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MICHIGAN STATE UNIVERSITY
DISMISSAL FOR CAUSE HEARING COMMITTEE

In the Matter of Dr. Selman Akbulut

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DISMISSAL FOR CAUSE HEARING
BEFORE COMMITTEE MEMBERS JOHN WM. REIFENBERG, JR., JAMES SMITH,
AND GALE STRASBURG

COUNSEL FOR MSU: WILLIAM WHITBECK

East Lansing, Michigan - Monday, August 26, 2019

APPEARANCES:

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1 East Lansing, Michigan

2 Monday, August 26, 2019 - 9:33 a.m.

3 MR. REIFENBERG: So we're on the record now.

4 Dr. Promislow, you have one hour to make your argument. From
5 your hour's time you may reserve time for rebuttal. Do you
6 wish to reserve any time for rebuttal?

7 MS. KELLEY: Of the hour; right?

8 MR. REIFENBERG: Out of the hour.

9 MS. KELLEY: So you have an hour total.

10 MR. REIFENBERG: Total.

11 DR. PROMISLOW: I guess I'd like to reserve five
12 minutes.

13 MR. REIFENBERG: Okay. Then start your
14 argument.

15 DR. PROMISLOW: Okay. So we're here because
16 Professor Akbulut has engaged in a relentless three-year
17 campaign to impugn the motives and reputation of everybody
18 who has served in an administrative review process or
19 contributed documents to it. Professor Akbulut's goal is
20 simple. It's to discredit those who provided evidence or who
21 served on administrative review committees that found again
22 him, to intimidate faculty so they will refuse to provide
23 evidence or would refuse to serve in the future. I think
24 that the witness testimony has abundantly established the
25 terrible emotional impact his actions have had on his targets

1 and on the Department of Mathematics as a whole.

2 To each of the many warnings, official,
3 injunctions and good faith efforts to find a compromise,
4 Professor Akbulut has elected to escalate the scope and
5 intensity of his attacks. He sent his attacks to new people
6 and he's involved new people as a subject of the attack.
7 Professor Akbulut has shown no remorse. Indeed, he has vowed
8 to continue his attacks for as long as he is here, and he
9 cannot identify one email written by me which is abusive,
10 insulting, retaliatory inexcusable harassing, and targeting.
11 All the faculty have an obligation to treat colleagues in a
12 collegial and respectful manner. His pattern of destructive
13 behavior is simply far, far outside of acceptable norms.
14 This is not something we can tolerate at this university.
15 Unchecked, it threatens to establish a culture of bullying
16 that will denigrate the department, the college, and the
17 university. Indeed, he is undermining the very process of
18 administrative review. His behavior threatens the fabric of
19 academia, which requires honest and open administrative
20 review as a check.

21 I'd like to summarize the charges that are being
22 brought against him. This includes violation of university
23 policies substantially related to performance of faculty
24 responsibilities, including faculty rights and
25 responsibilities and academic freedom. The grounds for

1 dismissal for cause policy, for discipline and dismissal
2 lists nine points that are valid basis. We are using
3 Number 8, violation of university policy substantially
4 related to performance of faculty responsibilities. These
5 include as a primary function of teaching, learning,
6 scholarship, and public service. They must be maintained
7 through reasoned discourse, through intellectual honesty,
8 through mutual respect and openness to constructive criticism
9 and change.

10 It goes on to state that the university looks to
11 its faculty members to exercise their rights and
12 responsibility and to meet their obligations fully as
13 professionals. Academic freedom carries with it
14 responsibilities and these include, number one, the
15 responsibility to carry out assigned teaching, research, and
16 public service duties in a professional manner. And point
17 five, the responsibility to work in a collegial manner with
18 appropriate individuals and bodies. In particular, the
19 relation with colleagues section includes the responsibility
20 to respect the views and rights of others and asks the
21 faculty member shall foster collaboration with and support of
22 colleagues.

23 So before I start into the charges that we think
24 violate these tenets, it's appropriate and natural for people
25 to ask, well, what's the context in which this took place?

1 How did this start? And so although we maintain that there
2 is no reasonable impetus for the actions Professor Akbulut
3 took, that there's no reason to go outside the administrative
4 review and set up what is a de facto vigilante administrative
5 review process, that that cannot be tolerated. It is
6 important to explain what predated it, and so I just want to
7 briefly summarize the events before the administrative review
8 process.

9 There was a course cancellation. There was a
10 new course cancellation policy that was in response to
11 requests from staff to streamline the process of scheduling
12 classes. The process was clearly communicated. Five
13 graduate courses were canceled for underenrollment on
14 October 21st, 2014, Math 840, 842, 864, and two sections of
15 special topics, 996.1 and 996.2. Two faculty members,
16 Professors CY Wang and Gang Bao, requested extensions beyond
17 the deadline and were denied. A key element of dispute or of
18 discussion was Luke Williams' attempt to solicit an override.
19 We maintain this was not obstructed, basically from his own
20 testimony. He said that he asked, was told he wouldn't have
21 to pay, and didn't come back. Rick Schwartz investigated
22 this, the associate dean for graduate studies. He said, "I
23 don't see any problem with the general process that Keith has
24 instituted for deciding which classes have sufficient
25 enrollment." He said, "Luke never registered for the course.

1 No one removed his enrollment from the course." Indeed, we
2 maintain that Professor Akbulut delegated responsibility for
3 Luke's enrollment to a staff member, Carolyn Wemple. She
4 didn't fully understand his intent and she took no action,
5 but it's important that it's not staff responsibility to
6 register students and indeed they cannot do it without
7 student input, so simply by delegating these acts, it does
8 not fulfill responsibility to get enrollment, and for this
9 reason the course was under-enrolled with only four students.

