And
11 some meaningfully address and amplified Dr. Ewell's
12 remarks about systematic racism in this. I guess that's
13 the way I'm reading The.

14 Q. (By Mr. Allen) Okay. Has anyone that you know
15 of in this Schenker controversy who signed this statement
16 ever identified an anti-Ewell paper as, quote,
17 "thoughtful"?

18 MS. QUIMBY: Objection, form.

19 A. So I don't recall having a conversation as to
20 which ones were The thoughtful or not thoughtful. I
21 just, to me, those are -- again some were thoughtful and
22 some meaningfully amplified, et cetera, what's said in
23 that document.

24 Q. (By Mr. Allen) It doesn't say any articles were
25 thoughtful that criticize Professor Ewell, does it, in

1 your faculty statement?

2 MS. QUIMBY: Objection, form.

3 A. I think The meaning is not precluded from The
4 wording. I think you can read that. Again, as I said,
5 some are -- some are thoughtful and some meaningfully
6 amplify, et cetera. So it will be again my same answer.

7 Q. (By Mr. Allen) So you will have to add some
8 words that you imply into The sentence, and then you
9 could read it that way. Is that your testimony?

10 MS. QUIMBY: Objection, form.

11 A. You're saying it means that The other way is
12 incorrect. I think that I'm telling you what I feel is
13 implicit within The sentence.

14 Q. (By Mr. Allen) You feel it's implicit. You
15 have a feeling?

16 A. Well, that's my interpretation, I guess. My
17 interpretation of The sentence is that again it's
18 referring to some to passes.

19 Q. I'm going back to Exhibit 5. This was this
20 email thread we have been reading earlier. I'm just
21 moving on from your email here which we just briefly
22 talked about. Then there is an email from Professor
23 Benjamin Brand. And he was your division head, correct?

24 A. That's correct.

25 Q. And he was calling a, quote, "emergency

1 meeting" for 4:00 p.m. And this is on a Sunday,
2 July 26, 2020. Was it common to call a meeting on Sunday
3 as a division head, in your experience?

4 A. No.

5 Q. Well, not your experience as a division head.
6 But as you were a faculty member, was it common that
7 Benjamin Brand would call division -- excuse me -- an
8 emergency meeting on a Sunday?

9 A. No.

10 Q. Did you participate in this meeting?

11 A. Yes.

12 Q. What was said at The meeting?

13 MS. QUIMBY: Objection, form.

14 A. I don't recall.

15 Q. (By Mr. Allen) Okay. Then you'll see Tim gave
16 this very long explanation which we -- which was The
17 first email you read when I introduced this exhibit,
18 right?

19 A. Yes.

20 Q. Do you remember if he responded? This must
21 have been before The meeting, correct?

22 MS. QUIMBY: Objection, form.

23 A. I don't know when The meeting took place, so I
24 don't -- so I -- assuming.

25 Q. (By Mr. Allen) Okay.

1 A. Yes. So...

2 Q. And I don't really want you to assume
3 necessarily.

4 A. You -- you -- you can. I guess it says 4:00
5 p.m. I don't know 4:00 p.m. What day it was but if it's
6 a Sunday --

7 (Cross-talk)

8 Q. Well, it says The 26th, right?

9 A. So if he refers to Sunday, yeah, I guess so,
10 yes, that would have been before The meeting.

11 Q. Okay. And do you remember your response to
12 this?

13 MS. QUIMBY: Objection, form.

14 A. To this email?

15 Q. (By Mr. Allen) Yes.

16 A. I don't know if I responded to this email.

17 Q. Okay. Do you remember raising criticisms of
18 any anonymous author at this time?

19 MS. QUIMBY: Objection, form.

20 A. I don't remember raising them.

21 Q. (By Mr. Allen) Did you criticize at this time
22 The supposed lack of opportunity for Ewell to respond in
23 print?

24 MS. QUIMBY: Objection, form.

25 A. I cannot speak as to what I might have said

1 then and at The meeting. I don't remember.

2 Q. (By Mr. Allen) Okay.

3 A. But based on what I'm seeing and what I
4 remember, I don't remember saying this though I might
5 have said it.

6 Q. You might have said that at The time?

7 A. That I was concerned that there was an
8 anonymous reader?

9 Q. Uh-huh.

10 A. I don't know. I could have, but I don't
11 remember saying it.

12 Q. Okay. And I'm also talking about The supposed
13 lack of opportunity for Philip Ewell to respond in print.
14 Did you raise criticism on July 26 about The lack of
15 opportunity supposedly for Philip Ewell to respond in
16 print?

17 MS. QUIMBY: Objection, form.

18 A. I don't think I raised -- I don't remember
19 The -- what was discussed at The meeting and what I said.

20 Q. (By Mr. Allen) I mean, here Timothy Jackson
21 even says, It would be appropriate for Levi to send Ewell
22 a complete copy of the symposium as published along with
23 The next call for responses to The symposium and asks him
24 if he would like to respond to The symposium in The next
25 issue, right?

1 A. That's what he says.

2 Q. Did you understand that as desire to exclude
3 Ewell from participating in a discussion in print in The
4 pages of Journal of Schenkerian Studies?

5 MS. QUIMBY: Objection, form.

6 A. Did I understand the desire to exclude?

7 Q. (By Mr. Allen) Yes.

8 A. I read that as -- let's see. That Dr. Jackson
9 believes it will be appropriate for Levi to send him a
10 copy of The symposium and ask him -- see if he would like
11 to respond.

12 Q. And The last question I'm going to ask about
13 this before we go on to one last exhibit, sir, is do you
14 recall objecting on July 26 about The lack of peer review
15 in The Journal of Schenkerian Studies?

16 MS. QUIMBY: Objection, form.

17 A. It seems that I'll have objected to The lack of
18 peer review. The -- I -- I have objection to -- well, I
19 guess I was trying to find out what The peer review
20 process was for Volume 12. And it seemed to me that
21 there was a lack of peer review, at least not your
22 typical double blind review.

23 Q. (By Mr. Allen) And did you object to that at
24 The time on July 26, 2020?

25 MS. QUIMBY: Objection, form.

1 A. I found it objective. Something you might
2 object to. I had to -- I don't know what I might have
3 said at that moment, so I cannot say I objected or not.
4 But I did -- I would have find it that already having
5 something that it was unusual is just The anonymous
6 reader, that that showed to me a bit of a normal peer
7 review process.

8 Q. (By Mr. Allen) Okay. And but as you sit here
9 today, you don't remember objecting to that at The time?

10 MS. QUIMBY: Objection, form.

11 A. I don't know if I responded to Timothy Jackson
12 or to The meeting. I -- I had a sense that this was not
13 a -- this didn't run like your typical peer review
14 journal.

15 Q. (By Mr. Allen) I know. But we'll be done a lot
16 sooner if you can just focus on my question. I
17 understand. What I'm asking is did you respond at The
18 time, to The best of your recollection as you sit here
19 today, by objecting to The lack of peer review of Volume
20 12 of The Journal of Schenkerian Studies?

21 MS. QUIMBY: Objection, form.

22 A. Again I don't recall, but I might -- like I
23 found it -- I found it objectionable that --

24 Q. (By Mr. Allen) Okay.

25 A. -- it seemed that it didn't follow The

1 traditional -- traditional -- traditional --

2 Q. Okay.

3 A. -- a traditional based on The product alone.

4 And then The -- again just The idea of soliciting or

5 accepting every essay is unusual from a -- from a

6 publication process.

7 Q. Okay. And again --

8 A. Do you mind if I take a bathroom break? I

9 drank a lot of water.

10 Q. Sure.

11 A. Thank you.

12 Q. Sure.

13 VIDEOGRAPHER: Off The record, 5:28.

14 (Recess taken from 5:28 to 5:39)

15 VIDEOGRAPHER: The time is 5:39. On The

16 record.

17 Q. (By Mr. Allen) Professor Cubero, I just really
18 want to wrap this up, but if I could just summarize what
19 we were talking about before. I was asking you about The
20 objections to The lack of peer review at The Journal of
21 Schenkerian Studies, Volume 12.

22 You said, I believe, that you recall thinking
23 that that was not proper at The time, meaning July 26
24 when this email thread was being exchanged. But my
25 question was did you raise that objection at The time?

1 And I believe you testified that you could not remember
2 doing so.

3 But I'm not trying to put words in your mouth.
4 I'm just trying to get a clean record. Is that -- is it
5 true that you don't remember raising that objection on
6 July 26, 2020, to your colleagues?

7 MS. QUIMBY: Objection, form.

8 A. Looking back at this moment, I don't remember
9 on this particular time raising that objection.

10 Q. (By Mr. Allen) Thank you, sir. I just have one
11 last exhibit, and I believe we'll get through it very
12 quickly. Well, I hope.

13 MR. ALLEN: I'm going to mark for The
14 record as Exhibit 6 an email thread that seems to
15 continue where Timothy Jackson's email left off on
16 July 26, 2020. This time ending at 2:09 p.m.

17 (Deposition Exhibit No. 6 was marked)

18 Q. (By Mr. Allen) Shall I give you a chance to
19 look over this email, Professor Cubero?

20 A. Yes, please. Uh-huh. I read it now. I don't
21 know if you had a question so if --

22 Q. I do. So can you confirm for me -- I'm
23 flipping back to Exhibit Number 5. This seems to be a
24 different direction in some of The same thread, but it's
25 The same July 26, 2020. And I don't -- I don't have any

1 other part of The thread.

2 A. Uh-huh.

3 Q. Do you remember getting this email starting at
4 The bottom from Timothy Jackson?

5 A. As I said, it brings -- yeah, rings -- rings
6 true, yeah, like I will have read it.

7 Q. And then you would have read this email by 1:53
8 p.m. too which was presented in Exhibit 5, correct,
9 because this was in The morning at 11:11 a.m., right?

10 A. Are you saying that I would have read that one
11 too?

12 Q. You would have read this one by 1:53 p.m. on
13 that day, correct?

14 A. Yeah. The last one --

15 MS. QUIMBY: Objection, form.

16 A. -- the letter was addressed to me specifically,
17 so I felt that I would have -- I recall that one more
18 vividly.

19 Q. (By Mr. Allen) This one you recall more?

20 A. Again it was addressed to me so --

21 Q. Okay.

22 A. -- a lot was happening.

23 Q. Right. And so as far as I can tell, your only
24 response to this was The email that came next, July 26,
25 2020, at 2:02 p.m. in which you say, Thank you, Tim.

1 This is very helpful. I was indeed impressed by The
2 caliber of The contributors to this issue. Diego.

3 A. Yes.

4 Q. Is that -- was that basically your response at
5 this time?

6 MS. QUIMBY: Objection, form.

7 A. In this email, all I said I thought The
8 information he had provided was helpful in understanding
9 how The -- The review process or that led to The
10 publication of this journal.

11 Q. (By Mr. Allen) Yeah.

12 A. And Dr. Jackson raised The fact that they were
13 university professors, authors and doctors of music
14 theory, some authors and books and textbooks. And I said
15 that The authors were again of high -- The authors, The
16 contributors were of high caliber.

17 Q. Sure. Okay. And I think you'll agree -- this
18 email doesn't raise The issue of this email of yours on
19 July 26, 2020, at 2:02 p.m. doesn't raise The issue of
20 The anonymous article, right?

21 A. No. But reading upon it, I think that
22 Dr. Jackson is answering something or he's addressing me
23 to a query. And in that one it mentions that it was one
24 exception already explained. So I guess that it would
25 have been explained elsewhere. I don't know.

1 Q. Well, you don't in this email at 2:02 p.m.
2 raise The issue of Ewell's lack of opportunity allegedly
3 to respond in print, right?

4 A. It does not raise The issues. It just thanks
5 Dr. Jackson for The information and talks about that the
6 authors were again of largely high caliber within The
7 field.

8 Q. Sure. And again The last question. It doesn't
9 raise The issue of The lack of peer review, right, your
10 email of July 26, 2020, at 2:02 p.m.?

11 MS. QUIMBY: Objection, form.

12 A. The email doesn't address The issue, but it
13 doesn't say it's not an issue. It just says The
14 information is helpful. It doesn't make a statement as
15 to The process.

16 Q. (By Mr. Allen) Okay.

17 MR. ALLEN: I have no further questions at
18 this time.

19 Mary, I pass The witness to you, please.

20 MS. QUIMBY: Okay. Can you just give me
21 five minutes?

22 MR. ALLEN: Absolutely. Shall we go off
23 The record?

24 MS. QUIMBY: Yes, please. Thanks.

25 VIDEOGRAPHER: Off The record, 5:46.

1 (Recess taken from 5:46 to 5:49)

2 VIDEOGRAPHER: The time is 5:49. We're on
3 The record.

4 MR. ALLEN: Mary, I had one -- I found
5 another exhibit which is actually the -- The message to
6 which Diego is responding in Exhibit 6. Can I introduce
7 that really quick and then just really I'm not going to
8 ask him any questions about it. Only that this is The
9 thread.

10 MS. QUIMBY: Sure.

11 Q. (By Mr. Allen) All right. Let my share The
12 exhibit page again, Mr. Cubero. Can you see The exhibits
13 again now?

14 A. So that's The same email you showed me but I
15 guess part of a longer.

16 Q. Correct. This was going to be my question.

17 MR. ALLEN: I'm introducing for The record
18 as Exhibit 7, again an email thread.

19 (Deposition Exhibit No. 7 was marked)

20 Q. (By Mr. Allen) Let me just start here. Do you
21 see where Benjamin Brand is calling for The emergency
22 meeting here in Exhibit 7?

23 A. Uh-huh.

24 Q. I just -- I'm asking that to establish that
25 it's part of The same conversation. It tends to fork

1 later as sometimes happens with emails. Here, Professor
2 Frank Heidelberger is participating. But here is a
3 message from you, and you say, I too want to know who
4 vetted The responses before publication, correct?

5 A. Yes. That's what I said.

6 Q. And then here follows The message which we had
7 examined in Exhibit Number 6. Is that correct? Diego to
8 reply directly to your query?

9 MS. QUIMBY: Objection, form.

10 A. Yes. Before you -- I would just, for The
11 record, before, I only saw part of The email, and now I
12 see The rest.

13 Q. (By Mr. Allen) Yeah.

14 A. Which talks about highly seasoned scholars and
15 chair of our music department. I guess that's what I
16 would have been thinking about high caliber.

17 Q. Well, again sometimes The documents come to us
18 chopped up.

19 A. Yeah. I'm not criticizing. Just for The
20 record.

21 Q. No, no.

22 A. Yeah.

23 Q. And also I'm introducing this to try to be fair
24 to you, Professor Cubero. I don't want you testifying to
25 something. Believe me, your counsel, Mary Quimby, will

1 certainly make me pay for it if I try to do that, so I
2 want you to know what you're testifying about.

3 All I wanted to establish here is that the
4 email thread we examined in Exhibit 7 was more or less
5 The same. Somehow either was part of or branched off of
6 this email thread.

