

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: FRANK HEIDLBERGER**

**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**

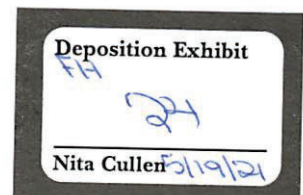
**PLEASE TAKE NOTICE:** undersigned counsel will take the following deposition:

Name: Frank Heidlberger

Time: May 19, 2021, 9:00 AM

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

Michael Thad Allen, Esq.  
D. Conn. Bar No. CT29813  
admitted *pro hac vice*  
Lead Attorney  
ALLEN LAW, LLC  
PO Box 404  
Quaker Hill, CT 06375  
(860) 772-4738 (phone)  
(860) 469-2783 (fax)  
[m.allen@allen-lawfirm.com](mailto:m.allen@allen-lawfirm.com)

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(512) 686-3941 (fax)  
[jonathan@mitchell.law](mailto:jonathan@mitchell.law)

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

Statement from the Division of Music History, Theory and Ethnomusicology of the University of North Texas

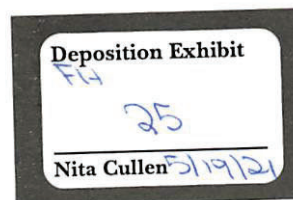
In light of the current discourse of "White Framing of Music Theory," the Journal of Schenkerian Studies published response articles about Phil Ewell's presentation at SMT [title], now also available as an article in MTO [...]. The call for papers, the editorial process and the content of some of the articles published by JSS have been strongly criticized on social media, particularly Facebook and Twitter. Main points of criticism are the short response time for the Call for papers, the inconsistent solicitation of responses, and the explicitly racist statements in some of the articles representing exactly the "white framing" that Dr. Ewell is fighting against. This criticism of the handling of this important topic by the Journal of Schenkerian Studies and the content of some of its responses cannot remain uncommented by the Division of Music History, Theory and Ethnomusicology, which formally houses the Center of Schenkerian Studies and its journal.

The Division, and its theory faculty in particular wishes to clarify that the opinions represented by the Journal of Schenkerian Studies do not represent the work ethics and scholarly standards held up by the faculty as a whole. The theory area and the division is deeply concerned and distances itself from the editorial processing and content of this volume. The upper administration of UNT is aware of the situation and will react appropriately.

The theory area consists of 11 full-time faculty members that perform work on the highest level of scholarly rigor and with a deep understanding of the importance of diversifying the field regarding areas of research and personnel. The Theory area has diversified its curriculum toward non-Western and non-classical music, integrating these topics into its undergraduate core as well as its Master's and Doctoral programs. The area has successfully implemented a spirit of openness and communication along with its sister disciplines of Musicology and Ethnomusicology, encouraging cross-disciplinary studies related to gender, race and social studies in music. The student body of the UNT College of Music is highly diverse and the MHTE division strongly supports these students in pursuing their goals toward a professional training in music.

Racism and "white framing" do not have a space at UNT and its academic units, as it is expressed in the mission statement of MHTE [...]. The faculty of the theory area, the MHTE Division, and the College of Music of UNT welcomes the critical discourse that supports a strong rejection of any racist or otherwise motivated exclusion of individuals from academia and promotes a diverse approach to its fields and topics.

....





## Response draft

Heidlberger, Frank <Frank.Heidlberger@unt.edu>

Mon 7/27/2020 4:32 PM

To: Brand, Benjamin <Benjamin.Brand@unt.edu>

1 attachments (151 KB)

Statement draft and ideas.docx;

Dear Benjamin

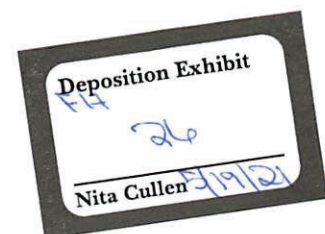
As mentioned I am sending you the attached draft. It is by no means meant as something publishable but includes some thoughts for a specific response about the values and ethics of the MHTE faculty. Recent FB posts indicate that all of us, or at least Theory faculty, could be pulled into a very negative reputation. Phil just posted on FB that he canceled his visit to UNT, quoting his message to Ellen and Stephen, talking about the situation with "your journal." This is why we need to distance ourselves from the journal. If not institutionally since this won't be possible, then individually. I as faculty member do not want to be associated with any of this, damaging my reputation and acceptance in the field. I am afraid that Phil now also withdraws his article from Theoria that was about to be published. I haven't heard from him yet.

