

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

TIMOTHY JACKSON,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION
)	
LAURA WRIGHT, ET AL.)	NO.: 4:21-cv-00033-ALM
)	
Defendants.)	
)	
)	

ORAL AND VIDEOTAPED DEPOSITION OF

STEPHEN SLOTTOW, PhD

NOVEMBER 7, 2024

ORAL AND VIDEOTAPED DEPOSITION OF STEPHEN SLOTTOW, PhD, produced as a witness at the instance of the DEFENDANTS, and duly sworn, was taken in the above-styled and numbered cause on November 7, 2024, from 8:31 a.m. to 4:41 p.m., via Zoom teleconference before Vanessa J. Theisen, CSR in and for the State of Texas, and RPR, reported by machine shorthand, at the University of North Texas System, 801 North Texas Boulevard, Gateway Suite #340, Denton, Texas 76201, pursuant to the Federal Rules of Civil Procedure and any provisions stated on the record or attached hereto.

A P P E A R A N C E S

FOR THE PLAINTIFF:

Mr. Michael Thad Allen (via Zoom)
ALLEN LAW, LLC
P.O. Box 404
Quaker Hill, CT 06375
(860) 772-4738
Mallen@allenharrislaw.com

FOR THE DEFENDANTS LAURA WRIGHT, ET AL:

Ms. Mary B. Quimby
Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, TX 78711-2548
(512) 463-2120
Mary.quimby@oag.texas.gov

FOR THE WITNESS:

Mr. Patrick Todd
OFFICE OF THE ATTORNEY GENERAL
Administrative Law Division
P.O. Box 12548, Capitol Station
Austin, TX 78711-2548
(512) 936-1660
Patrick.Todd@oag.texas.gov

ALSO PRESENT:

Mr. Phil Hall, Videographer
Mr. Timothy Jackson (via Zoom)
Mr. Justin Foster
Mr. Renaldo Stowers
Ms. Vanessa J. Theisen, Court Reporter (via Zoom)

INDEX

PAGE

Appearances.....	2
------------------	---

STEPHEN SLOTTOW, PhD

EXAMINATION BY MS. QUIMBY.....	5
--------------------------------	---

EXAMINATION BY MR. ALLEN.....	104
-------------------------------	-----

FURTHER EXAMINATION BY MS. QUIMBY.....	157
--	-----

FURTHER EXAMINATION BY MR. ALLEN.....	161
---------------------------------------	-----

Changes and Signature.....	166
----------------------------	-----

Reporter's Certificate.....	168
-----------------------------	-----

EXHIBITS

NO.	DESCRIPTION	PAGE
-----	-------------	------

1	Curriculum Vitae of Dr. Stephen Slattow.....	15
---	---	----

2	Journal of Schenkerian Studies Masthead UNT_000848 - 0851.....	36
---	--	----

3	MHTE Faculty Response UNT_000432 - 0433.....	87
---	---	----

4	UNT College of Music Faculty and Staff Retreat Invitation UNT_005523 - 5525.....	106
---	--	-----

5	November 25, 2020 Ad Hoc Panel Report Jackson000208 - 0233.....	146
---	--	-----

REPORTER'S NOTE

Quotation marks are used for clarity and do not
necessarily reflect a direct quote.

1 THE VIDEOGRAPHER: Here begins the
2 deposition of Dr. Stephen Slottow, Ph.D., relative to
3 a case styled Timothy Jackson versus Laura Wright, et
4 al, filed in the United States District Court,
5 Eastern District of Texas, Sherman Division, Civil
6 Action No. 4:21-cv-00033-ALM.

7 Counsel, at this time would you please
8 -- the time is 8:31 a.m., and we are on the record.

9 Counsel, at this time would you please
10 state your appearances for the record.

11 MS. QUIMBY: Yes, Mary Quimby for the
12 defendant.

13 MR. ALLEN: Michael Thad Allen --

14 MR. TODD: Pat Todd.

15 MR. ALLEN: -- for the plaintiff,
16 Timothy Jackson.

17 MR. TODD: Patrick Todd for the witness.

18 THE VIDEOGRAPHER: Thank you.

19 MR. ALLEN: I'm sorry, Patrick. I spoke
20 over you.

21 MR. TODD: Sorry.

22 THE VIDEOGRAPHER: Thank you. At this
23 time would the court reporter please swear in the
24 witness.
25

1 STEPHEN SLOTTOW, PhD,
2 having been first duly sworn, testified as follows:

3 EXAMINATION

4 BY MS. QUIMBY:

5 Q. Okay. Good morning, Mr. Slottow. Is that
6 how you pronounce your last name?

7 A. Yes.

8 Q. Okay, great. We're here today -- I'm going
9 to ask you a couple of questions about the Journal of
10 Schenkerian Studies and your role in that --

11 A. Uh-huh.

12 Q. -- journal and related matters. But first I
13 want to go over some preliminary ground rules for
14 depositions.

15 First, you were just sworn in by the
16 court reporter there on that screen. Do you
17 understand that you've taken an oath and are
18 obligated to tell the truth today?

19 A. As I remember it. All these events took
20 place some years ago.

21 Q. Sure. Have you taken any medication that
22 would inhibit your memory today?

23 A. No.

24 Q. Is there anything else that would inhibit
25 your memory or ability to tell the truth today?

1 A. Age, the fact that all this happened three
2 or four years ago and I haven't thought much about it
3 since.

4 **Q. Okay. Understood.**

5 A. And I haven't done more than cursorily look
6 over these documents, because I finished a project
7 only last night, and my request for a postponement
8 was not approved.

9 **Q. What documents did you review?**

10 A. The ones that were sent to me. They're here
11 in this pile. Do you want me to describe each one of
12 them?

13 **Q. If you don't mind, I would appreciate it.**

14 A. Questions for Slottow, Confidential
15 Attorney-Client Privileged --

16 MR. TODD: Objection. Privileged. Do
17 not answer it.

18 THE WITNESS: Huh?

19 MR. TODD: Do not answer that. Those
20 are -- that's attorney-client privileged documents.

21 MS. QUIMBY: Are they documents that
22 have been --

23 MR. TODD: They're from me.

24 MS. QUIMBY: Okay. Are they documents
25 that have been produced in this matter?

1 MR. TODD: Some of them might have, but
2 those notes from me are my notes to my client.

3 Q. (BY MS. QUIMBY) Okay. I'm not asking you
4 to describe the notes from your attorney to you.

5 A. I don't know which ones are the notes from
6 the attorney to me. I just have a pile of these
7 documents. I'm not sure which ones you're talking
8 about.

9 Q. Okay. How many documents do you have there?

10 A. Seven.

11 Q. Okay. If there is a "UNT" -- do you see at
12 the bottom of that first document there is a "UNT" at
13 the bottom?

14 A. Yes.

15 Q. That means it was produced in this matter.
16 Can you describe each of the documents that have the
17 UNT insignia at the bottom of the page?

18 A. One says, "Questions for Slottow" beginning,
19 "What is your role" --

20 MR. TODD: Those are my notes, so not
21 that document. That doesn't have UNT on it.

22 THE WITNESS: It does.

23 MS. QUIMBY: It does.

24 MR. TODD: Does it?

25 THE WITNESS: Yes.

1 MR. TODD: Never mind. Go ahead.

2 A. Okay. One that says, "Questions for
3 Slottow," with seven points; Confidential
4 Attorney-Client Privileged Communication.

5 **Q. I'm not asking about that one.**

6 A. Oh, that's right. There's no UNT.

7 An invitation to a college of music
8 retreat at the Gateway Center Ballroom. I don't know
9 why this is here.

10 **Q. Okay.**

11 A. Another Questions for Slottow.

12 **Q. If you don't mind, could you -- what is the**
13 **number on that one?**

14 A. 002640.

15 **Q. Okay. Thank you.**

16 A. The next page -- do you want -- just want
17 the numbers from now on?

18 **Q. That would be helpful.**

19 A. Okay. The next one is 002642, 002644,
20 00300. Each page is a different number.

21 **Q. Right. You can just tell me the first page**
22 **of each document.**

23 A. One is -- this one is -- this one does not
24 have a -- do you just want the ones that have a UNT
25 number?

1 Q. Is that one labeled Exhibit D?

2 A. Yes.

3 Q. Can you flip to the next page? Okay. Is
4 that the ad hoc review panel report, to your
5 knowledge?

6 MR. TODD: That's what it appears to be.

7 A. Yeah.

8 Q. (BY MS. QUIMBY) Okay.

9 A. 005523, and that's it.

10 Q. What is that last one, if you could describe
11 it briefly for me.

12 A. This is a college of music retreat on
13 inclusion, diversity, equity, and access. I don't
14 know why it's here.

15 Q. Okay. Thank you.

16 A. And then I brought along my own copy of the
17 Journal of Schenkerian Studies Volume 12 because I
18 have an article I might want to refer to.

19 Q. And is that -- that is the full print
20 version of the --

21 A. Right.

22 Q. -- Volume 12, correct?

23 A. Uh-huh.

24 Q. Okay. Thank you.

25 In addition -- besides conversations

1 with your attorney about this deposition, have you
2 talked to anyone else about this deposition? And
3 that includes Mr. Todd and Mr. Foster.

4 A. That it's happening, you mean?

5 Q. I mean -- yes.

6 A. Well, I mentioned to my husband that I'm
7 going to a deposition. Tim Jackson knows.

8 Q. Uh-huh.

9 A. In fact, he's listening in. I think that's
10 it.

11 Q. Did you talk to Dr. Jackson about the
12 deposition other than that you were attending?

13 A. No.

14 Q. Okay. Anyone else?

15 A. Well, he told me he was going to listen in
16 on Zoom, but that's it. I was not sure what was
17 proper to discuss with him, so I did not say anything
18 else.

19 No, I don't think there's been anyone
20 else.

21 Q. Okay. Got it. Thank you.

22 We have a videographer here, a court
23 reporter who is here virtually. She's going to be
24 taking down what you say today, so I would just ask
25 that you use verbal responses instead of nodding. So

1 far so good. But just, you know, if I -- if you nod
2 your head or something at some point today and I ask
3 you to give a verbal answer, I'm not trying to be
4 rude. It's just we want to make sure we have a clear
5 record for the court reporter.

6 A. If I nod, it will be accompanied with a
7 verbal answer.

8 Q. Sure. If you need a break today, let me
9 know. We'll probably take a break about every hour
10 or so. If you need one more often, just let me know,
11 and we can take a break.

12 A. Okay. I cannot go beyond 11:30, though.

13 Q. I understand that, yes.

14 A. Okay.

15 Q. One other thing about making a clear record
16 for the court reporter is that I ask that you wait
17 until I finish asking my question before you begin
18 answering, because if we're talking over each other,
19 she can't take down both of us talking at once.

20 Have you ever had your deposition taken
21 before?

22 A. No.

23 Q. Have you ever testified in court?

24 A. As a witness?

25 Q. Yes.

1 A. No.

2 Q. Have you ever testified in court otherwise?

3 A. I've been on juries, but that's it.

4 Q. Okay. Understood.

5 Okay. Briefly, I'm going to ask you
6 some questions about your background. This is just
7 to have an understanding of your role at UNT and how
8 you got here.

9 So how long have you been a professor at
10 the University of North Texas in the college of
11 music?

12 A. In the rank -- the rank of professor or
13 teaching at UNT?

14 Q. If you don't mind just walking me through
15 when you first started teaching here and when you
16 moved up in the ranks, if --

17 A. Yeah, that's on the CV.

18 So I began as a lecturer in Sep -- 2001
19 for one year. Then I was an assistant professor from
20 2002 to 2008. I was an associate professor from 2008
21 to 2020, and I was a full professor, am a full
22 professor, from 2020 to the present.

23 Q. Okay. So you attained the rank of full
24 professor in 2020?

25 A. Yes, in September.

1 **Q. Okay. Are you tenured?**

2 A. Yes.

3 **Q. How long have you been tenured?**

4 A. Well, that came with associate professor, so
5 that would be since 2008.

6 **Q. Okay. So you started in 2001 as a lecturer,**
7 **you said, correct?**

8 A. Uh-huh.

9 **Q. Briefly, before we talk more about your**
10 **history at UNT, what degree do you hold?**

11 A. I have a bachelor's degree from Cleveland
12 State University, a master's degree from Queens
13 College, and a doctorate from the City University of
14 New York.

15 **Q. And what are each of those degrees in?**

16 A. The bachelor's is in music history. The
17 master's and the doctorate are in music theory. I
18 don't know if they -- I think you just get a
19 degree -- I don't think you get actually a degree in
20 music theory. I think you get a degree in music, and
21 it's like the specialization is music theory or
22 something. I would have to look on the diploma.

23 The master's was en-route master's from
24 Queens. So the way the City University works is
25 that -- of New York works is that you can either

1 enter and get an en-route master's, so it's -- or
2 else you can get an actual master's after two years.

3 So with the en-route master's you have
4 to take a test or write a paper, and I was in that
5 program. It's the preferred one, actually. So you
6 enter with a bachelor's, and then you go all the way
7 to the PhD, and on the way you get an en-route
8 master's.

9 Q. I see. Okay. So was it effectively a PhD
10 program that you had to earn your master's before you
11 did the PhD, but you --

12 A. No. That's the point of getting the
13 en-route master's is that you -- it's a PhD program
14 you enter with the bachelor's degree.

15 Q. Uh-huh, okay. When did you earn your
16 bachelor's degree?

17 A. That was -- let's see. When did I earn it?
18 I don't know. It's not really written down here.

19 Q. That you recall. If you don't recall right
20 now, that's okay.

21 A. Hold on.

22 Q. For the record, too, I'll let you keep
23 looking, but I would like to get a copy of the CV,
24 and we can use that as an exhibit.

25 A. Sure. I can either send an electronic copy

1 or someone can copy this.

2 **Q. We'll copy it on our break or something.**

3 (Exhibit 1 identified.)

4 A. I don't know exactly when I got my
5 bachelor's. Some time elapsed between getting my
6 bachelor's and entering the doctoral program, so I'm
7 not sure.

8 **Q. Do you remember when you earned your**
9 **master's or PhD?**

10 A. Well, the PhD was earned -- oh, let's see --
11 I think about 2000. That's -- yeah.

12 **Q. What did you do between earning your**
13 **bachelor's and going for your master's?**

14 A. I was a working musician in Cleveland,
15 playing in a bluegrass band. I was a fiddler and a
16 banjo player. And I kept on doing that for a while,
17 so there was a hiatus. After I got my bachelor's, I
18 wasn't sure what to do next. So that's what I did.

19 **Q. Are you from Cleveland?**

20 A. No.

21 **Q. Where are you from?**

22 A. Urbana, Illinois.

23 **Q. Okay. I ask because I'm from Ohio.**

24 **Before you joined at UNT, did you have**
25 **any other jobs in academia?**

1 A. I don't think so, no.

2 **Q. When you joined UNT in 2001 as a lecturer --**
3 **well, let me ask it this way: At some point you**
4 **became involved in the Center for Schenkerian**
5 **Studies, correct?**

6 A. Right.

7 **Q. Do you know when you joined or became a part**
8 **of the center?**

9 A. Well, that happened when -- well, it didn't
10 happen when I was a lecturer, but it happened when I
11 became an assistant professor.

12 One of the responsibilities of the job
13 was actually to be involved -- Dr. Jackson wanted
14 someone to help him with the center, someone who was
15 experienced in Schenkerian analysis. So in addition
16 to the usual things of teaching, research, service,
17 etcetera, one of the responsibilities, as I recall
18 it, was to be involved in the center.

19 **Q. Who gave you that, we'll call it, job or a**
20 **role?**

21 A. Well, I don't know, because that's --
22 that's -- the search committee determined the
23 parameters of what I was to do. I was not privy to
24 the search committee, of course. But since
25 Dr. Jackson was the head of the center, the idea

1 probably came from him.

2 **Q. When you say, "the search committee," what**
3 **are you talking about?**

4 A. Well, when you apply for an academic job,
5 there is a search committee, a faculty, who evaluate
6 who -- from the -- from the applications, they
7 evaluate who is going to go to the next step of being
8 interviewed. And they handle the interviews, and
9 they are the ones that make the short list, and they
10 are the ones who pick who is to get the job.

11 Now, the candidate is not privy to the
12 deliberations of the search committee, of course.

13 **Q. Sure.**

14 A. So anything they did is -- I wasn't there
15 for.

16 **Q. Sure. So what is -- can you describe the**
17 **Center of Schenkerian Studies for me?**

18 A. Well, at that time, it was pretty much a
19 project of Dr. Jackson's, and it included a journal,
20 a -- putting on concerts, producing sound recordings,
21 CDs. I think that's about it. Certain --
22 far-flung --

23 **Q. Uh-huh.**

24 A. -- Schenkerian activities having to do with
25 Schenkerian analysis.

1 I think I was hired -- I think one of my
2 responsibilities was the journal specifically.

3 Q. Within the center?

4 A. Yes, within the center.

5 Q. Okay. So that kind of leads me to my next
6 question. What exactly did you do in the center or
7 the journal or if they're related?

8 A. Well, in the beginning, I handled the
9 journal. The journal had an editor; Jennifer Sadoff
10 was her name. But I actually handled the business
11 side of the journal, taking care of subscribers,
12 keeping records, correspondence, etcetera, keeping
13 the files. And then I was also consulted on other
14 business of the journal. I'm not sure what my
15 "rank" --

16 Q. Uh-huh.

17 A. -- quote-unquote was.

18 Eventually, I found that the business
19 side -- taking care of the business side while
20 teaching was really too much and too complicated. So
21 we -- that was taken over by UNT press.

22 And then at some point I became kind
23 of -- I was never the editor. The editor of the
24 journal was always a student, and they made -- they
25 had really most of the power about what was going

1 into the journal.

2 Where was I? At some point, I became
3 sort of supervisor of the -- under Tim Jackson, sort
4 of supervisor of the -- not supervisor, director of
5 the center. Then that was changed to codirector. It
6 was just a name change. My responsibilities didn't
7 change.

8 I can't really tell you exactly when
9 these things happened. And then I stayed with that
10 role.

11 **Q. I have a few follow-up questions. So**
12 **Jennifer Sadoff, you said she was the editor when you**
13 **started?**

14 A. She was the first editor. I think that
15 actually the journal started when I came in.

16 **Q. Okay.**

17 A. Because I was there when Issue 1 was
18 produced.

19 **Q. And that would have been about, what, 2002?**

20 A. Well, it would have been shortly after I
21 started. So on -- let's see. Yeah, probably around
22 2002, 2003.

23 **Q. So was Ms. Sadoff a student?**

24 A. Yeah, she was, I think, a -- she was a music
25 theory major, I think, and she played bassoon as

1 well.

2 Q. Okay.

3 A. She was there for some years.

4 Q. And you said -- and I understand if you
5 don't know when this occurred, but UNT Press took
6 over the business side. Is that right?

7 A. Yeah, after some years. I can't tell you
8 when. I don't know.

9 Q. So after the UNT Press took over the
10 business side of things, what was your role then?

11 A. Just to help run the center in terms of
12 policy, along with Tim Jackson.

13 Q. What do you mean by "policy"?

14 A. Questions that came up about whether the
15 center -- whether there's going to be a theme issue
16 of the journal or a concert or -- the center had to
17 sort of justify its existence to UNT. There were
18 regular meetings, like every year, I think, that we
19 had to report to -- give a report to show that we
20 were a center, a UNT center, and we put those
21 together jointly, things like that.

22 Q. Okay. Did you have -- within the center
23 were there any other employees of the center?

24 A. Well, first of all, we weren't paid.

25 Q. Sure.

1 A. So in a sense there were no employees of the
2 center.

3 **Q. Uh-huh.**

4 A. There was Tim, there was me, there was the
5 editor of the journal. I think that's it.

6 **Q. Was the editor of the journal -- you said**
7 **they were always a student?**

8 A. Uh-huh.

9 **Q. Were they paid?**

10 A. No. Well, they got a stipend.

11 **Q. Uh-huh.**

12 A. They were a fellow, I think. They had a
13 fellowship or half a fellowship, so they were paid
14 through the college of music, yes.

15 **Q. Okay. And you said you were -- you**
16 **eventually had the title of codirector. Do you**
17 **remember what the title was before that?**

18 A. No. I don't even know if it was codirector,
19 actually. That's what it amounted to.

20 It's possible it's on the journal.

21 Let's see. It says, "Advisory Board, Timothy L.
22 Jackson, Stephen Slottow," but I'm pretty sure that
23 "codirector" was in there somewhere.

24 As I say, that was some years ago, and I
25 haven't thought that much about it.

1 MR. ALLEN: Can we have the witness
2 identify for the record what document he's consulting
3 and have that marked or whatever. I think it's the
4 Volume 12, but I don't know what he's consulting.

5 THE WITNESS: This is Volume 12 of the
6 Journal of Schenkerian Studies.

7 MS. QUIMBY: Thank you.

8 MR. ALLEN: Should we mark that as an
9 exhibit? Do you want to mark it as an exhibit or
10 just have the record reflect that he consulted the
11 print copy of that?