7 MS. QUIMBY: Is there a question in there?

8 Q. (By Mr. Allen) Yes. Is that a fair
9 characterization of Exhibit 7?

10 MS. QUIMBY: Objection, form.

11 A. It appears that it's The same email thread in
12 The way you're showing it. I cannot attest whether it
13 was a separate email. But from what I see, it appears to
14 be The same email thread.

15 Q. Sure, okay.

16 MR. ALLEN: I will pass The witness.

17 Thanks for allowing me to get that exhibit
18 in too.

19 MS. QUIMBY: Sure. I will reserve my
20 questions for trial.

21 COURT REPORTER: Ms. Quimby, do you want
22 to purchase a transcript?

23 MS. QUIMBY: Yes, please.

24 COURT REPORTER: Thank you.

25 MR. ALLEN: Thank you, Professor Cubero,

1 for what must have been a long afternoon. I appreciate
2 your testimony today.

3 THE WITNESS: Thank you. I hope you have
4 a good day.

5 VIDEOGRAPHER: Off The record, 5:52.

6 (Time 5:52 p.m.)

7 (End of deposition)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

1 _____
2 _____
3
4 I, DIEGO CUBERO, have read the foregoing deposition
5 and hereby affix my signature that same is true and
6 correct except as noted above.

7
8 _____
9 DIEGO CUBERO

10 THE STATE OF _____ }
11 COUNTY OF _____ }

12 Before me, _____, on this day
13 personally appeared DIEGO CUBERO, known to me (or proved
14 to me under oath or through _____)
15 (description of identity card or other document) to be
16 the person whose name is subscribed to the foregoing
17 instrument and acknowledged to me that they executed the
18 same for the purposes and consideration therein
19 expressed.

20
21 Given under my hand and seal of office this the
22 _____ day of _____, 2024.

23
24 NOTARY PUBLIC IN AND FOR
25 THE STATE OF _____
My Commission Expires: _____

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
TEXASSHERMAN DIVISION

TIMOTHY JACKSON,

Plaintiff,

VS.

LAURA WRIGHT, ET AL.,

Defendants.

*
*
*
*
*
*
*
*

CASE NO. 4:21-CV-00033-ALM

REPORTER'S CERTIFICATION

ORAL AND VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF

DIEGO CUBERO

SEPTEMBER 26, 2024

I, CARLA A. SIMS, AAS, CSR, RPR, in and for the
State of Texas, hereby certify to the following:

That the witness, DIEGO CUBERO, was duly sworn by me
and that the transcript of the oral deposition is a true
record of the testimony given by the witness;

I further certify that pursuant to FRCP Rule
30(f)(1) that the signature of the deponent:

__XX__ was requested by the deponent or a party
before the completion of the deposition and is to be
returned within 30 days from date of receipt of the
transcript. If returned, the attached Signature and

1 Corrections pages contain any changes and the reasons
2 therefor;

3 _____ was not requested by the deponent or a party
4 before the completion of the deposition.

5 That the deposition transcript was submitted on
6 October 30, 2024, to Ms. Mary Quimby, attorney for the
7 witness, for examination, signature, and return to me by
8 the 2nd day of December, 2024;

9 That the amount of time used by each party at the
10 deposition is as follows:

11 Mr. Michael Thad Allen.....02 HOURS:15 MINUTES
12 Ms. Mary Quimby.....00 HOURS:00 MINUTES
13 Mr. Renaldo L. Stowers.....00 HOURS:00 MINUTES

14 COUNSEL FOR THE PLAINTIFF:

15 Mr. Michael Thad Allen
16 ALLEN LAW, LLC
17 P.O. Box 404
Quaker Hill, Connecticut 06375
860/772-4738 (tel)
m.allen@allen-lawfirm.com

18 COUNSEL FOR THE DEFENDANTS and DIEGO CUBERO:

19 Ms. Mary Quimby
20 TEXAS ASSISTANT ATTORNEY GENERAL
21 P.O. Box 12548
Capitol Station
Austin, Texas 78711
mary.quimby@oag.texas.gov

22 COUNSEL FOR THE UNIVERSITY OF NORTH TEXAS:

23 Mr. Renaldo L. Stowers
24 DEPUTY GENERAL COUNSEL, UNIVERSITY OF NORTH TEXAS
25 115 Union Circle No. 310907
Denton, Texas 76203
940/565-2717 (tel)
renaldo.stowers@untsystem.edu

1 I further certify that I am neither counsel for,
2 related to, nor employed by any of the parties or
3 attorneys in the action in which this proceeding was
4 taken. Further, I am not a relative or employee of any
5 attorney of record in this cause, nor am I financially or
6 otherwise interested in the outcome of the action.

7 Certified to by me this the 14th day of October,
8 2024.

9
10
11 Carla A. Sims, AAS, RPR
12 Texas CSR No. CSR-6125
13 Expiration Date: 04-30-26
14 JULIA WHALEY & ASSOCIATES, INC.
2012 Vista Crest Drive
15 Carrollton, Texas 75007-1640
214-668-5578/Fax 972-236-6666
16 JulieTXCSR@gmail.com
Firm registration No. 436
Firm registration Expires 5-31-25
17
18
19
20
21
22
23
24
25

FURTHER CERTIFICATION
DEPOSITION OF DIEGO CUBERO

The original deposition was/was not returned to the deposition officer on the _____ day of _____, 2024.

If returned, the attached Changes and Signature page contains any changes and the reasons therefor;

If returned, the original deposition was delivered to Mr. Michael Thad Allen, Custodial Attorney;

That \$_____ is the deposition officer's charges to the Plaintiff for preparing the original deposition transcript and any copies of exhibits;

Certified to by me this _____ day of _____, 202__.

JULIA WHALEY & ASSOCIATES, INC.
2012 Vista Crest Drive
Carrollton, Texas 75007-1640
214-668-5578/Fax 972-236-6666
JulieTXCSR@gmail.com
Firm registration No. 436
Firm registration Expires 5-31-25

	2020 [33] - 17:19, 17:22, 17:24, 18:2, 18:14, 24:4, 24:11, 38:22, 38:24, 39:4, 39:5, 39:7, 41:13, 41:24, 49:19, 55:10, 56:18, 57:11, 57:16, 60:21, 67:24, 69:16, 70:5, 73:12, 74:14, 80:2, 83:24, 86:6, 86:16, 86:25, 87:25, 88:19, 89:10	30(f)(1) [1] - 96:21 310907 [2] - 2:15, 97:24 31st [1] - 41:24 3:14 [3] - 1:20, 5:2, 5:4	7	according [1] - 61:21 account [2] - 45:16, 52:7 accountable [1] - 45:11 accurate [4] - 20:8, 27:14, 29:12, 30:5 accuse [2] - 76:4, 76:17 accuses [1] - 40:5 accusing [1] - 75:23 acknowledged [1] - 95:17 action [11] - 44:8, 44:20, 44:23, 44:25, 47:3, 47:12, 52:4, 52:11, 53:5, 98:3, 98:6 actions [16] - 39:20, 39:23, 39:25, 40:5, 40:7, 40:10, 45:7, 45:18, 45:20, 45:24, 46:3, 46:16, 46:17, 49:12, 51:20, 53:21 active [1] - 56:6 actual [1] - 43:15 Ad [4] - 4:5, 4:7, 41:12, 70:1 add [2] - 41:5, 79:7 address [7] - 34:9, 34:25, 35:11, 55:15, 77:22, 78:11, 89:12 addressed [2] - 87:16, 87:20 addresses [2] - 16:21, 28:18 addressing [2] - 25:11, 88:22 affect [2] - 74:18, 75:4 affix [1] - 95:5 afforded [8] - 61:13, 62:2, 63:4, 64:10, 65:6, 65:7, 65:13, 66:7 African [2] - 59:5, 59:10 African-	American [2] - 59:5, 59:10 afternoon [3] - 5:9, 5:10, 93:1 ago [9] - 13:9, 28:8, 33:19, 39:10, 47:7, 47:25, 48:13, 49:5, 49:16 agree [2] - 63:13, 88:17 agreeing [1] - 42:25 ahead [1] - 53:7 AL [2] - 1:5, 96:6 ALL [1] - 2:2 allegations [1] - 60:6 allegedly [2] - 62:2, 89:2 Allen [113] - 2:5, 5:13, 5:22, 13:23, 14:3, 14:11, 15:4, 16:12, 19:21, 21:19, 21:22, 22:2, 22:8, 24:23, 31:24, 32:23, 34:23, 35:9, 35:25, 36:18, 39:6, 40:1, 40:12, 40:21, 41:15, 42:8, 43:25, 44:14, 45:1, 46:1, 46:11, 46:23, 47:13, 47:21, 49:3, 50:17, 51:2, 51:7, 51:14, 53:15, 53:20, 54:2, 54:10, 54:14, 54:23, 55:9, 56:17, 57:3, 57:15, 58:8, 58:16, 59:2, 59:8, 59:14, 59:19, 60:12, 62:11, 62:20, 62:24, 63:10, 63:21, 64:19, 65:5, 65:10, 65:16, 65:25, 66:5, 66:15, 66:23, 67:19, 70:15, 70:25, 71:19, 71:23, 72:21, 73:3, 73:11, 73:23, 74:25, 75:10, 75:16, 75:22, 76:1, 76:21, 77:8, 78:3, 78:14, 78:24,
'18 [1] - 37:5			7 [6] - 4:11, 90:18, 90:19, 90:22, 92:4, 92:9 75007-1640 [2] - 98:13, 99:20 76203 [2] - 2:15, 97:24 78711 [2] - 2:11, 97:20		
0		4	8		
04-30-26 [1] - 98:12 06375 [2] - 2:6, 97:15		4 [5] - 4:7, 43:19, 43:23, 43:24, 51:19 404 [2] - 2:6, 97:15 42 [1] - 4:5 436 [2] - 98:15, 99:22 44 [1] - 4:7 4:00 [3] - 80:1, 81:4, 81:5 4:21-CV-00033-ALM [2] - 1:4, 96:5 4:22 [2] - 48:24, 48:25 4:31 [2] - 48:25, 49:1	860/772-4738 [2] - 2:7, 97:16 87 [1] - 4:9		
1		5	9		
1 [3] - 4:3, 15:2, 15:3 109 [1] - 16:15 115 [2] - 2:15, 97:24 11:11 [1] - 87:9 12 [18] - 46:24, 50:15, 54:6, 56:20, 57:20, 59:15, 60:3, 60:20, 62:14, 66:17, 66:25, 67:1, 73:24, 75:12, 76:21, 83:20, 84:20, 85:21 12548 [2] - 2:10, 97:19 14th [1] - 98:7 15 [1] - 4:3 16 [2] - 4:4, 8:10 1:53 [2] - 87:7, 87:12	2021 [1] - 13:14 2022 [1] - 13:18 2024 [9] - 1:12, 1:20, 94:3, 95:22, 96:13, 97:6, 97:8, 98:8, 99:5 202 [1] - 99:15 214-598-5229 [1] - 2:21 214-668-5578/Fax [2] - 98:14, 99:21 25th [5] - 41:13, 56:18, 69:16, 70:5, 73:12 26 [16] - 1:12, 67:24, 74:14, 80:2, 82:14, 83:14, 83:24, 85:23, 86:6, 86:16, 86:25, 87:24, 88:19, 89:10, 94:3, 96:13 26th [3] - 1:19, 5:3, 81:8 2:02 [4] - 87:25, 88:19, 89:1, 89:10 2:09 [1] - 86:16 2nd [1] - 97:8	5 [8] - 3:6, 4:8, 67:15, 67:18, 67:22, 79:19, 86:23, 87:8 5-31-25 [2] - 98:15, 99:22 5:00 [1] - 62:25 5:28 [2] - 85:13, 85:14 5:39 [2] - 85:14, 85:15 5:46 [2] - 89:25, 90:1 5:49 [2] - 90:1, 90:2 5:52 [3] - 1:20, 93:5, 93:6	91 [1] - 4:11 940/565-2717 [2] - 2:16, 97:25 95 [1] - 3:8 97 [1] - 3:9 972-236-6666 [2] - 98:14, 99:21 99 [1] - 3:10		
2		6	A		
2 [4] - 3:3, 4:4, 16:9, 16:10 20 [1] - 9:23 2008 [3] - 9:11, 9:23, 10:5 2010 [1] - 10:6 2012 [2] - 98:13, 99:20 2014 [8] - 5:4, 10:8, 10:20, 11:8, 12:12, 37:20, 38:24, 39:4 2016 [1] - 13:8 2017 [1] - 37:5 2019 [6] - 34:7, 34:17, 34:24, 35:11, 54:12, 54:16	3 [11] - 4:5, 41:11, 41:14, 43:18, 45:11, 51:10, 51:14, 51:25, 61:4, 70:1, 76:7 30 [2] - 96:24, 97:6	6 [5] - 4:9, 86:14, 86:17, 90:6, 91:7 68 [1] - 4:8	a.m [1] - 87:9 AAS [3] - 1:21, 96:15, 98:11 able [3] - 15:15, 63:18, 77:2 above-styled [1] - 1:19 Absolutely [3] - 7:4, 42:3, 89:22 absolutely [1] - 15:10 academia [2] - 10:19, 19:15 academic [5] - 19:17, 31:21, 33:22, 36:16, 57:10 accent [2] - 19:25 acceptable [1] - 12:22 accepted [3] - 20:24, 21:3, 29:21 accepting [1] - 85:5		