Let me know what you think.

[I wanted to edit the draft before sending it to you, but I have something else that needs immediate attention, so please take it as is]

Frank

Dr. Frank Heidlberger  
Professor of Music Theory  
Music Theory Area Coordinator  
University of North Texas  
College of Music  
1155, Union Circle # 311367  
Denton, TX 76203  
U.S.A.  
Phone: (940) 369-7542  
Fax (940) 565-2002





Statement from the Division of Music History, Theory and Ethnomusicology of the University of North Texas

In light of the current discourse of “White Framing of Music Theory,” the Journal of Schenkerian Studies published response articles about Phil Ewell’s presentation at SMT [title], now also available as an article in MTO [...]. The call for papers, the editorial process and the content of some of the articles published by JSS have been strongly criticized on social media, particularly Facebook and Twitter. Main points of criticism are the short response time for the Call for papers, the inconsistent solicitation of responses, and the explicitly racist statements in some of the articles representing exactly the “white framing” that Dr. Ewell is fighting against. This criticism of the handling of this important topic by the Journal of Schenkerian Studies and the content of some of its responses cannot remain uncommented by the Division of Music History, Theory and Ethnomusicology, which formally houses the Center of Schenkerian Studies and its journal.

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....

**Re: [EXT] [Smt-Announce] SMT Exec Board response to JSS Essays**

Brand, Benjamin <Benjamin.Brand@unt.edu>

Tue 7/28/2020 8:20 AM

To: Heidelberg, Frank <Frank.Heidelberg@unt.edu>

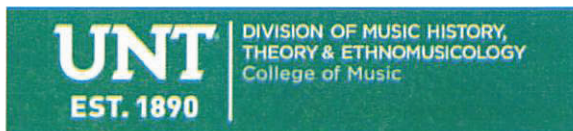
Thanks for this. I think it would be helpful for the two of us to have a meeting with the dean today to discuss what's going on at SMT and the possible reputational impact on MHTE and UNT music theory. Are you free to meet this afternoon?

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:** Frank Heidelberg <Frank.Heidelberg@unt.edu>

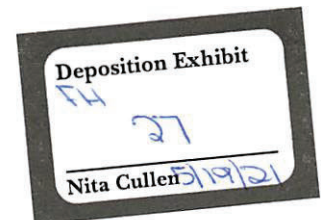
**Date:** Monday, July 27, 2020 at 10:06 PM

**To:** "Brand, Benjamin" <Benjamin.Brand@unt.edu>

**Subject:** Fw: [EXT] [Smt-Announce] SMT Exec Board response to JSS Essays

In case you haven't gotten this...

Dr. Frank Heidelberg  
Professor of Music Theory  
Music Theory Area Coordinator  
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College of Music  
1155, Union Circle # 311367  
Denton, TX 76203  
U.S.A.  
Phone: (940) 369-7542  
Fax (940) 565-2002



---

**From:** Smt-announce <smt-announce-bounces@lists.societymusictheory.org> on behalf of Society for Music Theory <societymusictheory@gmail.com>

**Sent:** Monday, July 27, 2020 6:55 PM

**To:** smt-announce@lists.societymusictheory.org <smt-announce@lists.societymusictheory.org>

**Subject:** [EXT] [Smt-Announce] SMT Exec Board response to JSS Essays

The Executive Board of the Society for Music Theory condemns the anti-Black statements and personal ad hominem attacks on Philip Ewell perpetuated in several essays included in the "Symposium on Philip Ewell's 2019 SMT Plenary Paper" published by the Journal of Schenkerian Studies.

The conception and execution of this symposium failed to meet the ethical, professional, and scholarly standards of our discipline. Some contributions violate our Society's policies on harassment and ethics.

**UNT 000480**

As reported by participants, the journal's advisory board did not subject submissions to the normal processes of peer review, published an anonymously authored contribution, and did not invite Ewell to respond in a symposium of essays that discussed his own work. Such behaviors are silencing, designed to exclude and to replicate a culture of whiteness. These are examples of professional misconduct, which in this case enables overtly racist behavior. We humbly acknowledge that we have much work to do to dismantle the whiteness and systemic racism that deeply shape our discipline. The Executive Board is committed to making material interventions to foster anti-racism and support BIPOC scholars in our field, and is meeting without delay to determine further actions.