10 The Abrogation of Duty Penalty is really not --
11 the act of Abrogation of Duty is really not disputed.
12 Professor Akbulut states that once assigned a replacement
13 section of Math 124, "I refused, because it was not my
14 official teaching assignment.) This is from his documents.
15 Refusal to acknowledge the revised teaching assignment and
16 teach the assigned course is the act that led to Abrogation
17 of Duty. It's not disputed. I myself met with Professor
18 Akbulut twice in October 2014 in an attempt to resolve the
19 issue after the class cancellation before the Abrogation of
20 Duty Penalty was decided upon. These were the meetings that
21 were taped. Professor Akbulut -- I'm sorry. Associate
22 Provost Terry Curry met with Professor Akbulut to hear his
23 side of events prior to imposing the Abrogation of Duty
24 Penalty on January 30th. The penalty I would say -- the
25 penalty component, the financial component, is formulated as

1 a percentage of salary based upon the workload that was
2 abrogated. That is the formula that came to the salary
3 penalty. It is true that Professor Akbulut provided a
4 reading course with content equivalent to Math 996, the
5 topics course. The students that elected to enroll in the
6 course received equivalent credit and instruction. Their
7 education was not harmed in a material way. This is
8 supported by testimony from many of the witnesses.

9 There is an issue of grant encumbrance. It has
10 no direct bearing on the course cancellation but it was
11 reviewed by the Administrative Review Panel and they
12 commented on it, so it's appropriate to give some context for
13 that. In May 2014 Carolyn Wemple, Beth Koivisto, and Selman
14 Akbulut exchanged emails indicating what appeared to be the
15 remaining 18K in Professor Akbulut's grant should be divided
16 over two visitors. Crucially 10K was allocated to Mohammad
17 Asadi.

18 JUDGE WHITBECK: Dr. Promislow, can I stop you
19 there?

20 DR. PROMISLOW: Yes.

21 JUDGE WHITBECK: I must admit I am still
22 confused on this point.

23 DR. PROMISLOW: Okay.

24 JUDGE WHITBECK: I directly asked your witness
25 did these monies come out of Professor Akbulut's grant funds

1 and she said no, they came from the general fund. So which
2 is it?

3 DR. PROMISLOW: This is my -- well, I will
4 clarify it down here in the third point. I will do my best
5 to clarify it. So let me see if I can explain. There is
6 funds that go to visitors. This is May 2014. Also in
7 May 2014 there is a MSU Export Control Document that links
8 the funds allocated to Asadi to Professor Akbulut's grant.
9 That's CP-68. In August 2014 Carolyn and Professor Akbulut
10 had an email change which Carolyn refers to an agreement with
11 me indicating that the department will provide 10K to Asadi,
12 which will remove this encumbrance -- remove the 10K to Asadi
13 if, if, Asadi arrives in time to teach and implicit in this
14 if he is capable of teaching, if he has sufficient English
15 language skills. So this is an agreement. This is the issue
16 with the encumbrance. It turns out Professor Asadi arrived
17 too late to teach not only in the fall semester of '14 but
18 also the spring semester of '16. Moreover, his English
19 language skills are not appropriate to put in front of a
20 class. Professor Akbulut seeks to rescind the offer of
21 support to Asadi. So without the 10K from the department,
22 the encumbrance reverts back to Professor Akbulut's grant.
23 That is my thought. He seeks to rescind the offer to
24 support. This is the dispute. He says he does not -- he no
25 longer finds it valid that Professor Asadi has arrived too

1 late and he wants to renege on this initial agreement of 10K
2 and the MSU Export Control Agreement. Asadi does not teach.
3 However, in mid January, this is after everything has been
4 canceled, the department provides 5K in support of Asadi.
5 This does partially remove the 10K. So the encumbrance is
6 partially removed but this is after the class has been
7 canceled. This is the act where I provided Professor Asadi
8 with 5K of housing support when he approached me in dismay
9 over this cost of health insurance that he did not
10 anticipate. So this is the issue. This 5K came from
11 department support money and it thereby removed the
12 encumbrance, but this is after the period which the decision
13 had been made to cancel the course.

14 Okay. Following in 2015 there were grievances
15 and meetings still before the Administrative Review.
16 Professor Akbulut filed a grievance of the Abrogation finding
17 and penalty with the Faculty Grievance Office in
18 February 2015. The grievance was denied without review.
19 Professor Akbulut appealed and this -- the denial was upheld.
20 At this time in May of 2015, now about a semester after the
21 course cancellation, Professor Akbulut -- Professors Matt
22 Hedden and Tom Parker met with Professor Akbulut to seek a
23 resolution. This is from Matt Hedden's testimony. This was
24 followed up by two hourlong meetings between Professor
25 Akbulut and myself in August of 2015 according to my

1 testimony, and the result of these negotiations are emailed
2 on October 24th, 2015, reaffirmed the right of the graduate
3 director to set registration deadlines, established an appeal
4 process inside the department for course cancellations, and
5 offered Professor Akbulut a one-course teaching release.
6 This is CP-57. The teaching release was taken in spring
7 semester '17. This was discussed in Selman's
8 cross-examination. The charging party maintains this was an
9 agreement. The faculty member disputes that this was an
10 agreement. Professor Akbulut presented a motion at the
11 December 2015 department meeting seeking the department to
12 request that the Provost's office rescind the Abrogation of
13 Duty letter. The minutes of the meeting indicate that the
14 motion was voted upon and not supported.

15 So now we're at the administrative review
16 process. This is where our case begins. We are now
17 contextualized. In spring 2015 at Professor Akbulut's
18 request then Dean Kirkpatrick formed an Administrative Review
19 Panel by taking the Math Advisory Committee and removing two
20 members of an obvious conflict of interest, Professor Akbulut
21 and myself. That left Matt Hedden, George Pappas, Sasha
22 Volberg, Baisheng Yan, and Jeff Schenker. Jeff Schenker was
23 elected the chair. They were charged to determine if the
24 Abrogation of Duty finding was justified. They found this to
25 be indisputable. Professor Akbulut had refused to teach his

1 assigned class. There was actually very little discussion on
2 this fact. The review panel found that the finding and the
3 penalty were warranted. They expanded their mandate to
4 investigate the underlying allegations of uneven application
5 of the course cancellation rule, obstruction of Luke
6 Williams' registration, and the issue of grant encumbrance.
7 They collected evidence from Professor Akbulut, from myself,
8 from Carolyn Wemple. They requested enrollment data from the
9 assistant to Chair Rick Hensh, and they discussed policy with
10 all the previous department chairs that they could find. The
11 conclusion was that the cancellation policy was uniformly
12 applied, that Luke's registration was not obstructed, that
13 Selman's grant was encumbered by the Asadi obligation, at
14 least at the time of the course enrollment discussion, and
15 that his course registration on October 21st, 2014, was four
16 students, below the threshold of five. That's their
17 conclusion.