79:7, 79:14, 80:15, 80:25, 81:15, 81:21, 82:2, 82:20, 83:7, 83:23, 84:8, 84:15, 84:24, 85:17, 86:10, 86:18, 87:19, 88:11, 89:16, 90:11, 90:20, 91:13, 92:8, 97:14, 99:9 ALLEN [23] - 2:5, 5:8, 5:11, 14:25, 16:8, 21:10, 21:16, 41:10, 43:17, 43:20, 48:22, 50:24, 51:12, 67:14, 67:17, 86:13, 89:17, 89:22, 90:4, 90:17, 92:16, 92:25, 97:14 Allen [1] - 3:6 Allen 02 [1] - 97:11 allowed [1] - 27:13 allowing [2] - 49:4, 92:17 alluded [2] - 47:8, 57:24 almost [2] - 39:12, 42:6 alone [1] - 85:3 ALSO [1] - 2:17 American [5] - 50:12, 50:19, 51:1, 59:5, 59:10 amount [1] - 97:9 amplified [5] - 77:22, 77:25, 78:5, 78:11, 78:22 amplify [1] - 79:6 analysis [1] - 38:10 AND [6] - 1:10, 1:16, 2:2, 94:1, 95:24, 96:11 Andrew [5] - 69:15, 69:20, 69:21, 69:22, 71:6 announced [1] - 56:19	anonymous [9] - 27:3, 37:1, 60:23, 61:23, 62:10, 81:18, 82:8, 84:5, 88:20 answer [16] - 6:19, 7:13, 7:18, 7:19, 8:13, 12:22, 14:21, 18:2, 18:4, 19:7, 42:1, 58:8, 58:9, 61:24, 68:13, 79:6 answered [2] - 33:3, 62:18 answering [2] - 15:15, 88:22 anti [1] - 78:16 anti-Ewell [1] - 78:16 Apologies [1] - 54:20 apologize [1] - 70:5 appear [1] - 36:15 Appearances... [1] - 3:3 APPEARED [1] - 2:2 appeared [3] - 16:1, 67:2, 95:13 apples [1] - 26:12 applied [1] - 31:18 apply [1] - 33:1 appreciate [1] - 93:1 appropriate [4] - 74:7, 74:11, 82:21, 83:9 arbiter [2] - 70:18, 70:23 areas [1] - 26:4 argue [2] - 53:10, 53:23 art [2] - 59:5, 59:10 article [16] - 23:3, 23:14, 29:6, 30:9, 32:24, 34:5, 36:12, 36:15, 57:11, 57:16, 57:21, 57:22, 60:23, 61:23, 62:10, 88:20 articles [19] - 20:16, 20:17, 20:25, 21:2, 23:9,	23:15, 27:2, 27:19, 30:7, 30:23, 32:19, 33:1, 33:16, 35:22, 36:19, 63:18, 67:4, 73:23, 78:24 Articles [1] - 21:2 aside [1] - 38:22 aspect [1] - 21:8 assistant [3] - 12:4, 12:10, 13:6 Assistant [1] - 69:22 ASSISTANT [2] - 2:10, 97:19 associate [6] - 12:24, 12:25, 26:5, 26:8, 26:17, 27:3 associated [1] - 75:9 ASSOCIATES [2] - 98:12, 99:19 association [1] - 77:17 assume [8] - 7:7, 12:4, 28:2, 33:6, 42:17, 43:15, 46:24, 81:2 assumed [1] - 31:20 assuming [3] - 33:7, 43:9, 80:24 assumption [4] - 31:6, 33:10, 72:1, 74:21 attached [4] - 1:25, 51:10, 96:25, 99:6 attachments [1] - 41:18 attended [2] - 9:16, 9:18 attention [1] - 51:8 attest [2] - 43:9, 92:12 ATTORNEY [2] - 2:10, 97:19 attorney [3] - 7:10, 97:6, 98:5 Attorney [4] - 5:16, 7:11, 7:17, 99:9 attorneys [2] - 7:24, 98:3 audibly [2] -	6:19, 61:24 audio [1] - 3:24 Auerbach [2] - 25:19, 25:23 Austin [2] - 2:11, 97:20 author [4] - 27:7, 27:13, 81:18 authors [6] - 26:21, 88:13, 88:14, 88:15, 89:6 avoid [1] - 6:16 aware [14] - 25:9, 25:14, 34:5, 34:7, 34:16, 34:20, 34:23, 35:1, 35:5, 57:11, 57:15, 57:18, 71:3 B Bachelor's [1] - 9:14 background [1] - 8:24 Bakulina [4] - 18:25, 71:2, 71:3, 71:9 Bakulina's [1] - 17:15 ballpark [1] - 28:9 based [5] - 34:24, 35:11, 48:20, 82:3, 85:3 basis [1] - 57:8 Bates [1] - 16:14 bathroom [1] - 85:8 became [6] - 18:1, 24:9, 24:12, 24:21, 28:14, 32:4 become [2] - 28:5, 70:12 becoming [2] - 28:16, 32:17 began [1] - 72:9 begin [2] - 9:4, 69:13 beginning [2] - 21:6, 68:12 begins [1] - 67:23 behaviors [2] - 40:5, 45:15 believes [1] -	83:9 Benjamin [4] - 74:13, 79:23, 80:7, 90:21 beside [1] - 19:15 best [8] - 6:24, 9:23, 13:14, 23:5, 23:19, 35:13, 39:16, 84:18 better [3] - 21:17, 42:8, 42:9 between [2] - 24:22, 39:4 big [2] - 21:8, 42:3 bigger [2] - 42:11, 42:16 bigoted [1] - 45:15 bit [6] - 8:23, 19:15, 21:11, 48:6, 50:18, 84:6 black [4] - 50:12, 50:19, 51:1, 57:25 blind [9] - 27:10, 27:16, 27:20, 30:24, 33:1, 36:6, 36:10, 36:11, 83:22 Bloomington [1] - 9:19 BM [1] - 9:14 Board [14] - 4:4, 16:15, 16:25, 17:12, 17:18, 17:23, 22:9, 23:25, 24:3, 24:9, 24:13, 24:16, 28:6, 32:1 board [38] - 14:14, 14:15, 14:20, 17:25, 18:7, 18:8, 18:13, 18:22, 18:24, 19:1, 19:22, 20:13, 20:15, 21:20, 22:4, 22:7, 22:12, 22:18, 24:6, 24:21, 24:24, 26:2, 26:10, 28:12, 29:3, 29:5, 30:3, 30:17, 31:3, 31:10, 31:25, 32:5, 32:9, 32:12, 32:17, 38:15, 54:8, 54:19 boards [1] -	19:20 body [1] - 15:19 book [7] - 21:15, 22:23, 23:17, 36:20, 36:21, 37:2 Book [1] - 27:23 books [5] - 36:19, 58:16, 58:18, 58:20, 88:14 bottom [2] - 69:14, 87:4 Box [4] - 2:6, 2:10, 97:15, 97:19 Brahms [3] - 11:20, 11:22 branched [1] - 92:5 Brand [3] - 79:23, 80:7, 90:21 break [4] - 20:25, 40:21, 49:4, 85:8 Brent [4] - 25:19, 25:20, 25:23 BRENT [1] - 25:21 brief [1] - 20:21 briefly [2] - 37:12, 79:21 briefs [1] - 20:20 brings [1] - 87:5 broad [1] - 37:16 broke [1] - 51:17 brought [3] - 38:13, 45:6, 67:12 bubble [1] - 11:5 business [2] - 69:3, 69:8 BY [1] - 5:8 C caliber [4] - 88:2, 88:16, 89:6, 91:16 camera [1] - 21:11 campus [1] - 9:19 cannot [40] - 8:12, 8:13, 10:6, 12:17, 14:21, 18:2, 18:6, 18:20,

19:3, 21:25, 22:25, 23:8, 23:22, 24:22, 25:4, 25:16, 26:13, 26:16, 27:8, 27:24, 28:24, 29:25, 34:21, 35:3, 39:9, 40:9, 43:9, 45:24, 52:19, 55:7, 66:3, 72:19, 75:20, 81:25, 84:3, 92:12 capacity [4] - 19:17, 20:11, 37:21, 37:24 Capitol [2] - 2:11, 97:20 captioned [2] - 16:15, 41:20 card [1] - 95:15 career [6] - 8:24, 10:19, 13:24, 35:22, 72:9, 72:20 Carla [2] - 1:21, 98:11 CARLA [1] - 96:15 Carrollton [2] - 98:13, 99:20 case [1] - 16:23 CASE [2] - 1:4, 96:5 cases [1] - 36:8 casting [1] - 31:13 causation [1] - 24:22 causes [1] - 3:24 CC [1] - 74:13 cell [1] - 7:2 Center [6] - 38:12, 38:14, 38:17, 38:25, 39:3, 75:8 center [1] - 38:13 Central [1] - 5:4 certain [13] - 9:11, 13:8, 19:4, 22:25, 24:1, 26:16, 28:8, 34:20, 35:15, 41:18, 47:8, 48:2, 55:7 certainly [5] - 11:25, 12:3, 24:23, 36:25, 92:1	Certainly [1] - 6:2 certainty [1] - 18:21 Certificate..... [1] - 3:9 CERTIFICATIO N [2] - 96:10, 99:1 Certification..... [1] - 3:10 Certified [2] - 98:7, 99:14 certify [3] - 96:16, 96:20, 98:1 cetera [2] - 78:22, 79:6 chair [1] - 91:15 chance [1] - 86:18 CHANGE [1] - 94:4 changes [2] - 97:1, 99:7 Changes [2] - 3:8, 99:6 CHANGES [1] - 94:1 chapter [3] - 36:20, 36:21, 37:2 characterizatio n [1] - 92:9 characterize [1] - 30:20 charges [1] - 99:11 chief [2] - 25:17, 26:1 chimes [1] - 71:9 chopped [1] - 91:18 Chung [4] - 69:15, 69:20, 69:21, 69:22 Circle [2] - 2:15, 97:24 Civil [1] - 1:24 clarification [4] - 6:24, 44:24, 54:13, 54:18 clarifications [1] - 7:7 clarify [1] - 17:3 clause [2] - 53:3, 53:9 clean [1] - 86:4	clear [8] - 6:16, 7:8, 7:14, 7:17, 20:9, 31:4, 32:18, 77:9 clearly [1] - 62:4 click [1] - 44:3 close [3] - 39:11, 39:13, 39:18 closed [1] - 57:23 coffee [1] - 19:13 collaborate [2] - 38:3 colleague [4] - 18:25, 38:5, 39:18, 44:9 colleagues [4] - 58:22, 58:25, 59:4, 86:6 College [2] - 34:8, 52:5 coming [3] - 39:2, 54:1, 73:10 comment [4] - 48:10, 48:19, 49:6, 49:8 comments [1] - 77:2 Commission [1] - 95:25 committed [1] - 46:17 committee [1] - 50:6 common [3] - 31:7, 80:2, 80:6 complain [2] - 39:7, 73:5 complained [1] - 35:10 complaint [2] - 39:3, 39:9 complaints [1] - 38:25 complete [1] - 82:22 completed [2] - 9:6, 10:4 completely [1] - 76:15 completion [2] - 96:23, 97:4 conceived [1] - 46:15 concentrate [2] - 10:16, 57:20 concern [2] - 72:23, 73:10 concerned [2] -	72:20, 82:7 condemn [1] - 52:5 condemning [1] - 52:14 conference [2] - 34:17, 34:25 conferred [2] - 10:25, 11:1 confirm [2] - 18:23, 86:22 confirmation [1] - 67:21 conflict [9] - 22:4, 22:19, 22:20, 22:25, 23:16, 25:9, 25:11, 28:17, 30:21 confused [1] - 35:17 Connecticut [2] - 2:6, 97:15 consequences [4] - 13:20, 14:2, 14:3, 14:8 consider [7] - 14:17, 14:19, 39:18, 46:18, 49:21, 49:22 consideration [1] - 95:18 considered [2] - 34:13, 39:20 construe [1] - 55:3 construed [6] - 47:10, 49:12, 50:16, 63:17, 75:15 Contact [3] - 4:4, 16:15, 16:25 contain [2] - 77:9, 97:1 contains [1] - 99:7 contents [1] - 8:1 continuation [1] - 10:13 continue [1] - 86:15 contribute [1] - 30:11 contribution [1] - 35:11 contributors [2] - 88:2, 88:16 controversial [3] - 59:3, 59:8,	72:14 controversy [10] - 35:5, 56:22, 57:1, 59:13, 60:2, 60:6, 70:12, 74:17, 75:3, 78:15 conversation [5] - 6:14, 6:15, 71:16, 78:19, 90:25 conversations [1] - 8:1 convey [1] - 30:7 Cool [1] - 41:2 copies [1] - 99:12 copy [3] - 20:17, 82:22, 83:10 correct [40] - 8:17, 10:1, 13:3, 13:4, 13:11, 13:19, 14:9, 14:14, 19:1, 24:17, 25:22, 26:6, 29:17, 40:15, 42:20, 43:3, 44:21, 50:3, 50:4, 51:4, 54:6, 54:24, 55:5, 59:20, 60:4, 60:7, 61:22, 67:15, 68:23, 71:10, 74:20, 75:1, 79:23, 79:24, 80:21, 87:8, 87:13, 91:4, 91:7, 95:6 Correct [1] - 90:16 Corrections [1] - 97:1 correctly [4] - 16:17, 63:7, 70:9, 76:12 correspond [1] - 69:1 correspondenc e [1] - 66:10 Costa [1] - 20:6 COUNSEL [8] - 2:4, 2:8, 2:13, 2:14, 97:13, 97:17, 97:22, 97:23 Counsel [1] - 5:21 counsel [2] - 91:25, 98:1	counter [1] - 12:2 COUNTY [1] - 95:10 couple [1] - 68:10 course [4] - 9:1, 12:19, 12:20, 51:13 court [2] - 6:13, 7:12 COURT [7] - 1:1, 43:19, 54:21, 67:16, 92:21, 92:24, 96:1 Court [2] - 54:13, 54:18 covered [1] - 21:24 COVID [3] - 13:15, 13:16, 18:9 create [1] - 6:16 creating [2] - 6:12, 7:11 Crest [2] - 98:13, 99:20 criticism [6] - 60:22, 61:14, 75:15, 75:17, 75:21, 82:14 criticisms [11] - 60:13, 60:19, 61:6, 61:8, 61:20, 62:5, 62:13, 75:7, 75:10, 75:17, 81:17 criticize [2] - 78:25, 81:21 criticizing [2] - 19:9, 91:19 Cross [1] - 81:7 cross [1] - 3:24 Cross-talk [1] - 81:7 cross-talk [1] - 3:24 CSR [3] - 1:21, 96:15, 98:11 CSR-6125 [1] - 98:11 CUBERO [13] - 1:11, 1:17, 2:8, 3:5, 5:5, 94:2, 95:4, 95:8, 95:13, 96:12, 96:17, 97:17, 99:1 Cubero [23] - 5:9, 5:19, 5:22, 5:24, 6:3, 6:6,