Patricia Hall, President  
Robert Hatten, Past-President  
Gretchen Horlacher, Vice President  
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Jocelyn Neal, Treasurer  
Inessa Bazayev  
Anna Gawboy  
Julian Hook  
Jennifer Iverson  
Nancy Yunhwa Rao  
Leigh VanHandel



**JSS case**

Heidlberger, Frank <Frank.Heidlberger@unt.edu>

Mon 7/27/2020 10:18 AM

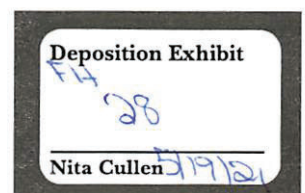
To: Brand, Benjamin <Benjamin.Brand@unt.edu>

Dear Ben

opening Facebook this morning is frustrating. It contains a very detailed account of the JSS racism by Ed Klorman and a supportive response by Nicole Biamonte. The wording clearly focuses on JSS, and not on UNT, but the new aspect is that Tim's article is being identified at the core of racism (Biamonte mentions his name explicitly, Klorman only circumscribes the author's name). All this is really bad. I am sure that you are aware of this, but I wanted to share this so that you are fully in the loop. UNT must respond and clearly distance from JSS/the Center of Schenkerian Studies.

Frank

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**UNT 000479**



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Editor: Frank Heidlberger, Professor of Music Theory at the University of North Texas  
Publisher: The University of North Texas Press

Theoria is a peer-reviewed journal on all aspects of history in music theory. This includes critical articles representing the current stage of research, and editions of newly discovered or mostly unknown theoretical texts with translation and commentary. Analytical articles on recent or unknown repertory and methods are also published, as well as review articles on recent secondary literature and textbooks.

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Deposition Exhibit

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## Email & Phone

✉ [Benjamin.Brand@unt.edu](mailto:Benjamin.Brand@unt.edu) (mailto:Benjamin.Brand@unt.edu) | ☎ 940-536-3561 (tel:940-536-3561)

# Music History, Theory, and Ethnomusicology

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From: Heidelberger, Frank <Frank.Heidlberger@unt.edu>  
Sent: Wednesday, September 14, 2016 10:04 AM  
To: Jackson, Timothy <Timothy.Jackson@unt.edu>; Dworak, Paul <Paul.Dworak@unt.edu>  
Subject: Re: Yiyi

Dear Paul and Tim  
thanks for coming by later today to talk about Yiyi. The reason is her substandard performance as TA and grader in Theory II. I have more information about this from Justin to share with you. She is in my class, and despite multiple meetings with her last semester she has not improved her performance in my class - however she is willing to learn. I can see that, but it just does not improve. For now I must make a decision concerning the TAship for this semester, and her employment in the future. This is why I am seeking your input.  
See you later.  
Frank

Dr. Frank Heidelberger  
Professor of Music Theory  
Chair of the Division of Music History, Theory and Ethnomusicology University of North Texas  
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1155, Union Circle # 311367  
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U.S.A.  
Phone: (940) 369-7542  
Fax (940) 565-2002

From: Jackson, Timothy  
Sent: Wednesday, September 14, 2016 8:44:54 AM To: Heidelberger, Frank; Dworak, Paul  
Subject: Re: Yiyi

Dear Frank,

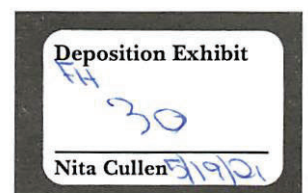
I have asked Paul to join us at 1:30 because he is Yiyi's official adviser in the program, and also because she is currently in his seminar. I have not had Yiyi in a class for quite some time now. The last thing that I worked on with her was her masters projects, so that my knowledge of her recent performance, apart from the Center work, is limited.

Best, Tim

From: Heidelberger, Frank  
Sent: Tuesday, September 13, 2016 5:00:49 PM To: Jackson, Timothy  
Subject: Re: Yiyi

Yes, please come by to my office at 1.30. Thanks!