18 So now I want to point to the dichotomy of
19 interpretations of events. And I think central to this is
20 Professor Matt Hedden's testimony. Professor Matt Hedden is
21 the closest faculty member to Professor Akbulut
22 professionally. He was, in fact -- he said that he chose to
23 come to MSU in part to work with Professor Ron Fintushel and
24 Professor Akbulut. They meet frequently. They are at
25 seminars together. They sit on student thesis committees

1 together. They have a very similar network of friends.
2 Everyone who knows Matt Hedden is also very likely to know
3 Professor Akbulut. Initially Matt Hedden was sympathetic to
4 Professor Akbulut's claims before he delved into them deeply.
5 This is according to his testimony. In particular he said
6 that when he was appointed to the Administrative Review Panel
7 his hope was to find evidence that would support Professor
8 Akbulut because clearly that is a much easier outcome for
9 him. He doesn't have to impact his relationship with
10 Professor Akbulut if his claims are substantiated. It's very
11 painful for him to find against him and he doesn't want to do
12 it. But after examination of the evidence he writes that he
13 found "I cannot say" -- this is his email exchange with
14 Professor Akbulut in CP-58, email one. "I cannot say you
15 were correct not to teach your assigned course. I don't
16 believe that and to say otherwise would compromise my
17 integrity." These are the words of the person who is most
18 likely in the faculty to support Professor Akbulut. He goes
19 on to state that "Oral communication with you is clearly
20 difficult and counterproductive." Because Professor Akbulut
21 has a habit of distorting history to his benefit. Matt
22 insists he did consult with Professor Akbulut during the
23 administrative review process "asking for the non-consensual
24 recordings you made of your conversations with Keith, that he
25 agreed to admit to our deliberations, and whose contents

1 bafflingly bore little resemblance to the claims you've made
2 of them." This was particularly hard for Matt. Professor
3 Akbulut had said many times that he had recordings that
4 exonerated him, that showed that I had been lying, and when
5 the evidence was presented and Matt looked at them, he found
6 that they did not support this.

7 And so this brings us to what I think is the
8 major issue before you. You really have two interpretations
9 of the events that you have. It's sort of surprising to me,
10 perhaps this is from my lack of experience, but there's very
11 little disagreement between the charging party and the
12 faculty member on the evidence. Much of the evidence we
13 submit is the same. It is the context and interpretation of
14 this evidence that differs wildly. Are these emails that are
15 sent insulting? Are they harassing? Are they attempts to
16 intimidate? Or are they polite rejoinders, attempts at
17 transparency? Got some very different interpretation of the
18 same events. Are the members of the Administrative Review
19 Panel acting in good faith or are they minions of the chair?
20 Is this the department that's coming together to make a stand
21 against bullying or is this the evidence of a vast
22 conspiracy? A really vast conspiracy that involves many,
23 many, many people over whom a department chair would have
24 very little leverage.

25 It's quite telling that Professor Akbulut could

1 not produce a single faculty member who's willing to
2 corroborate his interpretation, and it's really telling that
3 he could not produce Matt Hedden to corroborate his events
4 because who has more to lose if Selman is wrong, if Selman's
5 point of view is not as he maintains it than Matt Hedden? If
6 you're going to look at these events, I would say ask
7 yourself what does Matt Hedden think? You heard his
8 testimony. You understand the emotion in his voice when he
9 spoke. Are these emails insulting, attempts to intimidate?
10 What do you think Matt Hedden would think? Is the
11 Administrative Review Panel acting in good faith or are they
12 the minions of the chair hoping for a little bit of extra
13 raise? What do you think Matt Hedden thinks? Is this the
14 department that's coming together to take a stand against
15 bullying behavior or is this a vast conspiracy? I mean, who
16 would be involved in this conspiracy? Rick Schwartz, the
17 associate dean, the staff, three deans, Kirkpatrick, Interim
18 Dean Sisk, Dean Duxbury, Terry Curry's office, who was
19 involved at every step of -- every significant step of
20 disciplinary action, who was heavily consulted? He would
21 have to be involved in this. Two presidents of the
22 university, the provost? The UCFA panel? William Donohue?
23 Almost everybody that came into contact with this process has
24 to be part of the conspiracy in order to verify, to validate
25 Professor Akbulut's claims.

1 So I think when these five people signed their
2 names to this document, they understood what they were
3 stepping into and they understood that they were going to be
4 exposed to attacks, and these signatures reflect their
5 principle of integrity, the fact that they stood forward and
6 when Professor Akbulut repeatedly attacks their signatures,
7 what he is doing is attacking their integrity. He says you
8 signed, you put your signature there. He's asking them about
9 their integrity. And I think they stood on integrity.

10 So now I'm going to review what happened. What
11 are the actual events that led to the charges that we have
12 here? These are the targeted actions that occurred first in
13 May 2016 to November 2017 before the formal disciplinary
14 process was begun and then the events afterward. I'll break
15 it in two pieces.

16 In May 2016 the Administrative Review Panel
17 issued their report. I made my chair summary. They both
18 upheld the Abrogation of Duty finding and the penalty.
19 Immediately Professor Akbulut begins sending emails targeting
20 the Administrative Review Panel. These include claims that
21 their findings were fraudulent, faulty, that they had lied,
22 that they were coerced or manipulated and eventually did so
23 for future benefit. These emails include CP-1, CP-2, 3,
24 CP-16, 17, CP-45, 46, 47, 48, 49, 50. They were sent to the
25 entire math faculty. They were sent to staff and graduate

1 students eventually. They requested the ARP reconsider the
2 same documents that they'd already been sent. This is
3 according to Pappas's testimony. In June 2016 I did send an
4 email to all faculty outlining what I considered as
5 inappropriate use of bulk email in recognition that this was
6 likely to be an ongoing event.