12 MS. QUIMBY: I think we'll just -- we
13 won't mark it as an exhibit for now.

14 MR. ALLEN: Okay.

15 MS. QUIMBY: It's the physical copy, the
16 book copy, so we'll just note for the record that
17 it's been referenced.

18 MR. ALLEN: That's fine.

19 MS. QUIMBY: Okay.

20 MR. ALLEN: Thank you. Sorry to
21 interrupt.

22 MS. QUIMBY: No problem.

23 **Q. (BY MS. QUIMBY) So how long were you**
24 **involved in both the center and/or the journal?**

25 A. Well, they were -- I was involved in both

1 starting when I was starting as assistant professor.

2 **Q. Uh-huh.**

3 A. So that would probably be 2002, and then the
4 Volume 12 of the journal was the last issue of the
5 journal, after which things fell apart.

6 I have the date of the journal, which is
7 2019, but I can't tell you exactly when that took
8 place. Often the dates of journals are not the
9 actual -- the actual dates.

10 **Q. So correct me if I'm wrong, but you ended**
11 **your involvement after the Volume 12 was published?**

12 A. Yes. Not immediately. After Volume 12
13 published, there was a huge foofaraw and hue and cry,
14 and UNT got cold feet and sort of withdrew the
15 support for the center.

16 It took a while, and there was this ad
17 hoc review, and the whole thing began -- and they
18 basically took the center away from us, especially
19 away from Dr. Jackson. And I think at that point I
20 felt there was nothing to be gained by continuing in
21 this sort of fictitious role of codirector. Of what?
22 Who knows. So I told Dr. Jackson I was withdrawing
23 at that time.

24 **Q. Okay. Do you recall when that was?**

25 A. No. I'm really -- I really am very bad at

1 dates. Since there was no reason to make
2 chronological notes, I did not do so.

3 **Q. When you say -- you said "they" -- I believe**
4 **you used "they" withdrew support for the center. Who**
5 **is "they"?**

6 A. "They" is the college of music of UNT.

7 **Q. Do you know who made that decision?**

8 A. Well, certainly Benjamin Brand, who was the
9 division chair of music history, theory, and
10 ethnomusicology, was probably the main person, but I
11 don't think he would have the power -- well, maybe he
12 would. But he probably did not do it just himself.
13 Probably the dean was involved. I'm not sure who the
14 dean was at the time. It might have been Jim Scott,
15 or it might not have.

16 I don't know who else was involved. I
17 mean, we were not involved. We were just told.

18 **Q. What were you told?**

19 A. Well, I wasn't told anything, Tim was --
20 Dr. Jackson was told that the journal was essentially
21 being -- he could correct me if I have this wrong --
22 taken out of the hands of the center, of our hands,
23 and the university did not know what -- the college
24 of music didn't know what they were going to do with
25 it. They tried various things. It's essentially

1 defunct at this point.

2 **Q. Is your statement that they withdrew support**
3 **for the center based on what you've heard from**
4 **Timothy Jackson?**

5 A. Well, mainly, but it was widely known. Yes.

6 **Q. How did you -- okay, so mainly. But is**
7 **there any other way you came to that knowledge?**

8 A. I don't really remember. I mean, it might
9 have been communicated to both of us, but the college
10 of music did not want to be embarrassed, further
11 embarrassed, by the reaction to Volume 12, and they
12 simply said we're -- "it's not yours any longer."

13 I don't know -- did I get that from
14 Dr. Jackson or from -- I think it was mainly from
15 Dr. Jackson. I can't recall more precisely.

16 **Q. You said the college was embarrassed. What**
17 **do you mean by that?**

18 A. The reviews of -- the articles on Philip
19 Ewell's address to the -- he was part of the plenary
20 address at the Society of Music Theory annual meeting
21 where he attacked, among other things, Schenkerian
22 analysis in a particularly, I would say -- well, I
23 can't think of the word.

24 Anyway, we -- he was giving -- and it
25 created a huge stir, and there was no -- there was no

1 opportunity given for a response.

2 Usually at a plenary address there's
3 some room for questions and responses afterwards.
4 But this plenary address, since he was one of, I
5 think, three or four people who was talking on
6 different topics, there were no question-and-answer
7 periods.

8 And then, very unusually, there was
9 no -- there were no articles. There was no response
10 in the journals. There was nothing. There was no
11 opportunity to give any response. So the Journal of
12 Schenkerian Studies decided that we would post a
13 response and solicit articles from music theorists,
14 including us, Dr. Jackson and myself, whoever wanted
15 to respond.

16 This led to -- we were -- since Ewell
17 was accusing Heinrich Schenker of being a racist and
18 that his racism was affecting his music theory,
19 therefore, he was promulgating a racist music theory,
20 and it was certainly the kiss of death to be in any
21 way associated with racism, the school was terribly,
22 terribly embarrassed and then afraid of bad publicity
23 and reacted to that. That's what I mean.

24 **Q. Who at the school was -- reacted, as you**
25 **say?**

1 A. Well, I know that Dr. Brand did and the dean
2 did. And beyond that, I don't know for certain.

3 **Q. How do you know that Dr. Brand and the dean**
4 **did?**

5 A. Because it was -- as I said, it was
6 Dr. Brand, with consultation from the dean, who told
7 us that we would no longer be handling the journal
8 and the center.

9 **Q. He told you that?**

10 A. Well, he told Tim -- he told Dr. Jackson
11 that, I think. I don't think he told me directly,
12 and I got it from Dr. Jackson, certainly.

13 **Q. Okay. So you said Dr. Brand and the dean at**
14 **the time. Was the dean John Richmond by chance?**

15 A. I don't -- I'm not sure if the dean -- if it
16 was Richmond or Scott. I -- for some reason I think
17 it was Richmond, but I'm not entirely sure. I think
18 it was John Richmond.

19 **Q. Do you think they had reason to be**
20 **embarrassed?**

21 A. Well, administrators are always terribly
22 concerned with the reputation of their programs and
23 the schools, and they're very sensitive to bad
24 publicity, so they probably did. We were certainly
25 getting plenty of bad publicity.

1 **Q. Do you think the college's reputation was**
2 **damaged by the journal?**

3 A. I don't know. If music theory -- the
4 division of music history and ethnomusicology, they
5 were certainly on the receiving end of a lot of
6 disapproval, so they certainly thought they were.
7 Perhaps their reputation was damaged by those who
8 were outraged that we would criticize Philip Ewell's
9 opinions.

10 **Q. Who are you talking about when you say, "by**
11 **those who were outraged that you would criticize**
12 **Philip Ewell's opinions"?**

13 A. Music theorists, musicologists, people
14 like -- people like -- people who would -- wrote
15 blogs on music.

16 If you look on YouTube, there is an
17 awful lot of support for Ewell's views, and, mixed
18 with that, would be attacks on Dr. Jackson, to some
19 extent me, and sort of by reflection, on the music
20 theory department of UNT -- not department -- area,
21 yes. It was a big kerfuffle, yes.

22 **Q. And so was this coming from outside of UNT,**
23 **inside of UNT?**

24 A. Well, it was certainly coming from outside
25 of UNT, but it was coming from inside UNT also,

1 because a petition was put together by the majority
2 of UNT -- well, of faculty of the division of music
3 history, music theory, and ethnomusicology
4 attacking -- and also a separate petition by GAMuT,
5 which is a graduate student organization of the
6 division, attacking the -- criticizing the journal
7 and criticizing Dr. Jackson, in particular, of
8 essentially being a racist. And I think the student
9 petition demanded his ouster from the university.

10 And a lot of the music theory facul --
11 the music theory and history -- well, the faculty of
12 the division signed this -- not everyone did. And
13 all of those people are now defendants in
14 Dr. Jackson's suit. Well, all of the faculty and one
15 student who's no longer a student at UNT. She's at
16 Yale.

17 **Q. Uh-huh.**

18 **A.** What was the question?

19 **Q. I'm sorry, I don't recall either.**

20 MS. QUIMBY: Court reporter, could you
21 please read it back?

22 THE REPORTER: Yes, give me just a
23 second.

24 MS. QUIMBY: Yes, thank you.

25 THE REPORTER: "And so was this coming

1 from outside of UNT, inside of UNT?"

2 A. Oh, yes. So it was coming from -- what I
3 was describing is what was coming from inside UNT. I
4 think before I was describing what was coming from
5 outside.

6 Q. So the YouTube posts and blogs posts you
7 described earlier, that was from outside of UNT?

8 A. Yes.

9 Q. Okay. You described both -- you described
10 petitions of both the faculty and the students,
11 correct?

12 A. Well, students through the student
13 organization called GAMuT. I forget exactly what
14 GAMuT stands for, but it's an association of music
15 history, theory -- music history and theory graduate
16 students.

17 Q. What about it was a petition, or why did you
18 use the word "petition"?

19 A. Is it not a good word? A document that
20 people signed onto requesting, nay demanding. I
21 think "petition" is a fine -- is appropriate.

22 Q. I wasn't questioning you. I'm just curious
23 about why you chose that word, that's all.

24 A. I think because that's what it was.

25 Q. That's fair. So you described the faculty

1 petition -- and I believe both of the petitions -- as
2 attacking Dr. Jackson. Is that right?

3 A. Yes. I think myself to some extent but
4 mainly Dr. Jackson.

5 Q. What about the faculty petition attacked
6 Dr. Jackson, if you recall?

7 A. Well, what about them? What do you mean?

8 Q. Why could you say that they were -- why do
9 you use the word "attack"?

10 A. Well, they were attacked. They were a harsh
11 criticism. They -- I don't think they demanded he be
12 fired like the graduate student petition, but they
13 were decrying his temerity in publishing such an
14 issue and making what they conceived of as personal
15 attacks on Philip Ewell in his own article -- one of
16 the articles is his -- and basically taking Ewell's
17 side in all this and saying that Schenker was a
18 racist and that Dr. Jackson was a racist for
19 defending Schenker, and it was all quite disgraceful.

20 Q. And you said the majority of faculty signed
21 that, correct?

22 A. Of music history and theory faculty, yes.

23 Q. Is that yeah the MHTE?

24 A. Yes.

25 Q. Can we use -- if we use that acronym, will

1 **you --**

2 A. Yeah, I was trying to remember it. MHTE,
3 yes.

4 **Q. Do you remember who didn't of the MHTE**
5 **faculty?**

6 A. Yes, well I --

7 MR. ALLEN: Objection. Form.

8 A. -- I don't remember everyone who didn't, but
9 the three people who didn't was me, Dr. Heetderks,
10 and Dr. Schwartz.

11 **Q. (BY MS. QUIMBY) How many total faculty do**
12 **you recall --**

13 A. I don't recall.

14 **Q. -- in the MHTE at that time?**

15 A. I don't know how many there are. As I said,
16 I'm not very good with dates and numbers.

17 **Q. Okay. No problem.**

18 A. I would just -- I would have to go to a
19 register and count them.

20 **Q. You said Dr. Heetderks and Schwarz and**
21 **yourself, correct?**

22 A. Us three for sure. I -- they're the only
23 three I can think of.

24 **Q. Do you remember receiving an email from**
25 **someone else on the faculty circulating that**

1 **petition?**

2 A. Dr. Geoffroy-Schwinden, I think, is the one
3 who started it.

4 **Q. Uh-huh.**

5 A. And I did get emails from her, asking me to
6 sign it.

7 **Q. Did you respond?**

8 A. Yeah. I think I said no, I wouldn't sign
9 it.

10 **Q. Did you object to any of the content in the**
11 **letter that was being circulated?**

12 A. Yeah, almost all of it.

13 **Q. Did you tell her that?**

14 A. Yeah, I think I did. I said I didn't want
15 to sign it for two reasons. Because, one, being in
16 the center, I thought it would be rather hypocritical
17 to protest actions that I was a part of and sort of
18 ridiculous. I didn't use that word.

19 And the other was that I did not believe
20 in the charges that were being made. I did not think
21 it was a -- that it was a rac -- that Dr. Jackson or
22 the journal was being racist in any way by discussing
23 and soliciting responses.

24 The only responses officially that
25 existed at the time -- there was this strained

1 silence for a long time -- after Ewell's SMT address
2 and the article based on it that appeared in Music
3 Theory Online, and I think the actual address he gave
4 verbatim also appeared in, I think, Music Theory
5 Spectrum. I'm not sure which one appeared in which.

6 **Q. Did that -- did the verbatim publishing of**
7 **his speech and the publishing of his paper occur**
8 **before or after Volume 12 was published?**

9 A. I think it occurred after. We had a
10 recording of the speech, and we transcribed the
11 recording and were responding to that.

12 Somewhere along the line an article
13 based and expanding his SMT talk appeared in either
14 Journal -- either Music Theory Spectrum or Music
15 Theory Online. I don't think that was out -- I don't
16 think that was published yet when this came out, but
17 I might be wrong. Yeah.

18 **Q. When you published Volume 12, were you aware**
19 **that those were forthcoming?**

20 A. I was aware that there was an article
21 expanding the talk that was forthcoming, yes.

22 **Q. Did you consider waiting until that was**
23 **published to publish the responses to his talk?**

24 A. We might have, but I don't think we
25 considered it very much. We felt that some sort of a

1 response to the talk, which was -- I mean, it's the
2 main -- it's the annual meeting of the major
3 professional society for music theory with a huge
4 attendance and huge publicity. It had been followed
5 by this very strange vacuum of no response. I think
6 we felt that it was more important to have some
7 response out there. At least that's my recollection.

8 **Q. Okay. Back to the student who has been sued**
9 **in this lawsuit, Rachel Gain. Do you know her?**

10 A. Not well. She was a student in a class of
11 mine. Well, I didn't know her personally outside of
12 that.

13 **Q. Okay. If you will bear with me a moment, I**
14 **have an exhibit I want to show you. It is part of**
15 **the Journal of Schenkerian Studies, which you have**
16 **there in front of you.**

17 MR. ALLEN: Is it part of Volume 12?

18 MS. QUIMBY: Yes, I'm sorry.

19 MR. ALLEN: Uh-huh.

20 MS. QUIMBY: Okay. I'm marking this as
21 Exhibit 1, and I'll share that with you momentarily,
22 Mike, in the chat.

23 MR. ALLEN: I'm not trying to hasten the
24 process.

25 THE REPORTER: I think we already have

1 an Exhibit 1, so let's mark that as Exhibit 2.

2 MS. QUIMBY: I'm sorry, this will be
3 Exhibit 2.

4 MR. ALLEN: Exhibit 2, right? Exhibit 1
5 is the full --

6 MS. QUIMBY: You can hang onto that.

7 MR. ALLEN: -- print copy of the Volume
8 12.

9 THE WITNESS: You might want to change
10 the number.

11 MS. QUIMBY: Actually, the Exhibit 1, is
12 that the full volume?

13 MR. ALLEN: Which he referred to in the
14 course of the deposition, yes.

15 (Exhibit 2 marked.)

16 **Q. (BY MS. QUIMBY) Dr. Slottow, I'll have you**
17 **just take a look at that while I'm putting this in**
18 **the Zoom chat.**

19 A. Okay.

20 MS. QUIMBY: Mike, do you see that there
21 in the chat?

22 MR. ALLEN: I just did get it, yep.

23 MS. QUIMBY: Would you prefer that I
24 also share -- I don't know -- now I'm getting
25 feedback.

1 MR. ALLEN: We just got an echo. Did
2 you hear that?

3 MS. QUIMBY: Yeah, for some reason my
4 laptop audio turned on.

5 MR. ALLEN: So this will be Exhibit 2,
6 sorry, for the record?

7 MS. QUIMBY: Yes. Are you okay to just
8 view it -- download it and pull it up that way?

9 MR. ALLEN: Yes, that's perfectly fine.
10 I can see it here, yeah.

11 MS. QUIMBY: Okay.

12 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. Have
13 you had a chance to look at this?

14 A. Yeah.

15 Q. What is it?

16 A. Well, it's the list of -- the first page is
17 a list of the editorial board, the editor, assistant
18 editor, advisory board. The second is information
19 about the journal with phone numbers and addresses
20 and fax numbers. Then there is the table of
21 contents. That's it.

22 Q. Okay. And to your understanding, this is
23 from Volume 12, correct?

24 A. Yes.

25 Q. Okay. So you're listed there both on the

1 editorial board and as the -- part of the advisory
2 board, correct?

3 A. I seem to be, yes.

4 Q. Can you explain to me the -- your role on
5 the editorial board first?

6 A. Well, the editorial board was just a whole
7 group of mainly prominent Schenkerian scholars,
8 who -- they didn't do much. They weren't consulted
9 much. But they were there to -- they could provide
10 some responses to the direction and actions of the
11 journal. They were partly there for prestige. I'm
12 not sure why I'm on there, actually.

13 That's some of the people there, such as
14 L. Poundie Burstein, Allen Cadwallader, David Beach,
15 Charles Burkhart, Carl Schachter were very prominent
16 -- were and are very prominent scholars. The
17 advisory board are people who were actually in charge
18 of the journal.

19 Q. Okay. I'm going to ask you more about that
20 in a moment. But you said the editorial board, they
21 weren't consulted on much. Were they consulted at
22 all?

23 A. Well, they certainly weighed in after Volume
24 12 came out. In fact, a number of them resigned.

25 Q. Do you recall who resigned?

1 A. L. Poundie Burstein resigned --

2 Q. Uh-huh.

3 A. -- for sure. Frank Samarotto resigned.
4 Diego Cubero probably resigned. Ellen Bakulina, I
5 think, resigned. Mark Anson-Cartwright may have done
6 so, yes.

7 Q. What were they -- so they weren't -- so you
8 said they were consulted after Volume 12 was
9 published, correct?

10 A. Well, they weren't --

11 Q. Or they weighed in, I think you said.

12 A. They weighed in.

13 THE REPORTER: Okay. Hang on. I can't
14 get your answer and -- okay.

15 THE WITNESS: What?

16 MS. QUIMBY: We were talking over each
17 other, so the court reporter is just reminding us to
18 not do that. That's my fault. Thank you.

19 A. They weighed in.

20 Q. (BY MS. QUIMBY) Okay.

21 A. Now, I don't know whether Dr. Jackson
22 consulted with them about the idea of soliciting
23 articles in response to Ewell's address or not. I
24 can't recall.

25 Q. Did you consult with them?

1 A. No, no. Even though I was officially listed
2 as codirector, something like that. I think -- I
3 think in reality Dr. Jackson was the motive force and
4 the main director of the center. I mean, it was his
5 project from the start.

6 **Q. Uh-huh.**

7 A. So I viewed myself as sort of -- my role was
8 secondary to his.

9 **Q. And I think you described earlier that the**
10 **center or at least the journal was created about the**
11 **time that you started?**

12 A. Yeah, because Volume 1 -- I was involved in
13 Volume 1, so I think they had the idea of the
14 journal, and part of my role was to help make it
15 real.

16 **Q. Uh-huh. Did Dr. Jackson create both the**
17 **center and the journal?**

18 A. Well, he certainly created the center. I
19 mean, because it was already there --

20 **Q. Uh-huh.**

21 A. -- when I came in. The journal was an idea
22 that was to be one of the activities of the center.
23 But it -- it had not been actualized.

24 **Q. Okay. How and when did it become**
25 **actualized, if you recall?**

1 A. Well, it would have been shortly after I
2 joined. So that would probably be around 2002, 2003.
3 I don't know what date the first volume came out. I
4 have it at home, but I didn't think to bring it.

5 Actually, I should be able to tell you.
6 That's interesting. Volume 1 actually came out in
7 fall 2005. So it was later than I thought.

8 **Q. Okay. Back to this Exhibit 2 here. Can you**
9 **describe your role as an advisory board member?**

10 A. It's hard to remember specifics after some
11 years. I was -- I was involved in decisions of the
12 center. For instance, the decision to -- I was
13 certainly involved in soliciting articles and reviews
14 for the journal. I was certainly involved in the
15 idea of putting together a Ewell, Philip Ewell,
16 special edition.

17 I was involved in policy. Since I had
18 entered UNT, part of my job was to do with the
19 center, specifically with the journal. I was
20 probably more involved in things that -- issues
21 having to do with the journal than, say, putting on
22 concerts or making CDs. Dr. Jackson tended to be
23 much more involved in those than I was.

24 **Q. The concerts and the CDs?**

25 A. Yeah.

1 **Q. Let me just stop you real quick before you**
2 **go on.**

3 **So the advisory board, was that for the**
4 **Journal of Schenkerian Studies?**

5 A. No, it was for the center --

6 **Q. Okay.**

7 A. -- as a whole. No, no. It's actually --
8 well, in here it says it was for the journal,
9 advisory board for the journal. So, yes, for the
10 journal, I would say, at least as regards this
11 exhibit.

12 **Q. So if I asked what was your role as an**
13 **advisory board member for the journal, is your answer**
14 **different?**

15 A. No.

16 **Q. Okay. You described policy. You were**
17 **involved in policy, I think you said. What do you**
18 **mean by that?**

19 A. Well, the policy that went into Volume 12,
20 for instance. The decision to do a Philip Ewell
21 response feature, that's certainly a matter of
22 policy.