6:9, 15:5, 21:11, 21:19, 40:6, 41:16, 43:22, 49:3, 58:11, 67:19, 67:25, 77:13, 85:17, 86:19, 90:12, 91:24, 92:25 cues [1] - 6:18 current [1] - 46:9 Custodial [1] - 99:9 cut [6] - 29:2, 42:6, 47:14, 47:19, 57:13, 57:14	2:15, 97:24 deny [2] - 53:6, 53:16 department [1] - 91:15 deponent [3] - 96:21, 96:22, 97:3 deposed [2] - 6:8, 6:10 Deposition [8] - 4:3, 15:3, 16:10, 41:14, 43:24, 67:18, 86:17, 90:19 deposition [17] - 5:18, 7:23, 15:8, 15:24, 16:5, 93:7, 95:4, 96:18, 96:23, 97:4, 97:5, 97:10, 99:3, 99:4, 99:8, 99:10, 99:12 DEPOSITION [4] - 1:10, 1:17, 96:11, 99:1 DEPUTY [2] - 2:14, 97:23 Deputy [1] - 5:20 describe [3] - 9:1, 10:19, 58:14 described [1] - 30:24 DESCRIPTION [1] - 4:2 description [1] - 95:15 desire [2] - 83:2, 83:6 detail [1] - 69:25 Diego [6] - 5:19, 5:24, 6:6, 88:2, 90:6, 91:7 DIEGO [13] - 1:11, 1:17, 2:8, 3:5, 5:5, 94:2, 95:4, 95:8, 95:13, 96:12, 96:17, 97:17, 99:1 difference [1] - 29:22 different [9] - 20:18, 21:1, 27:23, 32:7, 39:24, 50:18, 74:6, 74:9, 86:24 dinner [2] - 39:14, 39:17 direct [2] - 46:3, 46:16	directing [1] - 51:7 direction [1] - 86:24 directly [2] - 71:20, 91:8 discipline [2] - 45:16, 77:23 disclose [1] - 8:1 discovery [1] - 68:22 discriminate [2] - 50:12, 50:19 discriminated [1] - 50:9 discriminating [1] - 50:25 discuss [1] - 6:11 discussed [7] - 23:17, 58:21, 59:1, 66:16, 66:24, 67:3, 82:19 discussing [2] - 22:15, 58:24 discussion [2] - 68:11, 83:3 discussions [1] - 32:17 distortion [1] - 3:24 distributed [9] - 55:18, 55:19, 55:21, 56:3, 56:8, 56:11, 56:13, 56:15, 56:16 DISTRICT [4] - 1:1, 1:1, 96:1, 96:1 division [5] - 75:9, 79:23, 80:3, 80:5, 80:7 DIVISION [2] - 1:2, 96:2 doctorate [1] - 10:15 doctors [1] - 88:13 document [39] - 15:4, 15:7, 15:9, 15:11, 15:16, 15:19, 15:21, 15:22, 15:23, 16:2, 16:4, 16:7, 16:14, 16:18, 16:24, 17:4, 17:6, 33:13, 41:12, 41:17, 41:18,	41:25, 43:5, 43:12, 45:2, 45:23, 46:7, 51:8, 51:11, 51:16, 51:23, 52:3, 53:23, 62:8, 64:25, 65:2, 66:14, 78:23, 95:15 documents [11] - 6:5, 8:3, 8:5, 8:20, 14:12, 16:23, 66:9, 66:15, 66:23, 67:3, 91:17 done [5] - 41:4, 63:2, 67:7, 73:17, 84:15 double [8] - 27:16, 27:20, 30:24, 33:1, 36:6, 36:10, 36:11, 83:22 doubt [1] - 31:23 down [4] - 15:17, 17:16, 21:1, 42:19 Dr [21] - 5:18, 44:13, 44:19, 45:18, 45:21, 47:8, 48:1, 48:2, 61:12, 63:12, 76:4, 76:10, 76:14, 77:22, 78:1, 78:6, 78:11, 83:8, 88:12, 88:22, 89:5 drafting [1] - 54:16 drank [1] - 85:9 drive [1] - 44:4 Drive [2] - 98:13, 99:20 due [1] - 3:22 duly [3] - 1:18, 5:6, 96:17	editor [18] - 20:23, 25:17, 26:1, 26:2, 26:3, 27:2, 28:22, 29:4, 29:14, 30:2, 30:7, 30:12, 31:18, 36:22, 36:25, 60:10, 72:13 Editorial [15] - 4:4, 16:15, 16:25, 17:12, 17:18, 17:23, 20:13, 22:9, 23:24, 24:3, 24:9, 24:12, 24:16, 28:5, 29:5 editorial [50] - 14:14, 14:15, 14:20, 17:21, 17:25, 18:7, 18:8, 18:13, 18:21, 19:1, 19:17, 19:20, 19:22, 20:14, 20:20, 20:21, 21:20, 22:4, 22:7, 22:12, 22:18, 24:6, 24:21, 24:24, 26:10, 28:12, 28:23, 29:3, 30:3, 30:9, 30:17, 31:3, 31:10, 32:5, 32:9, 32:12, 32:17, 38:15, 52:7, 54:8, 54:19, 60:16, 60:19, 60:25, 61:1, 61:9, 66:16, 66:24, 70:21, 73:20 Editors [1] - 32:1 editors [8] - 25:11, 26:5, 26:8, 26:17, 27:3, 28:18, 28:23, 31:25 education [2] - 9:1 effect [1] - 51:21 egregious [2] - 77:10, 77:25 either [1] - 92:5 Either [1] - 68:6 Ellen [5] - 17:15, 18:25, 71:2, 71:3, 71:8 elsewhere [2] - 8:25, 88:25 Email [3] - 4:8, 4:9, 4:11 email [55] - 29:9,	30:2, 55:15, 56:5, 56:14, 67:22, 67:23, 67:24, 68:10, 68:12, 68:17, 68:22, 68:25, 69:7, 69:15, 69:21, 70:4, 71:1, 71:9, 71:22, 72:1, 72:2, 72:4, 73:1, 73:12, 74:14, 74:15, 79:20, 79:21, 79:22, 80:17, 81:14, 81:16, 85:24, 86:14, 86:15, 86:19, 87:3, 87:7, 87:24, 88:7, 88:18, 89:1, 89:10, 89:12, 90:14, 90:18, 91:11, 92:4, 92:6, 92:11, 92:13, 92:14 emails [4] - 55:12, 55:15, 69:13, 91:1 emergency [3] - 79:25, 80:8, 90:21 employed [1] - 98:2 employee [1] - 98:4 encountered [1] - 25:15 End [1] - 93:7 end [4] - 25:6, 42:21, 69:13, 70:1 ended [1] - 37:17 ending [1] - 86:16 endorse [7] - 49:15, 51:4, 51:18, 51:21, 52:1, 52:22, 53:1 endorsed [5] - 40:3, 44:20, 44:23, 53:4, 61:2 endorsement [2] - 53:11, 53:24 endorsing [7] - 44:25, 52:4, 52:10, 52:13, 52:16, 53:14, 53:21 ends [1] - 27:10 Enrique [1] - 5:24	
D						
data [1] - 3:23 date [3] - 18:2, 41:15, 96:24 DATE [1] - 94:3 Date [1] - 98:12 dated [2] - 41:21, 41:24 daydreaming [1] - 76:13 days [1] - 96:24 Dean [2] - 8:8, 8:13 December [2] - 54:17, 97:8 DEFENDANTS [2] - 2:8, 97:17 defendants [1] - 5:17 Defendants [2] - 1:6, 96:7 defined [1] - 62:4 definitely [2] - 10:7, 75:20 definition [1] - 10:14 degree [8] - 9:2, 9:3, 9:6, 9:12, 10:8, 10:9, 10:25, 11:1 degrees [1] - 10:4 dehydrated [1] - 67:11 dehydrating [1] - 67:12 delivered [1] - 99:8 Denton [2] -						
				E		
				early [1] - 70:7 earn [1] - 9:12 earned [1] - 9:3 easiest [1] - 6:6 EASTERN [2] - 1:1, 96:1 edit [1] - 20:17 edited [1] - 60:11 Editor [1] - 26:1		

enter ^[1] - 9:22 entertain ^[1] - 30:10 entire ^[1] - 16:13 entirely ^[1] - 31:4 entirety ^[1] - 53:17 entitled ^[1] - 15:7 especially ^[1] - 22:21 essay ^[2] - 63:20, 85:5 essays ^[5] - 63:8, 63:19, 64:6, 64:12, 66:8 establish ^[2] - 90:24, 92:3 et ^[2] - 78:22, 79:6 ET ^[2] - 1:5, 96:6 ethnicity ^[1] - 49:23 ethnomusicology ^[1] - 74:24 everyday ^[1] - 6:15 Ewell ^[23] - 34:8, 34:17, 34:24, 56:19, 56:23, 57:16, 61:12, 62:1, 63:3, 63:12, 65:21, 66:11, 66:16, 66:25, 67:3, 77:2, 78:16, 78:25, 81:22, 82:13, 82:15, 82:21, 83:3 Ewell's ^[7] - 35:10, 76:10, 77:22, 78:1, 78:6, 78:11, 89:2 exact ^[2] - 18:1, 35:25 exactly ^[1] - 36:24 EXAMINATION ^[1] - 5:7 examination ^[1] - 97:7 Examination ^[1] - 3:6 examine ^[1] - 76:1 examined ^[3] - 8:21, 91:7, 92:4 examining ^[1] - 15:13 example ^[2] -	39:15, 50:22 except ^[2] - 18:24, 95:6 exception ^[1] - 88:24 exceptions ^[1] - 7:16 exchange ^[1] - 16:22 exchanged ^[2] - 71:18, 85:24 exclude ^[2] - 83:2, 83:6 exclusively ^[1] - 53:1 excuse ^[5] - 24:8, 32:24, 33:22, 34:6, 80:7 Excuse ^[3] - 21:22, 55:10, 65:19 executed ^[1] - 95:17 Exhibit ^[31] - 15:1, 15:3, 16:9, 16:10, 41:11, 41:14, 43:18, 43:22, 43:24, 51:10, 51:14, 51:19, 51:25, 61:4, 67:15, 67:18, 67:22, 69:25, 76:7, 79:19, 86:14, 86:17, 86:23, 87:8, 90:6, 90:18, 90:19, 90:22, 91:7, 92:4, 92:9 exhibit ^[10] - 15:13, 40:25, 41:7, 43:14, 80:17, 83:13, 86:11, 90:5, 90:12, 92:17 exhibits ^[2] - 90:12, 99:12 existence ^[1] - 33:18 expand ^[1] - 42:4 expectation ^[1] - 12:16 expected ^[1] - 12:14 expecting ^[1] - 40:23 experience ^[9] - 19:15, 24:7, 24:14, 28:10, 31:25, 38:4, 73:3,	80:3, 80:5 Expiration ^[1] - 98:12 Expires ^[3] - 95:25, 98:15, 99:22 explain ^[7] - 7:22, 13:5, 20:21, 23:6, 26:24, 37:12, 49:7 explained ^[3] - 64:24, 88:24, 88:25 explaining ^[1] - 53:4 explanation ^[1] - 80:16 express ^[1] - 72:23 expressed ^[2] - 49:24, 95:19 expressing ^[1] - 73:10 extend ^[1] - 45:14 extension ^[1] - 40:2 extent ^[6] - 28:25, 36:23, 38:20, 71:17, 72:22, 73:4	92:8 fall ^[2] - 11:8, 12:12 familiar ^[5] - 33:21, 33:24, 57:3, 58:15, 69:17 familiarity ^[1] - 58:12 far ^[4] - 32:19, 61:6, 68:16, 87:23 fashioned ^[1] - 54:11 faster ^[2] - 19:8, 19:11 fearing ^[1] - 72:15 fears ^[1] - 72:19 Federal ^[1] - 1:23 feedback ^[3] - 54:25, 55:3, 59:21 felt ^[2] - 38:6, 87:17 few ^[3] - 6:11, 7:16, 42:20 field ^[2] - 35:6, 89:7 final ^[2] - 59:23, 60:1 financially ^[1] - 98:5 fine ^[17] - 6:4, 9:21, 12:22, 15:22, 20:9, 23:12, 23:24, 25:17, 26:18, 29:19, 35:21, 56:17, 58:11, 59:14, 62:1, 70:15, 71:8 finished ^[1] - 42:17 fired ^[3] - 44:10, 44:17, 44:19 Firm ^[4] - 98:15, 98:15, 99:22, 99:22 first ^[13] - 5:6, 20:1, 21:3, 37:18, 45:5, 70:11, 73:21, 74:13, 75:24, 76:24, 77:3, 77:6, 80:17 First ^[1] - 6:12 fits ^[1] - 68:4 five ^[2] - 35:24, 89:21	Five ^[1] - 58:2 flipping ^[1] - 86:23 focus ^[2] - 10:15, 84:16 focusing ^[2] - 54:11, 54:14 follow ^[1] - 84:25 following ^[2] - 7:6, 96:16 follows ^[3] - 5:6, 91:6, 97:10 followup ^[3] - 15:25, 19:10, 27:11 FOR ^[9] - 1:1, 2:4, 2:8, 2:13, 95:24, 96:1, 97:13, 97:17, 97:22 forcing ^[2] - 72:23, 73:6 foregoing ^[2] - 95:4, 95:16 forehead ^[1] - 21:12 forget ^[2] - 8:6, 51:15 forgot ^[6] - 15:21, 56:1, 56:6, 61:25, 62:17, 70:22 fork ^[1] - 90:25 form ^[94] - 13:22, 13:25, 14:6, 19:19, 22:6, 24:18, 31:19, 32:21, 34:19, 35:7, 35:23, 36:14, 39:1, 39:22, 40:8, 40:16, 44:11, 44:22, 45:22, 46:5, 46:19, 47:5, 47:18, 50:13, 50:21, 51:6, 53:12, 53:18, 53:25, 54:7, 55:6, 56:12, 56:25, 58:7, 58:13, 58:23, 59:5, 59:6, 59:10, 59:11, 59:17, 59:23, 60:1, 60:8, 62:6, 62:15, 62:22, 63:6, 63:16, 64:16, 65:1, 65:9, 65:11, 65:24, 66:2, 66:13,	66:19, 70:13, 70:20, 71:15, 71:21, 72:18, 72:25, 73:8, 73:18, 74:22, 75:6, 75:13, 75:19, 75:25, 76:19, 77:5, 78:2, 78:7, 78:18, 79:2, 79:10, 80:13, 80:22, 81:13, 81:19, 81:24, 82:17, 83:5, 83:16, 83:25, 84:10, 84:21, 86:7, 87:15, 88:6, 89:11, 91:9, 92:10 forms ^[1] - 58:21 formulating ^[2] - 54:5, 55:17 formulation ^[4] - 54:24, 59:20, 59:23, 71:4 forth ^[2] - 21:2, 21:4 forthcoming ^[2] - 76:9, 76:20 forum ^[1] - 41:22 founded ^[3] - 32:4, 32:11, 32:13 founding ^[1] - 32:9 four ^[4] - 12:19, 36:2, 36:4 Four ^[1] - 69:19 fourth ^[1] - 37:11 Frank ^[1] - 91:2 FRCP ^[1] - 96:20 free ^[3] - 6:23, 30:3, 41:5 freely ^[2] - 52:6, 52:15 front ^[1] - 7:20 frozen ^[1] - 50:24 full ^[1] - 5:23 funky ^[1] - 65:17 FURTHER ^[1] - 99:1
					G
					GENERAL ^[4] - 2:10, 2:14, 97:19, 97:23 General ^[2] -