7 The targeting of the Administrative Review Panel
8 I think is certainly clear. A quintessential example of this
9 is CP-47. This starts "Dear Jeff, George, Matt, Sasha, and
10 Baisheng. You signed a faulty document about my academic
11 record while refusing to fact check with me. They may have
12 caused you to do this." This is the suggestion that is
13 being -- they're being manipulated. "But now you are
14 responsible because you signed it." He says you signed it.
15 Your signature's on it. It's your integrity. "Until you
16 issue a correction, you are responsible forever for the
17 document you signed your name to. I know you feel
18 uncomfortable seeing me remind you about this faulty document
19 you signed and feel uncomfortable looking me in the eye
20 because you know deep inside you did something wrong." This
21 is transparency. Is this a push for transparency or is it
22 attempts to intimidate to get them to retract what they
23 believe in? "I'm waiting. Come talk to me. Check my
24 records. Correct your report and rethink about your
25 signature." Sent to the math department, to the president

1 and provost of MSU, to the National Science Foundation, to
2 the American Math Society, the members of the Michigan state
3 government.

4 Most troublesome I find, well, particularly
5 troublesome, not most, particularly troublesome, egregious
6 are the emails Professor Akbulut sent Professor Jeff Schenker
7 once it was announced he would become the next graduate
8 director. This includes CP-2. "You undersigned a faulty
9 public document about one of your colleagues and so you're
10 responsible. You will always be asked to prove these claims
11 exactly since you got yourself involved in this shell game."
12 Continues. "I'm asking you to correct this before the NSF
13 gets involved."

14 CP-4. Subject line. "Please do not appoint
15 Jeff Schenker to grad studies chair, the body, because I
16 believe he is not qualified and capable of lying."

17 CP-6. "You should not be involved in graduate
18 student affairs because you clearly lied about a grad course
19 to penalize your colleague. The people in the department
20 will always be reminded of what you have done. Only way to
21 clear your record is to atone and apologize."

22 CP-9, which included a cc to graduate students,
23 which directed -- which the graduate director has supervisory
24 duty over. "How can you be the grad chair when you lie about
25 grad courses and don't even bother to correct yourself?"

1 CP-11. "Having lied about graduate records in
2 the past I think you should resign from the graduate study
3 chair position and let some other people-friendly honest
4 person manage the office," implying that Jeff Schenker is
5 lying, is not people-friendly, is not honest.

6 Jeff Schenker attempts to resolve the issue. In
7 his email of CP-2 he implored Professor Akbulut, "Please for
8 your own sake and for the sake of the department accept this
9 and move on."

10 In CP-10 the private exchange between Professor
11 Akbulut and Schenker following a face-to-face meeting,
12 Schenker writes, "The two statements you mention are not
13 lies. They are accurate descriptions of events. For you to
14 publicly accuse me of lying on the basis of these documents
15 is defamatory. Again, respectfully, I ask you to stop doing
16 so." Professor Akbulut's response was "There are facts and
17 there are lies. Your claims are lies."

18 In the statement of impact Jeff Schenker says,
19 "His," Professor Akbulut's, "emails have sometimes created a
20 toxic atmosphere and made it difficult to carry out
21 day-to-day tasks. This harassment has led me to consider
22 stepping away from department service and to think about
23 seeking employment elsewhere despite otherwise being quite
24 happy at MSU. Knowing that his replies are copied to
25 students and staff made my job as grad director stressful and

1 difficult. It would be easier to give in to the bullying but
2 it would serve no good purpose in the long run." I find that
3 as very telling. That is what Jeff Schenker perceives to be
4 the purpose of these emails, to get him to give in and agree
5 to things to which he does not agree.

6 So I'd just like to go briefly through after
7 November 2017 the stages of discipline and the responses on
8 the right, the stages on the left Professor Akbulut's
9 responses he gave to disciplinary steps. November 14th,
10 2017, following issues face-to-face confrontation in the tea
11 room and several other emails. A letter of warning, a formal
12 letter of warning now a year and -- I'm sorry. Yeah. A year
13 and three months after the Administrative Review Panel a
14 letter of warning is issued to Professor Akbulut which
15 defines targeting. CP-27. It includes an offer for a
16 meeting with the UCFA chair, which is accepted. Professor
17 Akbulut's response is to accept the request. The meeting is
18 December 5th. On December 6th I send a summary of the
19 meeting with UCFA chair Tom Tomlinson at Tom Tomlinson's
20 suggestion. I instruct Professor Akbulut to modify the web
21 links where I offer him an opportunity to modify them from
22 his department supported web page. The deadline is
23 January 5th and there is a reinsurance that he desist from
24 his targeting of Administrative Review Panel. His response
25 is to target them in the email of December 25th, and he

1 offers no web page modifications. Rather he sets up a
2 parallel off campus web page. On January 11th there's a
3 notice of pending letter of reprimand followed within the
4 hour by a targeting email. On January 22nd he is issued the
5 letter of reprimand. This is followed up immediately by a
6 targeting email and then two days later by what's called the
7 raises email that we discussed at length.

8 On January 24th, right after the raises email,
9 there was a request for a second meeting with Tom Tomlinson
10 because of possible consideration of further discipline. On
11 January 30th there was written notice of impending
12 disciplinary action including the warning that current
13 behavior is potentially leading to serious discipline. On
14 January 24th Professor Akbulut declined the second meeting
15 with Tom Tomlinson, and on January 25th he sent the email to
16 the current AdCom offering unspecified consequences should
17 they engage in administrative review. I view this email as a
18 particularly strong escalation because he's now involving an
19 entirely new body or threatening to involve an entirely new
20 body in his targeting actions. On January 30th and February
21 2nd he sends additional targeting emails to target the
22 Administrative Review Panel. On February 7 to 14 Bill
23 Donahue attempts to set up an external mediation. This
24 mediation offer is withdrawn following Professor Akbulut's
25 exchange with Bill Donahue and Laura Athens, the mediator,

1 and on May 1st, 2018, he sends a target email to the
2 Administrative Review Panel again.

3 Okay. So now that brings us to March 27th. At
4 this point the Math Advisory Committee has asked that the
5 review of Professor Akbulut's case be handled at the CNS
6 level. It is handled by a CNS ad-hoc committee which
7 unanimously recommends for serious discipline. On April 9th
8 the notice to impose serious discipline is sent to Professor
9 Akbulut. As is his right, he requests a hearing with the
10 UCFA panel. The hearing occurs on April 29th. On May 3rd
11 they return the decision, and on May 5th he targets them. He
12 sends a targeting email implying that their decision was
13 motivated for other reasons in part of a broad pattern of
14 corruption.