23 If we had -- if we had -- if we were
24 going to invite -- I was also involved in the lecture
25 committee, so if we were going to invite someone -- a

1 Schenkerian talk in the lecture committee, I was
2 certainly involved in that.

3 Now, that wasn't really an activity of
4 the journal or the center. That was the lecture
5 committee that...

6 **Q. So what was --**

7 A. That's all I can think of.

8 **Q. -- the policy that you're referencing?**

9 A. What I'm referencing is the policy to do a
10 Philip Ewell-featured journal in Volume 12. That's
11 an example.

12 Other than that, it was more the -- I
13 was involved in the journal. The editor had the main
14 responsibility, though I would certainly be consulted
15 on who to pick for reviews, who to pick -- who would
16 be good people to approach and doing a review of
17 submissions, whether for when Dr. -- when Edward
18 Laufer died, we did a special issue of responses to
19 his work. I was certainly involved in that decision.

20 We had a special issue of intersections
21 between Schenkerian and neo-Riemannian theory that
22 was mainly Jennifer Sadoff's project, but I was
23 certainly involved in approving it and giving it the
24 go-ahead. Things of that sort.

25 **Q. Okay.**

1 A. But mainly involved in the journal, with the
2 journal.

3 Q. Okay. So you said the policy of the special
4 edition addressing Ewell's talk. What do you -- I'm
5 having a hard time understanding what exactly the
6 policy is that you're referencing.

7 A. The policy was the decision.

8 Q. Okay. Was there a written policy that you
9 followed to -- in making that decision?

10 A. No. No, no, no? It's -- by "policy," I
11 just mean what the journal was going to do.

12 Q. Okay. Okay.

13 A. It's not more exact than that.

14 Q. So your role on the advisory board, was it
15 the same as Dr. Jackson's role on the advisory board?

16 A. After a while, officially. But I think in
17 practice it was a secondary role. I felt Dr. Jackson
18 had the lead, and I kind of would work with him. But
19 I always regarded the whole center was his project,
20 and so I think my main role was to support or argue
21 with or work with him in activities of the center.

22 Q. What did he do as the lead, as you
23 described, that you didn't do?

24 A. Well, he would generally initiate things.
25 He -- of course, the question would be better

1 directed towards him, but he would come up with
2 ideas, inviting people to give talks.

3 I think the idea of the Edward Laufer
4 issue was his idea or maybe we -- it was both of our
5 ideas. I mean, it was -- the whole center was very
6 much his project from the start, so if the idea is to
7 maybe solicit or ask if people would be interested in
8 submitting an article on specific topics that were
9 their specialty, that might have been his idea, that
10 kind of thing.

11 **Q. Did he come up with the topics for each**
12 **journal?**

13 A. No. Most of the journals didn't have
14 topics.

15 **Q. Uh-huh.**

16 A. A few had themes, but most did not. Most
17 was just the usual procedure of people writing in
18 with article submissions. Sometimes there would be
19 topics. For in -- the topics wouldn't necessarily be
20 the whole journal. I mean, in Volume 12, the Philip
21 Ewell part is not the whole journal. It's a section
22 of the journal.

23 With the Laufer edition, that was --
24 well, that might have been the whole journal,
25 actually. That they were -- no, not every journal

1 had a theme. Some did.

2 Q. Okay. The Edward Laufer edition you've
3 described, was that described as a festschrift? And
4 I probably didn't pronounce that correctly --

5 A. I think you did --

6 Q. -- but I think you know what I'm talking
7 about.

8 A. -- actually. Yeah, that --

9 THE REPORTER: Can you say that again?
10 "Was that described as a"?

11 MS. QUIMBY: Festschrift?

12 THE REPORTER: Thank you.

13 MR. ALLEN: Shall we spell it for the
14 reporter?

15 THE REPORTER: Yes, please.

16 MS. QUIMBY: I can try.

17 MR. ALLEN: I'll try -- I'll type it in
18 the chat. How's that?

19 THE REPORTER: Thank you.

20 MS. QUIMBY: Dr. Slottow might be better
21 at spelling it than me.

22 THE WITNESS: If I were going to spell
23 it, I would probably look it up first, because I'm
24 not sure of the spelling either.

25 MS. QUIMBY: I believe it's F-E-T-S --

1 THE WITNESS: No, it's fest.

2 MS. QUIMBY: Fest.

3 THE WITNESS: So it's probably F-E-S-T.

4 My guess would be -- let's see -- schrift,

5 S-C-H-R-I-F-T maybe.

6 MS. QUIMBY: I think that's good enough.

7 THE REPORTER: Okay. Yeah. I can look
8 it up from there. Thank you.

9 THE WITNESS: It's a German word.

10 Q. (BY MS. QUIMBY) What does that mean? What
11 is a festschrift?

12 A. It's a collection of articles in tribute to
13 a scholar, usually one of some fame and usually
14 someone who has recently died.

15 Q. Are they critical of the person?

16 A. Generally, no, or, if they are, they're very
17 mild. They're generally in the nature of an informed
18 scholarly tribute, but they may also contain articles
19 on a topic that the recipient of the festschrift
20 would have been interested in or a specialty of.

21 Q. Uh-huh.

22 A. So if someone was -- you know, worked in a
23 special -- worked in sonata form, so some articles
24 would be about the scholar, the scholar's work. Some
25 might be mild critiques in a benign way. Some might

1 be someone else's research on sonata form, and the
2 connection would be -- it would be a topic --

3 **Q. Uh-huh.**

4 A. -- that the festschrift or recipient would
5 have worked in.

6 **Q. Was the --**

7 A. They -- they're --

8 **Q. Go ahead.**

9 A. -- tributes. They're scholarly tributes.

10 **Q. Was the festschrift you did on Laufer**
11 **critical of him?**

12 A. No, I don't think there were any critical
13 articles. I think it was the usual mix of short
14 reminiscences about him --

15 **Q. Uh-huh.**

16 A. -- from people who knew him. Some
17 appraisals of his work, some -- I can't recall
18 exactly what was in there. It's usually a mixture of
19 these things.

20 **Q. Sure. Were they positive appraisals of his**
21 **work?**

22 A. Yes. I can't think of anyone who had a
23 negative thing to say about Edward Laufer.

24 **Q. Was the festschrift peer-reviewed?**

25 A. No, they're usually not. I think the

1 tradition is that they not be peer-reviewed. They
2 have a kind of a personal tone to them.

3 Q. Uh-huh. Are you aware of any comparable
4 journals that have published a festschrift on others?

5 A. Oh, lots of them. Well, festschrifts can
6 appear as standalone volumes --

7 Q. Uh-huh.

8 A. -- like books or yearbooks or as journals.
9 There have been a number of them. I don't think I
10 can cite any specific ones.

11 When a famous scholar like a famous
12 music theorist dies, there's likely to appear some
13 sort of a festschrift in some form or at least a
14 section of a journal, say a mini festschrift devoted
15 to that person.

16 It's -- as I said, I don't think I
17 remember specific examples, but it's pretty common.

18 Q. Uh-huh. Okay, that was kind of my question.

19 I just have a couple more questions and
20 then we can take a break.

21 If you'll -- I'll ask you to turn to the
22 second page of Exhibit 2, please. And the Bates
23 number on that is UNT 849.

24 A. Yeah.

25 Q. Okay. Do you see that first paragraph

1 **there?**

2 A. Uh-huh.

3 **Q. And that says, "The Journal of Schenkerian**
4 **Studies is a peer-reviewed journal published annually**
5 **by the Center for Schenkerian Studies," correct?**

6 A. Yeah.

7 **Q. Okay.**

8 A. And the University of North Texas.

9 **Q. Right. I didn't read the entire sentence,**
10 **but -- so the statement represents that this**
11 **Volume 12 is peer-reviewed, correct?**

12 A. Well, that's what it says, yes. Well, it
13 says the center -- it says the journal is
14 peer-reviewed. It doesn't specifically say Volume
15 12.

16 **Q. Do you see anything on these two pages that**
17 **I've -- or, I guess it's four pages of Exhibit 2 that**
18 **say that it's not peer-reviewed?**

19 A. No. They don't say -- no. But, as we know,
20 that the articles and the festschrift were not
21 peer-reviewed.

22 **Q. Was the --**

23 A. Or I -- it's not a festschrift. It's a --
24 what do I call it -- a symposium.

25 **Q. Sure. Okay. One more question and we can**

1 take -- a couple more questions perhaps.

2 So when you -- when you started at UNT,
3 was Dr. Jackson tenured? Do you know?

4 A. Yeah, well, yes.

5 Q. Okay. Was he a mentor to you?

6 A. No, not really. We had both been mentored
7 from some of the same people. Both of us are
8 graduates of the City University of New York.

9 Q. Uh-huh.

10 A. Both of us were close students of Carl
11 Schachter. Yes, mainly of Carl Schachter.

12 I would not call Dr. Jackson -- I got
13 certainly some advice from him, but I didn't view him
14 as a mentor, and I don't think he viewed himself as a
15 mentor.

16 Q. Okay. That brought up one more question.

17 So the editorial board, I understand --
18 I'm sorry, now I can't find his name -- Carl
19 Schachter was on the editorial board of the JSS,
20 correct?

21 A. Yes.

22 Q. How did -- how was the editorial board
23 comprised, if you recall?

24 A. I don't really --

25 MR. ALLEN: Objection.

1 Q. (BY MS. QUIMBY) You can answer.

2 A. And what was the objection?

3 Q. It's just for the record.

4 A. As I said before, I thought the editorial
5 board was there largely for purposes of prestige.
6 There are some very famous and all of them reputable
7 Schenkerians on the editorial board.

8 I don't think they did all that much. I
9 had answered this question before.

10 Q. Okay. I'll stop you. I'm sorry. My
11 question probably wasn't clear enough, then.

12 How did these people listed here come to
13 serve on the board? Did you ask them to or --

14 A. Well, Dr. Jackson asked them to. In some
15 cases I was consulted. I think, as I said, he was
16 concerned to get as many famous Schenkerian scholars
17 on here to help to give the journal some weight.

18 I think he asked most of them. In fact,
19 I think most of them were already there early on, but
20 I don't think they were consulted all that much.

21 Q. Okay.

22 MS. QUIMBY: I think it's a good time to
23 take a break.

24 THE VIDEOGRAPHER: We're off the record
25 at 9:40 a.m.

1 MR. ALLEN: How long do you need? Are
2 we off the record?

3 MS. QUIMBY: Yes.

4 (Recess 9:40 a.m. to 9:55 a.m.)

5 THE VIDEOGRAPHER: We're back on the
6 record at 9:55 a.m.

7 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. So I
8 wanted to go back to something you said earlier about
9 the policies.

10 Did the JSF -- JSS -- and I'm talking
11 specifically about the journal --

12 A. Uh-huh.

13 Q. -- not the center. Did the JSS have any
14 written policies?

15 A. Not that I know of.

16 Q. Okay. So I'll have you look at Exhibit 2
17 again.

18 A. Which one is Exhibit 2?

19 Q. That one that says Exhibit 1 on it,
20 confusingly.

21 A. Yes.

22 Q. That is Exhibit 2.

23 A. Yes, Exhibit 1 is Exhibit 2.

24 MR. ALLEN: Sorry, I'm not laughing at
25 the witness.

1 MS. QUIMBY: It's okay. You can laugh
2 at me.

3 MR. ALLEN: I'm not laughing at you
4 either.

5 Q. (BY MS. QUIMBY) So we've talked about the
6 editorial board and the advisory board, and now I
7 would like to ask you some questions about the editor
8 and assistant editor.

9 A. Yeah.

10 Q. So here the editor is listed as Benjamin
11 Graf, correct?

12 A. Yes.

13 Q. At the time that Volume 12 was published,
14 was Benjamin Graf a student?

15 A. Yes, I think he -- well, had he graduated?
16 I think he was still a student. But he was, he was
17 close to graduation.

18 Q. Okay.

19 A. But he may have graduated in -- I'm actually
20 not exactly sure when he graduated.

21 Q. Okay. And was Levi Walls there, was he a
22 student, the assistant editor?

23 A. Levi was a student, yes.

24 Q. What was the -- can you describe the editor
25 position versus the assistant editor position?

1 A. We never had an assistant editor position
2 before, to my knowledge. The editor is the one who
3 really did most of the work of the journal. The
4 editor would communicate with the authors, would --
5 often the editor would be very involved in
6 typesetting the journal, although I think that --
7 yeah, I think that remained the case. I don't think
8 the UNT Press did that.

9 The editor would certainly be very
10 involved with -- would be involved in acceptances
11 and -- if we got a journal submission, we would
12 either accept it, reject it, or say it needs more
13 work. So accepted provisionally --

14 **Q. Uh-huh.**

15 A. -- upon condition of revisions. The editor
16 would be involved in mailing the journals out.

17 We didn't have, you know, a big staff of
18 people. So the editor is really the key person.
19 We -- Dr. Jackson and I sort of stood behind the
20 editor. The editor was the person who was -- did the
21 most work on the journals.

22 Now, you asked about assistant editor as
23 well. Now, the only reason we -- to my recollection,
24 the only reason we have an assistant editor at all is
25 because Benjamin had, I think, announced that he

1 didn't want to continue being the editor, I believe,
2 after this journal, partly because he was graduating.
3 And so Levi was going to be the next editor. And so
4 he was on as -- he was sort of an apprentice to learn
5 how to be the editor from Benjamin Graf while he was
6 still there. That was his role.

7 **Q. Besides this instance of Benjamin Graf**
8 **serving as the editor and Levi Walls serving as the**
9 **assistant editor, was such an apprenticeship ever --**
10 **had ever happened before --**

11 A. I don't think so. --

12 **Q. -- in the journal?**

13 A. I don't think so. We had an editor. We
14 didn't have an assistant one until now, until this
15 issue. That's my recollection.

16 **Q. And, I'm sorry, you may have already**
17 **answered this question, and I'm -- so do you**
18 **understand or do you recall why in this particular**
19 **time there were this apprenticeship set up?**

20 A. I did just answer that. Because Benjamin
21 Graf -- usually someone served as editor for a long
22 time.

23 **Q. Uh-huh.**

24 A. Benjamin Graf certainly had. And since he
25 announced he was -- did not want to continue, partly

1 because he was graduating and would no longer be a
2 student -- the editor had to be a student. This is a
3 model -- this model is not unique to the Journal of
4 Schenkerian Studies, by the way -- we needed to bring
5 someone else in as editor, so Levi was there as an
6 apprentice in the classical sense.

7 **Q. What was your understanding of why Benjamin**
8 **Graf didn't want to serve as editor anymore?**

9 A. He was going to graduate.

10 **Q. Okay.**

11 A. He couldn't be editor if he wasn't a
12 student.

13 **Q. Okay. Isn't it -- wouldn't that be true for**
14 **all of the editors, though? Eventually they would**
15 **graduate and no longer be able to --**

16 A. Yeah, but he was going to graduate very,
17 very -- if he hadn't already graduated, which he may
18 have, he was going to graduate very, very soon. And
19 it would have been untenable for him to continue, and
20 I don't think he wanted to continue anyway. It's a
21 lot of work. It's a lot of time. He had done it for
22 some years.

23 **Q. How many years, do you recall?**

24 A. I don't know. Four, five, perhaps more. He
25 was certainly the editor when the Laufer issue came

1 out.

2 **Q. Do you remember what volume that was?**

3 A. No. We didn't have that many editors.
4 We -- Benjamin was the third. They typically stayed
5 in that position for some years.

6 **Q. Were they always PhD students or were --**

7 A. Yes, they were always doctoral students.

8 **Q. And you described that the editor did most**
9 **of the work. Did that include choosing what articles**
10 **were published?**

11 A. No, because -- they might have a say, but
12 when a submission came in, typically, especially if
13 it wasn't festschrift or some kind of symposium
14 thing, we would send it out for review.

15 **Q. Uh-huh.**

16 A. The reviewer, if it didn't pass review,
17 well, it didn't get published in the journal. If it
18 did pass review, and -- well, if there were changes
19 that needed to be made, usually the editor would be
20 the one to look over the alterations and make sure
21 they were okay.

22 I don't think it was usually sent back
23 to the reviewer. And then the editor would make
24 the -- I think the choice of what articles were going
25 to be in which edition of the journal, because you

1 could have things accepted, but it may not appear in
2 that issue because it was already full.

3 **Q. So who did make the decision about what was**
4 **published and what wasn't?**

5 A. Well, I tried to answer that: The reviewer,
6 but after that, the editor. The editor -- if it
7 passed review, I think the editor, with consultation
8 with Dr. Jackson and I, would make that decision.

9 **Q. And when you say, "the reviewer," can you**
10 **describe what you mean -- who you mean by that?**

11 A. The academic reviewer. An article would be
12 sent out to someone with a specialty in that topic
13 who would agree to review the article and to give
14 their opinion on whether it was good enough to be
15 published. And whether -- and in any case, whether
16 there were alterations that needed to be made or
17 things that needed to be expanded or questionable
18 statements or procedures. And that's all the
19 responsibility of the reviewer. That's what "send
20 the submission out for review" means.

21 I think typically there would be one
22 reviewer per article.

23 **Q. Are you describing the peer review process?**

24 A. Yes.

25 **Q. Okay. And did -- how are the reviewers**

1 **chosen?**

2 A. Well, we try -- well, one function of the
3 editorial board that I've -- didn't think to mention
4 before is that they supplied a pool of people who
5 could be reviewers. That was actually a prime
6 function.

7 Now, we could also get -- no, you don't
8 get paid for reviewing --

9 **Q. Uh-huh.**

10 A. -- for doing an academic review. It's
11 volunteer. So I think that if you were on the
12 editorial board, you were expected to be available to
13 review.

14 I don't know if all of our reviewers are
15 on the editorial board, but a lot of them were. Some
16 people were on the board just for prestige. They
17 never reviewed. Carl Schachter didn't.

18 **Q. Uh-huh.**

19 A. I guess I lost track of the question again.

20 **Q. That's okay. Did you -- so you were on the**
21 **editorial board. Did you ever review articles?**

22 A. No. I'm not really sure why I'm on the
23 editorial board. Dr. Jackson is on the editorial
24 board too. I'm not sure why we had a double
25 function. I don't think it meant very much. But --

1 sorry, repeat the question.

2 **Q. I think you've answered it. My question was**
3 **had you reviewed.**

4 A. No.

5 **Q. You're on the editorial board --**

6 A. No, it would have been a --

7 **Q. -- so did you review anything?**

8 A. -- kind of conflict. I was never asked to
9 review --

10 THE REPORTER: I need you to -- hang on.
11 I need you to start your answer over again. Y'all
12 were over-talking each other.

13 A. I was never asked to review an article.

14 **Q. (BY MS. QUIMBY) Do you know if Dr. Jackson**
15 **ever reviewed articles?**

16 A. I don't think he did. I don't know for
17 sure, but I would be very surprised if he had. They
18 were typically sent out to someone else.

19 **Q. Who may have been on the editorial board but**
20 **may not have?**

21 A. Right.

22 **Q. Okay. So can you describe or -- how you**
23 **came up with the idea to publish this symposium in**
24 **Volume 12?**

25 A. Well, it was the next volume of the journal.

1 We felt that since there was not -- very strangely,
2 after such a provocative address by Philip Ewell
3 where he kind viciously attacks and hypocritically,
4 if I might add, attacks a very important music
5 theorist whose methodology is still being used in a
6 very active way, there was no response. There was no
7 response at the conference. There was no response in
8 the journal. It's almost like everyone was afraid to
9 say anything. I think they were, actually.

10 And as the Journal of Schenkerian
11 Studies, we felt if anyone was going to respond to a
12 concerted attack on Schenkerian theory, it should be
13 us. I mean, it's in our name, for Pete's sake.
14 That's how the idea came about.

15 **Q. Whose idea was it?**

16 A. Well, I think that Dr. Jackson and I had the
17 idea probably more or less simultaneously. The
18 editor, Benjamin Graf, may have had the idea too. I
19 mean, it was kind of obviously our role to do so if
20 no one else was going to, and it didn't look like
21 anyone else was.

22 **Q. When was the -- Dr. Ewell's talk given? Do**
23 **you recall?**

24 A. I don't recall the date. It's in
25 probably -- it was in November, but probably the

1 same -- probably the same year the journal came out
2 or the -- this issue of the journal came out or very
3 close thereto.

4 **Q. If I said November of 2019, does that sound**
5 **familiar?**

6 A. Well, that would be plausible.

7 **Q. How soon after the talk was given did**
8 **you-all come up with the idea to do the symposium?**

9 A. I don't really remember. I think we
10 waited -- I think the idea was in our minds that we
11 might do it, and I think we kind of waited to see
12 whether anyone was -- else was -- whether there was
13 actually going to be any response, print response.
14 So I don't -- it was probably no more than a month.

15 **Q. So you were expecting a response from**
16 **elsewhere within a month?**

17 A. I think the possibility was in our minds
18 from the start. But I think that we also looked to
19 see whether there would be some response to such a
20 provocative attack in such a major venue. And I
21 think we thought it was -- I thought it was strange
22 that there was nothing at all.