Frank





Dr. Frank Heidlberger  
Professor of Music Theory  
Chair of the Division of Music History, Theory and Ethnomusicology University of North Texas  
College of Music  
1155, Union Circle # 311367  
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Fax (940) 565-2002

From: Jackson, Timothy  
Sent: Tuesday, September 13, 2016 4:23:38 PM To: Heidlberger, Frank  
Subject: Re: Yiyi

Dear Frank,  
Oh no! That is not good news. Is 1:30 possible for you?  
Best, Tim

From: Heidlberger, Frank  
Sent: Tuesday, September 13, 2016 3:11:24 PM To: Jackson, Timothy  
Subject: Yiyi

Dear Tim  
are you available tomorrow to meet? We need to talk about Yiyi again. Frank

Dr. Frank Heidlberger  
Professor of Music Theory  
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# Apology

Inbox

**louisa gao** <[louisagaoyiyi2@gmail.com](mailto:louisagaoyiyi2@gmail.com)>

Mon, Sep 17, 2018,  
4:06 PM

to me

Dr. Jackson,

I would like to apologize for withdrawing the project. Thank you very much for your efforts working with me! I am willing to fix the graphs and I apologize again last semester I did not balance my schedule as well and did not meet with you weekly. Sorry again for problems that I mentioned above.

Best,  
Yiyi Gao

----- Forwarded message -----

From: **Timothy Jackson** <[shermanzelechin@gmail.com](mailto:shermanzelechin@gmail.com)>

Date: Fri, Nov 30, 2018 at 4:56 PM

Subject:

To: Jackson, Timothy <[Timothy.Jackson@unt.edu](mailto:Timothy.Jackson@unt.edu)>

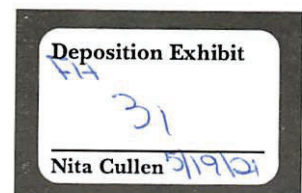
**Dear Warren and Benjamin,**

Further to our discussion of Yiyi Gao on Wednesday, I would like to make the following points.

1) All documents must be evaluated in context, and the context must be complete and accurate. I don't know whether the print out of the e-mail exchange between me and Yiyi of which you had a print-out was complete. It comprises thousands of emails over about six or seven years. In any event, when I used caps, it was to try to convey a point to Yiyi, and it was because she often did not register - or want to register - the point that I was trying to make. In the case raised by Benjamin that all corrections needed to be implemented carefully and conscientiously, I attempted to make the importance of accuracy absolutely and unequivocally clear to her given the situation that had arisen at the outset with Prof. Murtomaeki.

The issues with Prof. Murtomaeki were never resolved by her.

Very often, when I asked Yiyi to do even the most basic things, she did not follow through. I will provide two recent examples.



a) When we had to give up the Schenker Center room, I wrote to her asking that she remove all of her possessions. She did not do so. When the room was cleaned out, her things were unceremoniously dumped in my office and I had to return them to her.

b) Ben Graf had to ask Yiyi **three times** in writing to remove the title "Editorial Assistant of the Journal of Schenkerian Studies," before she removed it from her signature. Not only was the title misleading, since she never had editorial duties of any kind, but, as you pointed out, she was not employed in that capacity any more. If necessary, Ben can confirm this unfortunate situation.

To Warren's appropriate question, why did I not "fire" Yiyi forthwith for incompetence and non-performance in early 2017, the reason, simply put, was my hope that she would "turn around." Whenever Yiyi asked for extra help, I did my best to give it to her. I reviewed ALL (excuse the caps!) of her conference proposals, I worked on the texts of all of her conference presentations, I gave her language help with some of her assignments, and worked intensively with her on the paper for her Masters Thesis. During the summer, when she needed to take her orals for the Masters, I skyped her from my holiday in Korea to enable her to graduate in a timely manner.

At one point, when Yiyi was a Masters student, she fell and hurt her hand. I was concerned that this injury could harm her ability to play the piano, and I arranged for another graduate student to take her to the doctor. At the same time, I contacted her father in China to express concern about her health and well-being.

It cannot be said that I treated Yiyi with less concern than any other student with whom I have worked closely over the past twenty years at UNT.

I did not fire Yiyi because I hoped for intellectual growth. I wanted to see her develop the competencies, the sense of ownership and responsibility, and the moral fiber that is necessary to assume the responsible position of a professor of music theory. Unfortunately, my hope remained unfulfilled.

Sincerely,

Tim Jackson

The Agreement that we reached on Monday September 17, 2018, was that she would correct some of the substandard RA work, and I would continue to work with her on completing her academic work for the Independent Study, for which I had given her an "Incomplete." Yiyi fulfilled neither side of the agreement.

