

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

Timothy Jackson,

Plaintiff,

v.

Laura Wright, et al.,
Defendants.

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

NOTICE OF TAKING DEPOSITION

TO: RACHEL GAIN

**C/O Matt Bohuslav
Assistant Attorney General
General Litigation Division
Attorney General of Texas
P.O. Box 12548, Capitol Station
Austin, Texas 78711
matthew.bohuslav@oag.texas.gov**

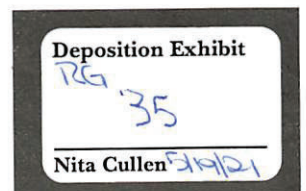
PLEASE TAKE NOTICE: undersigned counsel will take the following deposition:

Name: Rachel Gain

Time: May 19, 2021, 1:00 P.M.

Place: **Offices of Cutler Smith
12750 Merit Drive
Suite 1450
Dallas, TX 75251**

upon oral examination before a Notary Public or other Officer authorized by law to take depositions in the State of Texas. The oral examination will continue from day-to-day until completed and is being taken for the purposes of discovery, for use at trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure. The deposition will continue from day-to-day until completed.



DATE: April 28, 2021

Respectfully submitted,

/s/Michael Thad Allen

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admitted *pro hac vice*
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for PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on the date specified in the caption of this document, I electronically filed the foregoing with the Clerk of Court, to be served on all parties of record via the CM/ECF system.

/s/Michael Thad Allen

Michael Thad Allen



Vivek Virani @ProfessorVirani · Jul 30, 2020

But the epistemic center of the journal issue lies in a racist discourse that has no place in any publication, especially an academic journal.

2 1 20



Vivek Virani
@ProfessorVirani

Replying to @ProfessorVirani

The fact that he was not afforded the opportunity to respond in print is unacceptable, as is the lack of a clearly defined peer-review process. We endorse the call for action outlined in our students' letter twitter.com/RachelGainMusic..., which asks that the College of Music...



Rachel Gain hates racists @RachelGainMusic · Jul 27, 2020

I am sharing this statement on behalf of a cross-section of graduate students in the Division of Music History, Theory, and Ethnomusicology (MHTE) at the University of North Texas, the department which is responsible for publishing the Journal of Schenkerian Studies (JSS).

[Show this thread](#)

5:46 PM · Jul 30, 2020 · Twitter Web App

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Vivek Virani @ProfessorVirani · Jul 30, 2020

Replying to @ProfessorVirani

...“publicly condemn the issue and release it freely online to the public” and “provide a full public account of the editorial and publication process, and its failures.” Responsible parties must be held appropriately accountable.

1 1 17



Vivek Virani @ProfessorVirani · Jul 30, 2020

The treatment of Prof. Ewell's work provides an example of the broader system of oppression built into the academic and legal institutions in which

Deposition Exhibit

RG 36

Nita Cullen 5/19/21

Deposition Exhibit
37
Nita Culen 3/19/21

Microsoft Teams - loading

teams.microsoft.com/_?tenantId=70de1992-07c6-480f-a318-a1afcb03983#/school/education/department/department?meetingId=19:d9c72dae33fc41e6aa85c7f16522d6c2@t...

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General

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General

30/07/2020, 09:38

PK

Kohanski, Peter

Most "no's" have just been "no" without any reason given. I think it's just because they don't agree with the sentiments or don't want to be involved? I have no idea. One person stated explicitly that they don't agree/don't want to take stances on this.

30/07/2020, 09:39

Also who is adding in the names? I'm assuming they should be listed alphabetically?

Is it going to be up to me and Salvador to write the actual email to the dean? Is there anything in particular we should absolutely say?

30/07/2020, 09:42

SH

Hernandez, Salvador

That sounds about right. Fortunately, with a majority of yeas, things look good nonetheless.

I agree with alphabetical order, and parrot Peter's question as well.

30/07/2020, 09:42

JS

Stearns, Jessica

I think the names should just be alphabetical. I don't think the email itself needs to say much, just tell him that you've attached a letter a on behalf of the graduate students.

30/07/2020, 09:43

PK

Kohanski, Peter

Anything about redacting the names if it becomes necessary to circulate the letter? I know that was brought up yesterday.

30/07/2020, 09:44

RG

Gain, Rachel

Maybe just "we ask that you not share these names in order to protect those who have signed"

30/07/2020, 09:45

PK

Kohanski, Peter

Perfect

30/07/2020, 09:47

RA

Anderson, Robert

I don't think we should harass people who said no. They may be supportive but have good reasons. We need to focus on the people

5

New conversation

UNT_001247 22:43 ENG 05/05/2021

Type here to search

EXHIBIT 4

News from SEM: General News

 Email to a Friend

Statement of UNT Faculty on Journal of Schenkerian Studies

Friday, July 31, 2020 (0 Comments)