23 **Q. Did you attend the talk?**

24 A. You know, I was at the session at the
25 plenary address, but that year the plenary address

1 had three or four short talks. I wasn't actually
2 present at his talk. I was present at the one before
3 his talk, maybe the one after his talk. But I
4 certainly heard about it.

5 **Q. How did you hear about it?**

6 A. Because there everyone was talking about it
7 at the conference, and it was recorded, too.

8 **Q. Okay. So why was it called a "symposium"?**

9 **What is a symposium?**

10 A. I'm not sure who came up with the word.
11 It's a group of responses. A symposium is usually
12 like a graduate symposium, a rather high-level course
13 on a certain topic or a group of people putting
14 their -- I'm not saying this well -- their input in a
15 certain topic. So symposium would presuppose a sort
16 of high level of skill and reputation and people who
17 were qualified to comment on the talk.

18 So "symposium" is maybe an old-fashioned
19 kind of a word but not entirely out of place.

20 **Q. Were symposia generally peer-reviewed?**

21 A. I have no idea. I mean, I'm not sure if
22 symposia is actually a kind of word of -- the word
23 that's usually used. I don't know because I don't
24 think of there being a class of journal -- a group of
25 articles called symposia. I don't know. It's the

1 common word for that kind of thing.

2 **Q. Is there another word you would use to**
3 **describe the symposium that was published in Volume**
4 **12?**

5 A. No, I think symp -- I can't think of a
6 one-word synonym. You could say a group of articles
7 in response to, but that has a lot of words.

8 **Q. Uh-huh.**

9 A. Symposia is -- symposium is one word, so
10 that's an advantage.

11 **Q. And the symposium wasn't peer-reviewed,**
12 **correct?**

13 A. No.

14 **Q. Why wasn't it peer-reviewed?**

15 A. I think that we generally had a sort of
16 tradition at the journal of when we had a group of
17 articles in response to or about a single topic, like
18 the -- that they were not peer-reviewed.

19 And there was an element of time also.
20 We -- the journal comes out -- came out only once a
21 year, and UNT Press did have deadlines, and we wanted
22 to get something out that year, not wait a
23 whole additional year. But there was a kind of
24 tradition at the journal that they would not be.

25 **Q. What else had the journal published that**

1 wasn't peer-reviewed that's similar to this
2 symposium?

3 A. The Laufer festschrift, certainly. And then
4 there was one on neo-Riemannian theory and
5 Schenkerian analysis. Now, I'm not sure if that was
6 peer-reviewed or not. I think those were the only
7 ones.

8 Q. Have you personally published elsewhere or
9 in other academic journals?

10 A. Yeah.

11 Q. How many articles have you published that
12 are peer-reviewed?

13 A. Well, luckily, I can count them up.

14 Q. Do you mind letting me know what you're --
15 what page you're on so I can follow along?

16 A. 3.

17 Q. Okay.

18 A. There is a section called Articles --

19 MR. ALLEN: Mary, for the record, this
20 is his CV he's consulting during his testimony?

21 MS. QUIMBY: This is Exhibit 1, his CV,
22 that I -- we have not shared in the chat yet because
23 I do not -- I will share in the chat right now.

24 MR. ALLEN: I think we're getting --
25 maybe we can talk when we're off record about the

1 numbering of exhibits. There just seems to be
2 some -- I didn't even know that that had been --

3 MS. QUIMBY: It hasn't. If you will
4 give me a second, I'm going to share it with you.

5 THE WITNESS: The number is 18.

6 Q. (BY MS. QUIMBY) Okay. How many have you
7 published that aren't peer-reviewed, if you have?

8 A. I assume most of them -- I think almost all
9 of them were peer-reviewed. Let's see. One, two --
10 two of them at least were not. I think that 16 were
11 and two weren't.

12 Q. Okay. Thank you.

13 MS. QUIMBY: Can we go off the record
14 just for a second so I can...

15 THE VIDEOGRAPHER: We're off the record
16 at 10:16 a.m.

17 (Brief pause.)

18 THE VIDEOGRAPHER: We're back on the
19 record at 10:17 a.m.

20 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. So did
21 you -- was Dr. Jackson ever the editor of the JSS?

22 A. No.

23 Q. Were you ever the editor?

24 A. No. The editors had to be students.

25 Q. Did you ever want to be the editor?

1 A. No, I did not.

2 **Q. Did that ever come up about you potentially**
3 **being the editor?**

4 A. No, it never came up. The model was the
5 editor would be a graduate student.

6 **Q. Who came up with that model?**

7 A. Well, it was the model that was used in
8 Theory and Practice, the music theory journal of the
9 Eastman School of Music, and it may be more places
10 than that. But we adopted that model. So the editor
11 was never faculty.

12 **Q. Is "we" yourself and Dr. Jackson?**

13 A. Huh?

14 **Q. You said, "we adopted that model." Are you**
15 **talking about yourself and Dr. Jackson?**

16 A. Yes.

17 **Q. Why did you decide to adopt that model?**

18 A. I don't know. It just seemed like a good
19 model that worked at -- it worked at Eastman. It was
20 a way of kind of a form of -- it had certain
21 advantages for the editor. They got a lot of
22 professional experience. They had to interact with
23 professionals in the field; interact rather closely.
24 They became known, as opposed to just being sort of
25 anonymous graduate students.

1 As editors, they also probably did
2 develop a certain authority possibly. It was --
3 there was a side, a training side also. It was
4 considered that it could be -- that the graduate
5 student, in addition to the monetary stipend, would
6 get a certain amount of useful experience from it.

7 **Q. How was Levi Walls chosen as the assistant**
8 **editor?**

9 A. I'm not sure. I was not happy with that
10 choice. I think Dr. Jackson possibly -- probably in
11 conferral with Benjamin Graf chose Levi as the
12 editor-to-be.

13 I did not have any alternate choices,
14 but I did not -- I didn't think Levi could write very
15 well, and I thought to be an editor you had to be
16 able to write well.

17 Also, Levi was not self-assertive or
18 confident. He -- Benjamin Graf and our previous
19 editor, Colin Davis and, in fact, our first editor,
20 Jennifer, were far more confident in themselves than
21 Levi was.

22 So I kind of went along with it because
23 I couldn't think of an alternative. But I wasn't
24 happy with it.

25 **Q. Okay. You described an editor's role**

1 earlier as one of them being typesetting. Can --
2 what is typesetting?

3 A. Well, putting the article into the form it
4 appears in the journal. The words and the examples
5 on the page, using whatever program, computer
6 program, was in use. That's what I mean.

7 All books, articles, newspapers,
8 magazines are typeset. Of course, the word kind of
9 harkens back to where people actually physically
10 placed type in the form, but that's changed. But we
11 still use that word.

12 Q. Out of the 18 articles you identified that
13 you published, how many were published in the Journal
14 of Schenkerian studies?

15 A. One.

16 Q. Which one was that?

17 A. That was "Analytic Process in Schenkerian
18 Pedagogy: An Introspective Exercise;" was published
19 in the very first edition in 2005.

20 Q. Did you publish a response in the symposium?

21 A. Oh, that's true. I did that also. That was
22 a very short but well -- direct response, yes. So I
23 guess I would have to say two.

24 Q. Do you know if Dr. Jackson published any
25 articles himself in the JSS?

1 A. Well, he published a very long article in
2 the Laufer festschrift.

3 **Q. Uh-huh.**

4 A. So long, it was almost book-like. And one
5 of the responsibilities of Benjamin Graf was to get
6 him to finish it because he was stalling. He was
7 sort of stuck or stalling, and that's also an
8 editor's responsibility.

9 In addition to that one -- I don't know
10 if there were others.

11 **Q. I want to go back to something you talked**
12 **about a little bit ago before we looked at your CV.**

13 **If there had been more time to publish**
14 **Volume 12, would the symposium have been**
15 **peer-reviewed?**

16 MR. ALLEN: Objection --

17 THE WITNESS: I don't know. I don't
18 know. I really don't know.

19 **Q. (BY MS. QUIMBY) And I think you answered**
20 **this earlier, but did you-all discuss subjecting the**
21 **responses to peer review?**

22 A. I don't recall that we did, but we may have.
23 As I say, my memory of those events is somewhat hazy
24 because I've not thought about them that much.
25 Dr. Jackson has thought about them, for obvious

1 reasons. But I don't think so.

2 **Q. Do you think they should have been**
3 **peer-reviewed?**

4 A. In retrospect, yes, because of what --
5 because of the follow-up. But at the time we were
6 following our, I would say, traditional policy of not
7 peer reviewing such articles.

8 **Q. What do you mean by "traditional policy"?**

9 A. Well, we didn't -- the articles in the
10 festschrift were not reviewed, the -- peer-reviewed.
11 The -- and this wasn't a festschrift, but it was a
12 sort of more personal thing. People's -- in addition
13 to more formal articles, people were giving their
14 sort of personal responses to Ewell's address, and we
15 generally did not subject those types of things to
16 peer review.

17 **Q. Besides the festschrift, was there any other**
18 **example of that?**

19 A. Well, yes, there was the edition -- the
20 issue exploring the intersections between
21 neo-Riemannian theory and Schenkerian theory, and I
22 don't really know if that was peer-reviewed or not.

23 **Q. Were the responses in the symposium critical**
24 **of Dr. Ewell?**

25 A. Some were and some weren't.

1 **Q. How many were? Do you recall?**

2 A. I don't know. I would have to count them.
3 The call that Levi -- the call for papers that Levi
4 sent out emphasized that we wanted -- we would accept
5 both things, critical or in favor and anything in
6 between. I would have to sort of count them. It
7 would take a while. I don't know if it's worth the
8 time to do that. If you want me to, I will try.

9 **Q. That's okay. Actually, if you'll -- you can**
10 **go ahead and take a look and see if you can recall**
11 **from looking at the --**

12 A. Does someone have a pencil? I don't want to
13 mark this up with pen.

14 **Q. I have -- if you -- you can mark on**
15 **Exhibit --**

16 MR. TODD: 2.

17 **Q. -- 2.**

18 A. That's okay. I can -- you mean Exhibit 2
19 which is called Exhibit 1?

20 **Q. Correct.**

21 A. That's a nice twist there. Some of them I
22 don't actually know.

23 **Q. Well, let me -- we can stop there. So did**
24 **you read all of the --**

25 A. No.

1 **Q. -- responses?**

2 A. No, no.

3 **Q. Did you read them at the time?**

4 A. No, I looked -- you know, I would -- some of
5 them I read completely. Some of them I just sort of
6 browsed through. Some of them were very short. Some
7 are much longer.

8 **Q. Was it expected or were you expected to read**
9 **all of them before the volume was published?**

10 A. It was expected that I look at them. I'm
11 not sure it was expected that I read every word.

12 **Q. Did you read any of them in their entirety?**

13 A. Yes, I did.

14 **Q. Did you provide feedback on any of them?**

15 A. No, I wasn't asked to. Well, yes, I did,
16 actually. I -- well, both Benjamin Graf and I
17 provided a lot of feedback on Dr. Jackson's, which is
18 viewed as somewhat problematical.

19 **Q. What is viewed as somewhat problematical,**
20 **the...**

21 A. Well, I think what we found problematical is
22 there were a lot of derogatory -- as I recall, there
23 were a lot of derogatory references to
24 ethnomusicologists and ethnomusicology. And
25 we worked hard at getting --

1 THE REPORTER: I'm sorry, to what?

2 "There was a lot of derogatory references to"?

3 THE WITNESS: Ethnomusicology.

4 THE REPORTER: Ethno?

5 THE WITNESS: It's one word,
6 ethnomusicology.

7 THE REPORTER: Thank you.

8 A. So we certainly worked a lot on that one.
9 Of course, I worked a lot on my own article. I think
10 those were the only ones that I had some critiques
11 of.

12 **Q. What is ethnomusicology?**

13 A. Ethnomusicology began as sort of the
14 academic formal study of nonwestern music. So these
15 none -- like -- or nonwestern classical musics. So
16 music of Africa, music of Indonesia or, within North
17 America, you might say pop music or American Indian
18 music or -- especially when it started, musicology,
19 music theory were mainly sort of western classical
20 music. So musics outside that and especially musics
21 from outside of European culture, you might say,
22 were -- had this -- fell under the catch-all
23 ethnomusicology.

24 In practice, it was sort of a
25 combination and remains so of formal music study,

1 like musicology plus anthropology. So there are
2 anthropologically-oriented ethnomusicologists and --
3 well, most of them are, and some which are more music
4 theory, musicology oriented. But the subject matter
5 tends to be different from music theory and
6 musicology, per se.

7 But all this is getting blurred because
8 you find music theorists doing nonwestern music or
9 nonwestern classical music. So all these boundaries
10 are -- have shifted quite a lot.

11 **Q. Okay. So what was written in Dr. Jackson's**
12 **article about ethnomusicology that you're describing**
13 **that you recall?**

14 A. I can't really recall. It's just that there
15 were a lot of -- there seemed to be a lot of
16 derogatory references to it. And my recollection is
17 that Benjamin and I were afraid that these would be
18 taken as, well, criticisms of ethnomusicology and
19 ethnomusicologists, and they weren't necessary, and
20 we didn't want them in there.

21 I'm not sure how accurate my
22 recollection is, but that is what it is.

23 **Q. Were you requesting or recommending changes**
24 **to the substance of the article?**

25 A. Yeah, we wanted those to be tempered down or

1 removed. I think in the end they were removed for
2 the most part.

3 **Q. Would you describe that as censorship?**

4 A. No. Because we were -- when you send an
5 article out for review and changes and suggestions,
6 that's not censorship. That's the function of the
7 reviewer.

8 When -- so we were doing essentially the
9 same function. We had no -- we had no power to make
10 those changes, just to make our case to Dr. Jackson.
11 We thought it was a -- they were a bad idea, you
12 know, those -- those things.

13 **Q. I think you just described the peer review**
14 **process of sending things out, correct?**

15 A. Yes, but the -- if we're asked to read over
16 an article -- I think Dr. Jackson asked us to read
17 over his article and give responses -- then we would
18 give responses.

19 **Q. In the peer review process, were substantive**
20 **changes recommended?**

21 A. Oh, I don't know, because --

22 MR. ALLEN: Objection.

23 A. -- I was -- the editor was the one who
24 primarily read the peer reviews.

25 **Q. (BY MS. QUIMBY) Uh-huh.**

1 A. We were only called in when the editor felt
2 it was necessary, which was -- didn't happen, or it
3 didn't happen very much. So I don't know.

4 **Q. In your experience of engaging in the peer**
5 **review process of your own articles, were you -- did**
6 **you engage in substantive changes in that process**
7 **ever?**

8 A. Well, I was asked to at times. Often the
9 author can argue against changes --

10 **Q. Uh-huh.**

11 A. -- that the peer reviewer or some of these
12 peer reviewers want to make.

13 In my case, I have done that, because
14 especially if you're doing an analytical article, the
15 peer reviewer may have a different interpretation of
16 the piece than you have. And if you incorporate too
17 many of their changes, your entire argument, your
18 entire interpretation might be gone; you've simply
19 substituted it with theirs.

20 **Q. Uh-huh.**

21 A. It's not your article anymore. So I have
22 argued successfully for the most part on a number of
23 occasions.

24 **Q. Is peer review a form of censorship?**

25 A. No, no. It's -- in fact, it's viewed as a

1 prestigious thing. An article that appears in a
2 peer-reviewed journal has more -- a higher reputation
3 than an article that does not because in the article,
4 if it's not, the idea is that just any old thing can
5 get published in the journal. It's not subject to
6 inspection from someone who is a specialist.

7 **Q. So I want to -- can you describe how the**
8 **articles that were published in the symposium were**
9 **chosen? I understand you may not have read them all.**

10 A. No, I really can't because I wasn't involved
11 in that.

12 **Q. Did you -- were you involved in soliciting**
13 **responses?**

14 A. No.

15 **Q. Who -- did anyone solicit responses?**

16 A. The editor, I think, solicited responses. I
17 think Dr. Jackson also solicited responses.

18 **Q. When we're talking about the editor, are we**
19 **talking about Ben Graf or Levi Walls or both?**

20 A. I would say Ben Graf. I mean, Levi might
21 have written the letter, but I would suspect that,
22 being a -- Levi, being sort of an apprenticeship
23 learn-on-the-job role, that anything of that sort
24 would have come more from Ben.

25 But I know that Dr. Jackson did suggest

1 to certain people that they submit responses or if I
2 don't know, I assume and strongly suspect so.

3 **Q. And you said Ben Graf also may have provided**
4 **feedback on Dr. Jackson's article?**

5 A. He did.

6 **Q. Okay.**

7 A. We both did.

8 **Q. And I'm sorry if you may have answered this,**
9 **but do you recall any other feedback you provided**
10 **besides the feedback about ethnomusicology or**
11 **musicologists?**

12 A. I don't recall that there was more. I mean,
13 it took some work to get those done, because
14 Dr. Jackson was resistant to making those changes, so
15 we had to apply a certain amount of persuasion.

16 As in my own case, suggesting changes
17 doesn't equate to the author making those changes.

18 **Q. In the peer review process I think you**
19 **described as -- is it required that suggested changes**
20 **be adopted?**

21 A. That depends on the journal and the
22 editorial policy. If you're lucky, the editor -- the
23 editor of the journal will permit you to make a plea
24 of conscience and say, "If I make these changes, it's
25 no longer my article; it's their article," and let

1 you -- let you publish with that disagreement.

2 But some journals I think will say, "You
3 have to implement these changes or we won't publish
4 your article," and then you -- that's that.

5 **Q. Was it a policy of the JSS to require**
6 **changes suggested in the peer review process to be**
7 **adopted?**

8 A. I don't know because that was the editor's
9 job, and the editor handled it seemingly very well,
10 and we -- he seldom felt it was necessary to consult
11 us.

12 **Q. So was it -- was there a written policy**
13 **addressing that one way or the other?**

14 A. Oh, I'm sure there was, and that would be up
15 to the discretion of the editor.

16 The editor had considerable power in the
17 journal. It wasn't just a matter of doing the work;
18 it was also making a lot of the decisions. If the
19 editor saw fit to consult Dr. Jackson and I or if we
20 felt we really needed to consult with the editor,
21 that would happen. But it would not automatically
22 happen.

23 **Q. Is that true for -- that the editor had a**
24 **lot of power, is that true for the symposium of**
25 **Volume 12?**

1 A. Yeah, I would say so. I think it's
2 generally the case that the editor is the one who
3 makes most of the decisions.

4 **Q. Do you recall telling the ad hoc panel that**
5 **you and Dr. Jackson kind of took over on the**
6 **symposium part of the Volume 12?**

7 A. Took over? What do you mean "took over"?

8 **Q. I believe those are words that you used.**

9 A. I wonder what I meant by that.

10 MR. ALLEN: Objection.

11 A. I don't think we took over at all.

12 **Q. (BY MS. QUIMBY) Do you recall telling the**
13 **ad hoc panel that?**

14 A. I don't --

15 MR. ALLEN: Objection.

16 A. I don't recall. I mean, we do have notes
17 from the ad hoc panel, which I've looked over, but
18 not thoroughly. I don't know if it's -- I don't
19 think something like that is mentioned, but I'm not
20 sure.

21 **Q. Was there anything about -- strike that.**

22 **Was there ever a time before publishing**
23 **or before Volume 12 was published that the editorship**
24 **of the journal or the structure of it was discussed**
25 **or discussed that it needed to be changed?**

1 A. No.

2 MR. ALLEN: Objection.

3 A. I mean, we were in a period of transition as
4 it was.

5 Q. (BY MS. QUIMBY) What do you mean by that?

6 A. Well, as I said, Ben Graf was the editor,
7 but Levi was being groomed, so to speak, as the next
8 editor; therefore, we have "assistant editor" on the
9 masthead.

10 THE REPORTER: I'm sorry, "an assistant
11 editor on the"?

12 THE WITNESS: The masthead.

13 THE REPORTER: Masthead, thank you.

14 Q. (BY MS. QUIMBY) Before Volume 12, though,
15 was it ever discussed that the structure -- the
16 editorial structure be changed?

17 A. No. That was the model from the beginning.
18 It seemed to work very well. Ben Graf was, as Colin
19 Davis had been before him, superb at his job. We had
20 nothing to complain about. There didn't seem to be
21 any reason -- he was not complaining. Didn't seem to
22 be any reason to change that. And it was part of the
23 conception of the journal from the outset.

24 Q. Switching gears a little bit, do you know
25 Philip Ewell personally?

1 A. No.

2 **Q. Okay.**

3 A. I've met him because Ellen -- well, Ellen
4 Bakulina, who was on our faculty for some years, just
5 left to go to McGill, was a friend of his. I don't
6 think I've ever talked to him. So I guess the answer
7 is no.

8 **Q. Were you involved in the creation of the**
9 **call for papers for the symposium issue?**

10 A. No. Well, no, no. The editor and the
11 assistant editor came up with that. I wasn't -- I
12 saw it, but I wasn't involved in it.