Colleagues,

See below. Yiyi confirmed that she would delete the email signature on August 4th, 3:19PM.  
Ben



***Benjamin Graf, Ph.D.***

University of North Texas  
Music History, Theory and Ethnomusicology

Office: MU215

---

**From:** Gao, Yiyi  
**Sent:** Saturday, August 4, 2018 3:19:02 PM  
**To:** Graf, Benjamin  
**Subject:** Re: Email "signature"

Hi, Dr. Graf,  
Sorry I just got your message since I don't check emails often, and I am sorry for the late response! I will remove the signature!

Best Regards,  
Yiyi Gao  
[YiyiGao@Mv.unt.edu](mailto:YiyiGao@Mv.unt.edu)  
UNT Teaching Fellow  
PhD student in Music Theory  
Vice President, UNT Global Arts Organization

---

**From:** Graf, Benjamin  
**Sent:** Sunday, July 29, 2018 9:37:30 PM  
**To:** Gao, Yiyi  
**Subject:** Email "signature"

Yiyi,  
Dr. Jackson (and I) would prefer that you delete the part of your email signature that says "editorial assistant" for the JSS. Since you are no longer working on that job, someone else should have that in his/her email signature.  
Sincerely,  
Ben

***Benjamin Graf, Ph.D.***

University of North Texas  
Music History, Theory and Ethnomusicology

Office: MU215

**Timothy Jackson** <[shermanzelechin@gmail.com](mailto:shermanzelechin@gmail.com)>

Sat, Jul 28,  
10:41 AM

To Benjamin, Stephen

Dear Ben,

I noticed that Yiyi continues to sign herself:

Yiyi Gao  
[YiyiGao@My.unt.edu](mailto:YiyiGao@My.unt.edu)  
UNT Teaching Fellow  
**Editorial assistant of Journal of Schenkerian Studies**  
PhD student in Music Theory  
Vice President, UNT Global Arts Organization"

I would have thought that if anyone deserves that title it would be Colin Davis,  
not Yiyi Gao.

Might you ask her to delete it?

Best, Tim

**Graf, Benjamin** <[Benjamin.Graf@unt.edu](mailto:Benjamin.Graf@unt.edu)>

Sun, Jul 29,  
9:39 PM

To me, Stephen

Tim,  
I asked her to remove it before. I will write her an email reminder tonight.  
Ben

*Benjamin Graf, Ph.D.*

**Timothy Jackson** <[shermanzelechin@gmail.com](mailto:shermanzelechin@gmail.com)>

Oct 11, 2016,  
8:37 PM

To Paul

*Dear Paul,*

*Well, I would like to make the argument that Yiyi should continue as a half-time TA to the Center next semester, as long as she does her work for the Center properly now. That is why she needs close our supervision.*

*I believe that Frank is withdrawing Yiyi's financial support because he thinks that she is too weak to make it in the program. Unfortunately, her poor performance when assigned to both Samantha and Justin as a TA has exacerbated the situation and given him real grounds to do it. She was never able to convince the faculty in charge of teaching the basic theory courses that she was ready and able to serve as a TF. I believe that, with proper mentoring, she could have done it; but my opinion is just that, my opinion.*

*At this point, assuming that Yiyi does her work for the Center well, I would like to make the argument that her funding NOT be withdrawn next semester based on her 1/2 TA. What do you think?*

*Let me know if you have other suggestions or ideas.*

*I do believe that there are other problems. She seems unfocused: for some time, I see her as lonely, generally not in the same positive, enthusiastic, confident frame of mind as earlier. She is always late to meetings, something that did not generally happen in previous years. Perhaps some professional counseling would help. I believe that there are some off campus services that may be covered by student health insurance.*

*Best wishes,*

*Tim*

*From: Timothy Jackson <[shermanzelechin@gmail.com](mailto:shermanzelechin@gmail.com)>*

*Sent: Tuesday, October 11, 2016 5:18:02 PM*

*To: Dworak, Paul*

*Subject: Fwd: proper name and title*

*Dear Paul,*

*I think that it would be good if you could meet with Yiyi as soon as possible.*

*With best wishes, Tim*

*----- Forwarded message -----*

*From: Louisa Gao <[louisagaoyiyi@gmail.com](mailto:louisagaoyiyi@gmail.com)>*

*Date: Tue, Oct 11, 2016 at 5:01 PM*

*Subject: Re: proper name and title*

*To: Timothy Jackson <[shermanzelechin@gmail.com](mailto:shermanzelechin@gmail.com)>*



***I am under a lot of stress recently, and Dr. Heidlberger said he might not have the financial aid to cover my tuition if I am not doing TA for another class. Sorry I am just too upset and depressed and want to cry every day!  
And I do not know everyone is complaining about me. I will do my best.***

loui  
sa  
ga  
o

Mon, Apr 30,  
7:46 PM

Dr. Jackson, I have a short draft due tomorrow at noon, would you have time to take a brief look? May morning? I am not gre

2

Timo  
thy  
Jack  
son

Tue, May 1, 10:41  
AM

See attached. Did you receive the Wozzeck annotated score OK?