15 On June 6th Professor Akbulut receives a notice
16 of intent to pursue dismissal for cause because of the
17 absolute willingness to desist from expanding his base of
18 people he will target. In August 2018 the provost notifies
19 him of intent for the dismissal process. And he receives as
20 part of this the UCFA package which includes the statements
21 of impact that were sent to the UCFA. So once he has a
22 statement of impact, he then enlarges his targeting sphere
23 yet more. He targets Hedden and Kulkarni for their statement
24 of impact in September. He has a Twitter attack of Beth
25 Gagnier on September 17th. On November 6th an email to

1 faculty and grads he refers to a hate letter campaign against
2 him. And on November 9th, 2018, he sends the email that
3 targets the CNS Award winners Gagnier and Kalfagianni as hate
4 letter writers to a CNS-wide email.

5 So I see three major -- points of major
6 escalation. One is the email to the Math Advisory Committee,
7 "My suggestion to AdCom members is not to sign any document
8 along to way of penalizing your colleagues" and suggests the
9 Administrative Review Committee members could go to jail.
10 The May 5th email to Mark, Roxane, and Phylis, the UCFA
11 panel, said, "It looks like the UCFA gathered you to write a
12 report against me." It implies that they were not impartial.
13 "You are all up for potential promotion, subject to
14 administrative approval." And he continues. He implores
15 them, "Please produce one email written by me which is
16 abusive." He gives them some other adjectives. "They are
17 all rather polite inquiries requesting correction of my
18 academic record." I find this escalation stupefying. These
19 people didn't know him before he met them. There's no
20 evidence for any. He has -- the case has provided no
21 evidence that any of these people are engaged in a
22 conspiracy. Not a single shred. Why? Prove this.

23 November 16th, the email to NatSci Academics,
24 800 people roughly. "I see this year's award winners include
25 two hate-letter writers" and links the statements of impact

1 by Kalfagianni and Koivisto. I find this unconscionable. I
2 don't understand. I'll address that a little bit later.

3 There were many offers to meet and deescalate.
4 Many attempts. There were the two hourlong face-to-face
5 meetings between Professor Akbulut and myself on October
6 2014, right after the course cancellation. There was the
7 May 2015 meeting, Hedden, Parker with Akbulut trying to
8 arrive at an agreement that Matt Hedden testified to. The
9 two hourlong Akbulut/Promislow meetings to arrive at the
10 August 2014 email which I viewed as a meeting of the minds.
11 There's the fall 2015 appointment of Akbulut to the Math
12 Advisory Committee. This was a consequence of this outreach
13 by Matt Hedden. Matt Hedden was a member of the Math
14 Advisory Committee, the AdCom, and he suggested to me that I
15 should appoint Akbulut as a mechanism to give him a role to
16 have a positive voice in the department and I agreed. I
17 thought it would be a good role for him to have a chance to
18 speak positively to the department and perhaps he could then
19 help him resolve some of his issues. Didn't ultimately work.

20 On April 20th Hedden had outreach to Professor
21 Akbulut following the Tulane email. That is actually the
22 impetus of CP-58, the emails. 1 to 4 are the follow-up of
23 that meeting. On October 13th of 2017 Jeff Schenker
24 attempted to have a face-to-face resolution. He sat down
25 with Professor Akbulut and the CP-10 is the email exchange

1 that follows that discussion which Professor Akbulut called
2 Jeff a liar again.

3 There's a December 5th meeting with the UCFA
4 chair. There's the January 24th request for a second meeting
5 with the UCFA chair that was declined, and there were
6 attempts to seek external mediation. I'd just like to touch
7 on that a little bit.

8 On February 7 to 14th Bill Donahue attempted to
9 establish mediation with Laura Athens, a professor mediator
10 that he uses on many occasions. In the exchange of emails
11 Professor Akbulut wrote to Bill Donahue. He wrote, "Bill by
12 now you have lost all credibility. You killed the trust
13 factor. I really don't think you are qualified to serve in
14 that office. I think you should resign your FGO chair
15 position." And to Laura Athens he wrote, "Until I get
16 answers to these questions (about who is funding the
17 mediator) I have to assume this is a quack solicitation
18 email." So that was the response that led to the basis of
19 withdrawal from mediation.

20 Statement of impacts present a relatively
21 uniform and pained point of view. Pappas writes, "I cannot
22 estimate the cost of this harassment. It is both emotional
23 and professional. Many faculty are intimidated since they do
24 not want to be included in the new list of targets."

25 Matt Hedden writes, "I have considered leaving

1 the university because of this persistent bullying. I am
2 deeply concerned about the toxic effect that Professor
3 Akbulut's behavior has on the department, on our ability to
4 recruit and retain faculty." It's particularly troublesome
5 for Matt because everywhere he goes he meets people who know
6 Akbulut. Everyone he knows professionally knows Professor
7 Akbulut. People he wants to recruit, the graduate students
8 he wants to recruit will all be aware of Professor Akbulut.

9 Effie Kalfagianni writes, "The letter from
10 Selman," which is the letter he sent to the Math Advisory
11 Committee advising them not to participate, "was perceived by
12 the committee as it is, a threat. I strongly feel that none
13 of my colleagues should have to stand the constant public
14 targeting that Selman's actions have exposed them to."

15 Rajesh Kulkarni who wrote a statement of impact
16 was also on the Math Advisory Committee when the letter
17 arrived. He said "The events that have unfolded have left me
18 and the department bruised and drained. There is visible
19 loss of morale. This has resulted in faculty shying away
20 from committee work for fear of retaliation."

21 Beth Koivisto, now Gagnier, wrote that
22 "Professor Akbulut's behavior continues to create a hostile
23 work environment for anyone he includes in his tirades." She
24 wrote this before the email to the NatSci and the Twitter
25 statements.

1 Rick Hensh summarizes Professor Akbulut's
2 behavior as "No offense is too small. He refuses to
3 recognize authority. He has no empathy for those he
4 attacks."

5 One could argue perhaps that this is free
6 speech, but the First Amendment does not protect what
7 Professor Akbulut is engaging in. His attacks on colleagues
8 are not a matter of public interest. His attacks result from
9 his own personal disagreement over employment actions taken
10 with respect to him. He is disparaging colleagues who have
11 simply served the university by sitting on review panels.
12 The review decisions were thoughtful and respectful, not
13 personal. He is answering thoughtful, respectful decisions
14 with personal attacks. His speech has been disrespectful,
15 disparaging, harassing, and a direct personal attack, and
16 it's significantly disrupted the math department. It impacts
17 our recruiting and retention and it will clearly generate a
18 climate of bullying if it is not disciplined. If this
19 behavior is condoned, it will have a big impact on how people
20 behave and act and see the power structure inside the
21 department. Indeed I would say that Professor Akbulut's
22 actions have as their goal the disruption of MSU's academic
23 review process.