13 **Q. For the sym -- go ahead.**

14 A. I guess I could have been involved in it if
15 I had an objection to it.

16 **Q. Do you recall having an objection to it?**

17 A. No, no. I mean, I recall that I did not
18 have an objection to it.

19 **Q. Do you recall how many responses or -- were**
20 **received?**

21 A. I don't know because they would come in to
22 the editor. They wouldn't come in to either
23 Dr. Jackson or to me.

24 **Q. Were all of the responses that you received**
25 **published?**

1 A. I don't know. That would be a good question
2 to ask Levi Walls or Ben Graf.

3 **Q. Do you recall the -- that there was a**
4 **deadline in the call for papers?**

5 A. There was a deadline, and it was a close
6 deadline, as I recall. A little too close for
7 comfort. I know that some people complained about
8 it. We weren't giving them enough time.

9 **Q. What was too close for comfort about that?**

10 A. I don't re -- I think it was three weeks or
11 something like that. It was just -- that's very
12 short. I think it's mainly because we were looking
13 at a publication deadline from UNT Press. But, yeah,
14 there was definitely a deadline. There has to be a
15 deadline. It's unworkable if there's not.

16 **Q. You said that it was about three weeks that**
17 **you recall?**

18 A. I think so, but I'm not sure.

19 **Q. How long --**

20 A. That's just an impression.

21 **Q. How long would a normal deadline be?**

22 A. Well, normally -- normally, a journal is not
23 going to have a deadline. I mean -- well, I don't
24 know.

25 Usually, with journals, people send in

1 submissions --

2 **Q. Uh-huh.**

3 A. -- and they go through the peer review
4 process, and then the editor will say, "Okay, we
5 accept it," if they accept it. "And we can put it in
6 this issue" or "We might have to wait until the next
7 issue."

8 Now, if there is a special section, as
9 there was here, then there would be a deadline. And
10 I would think that you would have to have -- any
11 journal that has a special section like that would
12 have to have a deadline because it's going to be
13 published at some point; it's not going to be in
14 every issue.

15 **Q. Uh-huh. How long does the peer review**
16 **process take normally?**

17 A. As long as it takes the peer reviewer to do
18 it. It depends on the peer reviewer. Sometimes the
19 peer reviewer appears to have fallen asleep and to an
20 extended sleep of several year -- months. And then
21 you have to -- editor has to nudge the peer reviewer
22 and say, "Have you gotten to that peer review yet?"

23 **Q. Uh-huh.**

24 A. "When are you going to do it?" In extreme
25 conditions, you would then conclude they're not going

1 to do it, and you would have to give it to someone
2 else. You try to avoid that.

3 **Q. Okay. I think we can take a brief break.**

4 THE VIDEOGRAPHER: We're off the record
5 at 10:47 a.m.

6 (Recess 10:47 a.m. to 10:58 a.m.).

7 (Exhibit 3 marked.)

8 THE VIDEOGRAPHER: We're back on the
9 record at 10:58 p.m.

10 **Q. (BY MS. QUIMBY) Okay. Thank you,**

11 **Dr. Slottow. I have now marked Exhibit 3. I'm --**

12 MS. QUIMBY: It is Exhibit 3, right?

13 THE REPORTER: Yes.

14 MS. QUIMBY: Okay.

15 **Q. (BY MS. QUIMBY) I'll have you take a look**
16 **at that.**

17 A. Oh, yes. It's been a while.

18 MR. ALLEN: Mary, can you put that in
19 the chat?

20 MS. QUIMBY: I don't have it at the
21 moment, but it's on the way, so I will have it to you
22 momentarily.

23 MR. ALLEN: Okay.

24 **Q. (BY MS. QUIMBY) Let me know when you're**
25 **finished reviewing.**

1 A. Okay. (Reading document.) I forgot it was
2 as bad as this.

3 THE REPORTER: I'm sorry, I can't hear
4 you. Is your microphone way down on your shirt? Can
5 you move it up some?

6 THE WITNESS: Can you hear now?

7 THE REPORTER: Yes, thank you.

8 A. (Reading document.) Okay, I'm done.

9 **Q. (BY MS. QUIMBY) Do you recognize this**
10 **document?**

11 A. Oh, yes.

12 **Q. What is it?**

13 A. It is the protest made by faculty in support
14 of the student protest as response to the symposium.

15 **Q. You've described it as "protest." What do**
16 **you mean -- why are you using the word "protest"?**

17 A. Because it's protesting against what is
18 alleged to be the egregious material which -- and
19 systematic racism which is contained therein.

20 **Q. I believe you described earlier in the**
21 **deposition that this attacked Dr. Jackson, correct?**

22 A. Well, it doesn't -- this -- the student
23 version mentions Dr. Jackson by name, and, as I
24 recall, demands that he be fired. This is the
25 faculty one, which is a little -- which does not.

1 Q. Okay. Does it -- does this letter state
2 that Dr. Jackson is a racist?

3 A. Well, his name is not mentioned.

4 Q. Okay. Have you ever heard any of these
5 signatories in this letter, these faculty members,
6 have you ever heard any of them call Dr. Jackson a
7 racist?

8 A. They would never say -- they would never
9 been so uncouth as to mention -- especially to me,
10 since I was involved with the journal, to say that.

11 Q. Okay.

12 A. Yeah.

13 Q. Okay. That's all the questions I have about
14 this document for now.

15 Going back to -- I had asked you
16 something earlier about if you remembered stating
17 something to the ad hoc panel, but I wanted to ask,
18 do you remember being interviewed by the ad hoc
19 panel?

20 A. Yes.

21 Q. Do you remember -- what do you remember
22 about that interview?

23 A. Well, I remember the head of the panel -- I
24 forget his name -- talking to me for a long time. I
25 think it was on Zoom. And I answered his questions,

1 and he was asking about editorial policies and
2 etcetera.

3 **Q. Were you truthful in your interview?**

4 A. Yeah, as -- to my knowledge, yeah.

5 **Q. Do you recall describing the symposium as a**
6 **visceral reaction to the Ewell -- Dr. Ewell's talk?**

7 A. Visceral reaction? Well, the notes that
8 were taken -- I see that there were notes taken on
9 the interview. They were certainly not written by
10 me.

11 **Q. Uh-huh.**

12 A. And they were certainly not language that I
13 would usually use. I don't think I would say
14 "visceral reaction" because they weren't.

15 **Q. How would you describe it, then?**

16 A. Well, it's a reaction to Ewell's allegations
17 involving Heinrich Schenker and Schenkerian analysis.
18 Visceral implies a sort of like a scream of pain from
19 the guts. Hopefully they weren't that; they were
20 more considered. And, besides, not all of them were
21 critical of Dr. Ewell either. So I would not
22 describe it as a visceral reaction.

23 I didn't -- I don't think I would use
24 those words, but who knows? It's possible.

25 **Q. Do you recall expressing -- and maybe not in**

1 **these words, but that more caution should have been**
2 **exercised in publishing --**

3 A. Yes, I did --

4 **Q. -- this symposium?**

5 A. -- because I did not anticipate the
6 reaction. It took me by surprise. I thought that a
7 lot of what Dr. Ewell was saying was outrageous and
8 hypocritical because he said, "I hope we can save
9 Schenkerian analysis."

10 Save Schenkerian analysis from what?
11 Well, from Dr. Ewell's attacks. That's from what.
12 It didn't need to be saved before.

13 So to take this sort of sanctimonious --
14 "I'm only here to save Schenkerian analysis from its
15 enemies of whom I am the main person," I thought it
16 was a little hard to swallow and of their -- and so I
17 think hypocritical is the word I would use for some
18 of what he said.

19 What was the question?

20 **Q. I don't -- I asked if you recall expressing**
21 **that more caution should have been --**

22 A. Oh, yes.

23 **Q. -- exercised?**

24 A. Yes. I was -- I went off on a tangent.

25 I did not anticipate the reaction that

1 Dr. Ewell would be looked upon as a victim and we
2 would be looked upon as oppressors and racists
3 because I thought a lot of what Ewell was saying was
4 outrageous and ill-founded. So I was taken aback by
5 the -- and had I anticipated such a reaction, I would
6 have counseled a great deal more caution in what the
7 journal did.

8 **Q. Would you have read all of the responses**
9 **before they were published?**

10 A. Probably, but what I probably would have
11 done differently was that I -- in retrospect, I would
12 have counseled that we ask Dr. Ewell to participate
13 as a respondent, and I probably would have counseled
14 that in this case everything be peer-reviewed. But I
15 did not anticipate that -- that response.

16 **Q. You just mentioned Dr. Ewell, you would have**
17 **invited him. So was he invited into the process at**
18 **all?**

19 A. No. Well, he was invited only to the extent
20 that he could have submitted --

21 **Q. Uh-huh.**

22 A. -- an article of his own, and -- like anyone
23 else. He was certainly aware of the call for papers,
24 but he wasn't invited as a respondent to the papers.

25 **Q. A respondent to the responses. Is that --**

1 A. Yeah.

2 **Q. Why would he have responded to his own**
3 **paper?**

4 A. Well, it does seem sort of illogical when
5 you put it that way. But that's the extent, that he
6 was not invited in any special role at all.

7 In retrospect, after the response to the
8 journal, he probably -- I would feel -- I don't know
9 if Dr. Jackson would, but I would feel that that
10 would have been the better approach and more cautious
11 approach.

12 **Q. So we talked about that Benjamin Graf, you**
13 **think he resigned as the editor. What about Levi**
14 **Walls? Did he resign, or do you know what happened**
15 **to that role?**

16 A. Levi was attacked -- Levi was attacked, as
17 was Dr. Jackson, and to some extent, me, as being the
18 assistant editor and the one who signed, I think, the
19 call for papers. And then I think the -- there was
20 something here that was sort of a little introduction
21 to the symposium that he might have signed saying
22 something about, "We welcome," you know, "all
23 opinions."

24 Oh, yes. This introduction to the
25 symposium, he wrote that, though he didn't sign it.

1 He came in for a lot of criticism. As a graduate
2 student, he was afraid that he would be -- his career
3 would be adversely affected or ruined entirely, and
4 he -- well, he did a number of things. He went
5 online and kind of said he was bullied into doing
6 certain things, I think, by Dr. Jackson, or made to
7 do certain things or felt he had no choice, and he
8 resigned as editor in chief in an attempt to
9 forestall further negative reaction which could hurt
10 his career.

11 **Q. Do you think he was justified in being**
12 **afraid for his career?**

13 A. Oh, yeah, sure. Definitely. And look what
14 happened to Dr. Jackson. All of that as a result of
15 this issue and of his article in this issue.

16 I was attacked, certainly have been
17 attacked in Ewell's recent book. And since -- in the
18 United States especially, not so much in Europe or
19 Britain, anyone accused of racism in the academic
20 circles is sort of assumed guilty. And -- yeah, he
21 had reason to be afraid, certainly.

22 **Q. So he resigned, as I understand and you have**
23 **testified, and Dr. Graf resigned. So effectively**
24 **there's no editor?**

25 A. Well, at that point, I don't know if there

1 was any journal or any center anymore. I'm not sure
2 exactly what happened first. But at a certain point
3 there was nothing left to be editor of.

4 **Q. Why do you say that?**

5 A. Because the journal was taken away from us
6 by the college. They tried, naively, to find someone
7 who would take the journal on, maybe someone from
8 another school. Of course -- well, I wasn't on the
9 search committee, but, evidently no one would touch
10 it with a 10-foot pole. It was radioactive at that
11 point.

12 **Q. What do you mean that it was taken away from**
13 **you?**

14 A. The journal was part of the center. The
15 center was part of the -- and the school said that we
16 were -- we could no longer publish the journal and
17 that the center is in abeyance.

18 **Q. And I think you testified earlier that your**
19 **knowledge of this is through Dr. Jackson, correct?**

20 A. Well, it was widely known. I mean, things
21 get out fast, but I don't recall what any of the
22 administration -- I don't think any of the
23 administration told me directly, because Dr. Jackson
24 was certainly viewed as sort of the main person
25 responsible for the center. It was -- it had always

1 been sort of his project, fundamentally.

2 Q. So if there's no editor -- let's just say,
3 for example, the journal still exists.

4 MR. ALLEN: Objection.

5 Q. (BY MS. QUIMBY) Could it be -- could it
6 publish anything without editors?

7 A. No.

8 Q. Okay.

9 A. I mean, not with any degree of repute. No
10 one would take it seriously.

11 Q. Do you think Volume 12 or the symposium
12 damaged UNT's reputation?

13 A. I don't know, but there's a good chance of
14 it. I mean, certainly UNT was reacting to the
15 possibility that it would.

16 Q. Are you -- so Levi Walls' resignation, are
17 you -- did he do that on his own accord, do you know?

18 A. I'm sure he did it on his own accord. He
19 was trying to remove himself from a toxic situation
20 as much as he could.

21 Levi was viewing himself very much as a
22 victim, I think, a victim of Dr. Jackson in
23 particular. And he was trying to -- and he was being
24 attacked and criticized by the -- certainly by the
25 online music theory community, and he was scared,

1 with reason.

2 **Q. Do you think he was wrong in being a victim**
3 **or feeling like a victim?**

4 A. No, he was -- well, of Dr. Jackson? I don't
5 think he was a victim of Dr. Jackson.

6 Levi was -- Levi was not -- my
7 perception was that Levi was not very assertive.
8 Levi was slow to argue back. If he really felt
9 something was wrong, he might say something, but he
10 wouldn't stick to his guns. He felt very much
11 that -- in a subservient position, far more than any
12 of the previous editors had done. I mean, I don't
13 think that any of our previous editors felt
14 especially they had to take -- be subservient or feel
15 they had to do something which is against their
16 conscience.

17 I don't think that Ben Graf felt that
18 way, but I think I read somewhere that he said he
19 did. Maybe in a deposition; I don't know. But that
20 wasn't my perception.

21 But Levi did. He was not very -- he
22 felt he was -- his role was a subservient one.

23 **Q. So you described the committee that was put**
24 **together to find a new editor, correct, or you**
25 **mentioned that?**

1 A. I alluded to it, yeah. I wasn't part of it.

2 **Q. Uh-huh. Is there anything preventing you**
3 **from applying to be the editor?**

4 A. The editor of what? There's nothing left.

5 **Q. Well, isn't the committee searching for an**
6 **editor?**

7 A. Oh, that's -- that disbanded probably years
8 ago.

9 **Q. Before it disbanded.**

10 A. Well, you don't apply to be. You're
11 appointed to it, probably by the dean. You can't
12 apply to be on it. You can, but it's not going to do
13 anything.

14 You don't volunteer to -- it was a
15 search committee. You don't volunteer for search
16 committees, or there's no reason to.

17 **Q. I meant apply for the position of editor.**

18 A. That would be a rather absurd thing to do
19 because I had already been so involved in it, they
20 would want a clean sweep.

21 **Q. Is it -- did they tell you that? Did they**
22 **say you can't?**

23 A. No, but it's obvious.

24 **Q. How is it --**

25 A. It would be like Dr. Jackson applying to be

1 the editor of the journal or Ben Graf. I mean, the
2 idea was to preserve the journal, but to disassociate
3 it with anyone it had be associated with and maybe
4 even hand it off to a different school. It didn't go
5 anywhere.

6 In any case, we weren't approached
7 certainly. I mean, I guess there's nothing to
8 prevent us from -- I mean, there was a public search.
9 You know, "We're looking for someone to take over the
10 editors of the journal," and I suppose Dr. Jackson or
11 I or Ben could have written in, but it wouldn't have
12 gotten to first base. I mean, you generally don't
13 apply for things where you feel you have no choice of
14 acceptance because that wasn't the reason it was
15 being advertised.

16 Evidently -- I mean, nothing came of it,
17 and I don't know -- I wouldn't be surprised if no one
18 applied, but I wouldn't know, because I wasn't on the
19 search committee.

20 **Q. I think you described it as radioactive, the**
21 **journal. What do you mean by that?**

22 A. The journal was now associated with racism
23 and with acting unfairly to poor Dr. Ewell and
24 deficient editorial practices, and it was just like
25 this sort of radioactive turd.

1 **Q. Why do you think it was associated with**
2 **racism?**

3 A. Well, you looked at this exhibit, didn't
4 you?

5 **Q. I'm asking you.**

6 MR. ALLEN: Can you state for the record
7 which exhibit you're referring to, please?

8 THE WITNESS: It says 3.

9 MR. ALLEN: Thank you. And is that the
10 faculty petition?

11 THE WITNESS: Yes.

12 A. "The forthcoming issue is replete with
13 racial stereotyping and tropes and include personal
14 attacks directed at Dr. Ewell." Yeah.

15 MS. QUIMBY: Can you read back my
16 question, please?

17 THE REPORTER: The witness's mic is
18 getting very, very quiet. Was it getting quiet for
19 anyone else?

20 MR. ALLEN: I'm good. I was having
21 trouble hearing Mary, but I think it was the way she
22 turned her head when she turned to you.

23 THE REPORTER: Okay. Here's the
24 question: "Why do you think it was associated with
25 racism?"

1 A. So, in addition to this, I mean, Ewell's
2 contention was that Schenker was a racist, that his
3 racism had infected his views (phonetic) of theory,
4 which I deny, by the way, and that -- and then that
5 the Journal of Schenkerian Studies, by criticizing
6 Ewell, was racist in doing so.

7 So each side is accusing the other of
8 being racist for different reasons. In a sense, the
9 Journal of Schenkerian Studies is being accused of
10 being racist for criticizing Philip Ewell's
11 accusations that Schenker was racist. So a lot of
12 racism.

13 **Q. (BY MS. QUIMBY) Was the criticism of**
14 **racism, did that come from other than just the**
15 **faculty petition and the student petition as you've**
16 **described them?**

17 A. Yeah, yeah.

18 **Q. Where else did it come from?**

19 A. Online chatter, and there was an SMT talk
20 list where there was a lot -- or SMT discussion list.
21 SMT being the Society for Music Theory.

22 THE REPORTER: Okay. I need to pause.
23 He's very, very quiet on my end.

24 MR. ALLEN: They both are. I don't know
25 what happened in that transition.

1 THE VIDEOGRAPHER: Off the record at
2 11:22 a.m.

3 (Discussion off the record.)

4 THE VIDEOGRAPHER: We're back on the
5 record at 11:23 a.m.

6 Q. (BY MS. QUIMBY) Okay. Thank you. I just
7 have one follow-up item. You mentioned, I think,
8 Dr. Graf's deposition testimony?

9 A. Well, I know that he did a deposition. I
10 think Dr. Jackson told me at one point.

11 Q. Have you read the deposition transcript?

12 A. No. I guess -- I guess, if I wanted to,
13 there is a way I could, but I don't know what that
14 way is, and I haven't tried to.

15 Q. What did Dr. Jackson tell you about the
16 deposition?

17 A. Well, that he had done one. I don't recall
18 him saying anything else about it. I try not to ask
19 very much about depositions if people mention them
20 because whether they are private or not, I kind of
21 regard them as -- I'm a little cautious about getting
22 into depositions, because I -- well, whether they are
23 or not, I consider them to be somewhat privileged
24 information.

25 In any case, I don't recall him saying

1 anything else about Dr. Graf's deposition. He
2 probably did, but I don't recall what.

3 **Q. Okay.**

4 MS. QUIMBY: I'll pass the witness.

5 A. We -- Dr. Jackson and I generally do not
6 talk much about depositions and his case.

7 **Q. Okay.**

8 A. Because -- partly because I don't really
9 want to.

10 **Q. Okay. Thank you.**

11 MS. QUIMBY: I'll pass the witness.

12 MR. ALLEN: So since the witness needs
13 to go, and it's -- it looks like it's 11:25. Is that
14 right?

15 MR. TODD: Yeah.

16 THE WITNESS: Well, we could, I guess,
17 extend it a little bit, 10 minutes maybe.

18 MR. ALLEN: Yeah, and I have more than
19 ten minutes. So I'm going to continue -- I'm going
20 to ask to continue the deposition.

21 I think it's best, Professor Slattow, if
22 we can come back at 3, just so that everything is
23 fresh in everyone's mind --

24 THE WITNESS: Okay.

25 MR. ALLEN: -- your time, of course.

1 And that would have the advantage for you is that it
2 would be over.

3 THE WITNESS: Yes, I would like that.

4 MR. ALLEN: Okay. Why don't we do that?

5 THE WITNESS: Do you know approximately
6 how long you might take?

7 MR. ALLEN: I can't predict, but it's
8 not going to be -- I would hope we could do it in an
9 hour.

10 THE WITNESS: Okay. I can come back at
11 3.

12 MR. ALLEN: Okay. Can we go off the
13 record?

14 (Recess 11:26 a.m. to 3:03 p.m.)

15 THE VIDEOGRAPHER: We're back on the
16 record at 3:03 p.m.

17 EXAMINATION

18 BY MR. ALLEN:

19 Q. Good afternoon, Professor Slottow. My name
20 is Michael Allen, and I represent Timothy Jackson, as
21 you probably remember from the first part of the day.

22 A. Yes, I've known that for some while now.

23 Q. I believe you testified earlier today that
24 you had worked for the Center for Schenkerian Studies
25 and obviously had worked on the editorial staff in

1 various capacities for the Journal of Schenkerian
2 Studies, which was housed in the center. Is that
3 accurate?