5:21, 41:22 General's ^[1] - 5:16 Georgia ^[3] - 9:5, 9:9, 9:12 Given ^[1] - 95:21 given ^[4] - 16:21, 64:6, 65:21, 96:19 glad ^[1] - 38:13 glance ^[1] - 21:3 glasses ^[1] - 42:14 Google ^[1] - 44:4 graduate ^[3] - 9:9, 10:2, 40:2 graduation ^[1] - 10:20 Graf ^[1] - 74:13 granted ^[2] - 10:8, 13:10 ground ^[1] - 6:12 Group ^[1] - 2:20 growing ^[1] - 75:3 GSU ^[1] - 9:24 guess ^[23] - 13:14, 24:5, 26:5, 28:9, 33:10, 36:9, 37:10, 44:16, 55:2, 69:17, 69:18, 70:23, 73:20, 78:12, 79:16, 81:4, 81:9, 83:19, 88:24, 90:15, 91:15 guessing ^[2] - 28:7, 37:19 guidelines ^[4] - 23:10, 23:12, 23:13, 23:14	Heidberger ^[1] - 91:2 help ^[1] - 61:5 helpful ^[3] - 88:1, 88:8, 89:14 hereby ^[2] - 95:5, 96:16 hereto ^[1] - 1:25 Hernandez ^[1] - 5:25 high ^[4] - 88:15, 88:16, 89:6, 91:16 highlighted ^[1] - 61:11 highly ^[1] - 91:14 Hill ^[2] - 2:6, 97:15 himself ^[1] - 63:12 hip ^[3] - 58:12, 58:18, 58:24 Hip ^[1] - 58:17 hip-hop ^[3] - 58:12, 58:18, 58:24 Hip-hop ^[1] - 58:17 hire ^[1] - 48:16 hired ^[4] - 13:7, 37:20, 38:23, 50:3 hiring ^[3] - 50:5, 50:20, 51:1 Hoc ^[4] - 4:5, 4:7, 41:12, 70:1 Hold ^[1] - 45:11 honestly ^[2] - 42:11, 47:23 hop ^[4] - 58:12, 58:17, 58:18, 58:24 hope ^[3] - 62:18, 86:12, 93:3 hosted ^[1] - 41:23 hours ^[1] - 8:2 HOURS:00 ^[2] - 97:11, 97:12 HOURS:15 ^[1] - 97:11 house ^[2] - 39:14, 39:16 hung ^[1] - 39:24 Hunter ^[1] - 34:8 Hydration ^[1] - 67:9	I idea ^[1] - 85:4 ideally ^[3] - 27:8, 27:10, 27:12 ideas ^[1] - 71:18 identified ^[2] - 47:2, 78:16 identifies ^[1] - 51:20 identify ^[6] - 39:19, 45:6, 45:21, 47:4, 57:22, 77:13 identity ^[1] - 95:15 immediately ^[1] - 9:24 implication ^[1] - 48:11 implicit ^[2] - 79:13, 79:14 imply ^[1] - 79:8 importance ^[1] - 75:20 important ^[4] - 26:23, 44:5, 47:14, 75:17 impressed ^[1] - 88:1 IN ^[1] - 95:24 inaccurate ^[3] - 18:14, 18:16, 18:20 inaudible ^[1] - 57:11 inaudibly ^[1] - 74:24 INC ^[2] - 98:12, 99:19 incidentally ^[1] - 12:21 including ^[1] - 9:2 incorporate ^[1] - 45:9 incorporated ^[1] - 43:13 incorporates ^[1] - 53:16 incorporating ^[1] - 40:4 incorrect ^[2] - 9:18, 79:12 indeed ^[1] - 88:1 Indiana ^[7] - 9:7, 9:16, 9:18, 9:22, 9:24, 10:2, 10:20 indicated ^[1] -	66:11 indicates ^[1] - 53:1 indicating ^[1] - 14:12 indication ^[1] - 50:8 individually ^[1] - 50:9 inform ^[1] - 15:16 information ^[4] - 19:10, 88:8, 89:5, 89:14 Information ^[3] - 4:4, 16:16, 16:25 initiatives ^[1] - 21:7 instance ^[3] - 1:17, 6:17, 41:10 instruct ^[1] - 7:18 instruction ^[1] - 23:17 instrument ^[1] - 95:17 insult ^[1] - 30:14 interest ^[9] - 22:5, 22:19, 22:20, 23:1, 23:16, 25:9, 25:11, 28:17, 30:21 interested ^[6] - 30:13, 31:24, 38:8, 38:11, 73:15, 98:6 interesting ^[1] - 48:15 internet ^[3] - 11:5, 47:20, 47:22 interpret ^[2] - 53:13, 64:5 interpretation ^[3] - 65:25, 79:16, 79:17 interpreted ^[2] - 48:7, 48:8 interrupt ^[2] - 6:23, 7:2 interrupted ^[1] - 69:6 interrupting ^[1] - 70:5 interruptions ^[1] - 7:1 interview ^[2] - 25:2, 25:4 introduce ^[5] -	15:1, 16:8, 41:11, 43:18, 90:6 introduced ^[3] - 51:19, 69:25, 80:17 introducing ^[2] - 90:17, 91:23 investigating ^[1] - 45:14 invitation ^[1] - 25:6 invited ^[1] - 25:3 inviting ^[3] - 66:16, 66:24, 67:3 involve ^[1] - 38:7 involved ^[2] - 38:14, 56:2 involvement ^[2] - 38:11, 57:25 involving ^[2] - 47:6 issue ^[15] - 25:8, 35:14, 52:14, 60:10, 70:8, 76:9, 76:20, 82:25, 88:2, 88:18, 88:19, 89:2, 89:9, 89:12, 89:13 issues ^[1] - 89:4 ISU ^[1] - 9:16 it.. ^[1] - 23:23	57:21, 86:15 JACKSON 000208 ^[1] - 4:6 JACKSON 000233 ^[1] - 4:6 Jason ^[1] - 2:19 jazz ^[4] - 58:19, 58:20, 59:4, 59:9 Jazz ^[1] - 58:25 JJS ^[1] - 16:15 job ^[2] - 49:7, 49:9 join ^[2] - 17:21, 23:24 joined ^[4] - 18:3, 18:5, 18:6, 19:5 joining ^[3] - 18:8, 24:24, 28:11 Journal ^[42] - 13:21, 14:5, 14:9, 17:12, 17:18, 17:24, 19:16, 24:8, 24:15, 24:20, 27:18, 28:10, 28:13, 30:25, 37:22, 38:16, 39:7, 40:18, 41:21, 46:8, 46:25, 51:9, 52:25, 54:4, 54:15, 56:20, 56:23, 57:19, 59:15, 60:3, 60:19, 62:14, 66:10, 71:13, 74:18, 75:4, 75:12, 76:17, 83:4, 83:15, 84:20, 85:20 journal ^[50] - 14:13, 14:16, 14:18, 19:18, 20:12, 20:22, 22:16, 23:18, 24:17, 24:24, 25:10, 25:18, 25:24, 26:9, 26:20, 28:3, 28:18, 29:7, 31:21, 32:4, 32:5, 32:12, 32:13, 32:15, 33:21, 34:13, 35:16, 35:22, 36:16, 37:25, 47:3, 50:15, 57:4, 57:16, 57:17, 60:7, 60:10, 72:13, 72:14,
H half ^[2] - 28:8, 33:19 hand ^[2] - 42:6, 95:21 happy ^[1] - 61:7 hard ^[1] - 58:2 head ^[3] - 79:23, 80:3, 80:5 hear ^[5] - 47:23, 58:9, 64:19, 72:22 heard ^[3] - 29:1, 38:24, 70:11				J Jackson ^[41] - 5:14, 37:13, 37:18, 37:19, 38:5, 39:12, 39:20, 40:5, 40:14, 44:9, 44:13, 44:17, 44:19, 45:7, 45:9, 45:18, 45:21, 46:3, 46:17, 47:4, 47:8, 47:16, 48:2, 49:5, 49:17, 49:24, 50:9, 50:11, 50:19, 72:23, 73:6, 75:24, 76:4, 82:20, 83:8, 84:11, 87:4, 88:12, 88:22, 89:5 JACKSON ^[2] - 1:2, 96:3 Jackson's ^[2] -	

72:21, 73:4, 73:7, 73:13, 73:17, 74:8, 75:8, 75:23, 84:14, 88:10 journalistic [1] - 70:17 journals [1] - 19:21 JSS [5] - 4:4, 16:24, 45:17, 62:13, 70:8 judgment [1] - 48:19 judgments [1] - 31:13 JULIA [2] - 98:12, 99:19 JulieTXCSR@ gmail.com [2] - 98:14, 99:21 July [19] - 41:24, 56:18, 60:21, 67:24, 69:15, 70:5, 73:12, 74:14, 80:2, 82:14, 83:14, 83:24, 85:23, 86:6, 86:16, 86:25, 87:24, 88:19, 89:10 jump [1] - 13:2 juncture [1] - 14:25	L lack [15] - 57:24, 58:1, 61:16, 61:17, 62:4, 81:22, 82:13, 82:14, 83:14, 83:17, 83:21, 84:19, 85:20, 89:2, 89:9 language [2] - 52:20, 52:24 lapsed [4] - 11:14, 11:20, 11:25, 12:3 largely [1] - 89:6 larger [1] - 68:4 last [11] - 5:25, 23:21, 48:17, 54:16, 55:25, 62:11, 83:12, 83:13, 86:11, 87:14, 89:8 late [4] - 19:12, 54:12, 66:20 Latino [2] - 49:21, 49:23 LAURA [2] - 1:5, 96:6 LAW [2] - 2:5, 97:14 lawfirm.com [2] - 2:7, 97:16 lead [1] - 67:23 learn [1] - 56:18 learned [1] - 59:12 learning [1] - 56:21 least [10] - 12:17, 20:19, 24:1, 24:2, 31:21, 41:24, 43:12, 44:5, 60:15, 83:21 leave [1] - 37:23 Leaving [1] - 38:22 lecture [4] - 63:9, 64:7, 66:8, 76:10 lecturer [4] - 12:13, 12:14, 12:23, 38:23 led [5] - 19:4, 32:17, 34:21, 60:16, 88:9 left [1] - 86:15 legal [2] - 2:20,	15:18 length [1] - 43:9 Less [1] - 36:4 less [1] - 92:4 letter [10] - 40:17, 43:5, 43:16, 44:18, 45:10, 52:2, 53:17, 61:2, 64:14, 87:16 level [1] - 14:21 Levi [13] - 56:9, 56:10, 71:9, 71:10, 71:12, 71:18, 72:8, 72:22, 73:5, 73:9, 82:21, 83:9 levied [1] - 60:19 levity [1] - 26:11 lie [2] - 65:18, 65:20 likely [1] - 58:25 limits [1] - 53:23 LINE [1] - 94:4 line [1] - 74:13 link [2] - 43:13, 44:1 linked [1] - 43:15 links [2] - 8:15, 53:19 list [4] - 17:11, 18:13, 55:5, 55:12 lists [1] - 17:2 LLC [2] - 2:5, 97:14 load [2] - 12:19, 12:20 look [4] - 8:20, 23:1, 23:2, 86:19 Look [1] - 68:20 looked [1] - 69:25 looking [2] - 40:25, 41:3 Looking [1] - 86:8 lower [2] - 21:13, 21:14 Loyola [1] - 9:5 lvq.dallas@ gmail.com [1] - 2:20	m.allen@allen- lawfirm.com [2] - 2:7, 97:16 machine [1] - 1:22 maintained [1] - 55:13 mark [2] - 67:14, 86:13 marked [7] - 15:3, 16:10, 41:14, 43:24, 67:18, 86:17, 90:19 Mary [9] - 2:9, 5:11, 5:15, 89:19, 90:4, 91:25, 97:6, 97:11, 97:18 mary.quimby@ oag.texas.gov [2] - 2:12, 97:21 Master's [1] - 10:11 master's [2] - 9:7, 10:9 match [1] - 26:12 material [4] - 28:23, 35:1, 77:10, 77:25 math [1] - 9:10 matter [3] - 5:18, 7:1, 21:13 mean [20] - 12:7, 20:4, 22:12, 25:15, 26:2, 26:22, 26:23, 26:24, 37:10, 41:5, 48:5, 49:13, 63:25, 64:1, 64:11, 68:18, 71:25, 78:3, 82:20 meaning [6] - 52:4, 65:12, 65:14, 74:19, 79:3, 85:23 meaningfully [4] - 77:22, 78:11, 78:22, 79:5 means [1] - 79:11 meant [1] - 60:15 meantime [1] - 15:21 meet [1] - 37:18 meeting [13] - 21:6, 80:1, 80:2, 80:8, 80:10,	80:12, 80:21, 80:23, 81:10, 82:1, 82:19, 84:12, 90:22 member [31] - 11:11, 11:13, 11:19, 11:24, 14:15, 19:22, 20:13, 20:15, 21:20, 22:3, 22:9, 22:18, 24:9, 24:12, 24:16, 24:21, 28:5, 28:12, 28:15, 28:16, 31:3, 31:9, 31:25, 32:10, 32:18, 48:3, 48:10, 54:8, 54:20, 55:9, 80:6 members [9] - 8:11, 18:21, 27:6, 28:23, 29:3, 29:5, 30:3, 30:9, 30:17 membership [1] - 11:14 memory [1] - 58:6 mental [1] - 9:10 mention [1] - 22:24 mentioned [2] - 37:25, 48:2 mentions [1] - 88:23 message [5] - 29:7, 30:6, 90:5, 91:3, 91:6 met [2] - 7:24, 37:19 method [1] - 1:22 MHTE [3] - 8:9, 74:25, 75:5 Michael [5] - 2:5, 5:13, 97:11, 97:14, 99:9 middle [1] - 5:24 might [21] - 11:14, 13:18, 21:15, 26:5, 26:6, 27:5, 29:17, 30:5, 35:2, 36:2, 48:3, 50:15, 73:21, 81:25, 82:4, 82:6, 84:1, 84:2, 84:22 mind [15] - 15:11, 37:15, 39:23, 40:10, 50:1, 54:1, 58:4, 62:7, 62:16,	62:19, 67:5, 68:1, 72:12, 77:20, 85:8 mindset [1] - 52:19 mine [1] - 42:14 MINUTES [3] - 97:11, 97:11, 97:12 minutes [1] - 89:21 miscellaneous [2] - 20:19, 21:8 mismanageme nt [1] - 60:7 misrepresentat ion [1] - 65:21 misspoke [1] - 29:16 mistaken [1] - 67:8 moment [15] - 15:9, 19:2, 22:16, 26:11, 48:1, 48:12, 48:13, 58:10, 59:24, 62:8, 62:19, 67:5, 72:11, 84:3, 86:8 months [2] - 54:12, 54:16 morning [2] - 74:14, 87:9 most [3] - 7:19, 12:17, 75:17 Most [1] - 6:5 mouth [1] - 86:3 move [1] - 72:3 moving [1] - 79:21 MR [22] - 5:8, 5:11, 5:20, 14:25, 16:8, 21:10, 21:16, 41:10, 43:17, 43:20, 48:22, 50:24, 51:12, 67:14, 67:17, 86:13, 89:17, 89:22, 90:4, 90:17, 92:16, 92:25 MS [101] - 5:15, 13:22, 13:25, 14:6, 19:19, 22:6, 24:18, 31:19, 32:21, 34:19, 35:7, 35:23, 36:14, 39:1, 39:22, 40:8, 40:16, 42:5, 44:11, 44:22,
K kind [14] - 6:13, 17:3, 20:18, 23:9, 23:21, 31:13, 37:11, 38:6, 39:24, 48:6, 56:7, 57:24, 69:6, 77:16 knowing [1] - 61:2 knowledge [12] - 26:9, 27:1, 27:18, 27:21, 28:15, 35:13, 36:11, 36:16, 46:3, 46:16, 55:23, 56:7 known [2] - 56:1, 95:13 knows [2] - 27:9, 27:10					
		M m.allen@allen [2] - 2:7, 97:16			