Posted by: Stephen Stuempfle

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We, the undersigned faculty members of the University of North Texas Division of Music History, Theory, and Ethnomusicology, stand in solidarity with our graduate students in their letter of condemnation of the *Journal of Schenkerian Studies*. We wish to stress that we are speaking for ourselves individually and not on behalf of the university. The forthcoming issue—a set of responses to Dr. Philip Ewell's plenary lecture at the 2019 Society for Music Theory annual meeting (<https://vimeo.com/372726003>)—is replete with racial stereotyping and tropes, and includes personal attacks directed at Dr. Ewell. To be clear, not all responses contain such egregious material; some were thoughtful, and meaningfully addressed and amplified Dr. Ewell's remarks about systemic racism in the discipline. But the epistemic center of the journal issue lies in a racist discourse that has no place in any publication, especially an academic journal. The fact that he was not afforded the opportunity to respond in print is unacceptable, as is the lack of a clearly defined peer-review process.

We endorse the call for action outlined in our students' letter (<https://drive.google.com/file/d/1PekRT8tr5RXWRTW6Bqdaq57svqBRRcQK/view>), which asks that the College of Music “publicly condemn the issue and release it freely online to the public” and “provide a full public account of the editorial and publication process, and its failures.” Responsible parties must be held appropriately accountable.

The treatment of Prof. Ewell's work provides an example of the broader system of oppression built into the academic and legal institutions in which our disciplines exist. As faculty at the College of Music we must all take responsibility for not only publicly opposing racism in any form, but to address and eliminate systematic racism within our specific disciplines.

Dr. Ellen Bakulina, Assistant Professor, Music Theory

Andrew Chung, Ph.D., Assistant Professor, Music Theory

Dr. Diego Cubero, Assistant Professor, Music Theory

Steven Friedson, University Distinguished Research Professor, Ethnomusicology/Ethnomusicology Area Coordinator

Rebecca Dowd Geoffroy-Schwinden, Ph.D., Assistant Professor, Music History

Benjamin Graf, Ph.D., Senior Lecturer, Music Theory

Dr. Frank Heidelberg, Professor, Music Theory/Music Theory Area Coordinator

Bernardo Illari, Associate Professor, Music History

Dr. Justin Lavacek, Assistant Professor, Music Theory

Dr. Peter Mondelli, Associate Professor, Music History

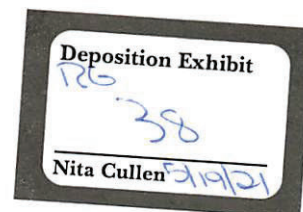
Dr. Margaret Notley, Professor of Music/Coordinator of Music History Area

Dr. April L. Prince, Principal Lecturer, Music History

Cathy Ragland, Ph.D., Associate Professor, Ethnomusicology

Dr. Gillian Robertson, Senior Lecturer, Music Theory

Dr. Hendrik Schulze, Associate Professor, Music History



JACKSON000228

Vivek Virani, Ph.D. Assistant Professor, Ethnomusicology and Music Theory

Dr. Brian F. Wright Assistant Professor, Music History

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Samantha HYPHEN STAY HOME Bassler

I am soooooo sorry that POS is at your department

Are you OK?!

There are nice faculty there right???

YES

Jul 26, 2020, 10:31 AM

Yeah!! 95% of the faculty are absolute angels!!

Jackson is a pos

I have made it my life's mission to never even meet him, let alone take a class with him

But what a lot of people aren't realizing is that HE is the person who makes all journal decisions

Start a new message

UNT_001283 2/21 ENG 08/05/2021

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Samantha HYPHEN STAY HOME Bassler @sebmusicprof

But what a lot of people aren't realising is that Ht is the person who makes all journal decisions

Some completely innocent people (a grad student and a junior scholar with no power) are in the firing line

Peter Mondelli is a very old friend of mine; he's an angel for sure

And all the younger theory profs are really into social justice

Can we somehow tell people this is all Jackson's fault?

I can't without being destroyed by my department, but feel free to drop the somewhat common knowledge that JSS is his baby

Start a new message

UNT-001284 21:21 ENG 08/05/2021

Type here to search

Windows Start button

Taskbar icons: Internet Explorer, Google Chrome, Mail, Word, Skype, VLC media player, Steam, Spotify, OneDrive, File Explorer, Microsoft Edge, Cortana, Task View button, System tray (Network, Volume, Date/Time).

System tray: Network, Volume, Date/Time (08/05/2021 21:21).

Taskbar title: UNT_001285

Taskbar status: ENG

Samantha HYPHEN STAY HOME Bassler

@sebmusicprof

Jul 26, 2020, 10:38 AM

Thank you so much!!!!

1 ❤️

Jul 26, 2020, 10:38 AM ✓

Of course

Jul 26, 2020, 10:41 AM

I think there should be something from SMT

A petition at least

This is really gross

Jul 26, 2020, 10:42 AM

I really hope so! But right now people's anger is (understandably) directed at the journal, as it's a person with views and not a group of people, most of whom wanted to do this the right way

1 ❤️

Jul 26, 2020, 10:44 AM ✓