24 Professor Akbulut and his counsel have tried to
25 make this a case about Professor Wolfson and the OIE finding

1 against him, but I just want to state simply that in truth
2 Professor Wolfson did commit mistakes, errors. He accepted
3 his punishment. He engaged productively in training. He
4 never reached out to attack colleagues, staff, or students in
5 a public forum and he has had no further issues. This is in
6 stark contrast to the behavior of Professor Akbulut.

7 Leading us to the central questions. Why
8 dismissal? Why not a lesser penalty? I would say the
9 Department of Mathematics, College of Natural Science, the
10 Office of the Provost have been slow to judgment and have
11 exhausted every possible mechanism to rectify this pattern of
12 behavior. I think it's clear from his own statements and his
13 own testimony in many places in writing in his emails
14 Professor Akbulut has shown no remorse. He does not see that
15 he has done anything wrong. So logically why would he stop?
16 Why would a lesser penalty be anything less than another
17 unjust action against him? That should result in further
18 escalations of his actions. He does not, will not identify a
19 single element of his emails and web postings as
20 inappropriate. He finds them quite acceptable. He said this
21 in his testimony. He said it in his writings. He's attacked
22 essentially every single person who's had a role to play in
23 this process. It's upwards of 30 people now that are inside
24 the scope of his attacks. People who have never met him
25 before. People at the very top of the university. People at

1 the very bottom of the university. He doesn't distinguish
2 between staff, president, provost. Anyone who has given a
3 statement or contributed to evidence that he finds that are
4 against his cause are therefore part of the vast conspiracy.
5 It's a very beautiful bucket to throw everyone into. There's
6 the people that agree with him and there's the rest.

7 Well, who agrees with him? There are 62 tenure
8 system faculty with an appointment in math. 28 of these are
9 full professors. He could not find one of these people
10 willing to speak in his defense. That's quite a conspiracy.
11 Math department faculty are notoriously independently minded
12 and do not naturally align with authority. So to say that
13 this is part of a vast authority driven conspiracy moderated
14 by I guess modest increases in raises or other tools
15 available at the chair's disposal is not credible. There has
16 been no credible evidence, not a single item of credible
17 evidence to support the idea that all these people are acting
18 in concert because they are part of a conspiracy. I think it
19 is entirely possible that they're acting in concert because
20 they find the behavior reprehensible and unacceptable at
21 every level and this to such an extent that they are
22 unanimous.

23 The testimony of many of the witnesses,
24 especially Matt Hedden, Jeffrey Schenker, Effie Kalfagianni,
25 George Pappas, I think Beth Gagnier, they've all made it

1 clear that this process was painful for them, what they were
2 exposed to was painful with the process of testifying and
3 rendering testimony was painful but they could see no
4 alternative. They did not see any resolution to this short
5 of dismissal. So they agreed to contribute. Many of them
6 have said that if Professor Akbulut stays then they will at
7 least attempt to leave. They have absolutely made this a
8 binary choice. It would be him or us. We cannot live at the
9 university that tolerates this behavior.

10 We have shown by clear and convincing evidence
11 Professor Akbulut is in violation of the university's faculty
12 rights and responsibilities and academic freedom policy. I
13 think it's more than clear and convincing evidence, but
14 that's our bar. I think it's almost indisputable. The
15 emails are there. They are self-evident. Many people have
16 told me if Professor Akbulut is not dismissed for this, if
17 this pattern of behavior is, in effect, normalized by a
18 decision that says if you perceive yourself to be aggrieved
19 then you have right to set up a vigilante shadow system that
20 allows you to attack people. If you don't find your
21 resolution inside of the university administrative review
22 process, set up your own. It works. See what happened to
23 Professor Akbulut. He got away with it. That's a precedent
24 that must not be made. Professor Akbulut has made it
25 perfectly clear he will never stop. His behavior is not

1 pursuit of transparency. That's offensive to me to call it
2 pursuit of transparency. It is not a legitimate
3 self-defense. That is not my opinion. That is the opinion
4 of the OIE investigation submitted by the faculty member
5 party which says on Page 17 that while there is resolve,
6 there is a right to defense of a faculty member who's under
7 dismissal for cause, the actions, the emails sent,
8 identifying Beth Gagnier, who is clearly subordinate to
9 Professor Akbulut, to a wide audience who has no interest is
10 not a legitimate act of self-defense. That's the point of
11 view of the OIE report. I agree.

12 And what else can I say? I understand that
13 tenure plays an essential role in academia. It is a
14 fundamental pursuit. It protects faculty members when they
15 take academic and professional risks. If you want to pursue
16 research, that might not pay out. If you want to make a
17 political or principled stand on an issue that everyone may
18 not agree with, tenure is an essential tool for people to
19 speak their mind. It must not be removed lightly. I agree
20 absolutely. I believe we must protect the institution of
21 tenure. However, if the institution of tenure is allowed to
22 be used as a shield to hide people who would bully and harass
23 and intimidate, then that -- to allow that to take place
24 without penalty is the most direct way to damage the
25 institution of tenure.

1 I don't see how any event can justify the
2 actions, the course of actions that Professor Akbulut chose
3 to take. He didn't have to do this. There were many other
4 options. I find it unacceptable, unconscionable. I find
5 these behaviors have no place in academia. I ask you not to
6 support them with any finding less than dismissal. If you
7 feel that these actions have any role at MSU, then I must say
8 there's no place for MSU in my life. That is my absolute.
9 The actions of Professor Akbulut clearly, abundantly merit
10 dismissal for cause. Thank you.