45:22, 46:5, 46:19, 47:5, 47:18, 48:23, 50:13, 50:21, 51:6, 51:11, 53:12, 53:18, 53:25, 54:7, 55:6, 56:12, 56:25, 57:13, 58:7, 58:13, 58:23, 59:6, 59:11, 59:17, 60:8, 62:6, 62:15, 62:22, 63:6, 63:16, 64:16, 65:1, 65:9, 65:11, 65:24, 66:2, 66:13, 66:19, 70:13, 70:20, 71:15, 71:21, 72:18, 72:25, 73:8, 73:18, 74:22, 75:6, 75:13, 75:19, 75:25, 76:19, 77:5, 78:2, 78:7, 78:18, 79:2, 79:10, 80:13, 80:22, 81:13, 81:19, 81:24, 82:17, 83:5, 83:16, 83:25, 84:10, 84:21, 86:7, 87:15, 88:6, 89:11, 89:20, 89:24, 90:10, 91:9, 92:7, 92:10, 92:19, 92:23 MTO [3] - 23:3, 24:12, 26:19 MTS [1] - 33:25 music [19] - 10:15, 10:16, 12:13, 13:7, 28:3, 31:21, 32:7, 33:22, 56:3, 57:25, 58:21, 59:3, 59:9, 74:19, 74:23, 77:16, 88:13, 91:15 Music [47] - 9:15, 10:11, 11:13, 11:25, 19:23, 20:10, 20:11, 20:22, 21:21, 22:3, 22:9, 22:13, 22:15, 22:17, 23:18, 23:25, 24:3, 24:10, 24:12, 24:17, 25:10, 25:12, 25:18,	25:24, 26:9, 26:19, 26:20, 27:1, 27:18, 30:25, 33:2, 33:24, 33:25, 34:9, 34:11, 34:14, 35:3, 35:10, 35:12, 35:14, 35:16, 52:5, 55:10, 55:13, 69:22, 72:16 must [4] - 7:19, 37:8, 80:20, 93:1 N NAME [1] - 94:2 name [18] - 5:13, 5:23, 5:24, 6:1, 8:7, 11:21, 17:15, 17:16, 18:20, 19:21, 20:7, 30:13, 40:13, 43:3, 56:10, 71:11, 95:16 named [1] - 41:23 names [6] - 5:12, 5:25, 16:20, 18:18, 26:8, 26:12 national [1] - 49:25 nature [4] - 35:6, 50:20, 54:22, 69:12 necessarily [1] - 81:3 need [3] - 11:15, 26:7, 40:21 never [1] - 39:13 new [2] - 32:5, 70:7 New [1] - 34:8 news [1] - 41:22 News [1] - 41:22 next [4] - 42:20, 82:23, 82:24, 87:24 nice [1] - 64:9 NO [3] - 1:4, 4:2, 96:5 non [1] - 26:21 non-peer [1] - 26:21 None [1] - 67:5 nonverbal [1] - 6:18	normal [2] - 6:15, 84:6 NORTH [4] - 2:13, 2:14, 97:22, 97:23 North [11] - 5:17, 5:21, 8:25, 11:3, 11:8, 12:6, 12:12, 16:22, 37:14, 58:22, 69:23 NOTARY [1] - 95:24 NOTE [1] - 3:21 note [1] - 3:22 noted [1] - 95:6 nothing [2] - 15:18, 52:12 Nothing [1] - 54:1 Notice [1] - 15:7 Notice..... [1] - 4:3 notifying [1] - 15:24 noting [1] - 32:4 November [3] - 34:7, 41:13, 54:17 Number [5] - 15:1, 16:15, 45:11, 86:23, 91:7 number [2] - 21:1, 36:1 numbered [1] - 1:19 numbers [1] - 21:1 O o'clock [1] - 62:25 oath [1] - 95:14 object [3] - 7:11, 83:23, 84:2 objected [2] - 83:17, 84:3 objecting [3] - 83:14, 84:9, 84:19 objection [5] - 59:25, 83:18, 85:25, 86:5, 86:9 Objection [90] - 13:22, 13:25, 14:6, 19:19, 22:6, 24:18, 31:19, 32:21, 34:19,	35:7, 35:23, 36:14, 39:1, 39:22, 40:8, 40:16, 44:11, 44:22, 45:22, 46:5, 46:19, 47:5, 47:18, 50:13, 50:21, 51:6, 53:12, 53:18, 53:25, 54:7, 55:6, 56:12, 56:25, 58:7, 58:13, 58:23, 59:6, 59:11, 59:17, 60:8, 62:6, 62:15, 62:22, 63:6, 63:16, 64:16, 65:1, 65:9, 65:11, 65:24, 66:2, 66:13, 66:19, 70:13, 70:20, 71:15, 71:21, 72:18, 72:25, 73:8, 73:18, 74:22, 75:6, 75:13, 75:19, 75:25, 76:19, 77:5, 78:2, 78:7, 78:18, 79:2, 79:10, 80:13, 80:22, 81:13, 81:19, 81:24, 82:17, 83:5, 83:16, 83:25, 84:10, 84:21, 86:7, 87:15, 88:6, 89:11, 91:9, 92:10 objectionable [1] - 84:23 objections [3] - 59:15, 59:22, 85:20 objective [1] - 84:1 obligation [1] - 7:13 October [2] - 97:6, 98:7 odd [2] - 18:19, 63:11 OF [12] - 1:1, 1:10, 2:13, 2:14, 95:10, 95:10, 95:24, 96:1, 96:11, 97:22, 97:23, 99:1 office [1] - 95:21 Office [1] - 5:16 officer [1] - 99:4	officer's [1] - 99:10 official [3] - 6:1, 8:6, 11:21 Often [1] - 20:23 often [2] - 21:7, 21:8 omnipresent [1] - 78:10 once [4] - 20:19, 66:25, 67:1 One [1] - 10:4 one [45] - 10:6, 11:25, 14:24, 16:14, 17:10, 21:3, 22:21, 23:1, 23:2, 25:14, 27:3, 27:10, 31:13, 34:1, 37:8, 39:9, 40:22, 41:19, 55:25, 61:22, 62:3, 64:23, 68:4, 72:7, 73:15, 74:4, 74:5, 75:17, 75:21, 77:16, 77:17, 77:19, 77:20, 83:13, 86:10, 87:10, 87:12, 87:14, 87:17, 87:19, 88:23, 90:4 one-sided [1] - 73:15 ones [5] - 62:7, 62:16, 77:12, 77:13, 78:20 Online [29] - 19:23, 20:11, 20:12, 20:22, 21:21, 22:3, 22:10, 22:13, 22:15, 22:17, 23:18, 23:25, 24:4, 24:10, 24:12, 24:17, 25:10, 25:12, 25:18, 25:24, 26:9, 26:19, 26:20, 27:2, 27:19, 30:25, 33:2, 35:3, 35:17 online [3] - 52:6, 52:15, 61:4 open [1] - 37:17 operation [1] - 21:9 opinion [1] - 77:16 opportunity [15] - 8:19, 61:13,	62:2, 63:5, 63:15, 64:6, 64:10, 65:6, 65:7, 65:13, 66:7, 81:22, 82:13, 82:15, 89:2 ORAL [3] - 1:10, 1:16, 96:11 oral [1] - 96:18 oranges [1] - 26:12 order [1] - 6:16 ordinarily [1] - 55:3 organized [1] - 59:16 original [3] - 99:3, 99:8, 99:11 originated [3] - 29:10, 59:4, 59:9 origins [1] - 49:25 otherwise [2] - 31:6, 98:6 outcome [1] - 98:6 own [2] - 8:24, 28:19 owner [1] - 44:4 P p.m [15] - 1:20, 5:2, 5:4, 80:1, 81:5, 86:16, 87:8, 87:12, 87:25, 88:19, 89:1, 89:10, 93:6 P.O [4] - 2:6, 2:10, 97:15, 97:19 PAGE [3] - 3:2, 4:2, 94:4 page [6] - 16:13, 16:14, 42:20, 68:4, 90:12, 99:7 pages [6] - 28:19, 30:15, 30:18, 68:9, 83:4, 97:1 Panel [4] - 4:5, 4:7, 41:12, 70:1 paper [3] - 54:5, 59:25, 78:16 papers [18] - 30:4, 54:6, 54:11, 54:15, 54:24, 55:4, 55:17, 55:21, 56:11, 56:15, 59:20,

59:23, 60:1, 63:4, 63:8, 63:14, 65:22, 71:4 paragraph [4] - 47:11, 75:24, 76:24, 77:7 Part [1] - 42:5 part [30] - 7:19, 13:7, 14:8, 14:20, 16:22, 17:25, 18:1, 21:7, 24:6, 27:25, 32:16, 34:14, 34:15, 38:15, 43:14, 44:7, 44:8, 48:17, 50:5, 51:21, 56:2, 57:10, 61:11, 74:24, 75:8, 87:1, 90:15, 90:25, 91:11, 92:5 partaking [1] - 27:24 participate [1] - 80:10 participated [5] - 14:12, 54:23, 55:17, 59:19, 71:3 participating [6] - 13:20, 14:4, 71:2, 73:3, 83:3, 91:2 participation [4] - 14:8, 14:18, 14:21, 55:1 particular [6] - 40:10, 40:13, 47:11, 48:21, 60:10, 86:9 particularly [2] - 39:18, 45:19 parties [1] - 98:2 PARTIES [1] - 2:2 party [3] - 96:22, 97:3, 97:9 pass [2] - 89:19, 92:16 passages [2] - 46:21, 53:2 passes [1] - 79:18 passing [2] - 29:7, 48:19 past [3] - 45:14, 45:18, 47:15 pay [1] - 92:1 peculiar [1] - 6:13 peer [26] - 26:21,	26:22, 26:25, 27:16, 27:20, 30:24, 33:1, 33:17, 36:6, 36:13, 36:16, 36:21, 36:23, 61:17, 62:3, 62:4, 77:3, 83:14, 83:18, 83:19, 83:21, 84:6, 84:13, 84:19, 85:20, 89:9 people [14] - 17:11, 18:13, 27:6, 42:12, 42:21, 48:16, 57:25, 60:9, 66:3, 72:15, 72:16, 75:7, 75:14, 75:18 People [2] - 60:15, 60:25 per [3] - 28:20, 30:13, 32:3 perceived [1] - 46:21 perfectly [2] - 6:15, 12:22 person [8] - 45:12, 47:8, 47:15, 48:14, 48:20, 48:21, 49:9, 95:16 personal [2] - 55:23, 62:9 personally [2] - 13:23, 95:13 perspectives [2] - 74:6, 74:9 petition [2] - 40:13, 69:24 petitions [1] - 8:8 Ph.D [3] - 9:7, 10:12, 10:14 Philip [15] - 34:7, 34:24, 56:18, 56:23, 57:16, 62:1, 63:3, 65:21, 66:11, 66:16, 66:24, 67:3, 76:10, 82:13, 82:15 philosophy [1] - 10:14 phone [1] - 7:2 phonetic [2] - 5:25, 56:4 picked [1] - 6:18 picture [1] -	73:15 pieces [2] - 26:21, 78:5 place [1] - 80:23 Plaintiff [5] - 1:3, 1:18, 5:14, 96:4, 99:11 PLAINTIFF [2] - 2:4, 97:13 platform [1] - 45:17 plenary [7] - 34:9, 34:25, 35:11, 63:8, 64:7, 66:8, 76:10 point [4] - 13:2, 13:10, 52:20, 63:21 Point [1] - 52:24 points [1] - 52:11 policy [15] - 22:5, 22:19, 22:21, 22:24, 23:6, 23:7, 23:11, 25:9, 25:10, 25:15, 28:17, 28:20, 29:9, 30:21, 30:22 position [5] - 12:5, 12:11, 47:9, 47:16, 48:3 possible [2] - 14:1, 17:9 potential [1] - 45:16 practice [6] - 23:5, 31:7, 31:17, 31:20, 31:23 practices [2] - 70:17, 70:22 practicing [1] - 58:2 precise [1] - 38:7 precisely [3] - 10:7, 18:5, 18:6 precluded [1] - 79:3 prefer [1] - 23:12 prepare [1] - 7:23 preparing [2] - 3:25, 99:11 present [4] - 18:10, 45:19, 59:24, 74:9 PRESENT [1] - 2:17 presented [3] -	73:15, 74:6, 87:8 presenting [1] - 11:15 presently [1] - 39:9 press [1] - 21:23 presumably [1] - 10:5 presume [4] - 70:2, 70:3, 71:7, 74:19 prevent [2] - 24:15, 28:11 prevented [2] - 24:23, 25:1 previous [1] - 45:2 primarily [2] - 12:15, 75:11 print [14] - 61:13, 63:5, 63:15, 64:11, 65:6, 65:8, 65:13, 67:2, 77:2, 81:23, 82:13, 82:16, 83:3, 89:3 printed [1] - 73:13 Procedure [1] - 1:24 procedures [1] - 62:13 proceed [1] - 69:13 proceeding [1] - 98:3 process [21] - 25:5, 27:20, 27:24, 30:24, 31:4, 33:2, 50:5, 52:7, 60:16, 60:19, 60:25, 61:1, 61:3, 61:9, 73:20, 77:3, 83:20, 84:7, 85:6, 88:9, 89:15 produce [1] - 62:13 produced [1] - 1:17 product [1] - 85:3 professional [2] - 10:19, 11:11 Professor [26] - 5:9, 5:22, 6:3, 6:9, 15:5, 21:11, 34:16, 37:13, 40:6, 41:16, 43:22, 44:9,	44:16, 49:3, 58:11, 67:19, 67:25, 69:23, 77:13, 78:25, 79:22, 85:17, 86:19, 91:1, 91:24, 92:25 professor [9] - 12:5, 12:10, 12:24, 12:25, 13:6, 21:19, 34:8, 49:6, 69:10 professors [1] - 88:13 program [3] - 74:19, 74:20, 74:23 promised [1] - 51:24 promote [1] - 45:17 prompted [1] - 23:2 pronounced [1] - 56:10 proofread [1] - 20:17 proper [1] - 85:23 properly [1] - 72:9 proved [1] - 95:13 provide [2] - 23:10, 52:6 provided [3] - 44:24, 55:3, 88:8 provisions [1] - 1:24 public [4] - 41:22, 52:6, 52:7, 52:15 PUBLIC [1] - 95:24 publically [1] - 52:14 publication [21] - 13:21, 14:4, 14:13, 24:20, 33:22, 34:24, 35:6, 35:14, 40:4, 40:18, 45:10, 46:8, 46:21, 52:7, 60:17, 60:22, 70:19, 70:24, 85:6, 88:10, 91:4 publications [5] - 29:21, 34:21, 35:21, 37:9, 75:11	publish [7] - 25:12, 26:21, 29:3, 35:24, 36:20, 66:12, 73:22 published [33] - 25:10, 25:24, 26:9, 26:14, 26:17, 27:19, 28:14, 30:1, 30:14, 30:18, 33:16, 34:15, 34:17, 35:1, 35:19, 35:22, 36:12, 36:18, 37:2, 38:17, 41:22, 46:23, 52:21, 57:6, 57:11, 57:16, 61:23, 63:24, 66:18, 66:25, 67:4, 75:8, 82:22 publishing [2] - 28:18, 35:10 pulled [1] - 44:4 purchase [1] - 92:22 purpose [2] - 68:21, 69:3 purposes [3] - 44:6, 69:7, 95:18 pursuant [2] - 1:23, 96:20 pushback [1] - 70:7 put [4] - 12:3, 61:4, 77:3, 86:3 putting [1] - 51:25
					Q
					Quaker [2] - 2:6, 97:15 qualification [1] - 45:1 quality [3] - 3:22, 29:23, 29:25 query [2] - 88:23, 91:8 questioning [2] - 60:9, 61:1 questions [10] - 6:20, 15:15, 16:7, 22:3, 28:2, 60:14, 68:21, 89:17, 90:8, 92:20 quick [1] - 90:7