**louisa gao <louisagaoyiyi2@gmail.com>**

Tue, May 1,  
10:58 AM

to me

***Yes, I received the wozzeck annotated score, I will incorporate these in my paper!  
Thank you very much for help! You are the best.***

# Faculty Response to JSS

# CONFIDENTIAL

---

**From:** "Kohanski, Peter" <peterkohanski@my.unt.edu>  
**To:** "Kohanski, Peter" <peterkohanski@my.unt.edu>  
**Bcc:** "Walls, Levi" <leviwalls@my.unt.edu>, "Anderson, Brian" <briananderson4@my.unt.edu>, "Stevens, Bryan" <bryanstevens@my.unt.edu>, "Anderson, Robert" <robertanderson3@my.unt.edu>, "Stearns, Jessica" <jessicastearns@my.unt.edu>, "Van Oort, Dani" <daniellevanoort@my.unt.edu>, "Brites Pereira David Coelho, Julia" <juliabritespereiradavidcoelho@my.unt.edu>, "Bilik, Matthew" <matthewbilik@my.unt.edu>, "Darnold, Matt" <brentdarnold@my.unt.edu>, "Gain, Rachel" <rachelgain@my.unt.edu>, "Gao, Yiyi" <yiyigao@my.unt.edu>, "Zimmerman, Camila" <camilazimmerman@my.unt.edu>, "Wodny, Anna" <annawodny@my.unt.edu>, "Donley, Douglas" <douglasdonley@my.unt.edu>, "Sales, Justin" <justinsales@my.unt.edu>, "Smith, Emily" <emilysmith12@my.unt.edu>, "Rouw, Alexandra" <alexandrarouw@my.unt.edu>, "Key, Stacey" <staceykey@my.unt.edu>, "Durrant, Elizabeth" <elizabethdurrant@my.unt.edu>  
**Date:** Thu, 30 Jul 2020 17:11:57 -0500  
**Attachments:** Individual MHTe Faculty Response.pdf (59.89 kB)

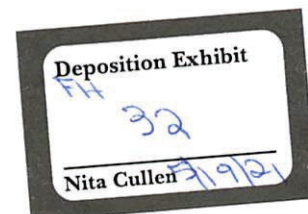
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Dear GAMuT Members,

Members of the faculty from all three areas, acting as individuals rather than as professors and employees of the university, have issued their own statement on JSS. Please find it attached. It was also sent to Dean Richmond and will be circulated on the listservs for AMS, SMT, and AMS.

You'll see that it is strong and forceful, supports the graduate students, and echoes the calls of student statements for transparency, accountability, and anti-racist work in music scholarship.

All best,  
Peter



# CONFIDENTIAL

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—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 Heidlberger  
Professor, Music Theory  
Music Theory Area Coordinator

# CONFIDENTIAL

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

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

Dr. Brian F. Wright  
Assistant Professor, Music History



## 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

Share |

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.

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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 Heidlberger, 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

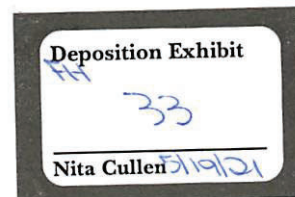
Dr. Margaret Notley, Professor of Music/Coordinator of Music History Area

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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

[Add Comment](#)

[« Back to Index](#)

# Statement from the MHTE Graduate Students

**From:** "Kohanski, Peter" <peterkohanski@my.unt.edu>  
**To:** "Richmond, John" <john.richmond@unt.edu>  
**Cc:** "Brand, Benjamin" <benjamin.brand@unt.edu>, "Hernandez, Salvador" <salvadorhernandez2@my.unt.edu>  
**Date:** Thu, 30 Jul 2020 14:08:17 -0500  
**Attachments:** MHTE Students' Statement to Dean Richmond on JSS.pdf (97.08 kB)