11 I think I have --

12 MS. KELLEY: 15 minutes?

13 MS. YERMAK: 17 minutes.

14 DR. PROMISLOW: So what do I do with that? It
15 does --

16 MS. KELLEY: Your rebuttal.

17 DR. PROMISLOW: My rebuttal? Okay.

18 MR. REIFENBERG: You reserved five for rebuttal.

19 DR. PROMISLOW: I reserved five.

20 MS. KELLEY: Oh, so you're not going to let him
21 use the time he didn't use?

22 MR. REIFENBERG: Well, he reserved five.

23 DR. PROMISLOW: I reserved five. That's fine.

24 MS. KELLEY: Okay.

25 MS. DOUKOURE: Do you want to take a break

1 first?

2 MR. REIFENBERG: Yes. Ten minutes.

3 (Recess taken at 10:18 a.m.)

4 (Back on the record at 10:30 a.m.)

5 MR. REIFENBERG: Who will be making oral
6 arguments for Dr. Akbulut?

7 MS. DOUKOURE: I will.

8 MR. REIFENBERG: Then you have one hour to make
9 your argument.

10 MS. DOUKOURE: Thank you. The burden of proof
11 in this matter rests solely within the charging party. They
12 are required to produce enough evidence in this matter to
13 prove their allegations are true by clear and convincing
14 evidence.

15 Professor Promislow has you up here in his
16 closing arguments talking about Professor Akbulut didn't
17 bring forth any witnesses from the math department. He
18 didn't do this. He didn't have to do -- he didn't do this.
19 The truth of the matter is Professor Akbulut didn't have to
20 do anything. He's not required to prove a single thing to
21 this committee. The only people who are required to prove
22 anything to this committee is the charging party and they're
23 required to do so by a standard of clear and convincing
24 evidence.

25 Clear and convincing evidence is the middle most

1 standard of evidence required in a court of law or this case
2 in this court. Clear and convincing is the middle level.
3 It's not as high as beyond a reasonable doubt, but it's not
4 as low as 51 percent. It's not as low as, well, this is
5 likely to have happened. It is a way stronger standard than,
6 well, this is possible or this is likely. As defined by the
7 U.S. Supreme Court, clear and convincing evidence that is
8 presented to by a party must be highly and substantially more
9 probable to be true than not and the trier of fact, in this
10 case this committee, must have a firm belief or conviction in
11 its factuality. It is a more rigorous standard than saying,
12 well, it's likely to be true.

13 Keith Promislow in his closing remarks asked you
14 to assume what others might think because he has not proven
15 anything to be true, and your assumptions about how other
16 people might feel or what the interpretation of evidence
17 might be is, in fact, not a fact at all and, in fact, it is
18 not clear and it is not convincing evidence of a single
19 thing.

20 During his closing arguments Keith Promislow
21 said many, many things that are just not true and they were
22 just not placed in evidence. Nobody testified to those
23 things. There is no documentary evidence produced for those
24 things, including the fact that there are five classes that
25 canceled. He listed in his closing slides that Math 996

1 Section 1 and Section 2 were both canceled for the spring
2 semester of 2015. That is factually inaccurate. In fact,
3 one of our witnesses, Ustun, actually took the class that was
4 taught by Professor Hedden which Keith Promislow said was
5 canceled, and I implore him if we write briefs, I challenge
6 him to find even a molecule of testimony or evidence that
7 states what he has asserted regarding Professor Akbulut's
8 class and Professor Akbulut's grants because he will not be
9 able to find any evidence that was placed on the record of
10 the fact that that class was canceled or other things that he
11 has said here today about the class. In fact, he's conducted
12 himself in this final proceeding much like he conducted
13 himself in the overall court, which is misstating things,
14 misquoting things. Several of the slides he had misquoted
15 documents that you have in your binder. He attempted to
16 provide quotes from documents that he entered as evidence and
17 then, in fact, misquoted those documents to his own
18 advantage, and that has been the case since the beginning of
19 this in 2014.

20 We implore you today to determine that there has
21 been no actual evidence provided by charging party regarding
22 the allegations. There are several words that Keith
23 Promislow used that are intended to inflame the emotions of
24 this jury. Those words are harassing, intimidating,
25 bullying, and targeting. However, he produced no evidence to

1 show that any single document produced has the effect of
2 doing that. Harassing is defined as the action of subjecting
3 someone to aggressive pressure or intimidation. There has
4 been no aggression, there has been no intimidation, and there
5 has been no pressure produced by Professor Akbulut.
6 Intimidating is defined as having a frightening or overawing
7 or threatening effect. Professor Akbulut has not threatened
8 to do anything to anybody. He has not produced a single
9 threat from Professor Akbulut. He says that Professor
10 Akbulut is bullying people. But bullying is defined as
11 seeking to harm, intimidate, or coerce someone perceived as
12 vulnerable. None of the individuals who testified in this
13 matter are perceived to be vulnerable or perceived to be in a
14 lesser category of power than Professor Akbulut.

15 And targeting is defined as selecting as an
16 object or attention for attack or to aim or direct. None of
17 Professor Akbulut's emails produced in this hearing have
18 targeted anybody. Not one specific person has been subjected
19 to the aim or direction, and, in fact, all of the evidence
20 presented indicates clearly that Professor Akbulut was
21 targeting a unfair decision on his behalf and not the
22 individuals who participated in that finding.

23 Keith Promislow would like you to believe that
24 because there are 62 tenured faculty here at MSU that
25 Professor Akbulut should have been able to provide at least

1 one person to testify on his behalf. 62 tenured track
2 professors at MSU in the math department and Professor
3 Promislow could only come up with four people who complained
4 about Professor Akbulut, and those four people are the same
5 people that Professor Promislow solicited information from
6 because he knew that they would be reasonable and that they
7 would provide him with the information. Professor Promislow
8 testified on the record that he was seeking out information
9 against Professor Akbulut, that he was seeking out people to
10 provide that information so he could in his own words call
11 him out, and that's exactly what he did. He found people
12 that he had placed on committees, people that were friendly
13 with him, people that ran in his circles, and he found those
14 people to provide testimony. And what kind of testimony did
15 they provide? They provided no succinct factual testimony.
16 They supplied a lot of vagaries. Well, we didn't like this
17 and people said this. But who are the we? Who are the
18 people? What was said? None of that was ever provided to
19 this committee.

20 Professor Akbulut, in fact, testified that there
21 were math faculty that were willing to testify on his behalf,
22 some of them not tenured yet. However, they backed out
23 because they were afraid of repercussions from Keith
24 Promislow, because they saw Keith Promislow as being somebody
25 who had caused this entire problem for Professor Akbulut and

1 if he was gone and Keith Promislow remained, they would have
2 a problem with Keith Promislow and what would happen to them.