quickly [2] - 71:1, 86:12 QUIMBY [101] - 5:15, 13:22, 13:25, 14:6, 19:19, 22:6, 24:18, 31:19, 32:21, 34:19, 35:7, 35:23, 36:14, 39:1, 39:22, 40:8, 40:16, 42:5, 44:11, 44:22, 45:22, 46:5, 46:19, 47:5, 47:18, 48:23, 50:13, 50:21, 51:6, 51:11, 53:12, 53:18, 53:25, 54:7, 55:6, 56:12, 56:25, 57:13, 58:7, 58:13, 58:23, 59:6, 59:11, 59:17, 60:8, 62:6, 62:15, 62:22, 63:6, 63:16, 64:16, 65:1, 65:9, 65:11, 65:24, 66:2, 66:13, 66:19, 70:13, 70:20, 71:15, 71:21, 72:18, 72:25, 73:8, 73:18, 74:22, 75:6, 75:13, 75:19, 75:25, 76:19, 77:5, 78:2, 78:7, 78:18, 79:2, 79:10, 80:13, 80:22, 81:13, 81:19, 81:24, 82:17, 83:5, 83:16, 83:25, 84:10, 84:21, 86:7, 87:15, 88:6, 89:11, 89:20, 89:24, 90:10, 91:9, 92:7, 92:10, 92:19, 92:23 Quimby [8] - 2:9, 5:15, 7:11, 7:17, 91:25, 92:21, 97:6, 97:18 Quimby..... 00 [1] - 97:11 quite [3] - 37:16, 56:6, 65:17 quotations [2] -	52:17, 53:11 quote [7] - 51:20, 57:22, 57:23, 76:18, 78:5, 78:16, 79:25 quoted [1] - 52:22 R race [4] - 47:6, 49:10, 49:11, 49:22 racial [3] - 76:11, 76:18, 76:22 racism [5] - 45:17, 75:24, 76:4, 77:23, 78:12 racist [19] - 39:21, 40:5, 45:7, 45:19, 45:21, 46:4, 46:18, 46:22, 47:4, 47:10, 48:7, 48:8, 49:13, 49:25, 50:16, 51:20, 57:23, 75:11, 75:15 raise [7] - 82:14, 85:25, 88:18, 88:19, 89:2, 89:4, 89:9 raised [4] - 21:11, 61:9, 82:18, 88:12 raises [1] - 61:11 raising [5] - 75:7, 81:17, 81:20, 86:5, 86:9 rap [3] - 58:12, 58:17, 58:18 Rap [1] - 58:24 rate [1] - 75:20 rates [1] - 20:24 rather [1] - 48:20 re [2] - 15:7, 70:7 read [50] - 15:14, 16:17, 22:4, 22:19, 41:16, 42:1, 42:15, 46:6, 47:11, 52:18, 53:3, 56:19, 56:23, 57:8, 58:1, 58:16, 58:18,	58:20, 61:5, 61:8, 61:12, 63:11, 65:4, 66:1, 66:3, 66:4, 68:1, 68:2, 68:12, 68:16, 69:18, 70:9, 72:12, 73:1, 73:23, 74:1, 76:12, 78:3, 78:8, 79:4, 79:9, 80:17, 83:8, 86:20, 87:6, 87:7, 87:10, 87:12, 95:4 readable [1] - 16:12 reader [2] - 82:8, 84:6 readers [1] - 36:9 reading [10] - 15:9, 22:20, 33:13, 42:17, 57:1, 65:3, 78:13, 79:20, 88:21 really [10] - 16:6, 18:3, 26:7, 30:13, 47:23, 49:18, 81:2, 85:17, 90:7 REASON [1] - 94:4 reason [7] - 18:12, 18:16, 31:6, 31:22, 31:23, 33:8, 41:7 reasons [2] - 97:1, 99:7 receipt [1] - 96:24 receive [2] - 55:12, 68:18 received [6] - 30:6, 56:5, 63:3, 63:13, 68:14, 71:9 receiving [1] - 68:17 recently [3] - 23:21, 28:21 Recess [3] - 48:25, 85:14, 90:1 recognize [4] - 15:7, 15:22, 15:23, 41:25 recollect [5] - 20:7, 23:20, 25:16, 26:13, 46:20 recollection [7] - 9:14, 9:23, 17:14,	23:19, 62:9, 73:9, 84:18 recommendati on [2] - 27:4, 27:5 record [36] - 1:24, 5:4, 5:12, 5:23, 6:13, 6:16, 6:18, 7:11, 7:22, 11:18, 12:11, 15:1, 16:9, 20:3, 41:11, 43:23, 48:22, 48:24, 49:2, 51:10, 51:18, 67:15, 69:21, 85:13, 85:16, 86:4, 86:14, 89:23, 89:25, 90:3, 90:17, 91:11, 91:20, 93:5, 96:19, 98:5 redacted [1] - 16:21 refer [3] - 6:2, 6:5, 51:22 reference [5] - 40:4, 40:11, 40:17, 43:13, 45:9 referring [7] - 8:17, 45:23, 46:8, 46:24, 49:14, 78:9, 79:18 refers [2] - 43:5, 81:9 reflected [1] - 48:19 refuse [1] - 56:19 refusing [1] - 56:23 regard [1] - 52:2 registration [4] - 98:15, 98:15, 99:22, 99:22 regular [2] - 31:17, 57:8 related [1] - 98:2 relationship [2] - 29:10, 37:13 relative [1] - 98:4 relatively [2] - 32:5, 63:2 release [1] - 52:6 released [1] - 52:15 relevant [1] - 68:10	relieve [1] - 7:12 remained [1] - 12:23 remark [1] - 47:6 remarks [4] - 77:22, 78:1, 78:6, 78:12 remember [45] - 12:20, 12:21, 13:18, 18:5, 18:6, 18:8, 24:4, 33:12, 37:1, 37:3, 39:16, 48:1, 49:17, 49:18, 55:14, 60:18, 61:21, 62:5, 62:12, 62:20, 67:24, 68:14, 68:17, 69:15, 71:17, 71:22, 72:2, 72:7, 74:15, 77:15, 80:20, 81:11, 81:17, 81:20, 82:1, 82:4, 82:11, 82:18, 84:9, 86:1, 86:5, 86:8, 87:3 remembered [1] - 72:4 reminded [1] - 30:10 removal [1] - 45:16 Renaldo [4] - 2:14, 5:20, 97:12, 97:23 renaldo. stowers@ untsystem.edu [2] - 2:16, 97:25 renew [1] - 11:15 repeat [10] - 11:7, 32:22, 35:8, 52:23, 55:20, 59:7, 66:6, 66:22, 73:2, 76:14 rephrase [1] - 75:2 replete [3] - 76:11, 76:18, 76:22 reply [1] - 91:8 Report [3] - 4:7, 41:12, 70:1 Report..... [1] - 4:5 reported [1] - 1:22 Reporter [2] - 54:13, 54:18	REPORTER [5] - 43:19, 54:21, 67:16, 92:21, 92:24 Reporter's [1] - 3:9 REPORTER'S [2] - 3:21, 96:10 represent [5] - 5:12, 5:14, 5:16, 5:18, 43:25 represented [1] - 20:24 representing [1] - 7:24 represents [1] - 43:12 reproduced [1] - 40:3 reputation [2] - 74:19, 75:5 requested [4] - 54:13, 54:18, 96:22, 97:3 reserve [1] - 92:19 respond [28] - 61:13, 62:2, 63:5, 63:12, 63:15, 63:18, 63:22, 63:23, 64:6, 64:10, 64:11, 65:6, 65:8, 65:13, 65:22, 66:7, 66:17, 66:25, 67:4, 71:19, 77:2, 81:22, 82:13, 82:15, 82:24, 83:11, 84:17, 89:3 responded [3] - 80:20, 81:16, 84:11 responding [1] - 90:6 response [13] - 16:2, 49:14, 63:8, 63:19, 64:7, 64:11, 65:22, 66:8, 73:13, 81:11, 87:24, 88:4 responses [8] - 65:8, 65:14, 66:17, 67:1, 76:10, 77:9, 82:23, 91:4 responsibility [1] - 20:14 responsible [1] -

45:12 rest [5] - 15:11, 21:25, 42:18, 70:22, 91:12 restate [1] - 22:17 restrictive [1] - 53:8 restricts [1] - 53:11 resubmission [1] - 21:4 retaliation [1] - 72:15 return [1] - 97:7 returned [5] - 96:24, 96:25, 99:3, 99:6, 99:8 review [37] - 8:3, 8:5, 15:13, 22:23, 23:2, 23:10, 23:14, 23:15, 26:22, 27:16, 27:20, 29:6, 30:4, 30:24, 31:4, 31:18, 32:19, 32:25, 33:2, 33:17, 36:17, 36:24, 61:17, 62:4, 77:3, 83:14, 83:18, 83:19, 83:21, 83:22, 84:7, 84:13, 84:19, 85:20, 88:9, 89:9 Review [1] - 4:5 reviewed [11] - 8:6, 20:16, 23:9, 26:21, 26:25, 27:6, 36:7, 36:13, 36:21, 36:22, 36:25 reviewer [1] - 27:12 reviewers [6] - 27:4, 27:7, 27:14, 31:22, 36:10, 37:2 reviewing [2] - 20:18, 22:21 reviews [4] - 22:23, 23:17, 27:23, 37:1 revised [1] - 23:22 Rican [1] - 20:6 Richmond [2] - 8:9, 8:13 right-hand [1] - 42:6	rings [2] - 87:5 rough [1] - 20:2 RPR [3] - 1:21, 96:15, 98:11 ruined [1] - 72:9 rule [1] - 32:18 Rule [1] - 96:20 Rules [1] - 1:23 rules [1] - 6:12 run [2] - 34:11, 84:13 Russian [1] - 77:16 S safe [1] - 13:19 save [1] - 45:4 saw [1] - 91:11 scale [1] - 39:12 scenario [2] - 32:7, 51:1 Schenker [2] - 70:12, 78:15 Schenkerian [48] - 13:21, 14:5, 14:9, 17:12, 17:19, 17:24, 19:16, 24:8, 24:15, 24:20, 28:11, 28:13, 37:23, 38:10, 38:12, 38:14, 38:16, 38:18, 38:25, 39:3, 39:4, 39:8, 40:18, 41:21, 46:9, 46:25, 51:9, 52:25, 54:4, 54:15, 56:20, 56:23, 57:19, 59:16, 60:3, 60:20, 62:14, 66:10, 71:13, 74:18, 75:4, 75:9, 75:12, 76:17, 83:4, 83:15, 84:20, 85:21 scholarly [1] - 74:7 scholars [1] - 91:14 screen [1] - 21:12 scroll [1] - 70:25 scrolling [2] - 42:19, 74:12 se [3] - 28:20, 30:13, 32:3	seal [1] - 95:21 search [3] - 13:6, 13:7, 50:6 seasoned [1] - 91:14 seat [2] - 21:13, 21:15 second [7] - 33:10, 37:11, 42:1, 55:15, 62:3, 76:14 sections [1] - 52:22 see [30] - 15:4, 15:17, 16:11, 16:14, 17:16, 17:17, 21:25, 26:13, 41:6, 41:15, 41:19, 42:17, 42:19, 42:22, 43:6, 43:11, 45:10, 52:9, 52:10, 53:8, 68:8, 70:2, 73:2, 80:15, 83:8, 83:10, 90:12, 90:21, 91:12, 92:13 seeing [2] - 70:6, 82:3 seem [1] - 69:17 SEM [1] - 41:22 semester [1] - 37:20 send [4] - 32:24, 74:14, 82:21, 83:9 sending [2] - 69:20, 74:15 sense [7] - 20:23, 29:4, 32:6, 32:10, 68:13, 73:21, 84:12 sent [13] - 8:8, 8:10, 8:13, 15:23, 20:17, 27:2, 30:2, 30:22, 31:22, 36:8, 54:16, 55:8, 73:22 sentence [13] - 52:21, 53:13, 64:4, 64:5, 64:18, 64:21, 65:15, 66:1, 78:4, 78:8, 79:8, 79:13, 79:17 sentences [1] - 64:9 separate [1] - 92:13	SEPTEMBER [3] - 1:12, 94:3, 96:13 September [2] - 1:20, 5:3 Serika [1] - 5:25 serve [2] - 20:11, 72:20 served [3] - 19:16, 19:20, 19:22 server [2] - 55:5, 55:12 service [1] - 12:17 serving [1] - 53:14 set [2] - 19:13, 76:9 seven [2] - 36:3, 36:4 Shall [2] - 86:18, 89:22 share [1] - 90:11 SHERMAN [1] - 1:2 short [1] - 33:18 shortage [3] - 29:14, 29:20, 29:21 shorthand [1] - 1:22 show [4] - 45:2, 51:11, 52:1, 53:14 showed [2] - 84:6, 90:14 showing [4] - 15:11, 62:8, 68:16, 92:12 shrink [1] - 16:13 side [1] - 42:6 sided [3] - 73:15, 74:4, 74:5 sign [4] - 21:24, 42:25, 75:23 signatories [1] - 42:18 SIGNATURE [1] - 94:1 Signature [2] - 96:25, 99:6 signature [3] - 95:5, 96:21, 97:7 Signature..... [1] - 3:8 signed [11] - 8:10, 8:16, 40:13,	40:17, 61:7, 64:1, 69:24, 74:1, 76:6, 76:16, 78:15 similar [1] - 28:2 similarly [1] - 10:18 simple [2] - 59:2, 64:23 simply [2] - 25:3, 56:2 Sims [2] - 1:21, 98:11 SIMS [1] - 96:15 sit [5] - 57:21, 62:12, 72:3, 84:8, 84:18 six [2] - 35:24, 68:9 size [1] - 68:3 skills [1] - 48:21 skipping [1] - 69:14 slight [1] - 29:22 slightly [3] - 27:23, 32:7, 42:6 slowly [2] - 68:1, 68:2 SMT [5] - 33:23, 34:17, 34:25, 55:5, 65:22 so-called [1] - 77:24 So.. [1] - 81:1 so.. [6] - 19:12, 46:13, 55:8, 55:15, 55:22, 68:16 societies [1] - 11:11 society [3] - 34:15, 56:4, 56:6 Society [11] - 11:13, 11:20, 11:22, 11:24, 34:9, 34:11, 34:13, 35:12, 55:9, 55:13, 72:16 Soft [1] - 54:22 soliciting [3] - 30:7, 30:9, 85:4 someone [5] - 12:14, 27:9, 28:15, 41:23, 66:1 sometime [1] - 49:5 sometimes [4] - 20:25, 41:6, 91:1, 91:17	somewhere [1] - 37:11 soon [2] - 63:2, 67:12 sooner [1] - 84:16 Sorry [15] - 9:20, 21:19, 22:14, 25:13, 43:20, 43:22, 55:20, 57:15, 58:9, 62:16, 62:18, 63:17, 66:20, 67:19, 76:15 sorry [7] - 47:13, 51:12, 54:21, 56:6, 57:13, 63:17, 64:19 sort [2] - 21:12, 25:2 sound [1] - 70:19 sounded [1] - 25:13 sounds [2] - 18:10, 18:11 spaced [1] - 76:15 Spanish [5] - 19:23, 20:6, 22:16, 78:10 speaking [2] - 40:23, 47:3 specific [11] - 10:9, 10:21, 31:17, 37:15, 39:20, 45:20, 46:17, 59:18, 60:12, 60:18, 60:22 specifically [4] - 8:5, 54:10, 76:4, 87:16 Specifically [1] - 45:18 specify [2] - 22:11, 26:22 Spectrum [12] - 33:23, 33:25, 34:12, 34:18, 34:24, 35:2, 35:4, 35:6, 35:10, 35:15, 35:16 speculate [3] - 23:22, 31:9, 46:14 speculating [3] - 31:1, 33:3, 46:12 speculation [2] - 31:1, 31:2