4 A. I don't know about the editorial staff.
5 Really, the editorial staff consists of the editor,
6 and, if there is an assistant editor, that person
7 too. That's the editorial staff.

8 Q. And you were on -- you were on the advisory
9 board, correct?

10 A. Yeah.

11 Q. Okay.

12 A. I think that's what they call it.

13 Q. Yeah. And, again, I'm not trying to
14 mischaracterize your testimony. I'm just trying to
15 get us on the same page, figuratively speaking, here.

16 A. Yeah, somewhere I have -- yes, I'm on the --
17 I was on the advisory board.

18 Q. And did you list your service on the
19 advisory board of the Journal of Schenkerian Studies
20 in any of your papers when annual review time came
21 around at UNT?

22 A. Yes. Every time under Service. I don't
23 know if I specifically mentioned advisory board, but
24 I probably said, "Codirector" or "Assistant director
25 of the Center for Schenkerian Studies with special

1 responsibilities towards the journal," something like
2 that, because that was a large part of my service
3 component.

4 Q. Okay. That was what I was going to ask you.
5 You were evaluated based on that contribution to
6 service to the University of North Texas?

7 A. Well, and the other service I did --

8 Q. Yeah.

9 A. -- committee work, etcetera.

10 Q. Sure, okay.

11 (Exhibit 4 marked.)

12 Now, I've had marked for the record, as
13 we talked before we went on the record, Exhibit 4.

14 A. What is Exhibit 4 again, the invitation?

15 Q. It's an email sent on November 23rd, 2021,
16 captioned, "Retreat Invitation and RSVP."

17 A. Yeah, that's it.

18 Q. It has the UNT Bates number 05523. Did I
19 characterize that correctly, Professor Slattow?

20 A. Yes.

21 Q. So I have a few questions to ask you about
22 this.

23 Do you remember getting this email and
24 notification?

25 A. Well, there is a faculty retreat every

1 year --

2 Q. Uh-huh.

3 A. -- which all faculty are invited, so I
4 probably did get it. I don't know if I attended. I
5 probably didn't attend that one. I stopped attending
6 these after two or three years.

7 Q. Okay. So you didn't attend this one so far
8 as you remember?

9 A. Yes.

10 Q. Do you know anything about the institution
11 that's announced in this faculty retreat?

12 MS. QUIMBY: Objection. Form.

13 A. What institution?

14 Q. (BY MR. ALLEN) Yeah, sure. Let me direct
15 your attention to the bottom of that second page of
16 Exhibit 4. It says, "Afa Dworkin." Do you see that
17 in kind of large letters?

18 A. Yes, I see it.

19 Q. And do you see that she's the president and
20 artistic director of Sphinx Organization, as it says
21 on the exhibit?

22 A. Yep.

23 Q. So that was my question. Do you know
24 anything about the Sphinx Organization?

25 A. Not at all, nor about her.

1 Q. Okay. That was going to be my follow-up
2 question. All right. So you can put that exhibit
3 aside, then.

4 You also discussed some of the bad
5 publicity focused on the journal, and also, I suppose
6 we would say bad publicity for Timothy Jackson as
7 well. Do you remember testifying to aspects of that?

8 A. You mean here in this deposition?

9 Q. Earlier today, yeah.

10 A. Yes, also bad publicity focused on me.

11 Q. Of course. And that was going to be my -- a
12 follow-up question would be you -- how many years
13 have you worked as a music theorist?

14 A. What did I say? I think it's about 23 or 24
15 at this point. Let's see. I began in 19 -- well,
16 are we counting the years I was a graduate student or
17 after graduation?

18 Q. Well, I guess it's a question for you
19 because you're -- you know your career and the people
20 in it better than anyone at the table.

21 A. Because I did teach as an adjunct while I
22 was a grad student.

23 Q. Is it safe to say you've been active as an
24 academic music theorist for over a quarter of a
25 century?

1 A. Well, starting in 1992, yes, that would be
2 about 32 years if we count my adjunct teaching.

3 Q. And do you have a -- do you feel that you
4 have a firm sense of the reputation of various
5 colleagues and academics in the field?

6 A. The ones I know --

7 Q. Uh-huh.

8 A. -- yes. There is a lot I don't know.
9 There's -- but --

10 Q. Uh-huh.

11 A. -- yeah. I mean, to the degree that I know
12 of them and their work, yeah.

13 Q. And you certainly know Timothy Jackson,
14 correct?

15 A. I certainly know him.

16 Q. So -- and I believe you testified earlier
17 that the Journal of Schenkerian Studies is now, for
18 lack of a better word, defunct?

19 A. Defunct would be the word.

20 Q. Okay.

21 A. I don't know if it has any theoretical
22 existence at the moment or not. It certainly has no
23 tangible existence.

24 Q. You don't know of any publication of the
25 Journal of Schenkerian Studies after July of 2020, do

1 you?

2 A. Well, now we're getting into dates again.

3 I'm not good on dates.

4 Q. Well, let me just represent to you that
5 journal Volume 12, JSS Volume 12 came out in July
6 of 2020.

7 A. That was the last one.

8 Q. And there hasn't been one since, has there?

9 A. No.

10 Q. Did the -- when the Journal of Schenkerian
11 Studies ceased to exist, based on your knowledge of
12 your field and your colleagues, did that damage
13 Timothy Jackson's reputation?

14 A. Yes, quite definitely. The -- not just
15 because it ceased to exist; because of the reason it
16 ceased to exist. And Tim --

17 Q. And -- go ahead.

18 A. -- Dr. Jackson was part of that reason,
19 essential part of that reason.

20 Q. And that reason being the accusations of
21 racism flying around?

22 A. Yes. Partly because -- partly because of
23 the -- well, what I've already talked about before,
24 Ewell's accusations that in criticizing his
25 accusations of racist, we were demonstrating and

1 proving his accusations of racist, of criticism
2 equaling racism, per se.

3 **Q. Uh-huh.**

4 A. But part of it is because of the nature of
5 Tim's own essay in the journal, which was sort of
6 wide-ranging and -- while I haven't read it for a
7 long time but --

8 **Q. Uh-huh.**

9 A. -- it certainly seemed to find fault with
10 Philip Ewell, and I think it mentioned he was not --
11 sort of ungrateful to his teacher, Allen Forte, and I
12 think bringing up anti-Semitism, black anti-Semitism,
13 I think, was in there. He was very frank about his
14 views, and it was sort of wide-ranging.

15 So part of it was the nature of his
16 article in addition to just the general issue, Volume
17 12, itself.

18 **Q. And just for the record, you're flipping**
19 **through the pages of Volume 12 there, right?**

20 A. Yeah, I'm actually trying to find --

21 **Q. That's all right.**

22 A. -- his article.

23 **Q. Yep.**

24 A. It's right here.

25 **Q. And I'm not going to ask you, except for**

1 maybe general questions, about his article. But let
2 me ask a follow-up question. What's the usual way
3 for scholars in music theory to address their
4 critics?

5 A. Their critics? Well, usually, if someone
6 writes, say, a critical article in a journal, there's
7 usually a letter to the editor in the next issue that
8 finds -- that takes objection to the article,
9 sometimes in rather strong and pointed terms, and
10 that is published as a follow-up.

11 Q. Uh-huh.

12 A. And actually this -- and that can also cause
13 another follow-up, and this sort of thing can work
14 through various issues of the journal, though it
15 doesn't have to.

16 In my experience, that's the usual way
17 these things are handled.

18 Q. And I think you testified earlier that
19 Philip Ewell published a book eventually addressing
20 some of this -- at least somewhat addressing this
21 controversy in which he actually criticized you,
22 correctly -- I mean, am I correct about that?

23 A. Yes. I acted in bad faith. I purposely
24 chose --

25 Q. I'm sorry, can I interrupt you? Do you mean

1 he argues you acted in bad faith, or are you
2 testifying that you acted in bad faith?

3 A. He states I acted in bad faith in regard to
4 the visit we were trying to arrange, his planned
5 visit to UNT.

6 I'm not exactly sure what he meant
7 because I chose not to -- I chose not to read that
8 book.

9 Q. Uh-huh.

10 A. I did not want to get sidetracked from my
11 current work into this sort of -- I can't read
12 Ewell's work, especially Ewell's work about me
13 personally, without getting very involved in it. And
14 despite Tim's urging, I simply decided I would not
15 read it. And except for a quick skim, I have not
16 read it.

17 Q. Uh-huh. And you were familiar enough with
18 his work that he published the plenary talk of
19 November 2019 in the journal Spectrum, right?

20 A. Music Theory Spectrum, yes.

21 Q. I'm just going to represent to you that
22 Philip Ewell has represented that that was not
23 peer-reviewed; the publication of his plenary talk in
24 Spectrum was not peer-reviewed.

25 A. Well, I'm --

1 **Q. Was that your understanding as well?**

2 A. Well, if anyone would know, he would know.

3 So I have no reason to doubt what he says.

4 **Q. In the field of music theory, was there any**
5 **outcry when his work was published without peer**
6 **review?**

7 A. It was not. Generally, it is not -- if it's
8 true that it was not peer-reviewed, it's not
9 generally known, because it's -- it should have been
10 peer-reviewed. It's the usual practice if -- with an
11 article especially in a journal as prestigious as
12 Music Theory Spectrum, which is one of the two
13 flagship journals, two or three, of the discipline
14 that everything would be peer-reviewed.

15 **Q. Uh-huh.**

16 A. So if it wasn't -- and if he says it wasn't,
17 then it wasn't -- then I would say very few people
18 know that. And I think if it was known, it would
19 not -- I don't know what the reaction would be.

20 **Q. Do you recall Philip Ewell ever saying -- in**
21 **the midst of this, I believe you called it a**
22 **kerfuffle over the Journal of Schenkerian Studies, do**
23 **you recall Philip Ewell ever saying publicly words to**
24 **the effect that he had also published aspects of his**
25 **work without peer review?**

1 MS. QUIMBY: Objection. Form.

2 A. I don't recall him saying anything of the
3 sort or writing anything of the sort that I've read.

4 Q. (BY MR. ALLEN) You do recall criticism of
5 JSS that the symposium had been published without
6 peer review, right?

7 A. Quite a lot. There was a lot of criticism,
8 both internal at UNT and external, that these were
9 not peer-reviewed articles, and they all should have
10 been peer-reviewed.

11 Q. But yet you don't know of any criticism of
12 theory the journal Spectrum -- what did you say, it's
13 Society for Music Theory Spectrum?

14 A. It's called Music Theory Spectrum.

15 Q. Music Theory Spectrum, thank you, sir.

16 A. And there is compan -- there's an online
17 companion journal, which is called Music --

18 Q. Right.

19 A. -- Theory Online.

20 Q. Understood. Thank you.

21 THE REPORTER: I'm sorry, it's called
22 what? The journal online is called?

23 THE WITNESS: What?

24 MR. ALLEN: What's the name?

25 THE WITNESS: Oh, the online is --

1 THE REPORTER: Y'all need to --

2 THE WITNESS: The online is called Music
3 Theory Online.

4 THE REPORTER: Thank you.

5 THE WITNESS: The print journal is
6 called Music Theory Spectrum.

7 Q. (BY MR. ALLEN) In fact, in your entire
8 career, has there ever been a journal that has been
9 forced out of circulation in any kind of controversy
10 like this besides the Journal of Schenkerian Studies?

11 A. Not to my --

12 MS. QUIMBY: Objection. Form.

13 A. Not to my knowledge.

14 Q. (BY MR. ALLEN) Okay. And you certainly
15 know of most of the prominent journals of music
16 theory in your field, correct?

17 A. Yes, but not necessarily the ones going back
18 40, 50 years. I'm not acquainted with --

19 Q. Yeah.

20 A. -- every journal. But I don't know of a
21 parallel case.

22 Q. Uh-huh.

23 A. And I will say also, it's -- no, I'm not
24 going to say that.

25 Q. That's fine. I believe you testified

1 earlier that you were basically in on the ground
2 floor of the founding of the Journal of Schenkerian
3 Studies when you joined the University of North Texas
4 faculty, right?

5 A. Yes.

6 Q. Before July of 2020, which is when Volume 12
7 first became known to the public of music theorists,
8 were there ever any complaints about how the Journal
9 of Schenkerian Studies was organized?

10 A. I can't think of any at all. It was a very
11 small journal, a very specialized journal. I don't
12 think that many people who were not interested in
13 Schenkerian analysis would have necessarily even
14 known about it. UNT Press didn't sell very many
15 copies.

16 Q. Right.

17 A. I cannot think of any negative comments from
18 anyone about it. It was not -- it did not have a
19 high profile, you see. I'm not sure a lot of
20 people --

21 Q. Yeah.

22 A. -- paid attention to it who weren't
23 Schenkerians themselves --

24 Q. Uh-huh.

25 A. -- and there's not a ton of those around.

1 Q. And among the people who are either
2 considering themselves Schenkerian or at least have
3 some expertise in that field, in your experience,
4 what was the reputation of the journal of Schenkerian
5 Studies among that group?

6 A. Well, that group hasn't talked to me about
7 their -- what they felt --

8 Q. Uh-huh.

9 A. -- the reputation was. But I would say -- I
10 mean, at that time Schenkerian analysis was one of
11 the methodologies of choice for analyzing tonal
12 music.

13 Q. Uh-huh.

14 A. And even though the other music theory
15 journals would publish Schenkerian articles, they
16 published many other methodologies as well.

17 Q. Uh-huh.

18 A. The Journal of Schenkerian Studies was the
19 only journal that specialized in that. So it was --
20 I think it was a welcome outlet to submit Schenkerian
21 work to really --

22 Q. Uh-huh.

23 A. -- the only one that had that as its central
24 focus. And the -- I think that -- I think it had a
25 good reputation.

1 Indeed, Philip Ewell also published a
2 Schenkerian article in the journal. So he evidently
3 thought well enough of them of it. But I think it
4 had a good reputation.

5 **Q. Okay. Besides Philip Ewell, do you know if**
6 **any of the critics of Timothy Jackson and his article**
7 **in Volume 12, have they taken up those criticisms in**
8 **print?**

9 A. Well, I've seen various -- online I've seen
10 various online journals that were critical and some
11 that were not at all critical of the Journal of
12 Schenkerian Studies and the Volume 12. In print, I
13 think most of it was coming from Philip Ewell. I
14 can't --

15 **Q. Uh-huh.**

16 A. -- it's quite possible that other -- that
17 sort of contra Center for Schenkerian Studies
18 articles exist, but I don't know. If they do -- I'm
19 not sure if they do; I'm not sure what they are.

20 **Q. Uh-huh.**

21 A. The only ones I'm aware of were written by
22 Philip Ewell himself.

23 **Q. But to your knowledge, is there anything**
24 **preventing either your colleagues or any other**
25 **scholars in the field from addressing their**

1 criticisms of Timothy Jackson's scholarship opinions,
2 whatever he published in any journal, but especially
3 Volume 12 of the Journal of Schenkerian Studies in
4 other venues like Spectrum, like Music Theory Online,
5 or --

6 A. Is there anything --

7 Q. -- the normal course of scholarship?

8 A. Is there anything preventing that?

9 Q. Yeah.

10 A. No, I would say that since Ewell's articles
11 have proven so influential and, you might say,
12 popular, I would expect more people to jump on the
13 bandwagon.

14 Q. Uh-huh.

15 A. And maybe they have. But, if so, I'm not
16 aware of it.

17 Q. Okay. And are you familiar with a journal
18 also published by the University of North Texas
19 called Theoria?

20 A. Yes.

21 Q. Have you ever published in that journal?

22 A. I actually have, yes.

23 Q. Was your article peer-reviewed in Theoria?

24 A. I don't know. It was a review --

25 Q. Uh-huh.

1 A. -- of a book on set theory. I don't know
2 whether Frank Heidelberger sent it out for review. I
3 suspect, since it was a review itself rather than a
4 full-fledged article on its own, I suspect he
5 didn't - --

6 Q. Uh-huh.

7 A. -- but I certainly didn't hear back from any
8 reviewers.

9 Q. Uh-huh. Okay.

10 A. I heard no feedback, which would suggest to
11 me he probably didn't send it out.

12 Q. Okay. And I'm just going to also represent
13 to you that in 2020, the same year that Volume 12 of
14 the Journal of Schenkerian Studies actually came out,
15 even though I know it says 2019, but it actually came
16 out in July of 2020. That same year, 2020, Theoria
17 published Philip Ewell and Ellen Bakulina in its
18 pages in the volume that came out that year. Were
19 you aware of those articles?

20 A. I must have been, yes.

21 Q. And --

22 A. Well, I don't know. No, I'm not sure if I
23 was or not. I didn't pay that much attention to what
24 Theoria was publishing.

25 Q. And do you read it on a reg --

1 A. I may not have been.

2 **Q. Do you read it on a regular basis?**

3 A. I don't read Theoria very much.

4 **Q. Okay.**

5 A. It focuses on the history of music theory,
6 and that's not one of the topics I do much work in.

7 **Q. Okay.**

8 A. I'm not uninterested in it, but it's not a
9 specialty of mine --

10 **Q. Fair enough.**

11 A. -- so I don't make a point to read it.

12 **Q. Is it your understanding that Theoria holds**
13 **itself out as a peer-reviewed journal?**

14 A. I think it does, yes.

15 **Q. And, again, I'm just going to represent to**
16 **you that both Philip Ewell and Ellen Bakulina have**
17 **testified that those articles published in 2020 in**
18 **Theoria were not subjected to double-blind peer**
19 **review. And then my follow-up question is were you**
20 **aware of any controversy surrounding Theoria because**
21 **they published authors without peer review?**

22 A. If they published authors without peer
23 review, word did not get out about it. I'm sure that
24 neither Philip Ewell or certainly -- Ellen Bakulina
25 was a good friend of mine; I never heard anything

1 from her. I don't think they would be -- they would
2 want to tell people that because it would be
3 assumed --

4 **Q. Uh-huh.**

5 A. -- that it was peer-reviewed and something
6 that gets published as a peer-reviewed article is
7 more prestigious than something which is not.

8 **Q. Sure.**

9 A. So if that happened, I don't think it was
10 generally known, and I would be surprised if they
11 would have told many people about it. And I would be
12 very surprised if Theoria received any criticism on
13 that account because I think they would be rather
14 careful not to let it be known. They wouldn't
15 advertise the fact.

16 **Q. And in your view, is that deceptive?**

17 A. That would get down to does -- Theoria is
18 widely regarded as a peer-reviewed journal.

19 **Q. Uh-huh.**

20 A. I don't know whether it says specifically
21 that their articles are peer-reviewed.

22 Deceptive or not, that's a sort of
23 touchy question. I would say that Dr. Heidlberger,
24 the editor, did not address -- did not address that
25 question. I mean, it was sort of assumed --

1 **Q. Uh-huh.**

2 A. -- that like all reputable scholarly
3 journals, their articles are peer-reviewed. And
4 certainly I would -- probably a respectable number of
5 items in Theoria were sent out for peer review. But
6 since I didn't work with Dr. Heidelberger on it or
7 talk about the issues, I never knew or even really
8 wondered what the percentage was. So I don't know if
9 it's deceptive. If it's deceptive, it's sort of
10 deceptive in a passive kind of way.

11 **Q. Uh-huh.**

12 A. He let the impression stand.

13 **Q. Let me follow up with this: Do you**
14 **remember -- well, let me strike that question and**
15 **phrase it differently.**

16 In the -- back in the time frame July,
17 fall of 2020, when the, what you've called a
18 kerfuffle first arose over the Journal of Schenkerian
19 Studies, did Frank Heidelberger criticize the
20 symposium because it wasn't peer-reviewed, if you
21 recall?

22 A. I don't recall him criticizing it. I don't
23 recall him taking an active part in the kerfuffle.

24 **Q. How about if I asked the same question about**
25 **Ellen Bakulina?**

1 A. Well, I think Ellen and I think Frank both
2 signed that faculty petition.

3 Q. Uh-huh.

4 A. So you could say that that's an active role,
5 but I don't think that either of them were
6 particularly outspoken to me about it. I know that
7 Dr. Heidelberger thought that it was just going way,
8 way over the top. I'm not sure what Ellen thought.
9 I don't know if I can --

10 Q. And is it in your --

11 A. -- say much beyond that.

12 Q. Can I just interrupt you for a second? Is
13 it the usual practice of scholars who think someone
14 has published something that's way over the top to
15 call for the journal to be canceled?

16 A. No.

17 Q. Back to Philip Ewell, you had mentioned this
18 call for papers that went out; there was a short
19 deadline, and there was a need to get these papers
20 out, or a perceived need to get these papers out
21 quickly. Do you remember talking about that earlier
22 today?

23 A. Yeah.

24 Q. And you even today talked about the
25 customary process that you know in the field of

1 should an author feel something is unfair or missed,
2 they have a criticism or an axe to grind, they often
3 write a letter to the editor of a journal, things of
4 that nature. Do you remember talking about that?