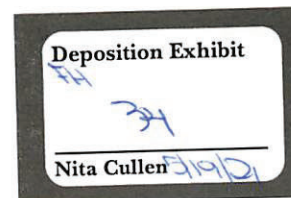
Dear Dean Richmond,

We hope that this email finds you well. Please see the attached statement from graduate students of the Division of Music History, Theory, and Ethnomusicology regarding the *Journal of Schenkerian Studies*, Volume 12. This response represents the collective position of the majority of graduate students in our division who collaborated after lengthy discussion. It also has the support of additional students who did not sign due to fear of retaliation from Dr. Jackson. We submit our position with the understanding that the identities of the signatories remain anonymous for their own protection.

We look forward to engaging with you on these issues. Thank you for your attention to these important matters.

Very sincerely,  
Peter Kohanski, President  
Graduate Students of Musicologists *and* Theorists (GAMuT)

Salvador Hernandez, President  
Student Society for Ethnomusicology at North Texas (SSENT)





# CONFIDENTIAL

Dear Dean Richmond,

We, a cross-section of graduate students in the Division of Music History, Theory, and Ethnomusicology (MHTE), write to condemn the latest issue of the *Journal of Schenkerian Studies* (JSS) and address concerns that recent events have foregrounded.

We are appalled by the JSS's recent perpetuation of anti-Black racism and platforming of ad hominem attacks in response to Dr. Philip Ewell's scholarship. These egregious acts go beyond the bounds of academic discourse and require a strong, swift response from the College of Music. We call upon the CoM to dissolve the JSS, dismiss Dr. Timothy Jackson, make substantial changes to the Center for Schenkerian Studies (CSS), implement consequences for those involved in the publication of the most recent issue of the JSS, and work to foster an institutional culture within the MHTE Division and the CoM where these events could never transpire. These changes are not only necessary for the sake of UNT's reputation and the well-being of its students but are also moral imperatives that can no longer be ignored.

## **Dishonesty and a Lack of Academic Rigor in the JSS**

While we encourage the CoM to undertake a full investigation of the JSS Volume 12, we would be remiss if this document did not highlight the most reprehensible aspects of the journal.

1. **Lack of peer review:** The call for papers gave a two-week deadline for responses; all papers were accepted, without asking for substantial edits; papers were in some cases given only a five-day turnaround once notified of their acceptance to the journal; and the deadlines were selectively enforced, which allowed more anti-Ewell submissions to be accepted.
2. **Illicit collaboration.** After coopting the JSS in order to mount an attack on Dr. Ewell, Dr. Jackson proceeded to solicit responses from his close Schenkerian colleagues. The result of this solicitation and coordination between six of the anti-Ewell papers produced a markedly skewed bias toward the anti-Ewell responses. In stark contrast to this coordinated effort by Dr. Jackson et al., Dr. Ewell was neither notified nor asked to respond, as is standard academic practice.
3. **Editorial missteps.** The Assistant Editor, Levi Walls, was completely powerless to edit content and ideas or to provide substantive feedback during the editorial process. In practice, Dr. Jackson exercised control over editorial decisions, a power he should not have had. Although Levi did everything within his power to prevent the publication of racist views, the implications of his title meant that he was attacked for his ostensible decision-making role in the journal. This view was compounded by online references to the JSS as a publication run by doctoral students.

## **The JSS Moving Forward**

Given the egregious behavior by the JSS and specifically by the advisory board, we urgently call for the following steps to be taken:

1. **Dissolve the JSS.** The JSS has demonstrated that it does not meet the standards of a peer-reviewed publication. The basis of academic discourse is trust and authenticity, and the JSS has violated that trust. As such, there is no reason for it to exist.



# CONFIDENTIAL

2. **Publicly condemn the issue and release it freely online to the public.** All contributors should be held fully accountable for their comments, which must not be hidden for the sake of the self-preservation of any involved parties. By making this volume accessible to the public with a disclaimer from the CoM, we hope to enable all scholars to address this problematic discourse.
3. **Provide a full, detailed, and public account of the editorial and publication process, and its failures.** The JSS must make a public account of the process so individuals who intentionally subverted academic norms can be held accountable, and so that innocent parties might be absolved of both guilt and a burden of silence.
4. **Hold accountable every person responsible for the direction of the publication.** 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.
5. **Ensure that no member of the current JSS Advisory Board oversees or reviews work done by a TA or TF.** Neither Dr. Slottow nor Dr. Jackson should be permitted to oversee graduate students in any employment capacity, including supervising those who manage graduate student assistantships.