spell [1] - 19:24 spelled [1] - 33:13 spend [1] - 68:7 spoken [1] - 54:22 squint [2] - 42:9, 42:12 staff [3] - 19:17, 66:16, 66:24 stands [1] - 58:5 start [7] - 8:25, 11:1, 12:10, 12:19, 20:10, 62:25, 90:20 started [8] - 9:4, 10:5, 11:3, 11:7, 12:4, 12:12, 12:13, 62:17 starting [3] - 9:2, 10:19, 87:3 starts [1] - 53:4 state [5] - 5:11, 5:22, 12:11, 15:20, 77:24 State [6] - 1:21, 9:5, 9:9, 9:12, 9:16, 96:16 STATE [2] - 95:10, 95:24 Statement [3] - 40:14, 41:20, 51:9 statement [38] - 7:6, 8:7, 8:9, 8:13, 8:14, 8:15, 8:16, 40:3, 42:25, 43:1, 43:11, 43:12, 44:15, 44:16, 49:16, 51:3, 51:18, 51:19, 51:22, 52:10, 52:18, 52:24, 53:17, 53:19, 53:24, 61:7, 61:19, 64:1, 74:2, 75:22, 76:6, 76:16, 77:6, 77:9, 78:15, 79:1, 89:14 Statement.. [1] - 4:7 statements [1] - 50:14 STATES [2] - 1:1, 96:1 Station [2] - 2:11, 97:20 station [1] - 10:7 stayed [1] - 11:9	Stephen [1] - 41:23 stereotyping [3] - 76:11, 76:18, 76:22 still [2] - 11:19, 22:15 stood [1] - 77:17 stopped [1] - 28:16 STOWERS [1] - 5:20 Stowers [3] - 2:14, 5:20, 97:23 Stowers..... 00 [1] - 97:12 strategically [2] - 47:13, 47:19 Strike [1] - 32:24 strike [2] - 18:18, 18:19 String..... [3] - 4:8, 4:9, 4:11 stuck [1] - 48:13 student [9] - 8:7, 40:11, 43:5, 43:16, 44:15, 49:14, 51:18, 51:22, 52:2 Student [1] - 4:7 students [10] - 8:9, 40:2, 40:9, 44:8, 45:8, 45:25, 46:2, 46:8, 46:15, 53:24 students' [4] - 8:12, 44:20, 44:23, 53:16 studies [1] - 10:13 Studies [46] - 13:21, 14:5, 14:9, 17:13, 17:19, 17:24, 19:16, 24:8, 24:15, 24:20, 28:11, 28:14, 37:23, 38:12, 38:14, 38:16, 38:18, 38:25, 39:4, 39:8, 40:18, 41:21, 46:9, 46:25, 51:10, 52:25, 54:5, 54:15, 56:20, 56:24, 57:20, 59:16, 60:4, 60:20, 62:14, 66:10, 71:14, 74:18,	75:4, 75:9, 75:12, 76:17, 83:4, 83:15, 84:20, 85:21 studying [1] - 9:4 Stuempfle [1] - 41:23 stuff [1] - 15:18 styled [3] - 1:19, 40:14, 41:12 subject [2] - 30:23, 78:10 subjected [3] - 27:20, 32:19, 33:17 submission [1] - 27:2 submissions [7] - 21:2, 28:22, 29:8, 29:15, 29:21, 29:23, 30:1 submit [3] - 28:23, 29:5, 30:3 submitted [4] - 64:22, 66:11, 73:22, 97:5 subscribed [1] - 95:16 subsequent [1] - 24:7 subsequently [2] - 24:21, 28:14 suggest [1] - 38:2 suggested [1] - 47:16 suggests [2] - 32:11, 76:5 sum [1] - 62:5 summarize [3] - 29:2, 29:13, 85:18 summary [1] - 29:17 summer [3] - 38:22, 38:24, 39:6 summoned [1] - 16:4 Sumula [15] - 19:23, 19:24, 28:2, 28:6, 28:12, 28:17, 30:15, 30:18, 30:23, 31:4, 31:13, 31:18, 32:2, 33:17 SUMULA [1] -	19:25 Sunday [5] - 80:1, 80:2, 80:8, 81:6, 81:9 suppose [2] - 33:18, 56:10 supposed [2] - 81:22, 82:12 supposedly [1] - 82:15 surrounded [1] - 60:6 surrounding [1] - 60:3 suspect [1] - 38:9 sworn [3] - 1:18, 5:6, 96:17 sympathy [1] - 42:12 symposium [5] - 67:2, 82:22, 82:23, 82:24, 83:10 System [1] - 5:21 systematic [1] - 78:12 systemic [1] - 77:23	1:22, 1:23, 2:11, 2:15, 5:16, 5:17, 5:21, 8:25, 11:4, 11:8, 11:24, 12:6, 12:12, 16:22, 37:14, 58:22, 69:23, 96:16, 97:20, 97:24, 98:11, 98:13, 99:20 TEXASSHERM AN [1] - 96:2 text [1] - 78:4 textbooks [1] - 88:14 Thad [5] - 2:5, 5:13, 97:11, 97:14, 99:9 Thanksgiving [2] - 39:14, 39:17 THE [16] - 1:1, 2:4, 2:8, 2:13, 21:14, 21:18, 21:22, 54:19, 54:22, 93:3, 95:10, 95:24, 96:1, 97:13, 97:17, 97:22 Theoria [3] - 57:4, 57:12, 57:17 theory [14] - 10:16, 12:13, 13:7, 28:3, 31:21, 32:7, 33:22, 56:3, 57:25, 59:3, 74:20, 74:23, 77:16, 88:14 Theory [43] - 11:13, 11:25, 19:23, 20:10, 20:11, 20:22, 21:21, 22:3, 22:10, 22:13, 22:15, 22:17, 23:25, 24:3, 24:10, 24:12, 24:17, 25:10, 25:12, 25:18, 25:24, 26:9, 26:19, 26:20, 27:1, 27:19, 30:25, 33:2, 33:24, 33:25, 34:9, 34:11, 34:14, 35:3, 35:10, 35:12, 35:14, 35:16, 55:10, 55:13, 69:22, 72:16	Therapy [1] - 23:18 therefor [2] - 97:2, 99:7 therein [1] - 95:18 thinking [4] - 47:11, 62:17, 85:22, 91:16 third [1] - 37:11 thoughtful [12] - 77:12, 77:13, 77:14, 77:21, 77:25, 78:9, 78:17, 78:20, 78:21, 78:25, 79:5 thread [14] - 67:22, 69:17, 72:5, 79:20, 85:24, 86:14, 86:24, 87:1, 90:9, 90:18, 92:4, 92:6, 92:11, 92:14 threads [1] - 56:4 three [7] - 8:2, 24:2, 36:8, 36:10, 61:20, 62:19 TIE [1] - 56:4 Tim [2] - 80:15, 87:25 timeframe [2] - 18:14, 49:19 Timothy [28] - 5:14, 37:13, 37:18, 37:19, 38:4, 39:12, 39:20, 40:5, 40:14, 45:7, 45:9, 46:3, 46:17, 47:4, 49:5, 49:17, 49:24, 50:9, 50:11, 50:19, 57:20, 72:23, 73:6, 75:23, 82:20, 84:11, 86:15, 87:4 timothy [1] - 47:16 TIMOTHY [2] - 1:2, 96:3 tired [1] - 68:2 title [2] - 26:4, 26:6 Today [1] - 5:3 today [11] - 5:18, 7:23, 8:20, 12:23, 16:1, 57:21, 62:12, 72:3, 84:9,

84:19, 93:2 took ^[4] - 48:5, 48:6, 80:23 top ^[4] - 16:19, 21:11, 67:23, 69:14 topics ^[1] - 20:24 total ^[1] - 62:5 towards ^[1] - 49:25 track ^[2] - 12:5, 13:3 traditional ^[4] - 85:1, 85:3 training ^[1] - 32:1 Training ^[1] - 32:3 transcript ^[6] - 3:25, 92:22, 96:18, 96:25, 97:5, 99:12 transfer ^[1] - 9:5 translation ^[2] - 20:2, 20:8 transmission ^[1] - 3:23 treated ^[2] - 48:14 trial ^[1] - 92:20 tropes ^[3] - 76:11, 76:18, 76:23 true ^[9] - 18:11, 27:9, 63:4, 63:14, 72:4, 86:5, 87:6, 95:5, 96:18 truth ^[1] - 11:19 Try ^[1] - 21:15 try ^[3] - 19:9, 91:23, 92:1 trying ^[11] - 20:5, 20:6, 26:12, 29:17, 41:6, 48:1, 58:1, 68:21, 83:19, 86:3, 86:4 Trying ^[1] - 14:7 turn ^[1] - 7:2 Twitter ^[4] - 70:6, 70:18, 70:22, 72:16 two ^[11] - 5:25, 10:4, 12:2, 24:2, 24:22, 27:3, 52:10, 53:1, 53:11, 67:6 typical ^[3] - 31:20, 83:22, 84:13	typically ^[2] - 20:19, 21:6	unusual ^[2] - 84:5, 85:5 up ^[16] - 6:18, 7:6, 14:11, 20:10, 34:6, 38:13, 38:24, 39:25, 44:4, 45:6, 51:13, 51:25, 61:4, 74:12, 85:18, 91:18 URL ^[5] - 43:13, 43:15, 44:3, 53:16, 53:19	40:19, 41:3 Walls ^[11] - 56:9, 56:10, 71:9, 71:10, 71:13, 71:18, 72:8, 72:22, 73:5, 73:9 Warner ^[1] - 2:19 was/was ^[1] - 99:3 water ^[1] - 85:9 ways ^[1] - 21:1 wear ^[1] - 42:14 weekends ^[1] - 70:6 WHALEY ^[2] - 98:12, 99:19 whatnot ^[1] - 16:21 white ^[8] - 47:9, 48:4, 48:10, 48:15, 48:20, 49:6, 49:9, 49:22 WITNESS ^[8] - 2:2, 21:14, 21:18, 21:22, 54:19, 54:22, 93:3, 94:2 witness ^[6] - 73:5, 89:19, 92:16, 96:17, 96:19, 97:7 witnessed ^[2] - 50:11, 50:18 word ^[6] - 20:5, 23:11, 38:2, 38:7, 39:25, 60:15 wording ^[2] - 59:25, 79:4 words ^[4] - 51:20, 67:1, 79:8, 86:3 worth ^[1] - 32:3 wrap ^[1] - 85:18 WRIGHT ^[2] - 1:5, 96:6 write ^[2] - 45:24, 46:13 writing ^[2] - 46:24, 71:22 written ^[9] - 63:19, 63:22, 64:7, 64:12, 64:22, 64:24, 65:2, 66:8	Y	
	U	umbrella ^[1] - 38:17 unacceptable ^[1] - 45:19 unclear ^[2] - 6:22, 22:14 under ^[5] - 19:4, 38:17, 45:11, 95:14, 95:21 undergraduate ^[3] - 9:2, 9:4, 9:6 understood ^[5] - 6:20, 6:25, 7:8, 44:7, 48:18 undoubtedly ^[1] - 7:18 unfairly ^[1] - 48:14 Union ^[2] - 2:15, 97:24 UNITED ^[2] - 1:1, 96:1 university ^[1] - 88:13 UNIVERSITY ^[4] - 2:13, 2:14, 97:22, 97:23 University ^[21] - 5:17, 5:21, 8:24, 9:5, 9:6, 9:8, 9:13, 9:17, 9:19, 9:22, 9:25, 10:3, 10:20, 11:3, 11:8, 12:5, 12:12, 16:22, 37:14, 58:22, 69:23 UNT ^[12] - 16:14, 38:1, 41:20, 42:25, 45:10, 51:9, 52:25, 61:9, 69:3, 69:7, 69:10, 74:20 UNT_000109 ^[1] - 4:4 UNT_000304 ^[1] - 4:11 UNT_000309 ^[1] - 4:11 UNT_000452 ^[1] - 4:10 UNT_000458 ^[1] - 4:8 UNT_000463 ^[1] - 4:8	V	vetted ^[1] - 91:4 vetting ^[1] - 25:5 VIA ^[1] - 2:2 via ^[2] - 1:22, 70:6 Video ^[1] - 2:20 VIDEOCONFE RENCE ^[4] - 1:10, 1:16, 2:2, 96:11 videoconferen ce ^[3] - 1:23, 3:23, 3:25 VIDEOGRAPH ER ^[9] - 2:18, 5:3, 48:24, 49:1, 85:13, 85:15, 89:25, 90:2, 93:5 VIDEOTAPED ^[3] - 1:10, 1:16, 96:11 viewpoint ^[1] - 59:9 Vista ^[2] - 98:13, 99:20 vividly ^[1] - 87:18 vociferous ^[1] - 70:7 Volume ^[18] - 46:24, 50:15, 54:6, 56:19, 57:20, 59:15, 60:3, 60:20, 62:14, 66:17, 66:25, 67:1, 73:24, 75:11, 76:21, 83:20, 84:19, 85:21 VS ^[2] - 1:4, 96:5	
		W	X	Z	
		waiting ^[2] -	XX ^[1] - 96:22	Zoom ^[2] - 1:22, 3:23 ZOOM ^[1] - 2:2	