5 A. Yeah, that's been -- in my experience -- of
6 course --

7 Q. Uh-huh.

8 A. -- I'm 70 years old now, but in my
9 experience, that's the usual way such things are
10 handled.

11 Q. And when you were participating in the
12 process that led to the call for papers for Volume 12
13 of JSS and the symposium, was there any discussion
14 internal to the journal that you were aware of
15 intended to exclude Philip Ewell?

16 MS. QUIMBY: Objection. Form.

17 A. Exclude him from what?

18 Q. (BY MS. QUIMBY) From publishing in the
19 pages of the Journal of Schenkerian Studies about
20 the, whatever you want to call it, the kerfuffle, the
21 Schenkerian controversy?

22 A. No.

23 MS. QUIMBY: Objection. Form.

24 A. If he had sent something in, of course, it
25 would have been considered, I would think, like any

1 other submission. On the other hand, we did not
2 invite him specifically.

3 Q. (BY MR. ALLEN) Is it accurate to say that
4 he was not given an opportunity to respond?

5 A. Well, he wasn't shown -- respond to what? I
6 mean, he wasn't shown -- you mean, in issue --
7 in Volume 12?

8 Q. Well, let me strike that. But he could have
9 responded. He could have published something in
10 Volume 12 if he had wanted to, right?

11 A. Oh, yeah. Sure.

12 Q. He got the call for papers, right?

13 A. Yes, but I'm not sure what he would have
14 responded to because until Volume 12 came out, he
15 would not have known what was in Volume 12.

16 Q. Sure. But it wasn't the case that he was
17 not given an opportunity to respond, correct?

18 A. "Respond" is a strange word. Respond to
19 what?

20 Q. Well, good question. We'll look at that in
21 a minute.

22 But let me put it this way: Was there
23 ever any effort to exclude Philip Ewell from
24 publishing in the symposium?

25 A. There was no effort to exclude him.

1 Q. Uh-huh.

2 A. He had, after all, published in the journal
3 before, for what that's worth. He would have been
4 treated like any other submitter.

5 Q. Uh-huh.

6 A. But there was also no effort to invite him
7 as a formal responder to the articles that were
8 printed, so he was treated like everyone else.

9 Q. Uh-huh. And, being treated like everyone
10 else through an invitation to submit an article and
11 so forth with a call for papers, that's not the same
12 as being denied an opportunity to respond, correct?

13 MS. QUIMBY: Objection. Form.

14 A. The problem is the word "respond." I mean,
15 he could have, like anyone else, like all the --

16 Q. Uh-huh.

17 A. -- people who did publish in the symposium,
18 he could have written something and submitted it to
19 the journal.

20 Q. Uh-huh.

21 A. And, no, those -- those items were a
22 response. Not to the journal, but they were a
23 response to Philip Ewell's plenary address at the SMT
24 conference.

25 Q. Uh-huh.

1 A. Now, he could have -- but they -- none of it
2 was a response to what was published in the journal
3 because the journal has to -- hadn't been published
4 yet.

5 **Q. Uh-huh.**

6 A. And Philip Ewell could no more respond to
7 what was in the journal than anyone else because it
8 wasn't published yet unless various contributors had
9 sent him copies of the articles -- their
10 soon-to-be-published articles privately, which they
11 may well have done, some of them.

12 I know that a number of contributors --
13 at least I've heard that a number of contributors who
14 thought that the journal was treating Philip Ewell
15 unfairly, complained to him before the issue was
16 published.

17 **Q. Did he ever reach out, to your knowledge, to**
18 **the journal to make a contribution?**

19 A. No. No, not that --

20 **Q. Were you aware that --**

21 A. -- Volume 12.

22 **Q. Were you aware that he told the Denton**
23 **Record-Chronicle that he would refuse to read the**
24 **articles in Volume 12?**

25 A. Yes, I am aware of that, but he's since

1 changed his mind, evidently.

2 **Q. You think that was just posturing?**

3 A. I think there was a good element of
4 posturing in there. He -- I mean, that comment is
5 very disdainful, you know. "Whatever they say about
6 me, they're racists, and it's not worth reading about
7 them. And I refuse to dirty my hands in reading any
8 of these articles," is sort of the subtext.

9 But then when his book came out, he was
10 quite clear that he had read all the articles, and he
11 responded to a good many of them. So he seems to
12 have changed his mind.

13 **Q. Incidentally, are you on the board of**
14 **editors of any other journal?**

15 A. No, I'm not even on the board of editors of
16 this journal now.

17 **Q. I understand. Were you ever the editor of**
18 **an academic journal?**

19 A. No.

20 **Q. Sorry if you're hearing my dog in the**
21 **background. She's stretching. I apologize.**

22 So in your experience as an author and
23 also in your experience in the Journal of Schenkerian
24 Studies and observing your colleagues in the field,
25 is it common for journal editors to solicit articles?

1 A. Well, certain -- well, in the Journal of
2 Schenkerian Studies, it's certainly not uncommon for,
3 say, Tim to go to someone he knew was, say, working
4 on the Felix Saltzer, Influential Student of Schenker
5 and suggest that an article might be submitted or
6 the -- certainly that's something that Dr. Jackson
7 would do.

8 I think that Dr. Heidlberger would also
9 solicit articles. I mean, he's the one that asked me
10 to write a review on this book on set theory.

11 **Q. Uh-huh.**

12 A. He put together a symposium on Russian
13 music.

14 **Q. Uh-huh.**

15 A. Philip Ewell was one of the contributors.
16 That's something that Dr. Heidlberger put together,
17 and he would probably certainly have been active in
18 soliciting contributors.

19 **Q. If fact, that's the one published in 2020**
20 **with Ellen Bakulina in it as well, right? It**
21 **addressed Russian music?**

22 A. Yes, the one that were -- a number of
23 articles were evidently --

24 **Q. Yes.**

25 A. -- not peer-reviewed.

1 Q. I believe Chris Segall published in that
2 section, too, correct?

3 A. Yes. So those are -- other music theory
4 journals, I don't know because I don't know --

5 Q. That's all right.

6 A. -- the editors, and I'm not sure what they
7 do.

8 Q. And if you don't know, you don't know, and
9 that's a perfectly fine answer. I just want to know
10 for the purpose of the record.

11 So a similar question addressing special
12 topics, and you've already identified another
13 journal, Theoria, which solicited contributions on a
14 special topic concerning Russian music. So my
15 follow-up question is is it normal in the field in
16 which you're a scholar for editors to organize
17 publications around special topics in a journal?

18 A. Yes, that's quite usual.

19 Q. And did anyone ever object to that in your
20 field before July 2020, when the kerfuffle erupted
21 over the Journal of Schenkerian Studies?

22 A. No, I don't -- I don't know of any instance
23 or anyone who objected to a special topic.

24 Q. And was your colleague Frank Heidlberger
25 ever accused of being a racist for organizing a

1 **special topics journal?**

2 A. Well, I would say certainly not.

3 **Q. Was he ever accused of being a racist**

4 **because he didn't subject every single article to**
5 **peer review?**

6 A. As far as I know, no. Of course, the lack
7 of peer review wasn't in itself the reason why
8 Dr. Jackson was accused of being a racist. It was a
9 contributing factor.

10 **Q. And speaking of racism, are you aware -- can**
11 **you name any specific actions that Timothy Jackson**
12 **has ever done which you would characterize as racist?**

13 A. Me? No.

14 **Q. And if I asked you if you can name or are**
15 **aware of any specific acts that Timothy Jackson has**
16 **committed that would constitute extortion, what would**
17 **you say?**

18 A. Extortion?

19 **Q. Yes.**

20 A. That's a very wild claim. I can't -- no,
21 certainly not. I can't imagine what that would be
22 referring to.

23 **Q. Thank you.**

24 A. But I will say, getting back to the racism
25 question, that some of the things he said in his

1 article about black anti-Semitism --

2 Q. Uh-huh.

3 A. -- would certainly be construed as racist by
4 some key people. I would not because I think it's a
5 phenomena that exists.

6 Q. Uh-huh. Did anyone actually take issue with
7 its factual basis?

8 A. Not to my -- well, not to my knowledge, no.

9 Q. I believe Timothy Jackson also argued that
10 black children are, on average, not exposed to the
11 tradition of western classical music --

12 A. I think --

13 Q. -- in comparison to other groups of people
14 in the United States?

15 A. Yeah, I think he did say that.

16 Q. And do you recall that being -- him being
17 accused of being racist because he wrote that?

18 A. I don't recall any specific instance, but
19 it's a case where he well might be.

20 Q. Has anyone, to your knowledge in the
21 Schenker kerfuffle that you have identified, ever
22 published any factual refutation of that assertion?

23 A. No, I don't think that anyone has.

24 Q. Do you know if it's in fact true?

25 A. I don't know if it's true. I would assume

1 that Dr. Jackson has his own reasons for --

2 Q. Okay.

3 A. -- saying it, but I wouldn't care to defend
4 that as a true or false assertion.

5 Q. Okay. That's fine. But you don't know of
6 anyone in the controversy that actually tried to
7 refute with facts Timothy Jackson's argument that
8 this is actually a cultural phenomenon in the United
9 States?

10 A. I don't know of anyone who has done that.
11 But also, I made a conscious decision to stop
12 involving myself at a certain point --

13 Q. I understand.

14 A. -- in reading the back-and-forth on it. So
15 to my knowledge, no.

16 Q. Thank you. You talked quite a bit in your
17 testimony about Mr. Levi Walls and Benjamin Graf, the
18 two editors of the Journal for Schenkerian Studies
19 back in 2020, and I want to ask you if you worked at
20 all with Levi Walls in the lead-up to the publication
21 of the Volume 12 of the Journal of Schenkerian
22 Studies?

23 A. No. Benjamin Graf, yes. I mean, I've known
24 him for a long time as a student and colleague.

25 Q. Uh-huh.

1 A. Levi Walls I did not know that well. He was
2 a student in my Schenker class.

3 **Q. Uh-huh.**

4 A. And then I had some contact with him when
5 this issue was being put together, mainly emails. He
6 would email Ben Graf and Tim Jackson and me --

7 **Q. Sure.**

8 A. -- and we would go back and forth, but that
9 was about it.

10 **Q. Okay. And do you remember him ever**
11 **expressing a view before the publication came out on**
12 **the quality of Philip Ewell's scholarship?**

13 MS. QUIMBY: Objection. Form.

14 A. No, no.

15 **Q. (BY MR. ALLEN) Okay. That's fine.**

16 **Now, you -- I think you characterized**
17 **Levi Walls -- and I'm not trying to put words in your**
18 **mouth, but something of a weak person?**

19 A. Well, it's -- yeah, don't put words in my
20 mouth.

21 I wouldn't say -- he was -- he was not
22 as assertive or as self-confident as the previous
23 editors had been. And he was more inclined to feel
24 that he had to do what -- most specifically, what
25 Dr. Jackson told him to do, that that was his role.

1 I don't think that Ben Graf or Colin
2 or -- who was the first editor? The name escapes
3 me -- really felt that way. They would argue back if
4 they really felt --

5 **Q. Uh-huh.**

6 A. -- something was the wrong thing to do and
7 they had a better idea.

8 Levi would only argue to a certain
9 extent, and then he would say, well -- and then he
10 would stop. So he was more prone to viewing himself
11 as a -- sort of a functionary under authority --

12 **Q. Uh-huh.**

13 A. -- than the previous editors were. And then
14 he wasn't a full-fledged editor too. I mean, he was
15 sort of an editor-in-training. So he was also under
16 the authority of Benjamin Graf to some extent too.

17 **Q. Sure. And in your view --**

18 A. It was --

19 **Q. Sorry.**

20 A. It was an apprenticeship.

21 **Q. Okay. And in your view, was there a power**
22 **differential between Benjamin Graf and Levi Walls?**

23 A. Well, there was, because Benjamin was the
24 very experienced editor, and Levi was just coming in
25 and learning the job. I don't think it was a

1 problematic power issue -- power imbalance.

2 **Q. Okay.**

3 A. The power imbalance he felt between him and
4 Timothy Jackson was a much more powerful and
5 problematic one.

6 **Q. Well, why was it problematic?**

7 A. Because he felt -- I think he felt he was
8 under Dr. Jackson's control, as I said, in a way the
9 other editors did not and that --

10 **Q. Uh-huh.**

11 A. -- he had sort of had to do what Dr. Jackson
12 said even if he disapproved of it. He would -- he
13 would kowtow in a certain way.

14 **Q. And yet that didn't prevent him from**
15 **condemning Professor Jackson in July of 2020, did it?**

16 A. Well, that was -- that was after the
17 publication of the journal, right?

18 **Q. Yes.**

19 A. No, he -- you might say he turned on
20 Dr. Jackson then because he felt that Dr. Jackson was
21 instrumental in possibly destroying his career.

22 **Q. Do you think he feared Dr. Jackson or the**
23 **larger community of society of music theory**
24 **professors who were agitating against the journal at**
25 **that time?**

1 A. Well, he certainly feared the larger
2 community to the extent the larger community was
3 pointing to him as the editor and saying, "This is
4 your fault" --

5 **Q. Uh-huh.**

6 A. -- but he blamed Dr. Jackson to a large
7 extent for that situation.

8 **Q. And you said -- I forget how you put it, but**
9 **he felt dominated or something like that by Timothy**
10 **Jackson?**

11 A. Yes.

12 **Q. What specific observations did you -- you**
13 **know, what specific events or emails or utterances by**
14 **Levi Walls gave you that impression? And I'm talking**
15 **about before the journal came out.**

16 A. Well, it was in -- before it was published,
17 you mean?

18 **Q. Yes, correct. Before his grand, you know,**
19 **renunciation of his position and condemnation of**
20 **Timothy Jackson and claiming that he had been stuck**
21 **in a car by some gangster-like professor and all this**
22 **stuff.**

23 MS. QUIMBY: Objection. Form.

24 A. Yeah, I don't -- he never talked to me about
25 that last point. I do know he did send an email out

1 to Dr. Jackson and me and Ben arguing before
2 publication that we should invite Philip Ewell in as
3 a respondent and that -- and that -- well, I argued
4 against it because I told him what I told you, which
5 is that in my experience, the traditional way to
6 handle these things is that the criticized scholar
7 would write a letter to the editor, and it would be
8 dealt with in that way.

9 **Q. Uh-huh.**

10 A. It turns out that there evidently was also a
11 practice of doing just what Levi suggested, but I
12 somehow didn't know about it. I hadn't had
13 experience with that.

14 So I argued against that, and then
15 Dr. Jackson agreed with me. And then Levi -- in
16 retrospect, as I said, I think that would have been a
17 good idea. But Levi then just let the matter drop.
18 He -- you know, "If Dr. Jackson and Dr. Slottow say
19 no, then I've done what I could. I'm not going to
20 press the issue. I'm not going to continue to argue
21 for it." He just let it drop. So he brought it up,
22 but he let it go fairly easily. That's one instance
23 I can remember.

24 **Q. Was he ever ordered by Timothy Jackson to**
25 **cancel anyone?**

1 A. Not to my knowledge, no. It would seem very
2 uncharacteristic.

3 What do you mean "censor anyone"?

4 Q. I don't know. That's the word he used,
5 right, that he was directed, quote, "not to censor
6 someone that he wanted to censor," or something of
7 that nature.

8 A. Are you saying that I said that?

9 Q. I'm asking you. I'm asking you if you ever
10 heard Timothy Jackson direct Levi Walls to censor
11 someone?

12 A. No.

13 Q. Had -- did you ever --

14 A. I'm not even sure what that means.

15 Q. Did you ever witness -- okay. Sorry, go
16 ahead.

17 A. Like -- no, I never heard anything of that
18 nature, and this context, I'm not even sure what that
19 would mean.

20 Q. So you don't even know what Levi Walls is
21 talking about?

22 A. Well, I don't know that he had used that
23 term, and I'm not sure -- unless -- without knowing
24 more --

25 Q. Yeah.

1 A. -- the context of that comment, I don't know
2 what he was talking about.

3 **Q. And I'm just going to phrase the same**
4 **question more or less upside down. But did you ever**
5 **witness Timothy Jackson direct or order Levi Walls**
6 **not to censor someone, this idea of censorship?**

7 A. No. No, no, the issue never came up that I
8 was aware of at all.

9 **Q. Uh-huh.**

10 A. And, again, I'm not sure what that means.
11 Censor what? Censor who? I mean, who...

12 **Q. It's certainly not the job of an editor of**
13 **any journal to censor people, right?**

14 A. Well, granted that I don't even know what
15 that means -- what it would mean, I would say no.
16 But I don't know -- if he made that comment, I don't
17 know what he was talking about. I would need more
18 context.

19 **Q. Okay. You also talked about Benjamin Graf**
20 **and yourself providing feedback to Timothy Jackson in**
21 **his contribution to Volume 12.**

22 A. Yeah.

23 **Q. Do you recall talking about that?**

24 A. Yes.

25 **Q. We already discussed that there was a power**

1 differential between Benjamin Graf and Timothy
2 Jackson, right?

3 A. Yes, because ultimately Jackson was sort of
4 the head of the Center for Schenkerian studies, and
5 it was his project. So there is a power -- there
6 definitely was a power differential. We sort of
7 acted within that.

8 Q. Did that prevent Benjamin Graf in any way
9 from expressing his criticism of Timothy Jackson's
10 work?

11 A. Well, in my experience, no. And, in fact,
12 he did -- we both did offer rather, you know,
13 explicit critiques of Timothy Jackson's work,
14 specifically in his article for Volume 12.

15 Q. Uh-huh.

16 A. And if Benjamin Graf has said that it did, I
17 wasn't aware of it, and he didn't say it to me.

18 Q. And, in fact, I think you testified Timothy
19 Jackson eventually accepted that criticism that you
20 were -- you and Benjamin Graf were providing?

21 A. Yeah. He pretty much cut most of that out.
22 There were other things I guess we probably could
23 have and should have criticized him, but we spent
24 most of our effort on that. He was stubborn about
25 it, you see, and so we had to expend some energy in

1 making our case.

2 Q. Sure. I want to call your attention back to
3 Exhibit 3. Can you get Exhibit 3 in front of you
4 again? I think it's only two pages.

5 A. Is that the letter from UNT faculty members?

6 Q. Yes.

7 A. Yeah, I've got it here.

8 Q. And I just want to direct your attention
9 to -- the first sentence says, "We, the undersigned
10 faculty members of the University of North Texas
11 Division of Music History, Theory, and
12 Ethnomusicology, stand in solidarity with our
13 graduate students in their letter of condemnation of
14 the Journal of Schenkerian Studies."

15 Did I read that correctly?

16 A. Yes.

17 Q. Do you understand that letter of
18 condemnation to be incorporated by reference in that
19 [https internet link that's in the middle of the page?](#)

20 MS. QUIMBY: Objection. Form.

21 A. I haven't clicked on that link. I'm not
22 sure where that link goes. It says the students'
23 letter can be found in the link.

24 Q. (BY MR. ALLEN) Okay.

25 A. I've read the letter. I mean, I read the

1 letter at the time.

2 Q. Sure. And the -- you don't have any reason
3 to believe that that link wasn't to the student
4 letter that we're both referring to, which you've
5 also referred to as the student petition, right?

6 MR. TODD: Objection. Form.

7 A. I have no reason for supposing that because
8 I haven 't clicked on the link. I don't know where
9 it goes.

10 Q. (BY MR. ALLEN) That's fine. We could do
11 that, but I don't want to really waste our time doing
12 that.

13 A. I know where it says it goes.

14 Q. Yeah. And you did refer to the student
15 letter as a student petition earlier, right?

16 A. Yeah, yeah.

17 Q. And let's look at that second paragraph.

18 It says, "We endorse the call for action
19 outlined in our students' letter," right?

20 A. Uh-huh.

21 Q. And then in the final sentence of that
22 paragraph, it says, "Responsible parties must be held
23 appropriately accountable," right?

24 A. Yes.

25 Q. And in the student letter, as you remember

1 **it, who was being singled out to be called into**
2 **account?**

3 MS. QUIMBY: Objection. Form.

4 A. Well, it was both Dr. Jackson and, to a
5 lesser extent, myself. But Dr. Jackson more -- it
6 was a stronger accusation against him.

7 MR. ALLEN: Why don't we just put in the
8 record the student letter, just so we're not being
9 vague about anything. Let me -- you'll have to just
10 give me a second.

11 A. Yeah, I haven't seen it since then.

12 MR. ALLEN: This will be Exhibit 5 I'm
13 going to mark for the record, and this will be the
14 last exhibit we look at, Professor Slottow.

15 (Exhibit 5 marked.)

16 **Q. (BY MR. ALLEN) You will see that Exhibit 5**
17 **is the November 25th, 2020 ad hoc panel report.**

18 A. Well, I don't -- I don't see it at all.

19 **Q. I know. You don't see it right here. And**
20 **I'm going to share it with you.**

21 MR. ALLEN: I don't know. He doesn't
22 have a screen. How should we do -- should we go off
23 the record for a second?

24 THE VIDEOGRAPHER: We're off the record
25 at 3:59 p.m.

1 (Recess 3:59 p.m. to 4:12 p.m.)