## Calling for Dr. Jackson's Dismissal

Dr. Jackson should be removed from the UNT faculty because he has shown that his values are diametrically opposed to those of our division, the CoM, and the university at large. He has a history of racist, sexist, and abusive behavior in his many capacities. He was removed from the oversight of the RA for the CSS due to his treatment of previous RAs. Among the issues raised were:

1. Using the CSS RA to aid with his personal research
2. Requiring student work during the summer without pay
3. Extortion through grade manipulation and threats to students' careers and reputations

These abuses were eventually addressed, but it took CoM administrators years to attempt to remedy these problems. While this included Dr. Jackson's aforementioned removal from overseeing the CSS RA, his influence over both the CSS, the JSS, and the graduate research assistantship unofficially continued. His present offenses concerning this issue of the JSS are part of a pattern of harmful behaviors that have disproportionately affected marginalized students and faculty. His reputation extends beyond UNT and affects how our division is perceived externally.

If the CoM is unable to remove Dr. Jackson from his position, these steps must be taken at a minimum:

1. **Require a formal apology and retraction.** Dr. Jackson must provide a formal apology and retract his explicit racist comments and ad hominem attacks on Dr. Ewell.
2. **Prevent power imbalances.** Given that Dr. Jackson's position has facilitated past abuses, he must be prohibited from teaching required courses, advising students, serving on committees in any capacity, or wielding power over students or faculty.
3. **Eliminate research and travel funding and prohibit involvement in UNT publications.** Funding for Dr. Jackson's research and travel must be immediately and permanently terminated so that he can no longer manipulate the power structures within UNT publications to promote his own ideas. UNT must not provide a platform for his views.

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## Addressing the MHTE Division's Culture

Issue 12 of the JSS—both in its content and publication process—sheds light on a problematic culture within our division. Several faculty members have demonstrated through their actions a lack of understanding of issues of diversity. More concerning is the broader pattern of ineffective responses to graduate students' concerns. As illustrated in both Dr. Jackson's previous and current behaviors, problems were ignored by multiple administrators in the division and college at large. Action was only taken after these issues received broader (and especially public) attention. We recognize Dr. Brand's efforts to change our culture by initiating diversity training within our division and fostering an atmosphere where graduate students generally feel welcome when bringing issues to him, yet this has not yet led to an environment that prevents such abuses from happening. It is a start, but much work remains to be done.

With that in mind, we call on the MHTE Division and the CoM to take the following steps to critically examine and radically transform our institutional culture:

1. **Launch an investigation into the culture in UNT, the CoM, and the MHTE Division.** This investigation should take into account past concerns and remove barriers that led to inaction within the division and CoM. Specific concerns include addressing racism and sexism and serving diverse communities. A third party—such as representatives from the Division of Institutional Equity and Diversity—should oversee this investigation.
2. **Create a reporting process that ensures transparency, clarity, and protection from retaliation for graduate students within the MHTE Division and CoM.** There are many more troubling incidents that we would like to bring to your attention, and we recognize that there will be many more in the future. We look forward to the conversations necessary to bring about this institutional change.
3. **Appoint a faculty member (or faculty members or university representatives) specifically tasked with advocating for graduate students.** We call for one or more faculty members to be specifically charged with hearing graduate student concerns, corroborating those concerns, and advocating for appropriate responses both within and outside the CoM.

We call upon the MHTE Division and CoM to take these proposed actions, and we look forward to a dialogue as we work together to make UNT the best version of itself. We eagerly await your response.

Sincerely,

Brian Anderson  
Robert Anderson  
Nathaniel Ash-Morgan  
Amy Coelho  
Júlia Coelho  
Matt Darnold  
Elizabeth Durrant  
Miguel Espinel  
Rachel Gain

Yiyi Gao  
Amy Hatch  
Steven Heffner  
Salvador Hernandez  
Jinjing Lucy Lu  
Stacey Key  
Peter Kohanski  
Myles McLean  
Yuxin Mei

Matthew Oliver  
Justin Sales  
Jessica Stearns  
Bryan Stevens  
José Torres  
Dani Van Oort  
Levi Walls  
Anna Wodny  
Camila Zimmerman