2 THE VIDEOGRAPHER: We are back on the
3 record at 4:12 p.m.

4 Q. (BY MR. ALLEN) Dr. Slattow, I've introduced
5 into the record Exhibit 5, and I'm just going to
6 represent to you that Exhibit 5 is the ad hoc panel
7 report which has been discussed in earlier
8 depositions and throughout this litigation, and it's
9 dated November 25th, 2020.

10 I'm not going to ask you questions about
11 the entire report, but I want you to focus on one
12 portion of it, which begins on the Bates-numbered
13 page Jackson 226, and it is an exhibit that was
14 attached to the ad hoc panel report.

15 A. Wait a moment. I do not have this exhibit
16 in front of me. I -- wait. Oh, I see -- unless
17 it's -- unless it's part -- oh, okay. Wait a minute.
18 This is -- the student petition, the student letter I
19 read is attached to the ad hoc review panel. So --

20 Q. Yes.

21 A. -- now here --

22 Q. And it's only that student petition that I
23 want to focus on, okay?

24 A. Okay. Well, I am -- I have -- I just read
25 that. I have that in front of me.

1 Q. Well, and my question, for the record, was
2 going to be do you recognize the document --

3 A. Yes.

4 Q. -- that begins, "I am sharing this statement
5 on behalf of a cross-section of graduate students in
6 the Division of Music History, Theory, and
7 Ethnomusicology"?

8 A. Yes, I do recognize it.

9 Q. And is that the student petition that you
10 had referred to earlier in your deposition?

11 A. Yes, it is.

12 Q. So now we're going to do a little flipping
13 back and forth between exhibits, and I want to refer
14 your attention back to Exhibit 3, which was the
15 faculty letter we just talked about.

16 A. I've got it here.

17 Q. And we read that paragraph that begins, "We
18 endorse the call for action outlined in our students'
19 letter."

20 A. Yeah. Let's see. Where -- where is --

21 Q. That's -- the second paragraph begins --

22 A. Yes.

23 Q. -- "We endorse the call for action."

24 A. Right.

25 Q. So my question is in the student letter,

1 which we've just introduced into the record as part
2 of Exhibit 5, can you identify what you understand as
3 the call for action?

4 A. Well, it's the numbered elements.

5 1. Publicly condemn the issue and
6 release it freely online to the public.

7 2. Provide a full public account of the
8 editorial and publication process and its failures.

9 And then next, Dissolve the Journal of
10 Schenkerian Studies.

11 Q. Uh-huh.

12 A. And then, Critically examine the culture in
13 UNT, the College of Music, the MHTE Division, and act
14 to change the culture.

15 And three, Hold accountable every person
16 responsible for the direction of the publication.

17 It certainly is characterized by sort of
18 overblown exaggeration, yes. That's what I --

19 Q. And in that --

20 A. That's what I would say is the call for
21 action.

22 Q. And in that last number 3 that you just read
23 that said, "Hold accountable every person responsible
24 for the direction of the publication" --

25 A. Right.

1 Q. -- it also says in the last sentence,
2 "Specifically the actions of Dr. Jackson -- both past
3 and present -- are particularly racist and
4 unacceptable," right?

5 A. Yes.

6 Q. And then --

7 A. And then it goes out of its way to praise
8 Philip Ewell.

9 Q. Sure. And so the last question would be
10 about Exhibit 3.

11 When you have been asked questions about
12 this document, Exhibit 3, by the state's attorney
13 Mary Quimby, she had asked you if this identifies
14 Timothy Jackson in the quote "faculty statement"?

15 A. Not in the faculty statement.

16 Q. But it does refer to the student letter and
17 incorporates it by reference, right?

18 A. Yes.

19 MS. QUIMBY: Objection. Form.

20 Q. (BY MR. ALLEN) And does that, quote,
21 "Endorsed student letter" refer to Timothy Jackson
22 directly by name?

23 MS. QUIMBY: Objection. Form.

24 A. The student letter does. The faculty letter
25 does not.

1 Q. (BY MR. ALLEN) And when it says,
2 "Responsible parties must be held appropriately
3 accountable" in Exhibit 3 -- you see that last
4 sentence of the second paragraph?

5 A. The last sentence? Yes.

6 Q. Of the -- it says, "Responsible parties must
7 be held appropriately accountable."

8 A. That's not --

9 Q. Do you understa --

10 A. -- the last sentence. You mean --

11 THE REPORTER: I'm sorry?

12 THE WITNESS: That's not the last
13 sentence.

14 Q. That's the last sentence of the second
15 paragraph I was referring to.

16 A. The last sentence is "Specifically, the
17 actions of Dr. Jackson," etcetera.

18 Q. Oh, I'm sorry. I meant Exhibit 3. I'm
19 trying to --

20 A. Oh.

21 Q. -- link -- I'm trying to get some clear -- a
22 clear record of your understanding of how these two
23 documents interact, because obviously the -- as
24 you've already testified, the faculty petition refers
25 to the student petition, right?

1 A. Yes.

2 Q. And it incorporates it through a URL or
3 website link, right?

4 A. Right.

5 Q. And the last sentence of that second
6 paragraph of the faculty petition says, "Responsible
7 parties must be held appropriately accountable,"
8 right?

9 A. Yes, it does.

10 Q. And if you then refer to Exhibit 5, which is
11 the student petition, what is your understanding of
12 who is referred to as the responsible parties that
13 need to be held appropriately accountable?

14 MS. QUIMBY: Objection. Form.

15 A. Well, certainly it focuses on Dr. Jackson,
16 but it also says, "every person responsible," and
17 casting a wide net. But Dr. Jackson is the only
18 name -- person's name which is mentioned there.

19 Q. In that specific numbered call for action,
20 right?

21 A. Yes. He --

22 Q. Now, are you -- sorry, I didn't mean to cut
23 you off.

24 A. Yes, he seemed to be the prime mover here.

25 Q. And are you mentioned by name in the student

1 petition?

2 A. Yes, I am, actually.

3 Q. And that's in the third paragraph, right, of
4 Exhibit No. 5, the student petition?

5 A. Yes.

6 Q. And it says it's -- it says, "We would like
7 to make it clear that the JSS is not a graduate
8 student journal; since 2010 (Vol.4), it has been run
9 primarily by Drs. Timothy Jackson and Stephen
10 Slottow."

11 A. Right.

12 Q. Did I read that right?

13 A. Yeah.

14 Q. Is that an accurate, factual statement about
15 the journal?

16 A. Yeah, because Dr. Jackson and I were
17 co-directors or director and assistant director. So
18 I would say as far as it goes, it's accurate, as far
19 as the editorial direction.

20 Q. How about the -- in the next sentence where
21 it says, "Students have absolutely no say in the
22 content of the JSS"?

23 A. Well, some students do. The students who
24 are on the staff, you might say, of the journal.
25 Certainly Benjamin Graf and Levi Walls are involved

1 and do have -- they are -- yeah, there is student
2 involvement. In fact, it acknowledges that.

3 We never said it was a student-run
4 journal, I mean, like run by the -- a mass of
5 students. It has a student editor, in this case a
6 student assistant editor. So, yeah.

7 **Q. Did Levi Walls have absolutely no say in the**
8 **content of the JSS?**

9 A. I would not say that's true at all.

10 **Q. That's false, right?**

11 A. I would say so, yes.

12 **Q. Okay. Thank you.**

13 So flipping back to Exhibit 3, I want to
14 just ask one last question about the final sentence
15 of the first paragraph of the student -- excuse me --
16 the faculty petition, Exhibit 3.

17 A. Of the faculty petition, okay.

18 **Q. You see it says, "The fact that he was not**
19 **afforded the opportunity to respond in print is**
20 **unacceptable, as is the lack of a clearly defined**
21 **peer-review process."**

22 A. Uh-huh.

23 **Q. Did I read that correctly?**

24 A. Yes.

25 **Q. Who is "he" in that sentence; the fact that**

1 "he" was not afforded the opportunity to respond in
2 print is unacceptable.

3 A. That would be Dr. Ewell.

4 Q. And is that factually accurate, that he was
5 not afforded the opportunity to respond in print?

6 MS. QUIMBY: Objection. Form.

7 A. Well, that gets back to that "respond." I
8 mean --

9 Q. (BY MR. ALLEN) Yeah.

10 A. -- he was not invited to respond as a
11 responder to the items in the symposium. So he was
12 invited, like anyone else, to submit an article or a
13 submission to the journal.

14 Q. Isn't it true that the only way he was
15 denied an opportunity to respond, if he had even
16 wanted to, was because UNT refuses to publish the
17 journal anymore, right?

18 MS. QUIMBY: Objection. Form.

19 Q. (BY MR. ALLEN) I mean, otherwise the
20 journal would have been happy to publish him?

21 MS. QUIMBY: Objection. Form.

22 A. The journal would have been happy to publish
23 anything that he sent in in response to the call for
24 papers of Volume 12? Is that what you mean?

25 Q. (BY MR. ALLEN) Yes.

1 A. If it had been accepted and if it had come
2 from Philip Ewell, I can't imagine it would not have
3 been. Yes, we certainly would have been happy to
4 publish it.

5 **Q. Okay. And to that extent, the statement**
6 **that he was not afforded the opportunity to respond**
7 **in print is unaccept -- that being unacceptable,**
8 **that's false, right?**

9 MS. QUIMBY: Objection. Form.

10 A. To that extent, yes. But the word "respond"
11 is still a problematical word.

12 **Q. (BY MR. ALLEN) Okay.**

13 A. Because we don't know what he would be
14 responding to, other than a call for papers in
15 response to his SMT plenary address.

16 **Q. It doesn't say that he wasn't invited**
17 **personally, does it?**

18 A. No. It says he was not afforded the
19 opportunity to respond in print. I know what that
20 means. I know what they meant by that, but as for
21 what it actually -- that's what it says.

22 **Q. Okay.**

23 MR. ALLEN: If you want to redirect,
24 Mary, I'm going to pass the witness. I have no
25 further questions.

1 MS. QUIMBY: Okay. Can we take just
2 five minutes, please.

3 MR. ALLEN: Absolutely.

4 THE VIDEOGRAPHER: Okay. We're off the
5 record at 4:24 p.m.

6 (Recess 4:24 p.m. to 4:31 p.m.)

7 THE VIDEOGRAPHER: Back on the record at
8 4:31 p.m.

9 FURTHER EXAMINATION

10 BY MS. QUIMBY:

11 Q. Okay. Dr. Slottow, I'll have you look at
12 the student statement again. And you stated, "I know
13 what they mean."

14 A. Well, I was talking about the faculty
15 statement --

16 Q. I'm sorry, the faculty --

17 A. -- when I said that.

18 Q. Okay. What do --

19 MR. ALLEN: Are we on Exhibit 3, then,
20 or Exhibit 5?

21 MS. QUIMBY: That would then be
22 Exhibit 3.

23 MR. ALLEN: Okay, thank you.

24 A. I think I said that about -- did I say that
25 about responsible parties must be held appropriately

1 accountable, or was it about something else?

2 **Q. It was about the response issue.**

3 A. Well, can you point to a specific -- I think
4 I was referring to a specific sentence. Do you
5 remember what it was?

6 **Q. "Responsible parties must be held**
7 **appropriately accountable," at the end of the second**
8 **paragraph.**

9 A. Yes. Well, it's a general -- I thought --
10 it would have made more sense in the context of
11 what -- who is Tim Jackson's attorney? What's his
12 name?

13 MR. ALLEN: Michael Allen.

14 A. -- what Michael Allen said. Now, what was
15 he getting at, he was trying to get at? I forget.

16 Let me reread the paragraph.

17 Well, I'm not sure exactly what I meant
18 then because it was in response to something that
19 Michael Allen said.

20 MS. QUIMBY: Could we read back
21 that part of the transcript, please?

22 (Background noise.)

23 THE REPORTER: I'm sorry?

24 MS. QUIMBY: Could we read back that
25 last question and answer before we went off the

1 record?

2 THE REPORTER: The last question is:

3 Q. It doesn't say that he wasn't

4 invited personally, does it?

5 A. No. It said he was not afforded the
6 opportunity to respond in print. I know what that
7 means. I know what they meant by that, but as for
8 what it actually -- that's what it says.

9 A. I think I was referring to a sentence with
10 the word "respond" in it. It wasn't that sent -- it
11 wasn't in the sentence --

12 Q. Right.

13 A. The one -- it was the last sentence of the
14 first paragraph.

15 Q. Now that you've heard that response -- your
16 response again, do you now know -- can you now answer
17 the question of what you meant when you said, "I know
18 what they mean"?

19 A. Yeah, it meant that we did not -- the
20 journal did not invite Dr. Ewell to provide a
21 response to each of the items in the symposium.
22 That's what they meant.

23 Q. Okay. And do you agree with what
24 Dr. Jackson said in his article, particularly the
25 point regarding black anti-Semitism?

1 A. Well --

2 MR. ALLEN: Objection.

3 A. -- for the first part, do I agree with what
4 he says in his article, I wouldn't even answer that
5 without having -- rereading the article. It's been
6 years. And he says a lot about black anti-Semitism.

7 Well, there are -- certainly are pockets
8 of black anti-Semitism, and there are certainly
9 instances of synagogues being burnt down by some
10 black people. Those are facts which have been
11 reported on. So I think some of that is around, yes.

12 **Q. (BY MS. QUIMBY) And what about what he said**
13 **in the article that black children are not exposed to**
14 **classical music?**

15 A. I don't know if that's true or not. I don't
16 know what he has -- what Dr. Jackson supports that
17 with, and I wouldn't venture to agree or disagree
18 with that statement.

19 **Q. Would you expect that statement to be**
20 **supported in an academic journal in a scholarly**
21 **article?**

22 A. I wouldn't venture to say. I don't know. I
23 mean, it's too speculative. Would I expect it to be
24 supported if someone had done a study on it? I don't
25 know. I would have to wait to see if someone does do

1 a study on it. Until then, I'm not going to express
2 an opinion. I think it's -- it's a sort of statement
3 that I don't think should be made without some
4 evidence.

5 Q. Okay. Thank you.

6 MS. QUIMBY: I will pass the witness.

7 MR. ALLEN: Sure.

8 FURTHER EXAMINATION

9 BY MR. ALLEN:

10 Q. I just have one more question about the last
11 sentence of the first paragraph in Exhibit 3, the
12 fact that he was not afforded the opportunity to
13 respond in print is unacceptable, right?

14 A. Right.

15 Q. You said you know what they mean.

16 A. Yeah.

17 Q. And you even explained to the state's
18 attorney, Mary Quimby, what your understanding was,
19 right?

20 A. Right.

21 Q. And my question for you is there's been a
22 lot of discussion about what they meant after this
23 faculty petition was published, right?

24 MS. QUIMBY: Objection. Form.

25 A. Wait a minute. After this faculty -- what

1 was published? It circulated among faculty. It --

2 Q. (BY MR. ALLEN) Sure.

3 A. -- certainly has appeared in court. What do
4 you mean was published?

5 Q. So I'll just represent for the record -- and
6 I'm not trying to make you a legal beagle or
7 anything, but in defamation law, something is
8 published when it's disclosed to another party, like
9 a third party.

10 A. Okay.

11 Q. Not necessarily having to be published in a
12 journal or newspaper, all right?

13 So when I -- so maybe I shouldn't use
14 this jargon. I should say, "when this was
15 circulated." This was circulated at the time in
16 July 2020, correct?

17 A. As far as --

18 MS. QUIMBY: Objection. Form.

19 A. I don't know the exact date. I would have
20 to depend on you.

21 Q. (BY MR. ALLEN) But you remember receiving a
22 copy of it and being asked to sign it, right?

23 A. Yes.

24 Q. At that time was it explained to you what
25 they actually meant by this last sentence? Do you

1 **remember --**

2 A. No, because --

3 **Q. -- anything to that effect?**

4 A. -- it wasn't explained because I felt I
5 knew -- I felt that what they meant was obvious.

6 **Q. And all of that what you just said about**
7 **this statement, that wasn't said in the actual**
8 **petition that was circulated to you, was it?**

9 A. It's not spelled out into any greater
10 degree, no. I mean, this is the faculty petition,
11 yes.

12 **Q. Uh-huh. All right.**

13 A. I think --

14 MR. ALLEN: I have no --

15 **Q. Go ahead.**

16 A. I think that whoever put it together
17 expected it to be obvious, and I think it is obvious.

18 I would say it clearly refers to the
19 fact that Dr. Ewell was not invited to respond to the
20 items in the symposium. And that was a common and
21 much repeated criticism at the time.

22 **Q. Wasn't the criticism that was common --**
23 **wasn't a criticism that was common and repeated at**
24 **the time that he was excluded from the journal?**

25 MS. QUIMBY: Objection. Form.

1 A. I don't recall that it was put in those
2 terms to me, no.

3 **Q. Okay.**

4 MR. ALLEN: I don't have --

5 **Q. I'm sorry. Go ahead.**

6 A. If anyone said that, I would say it would
7 amount to the same thing. He wasn't invited to
8 respond to the items in the symposium, and that is
9 what was referred to.

10 **Q. Okay.**

11 MR. ALLEN: I don't have any further
12 questions.

13 MS. QUIMBY: Okay. Thank you.

14 THE VIDEOGRAPHER: Do you need to get
15 anything on the record before we go off?

16 THE REPORTER: Go ahead, Phil?

17 THE VIDEOGRAPHER: I was just asking if
18 you need to get anything on the record before we go
19 off.

20 THE REPORTER: I do, thank you.

21 Read and sign, do you want him to waive,
22 or do you want him to read and sign?

23 MR. TODD: Yeah, we would request that
24 we be allowed to review the transcript, Rule
25 30(e)(1).

1 THE REPORTER: And, Mr. Allen, do you
2 want a copy of the depo?

3 MR. ALLEN: I'll just need a transcript
4 only.

5 THE REPORTER: No video. Is that what
6 you're saying?

7 MR. ALLEN: Yes.

8 THE REPORTER: Okay. All right. I
9 think that's it. We can go off the record.

10 THE VIDEOGRAPHER: Off the record at
11 4:41 p.m.

12 (Deposition concluded at 4:41 p.m.)

13

14

15 * * * * *

16

17

18

19

20

21

22

23

24

25

- 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

DATE OF DEPOSITION: NOVEMBER 7, 2024

PAGE	LINE	CHANGE	REASON
------	------	--------	--------

[illegible]

I, STEPHEN SLOTTOW, PhD, have read the
 foregoing deposition and hereby affix my signature
 that same is true and correct, except as noted above.

 STEPHEN SLOTTOW, PhD

THE STATE OF _____)

COUNTY OF _____)

Before me, _____, on this day
 personally appeared STEPHEN SLOTTOW, PhD, known to me
 (or proved to me under oath 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 executed the same for the
 purposes and consideration therein expressed.

Given under my hand and seal of office, this
 _____ day of _____, _____.

 NOTARY PUBLIC IN AND FOR

THE STATE OF _____

My commission expires: _____

_____ No Changes Made _____ Amendment Sheet(s) Attached

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

TIMOTHY JACKSON,)
)
Plaintiff,)
)
VS.) CIVIL ACTION
)
LAURA WRIGHT, ET AL.) NO.: 4:21-cv-00033-ALM
)
Defendants.)

REPORTER'S CERTIFICATION OF THE ORAL
DEPOSITION OF STEPHEN SLOTTOW, PhD
NOVEMBER 7, 2024

I, Vanessa J. Theisen, a Certified
Shorthand Reporter in and for the State of Texas,
hereby certify to the following:

That the witness, STEPHEN SLOTTOW, PhD,
was duly sworn by the officer and that the transcript
of the oral deposition is a true record of the
testimony given by the witness;

That the original deposition was delivered
to Mr. Patrick Todd to obtain witness's signature.

That a copy of this certificate was served
on all parties and/or the witness shown herein on
November 11, 2024.

I further certify that pursuant to FRCP
Rule 30(3) that the signature of the deponent:

XX was requested by the deponent or a

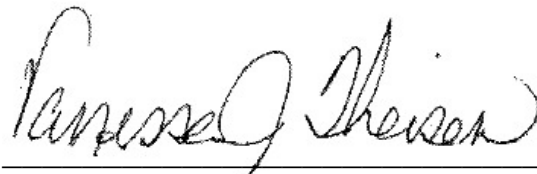
1 party before the completion of the deposition and
2 that the signature is to be before any notary public
3 and returned within 30 days from date of receipt of
4 the transcript.

5 If returned, the attached Changes and
6 Signature Page contains any changes and the reasons
7 therefore:

8 _____ was not requested by the deponent or
9 a party before the completion of the deposition.

10 I further certify that I am neither
11 counsel for, related to, nor employed by any of the
12 parties or attorneys in the action in which this
13 proceeding was taken, and further that I am not
14 financially or otherwise interested in the outcome of
15 the action.

16 Certified to by me on this, the 11th day
17 of November, 2024.

18 
19

20 VANESSA J. THEISEN, Texas CSR, RPR
21 Texas Cert No. 3238
22 Expiration Date: 10/31/25
23 Integrity Legal Support Solutions
24 Firm Registration No. 528
25 9901 Brodie Ln., Ste. 160-400
Austin, Texas 78748
(512) 320-8690
www.integritylegal.support