3 Just to summarize the testimony very quickly for
4 what we heard over the last six days. This started because
5 Professor Akbulut felt that Keith Promislow had intentionally
6 canceled his class in retaliation for Professor Akbulut
7 complaining about the election that led to Keith Promislow
8 being math chair. That election was a violation of
9 university policy and bylaws. This was not a personal attack
10 on Keith Promislow, but rather it was consistent with
11 Professor Akbulut's personality and character of seeking to
12 uphold the truth and integrity of the math department that he
13 has been part of the faculty of since 1995. Professor
14 Akbulut is known amongst the faculty. Many faculty members
15 testified that he is known for seeking the truth and
16 soliciting the opinions of others even through polling
17 sources outside of MSU, but it only recently became an issue
18 when persons inside of the math department began engaging in
19 a behavior that lacked integrity and honesty and resulted in
20 the covering up of issues that were of a serious nature at
21 MSU math department. Namely, Keith Promislow sought to
22 ensure that nobody would be truly held accountable when his
23 senior faculty member was found to discriminate against and
24 harassed Middle Eastern and Muslim students. That individual
25 received nothing more than a secret letter in his file and a

1 training which is available and given to all MSU faculty at
2 large. Further, that faculty member continued to keep a
3 position of authority over those students against whom he had
4 violated their rights. When the students complained, they
5 were silenced, not taken seriously, causing many to remain at
6 MSU without feeling -- without a feeling of comfort and
7 others to leave MSU altogether. Yet Keith Promislow would go
8 so far in his commitment to excuse that individual's actions
9 by saying, well, you know, he's known for harassing people
10 and he's known to be rude and he's known to discriminate
11 against students and staff and faculty. It was just his way
12 and he didn't know better. And then he was given a training
13 and then he was appointed to every committee that Keith
14 Promislow could appoint people to since 2014 and since the
15 finding of discrimination. When it came to Professor
16 Akbulut, however, that was a game changer. Professor Akbulut
17 did nothing more than advocate for himself against what he
18 perceived to be an unfair and dishonest blemish on his
19 academic record and a slander against his fiduciary
20 responsibilities as PI of his grants.

21 Keith Promislow would have you up here believing
22 that Jon Wolfson didn't complain about his punishment or his
23 finding, and Professor Akbulut somehow is doing something
24 wrong because he did. The proof of the -- the fact of the
25 matter is Jon Wolfson did exactly what he was accused of.

1 Professor Promislow has admitted that Jon Wolfson did exactly
2 what he was accused of. Professor Akbulut has maintained
3 that what happened to him is unfair, unjust, and he did not
4 do what he has been accused of. That's why he cannot remain
5 silent and just accept what had happened to him.

6 Professor Akbulut sought a redress of his class
7 cancellation. However, Keith Promislow refused to hear that
8 appeal despite acknowledgment by him and many other
9 professors who testified here before us that it was the first
10 year and the only year that they required five students to be
11 enrolled in a graduate class to keep it open and despite the
12 fact that Keith Promislow and other faculty testified that it
13 was the first year that they required such an early decline
14 for enrollment of classes. They gave many excuses regarding
15 the need to have classes settled early, but all of them were
16 contrived and lacked even a genuineness. Excuses such as it
17 was easier for scheduling of grad students, teaching
18 positions, and to ensure that there were enough students to
19 make the class reasonable to teach full. And they fall flat
20 when they later testified that students can add, drop, or
21 change classes even up to and through the beginning of the
22 first week of class, and students often drop out after this
23 deadline, resulting in classes running with as few as two
24 students.

25 Professor Akbulut's class should have run as six

1 students attempted to enroll for that class prior to the
2 deadline. Uncontroverted evidence shows that on August 14th,
3 2014, Luke Williams attempted to enroll in that class by
4 requesting an override. He was later told that he couldn't
5 enroll in that class because his dissertation completion
6 fellowship prohibited him from taking more than one credit.
7 However, testimony and documentary proof provided by
8 Professor Akbulut proved that this was not an actual policy
9 despite Keith Promislow's attempting to falsely defend it
10 here in front of this committee. When that failed, Luke
11 Williams was told he couldn't take the credit because he
12 needed more money for tuition. However, it was the case that
13 he could take it for one credit.

14 Professor Akbulut testified that over the years
15 when grad students have satisfied their credit requirements
16 they are often allowed to take a class for one credit.
17 However, Luke Williams didn't need to take it as one credit
18 because Professor Akbulut offered to pay his tuition with
19 grant funds. This is when Keith Promislow began stating that
20 Professor Akbulut's grants were fully encumbered, a fact that
21 Keith Promislow had no way to know or to verify. In fact,
22 every single person who testified before this committee
23 stated that they had no way of knowing how Professor
24 Akbulut's grants were encumbered and, in fact, did not
25 actually look into the underlying facts regarding his grant

1 funds or the specificity of their encumbrances. Furthermore,
2 documentation provided by both Keith Promislow and Professor
3 Akbulut clearly shows that, in fact, funds were available.
4 On rebuttal, in fact, Keith Promislow submitted evidence
5 through the testimony of Beth Gagnier that in March 2014
6 Professor Akbulut had 18,000 in his grants at least. They
7 further stated that Professor Akbulut provided \$10,000 for
8 Asadi to come to MSU and even after that \$10,000 Professor
9 Akbulut still had \$8,000 left over. They provided no
10 evidence, no testimony as to what that \$8,000 was used for.

11 Furthermore, as late as August of 2014 Professor
12 Akbulut and Carolyn Wemple were emailing about providing Luke
13 Williams with at least \$2,700 in support, clearly indicating
14 that at the time that Luke Williams requested an override
15 there were funds available to Professor Akbulut to use from
16 his grant monies. All witnesses brought forth testified
17 about the -- that testified about the nature of the grant
18 encumbrances testified that many times a professor can
19 encumber his grants and for many reasons change his mind and
20 decide to give that money elsewhere. In fact, that's what
21 Professor Akbulut had done. Furthermore, Professor Akbulut
22 testified that he only paid \$5,000 out of his grant funds to
23 Asadi, corroborating Keith Promislow's assertion that he had
24 paid the other \$5,000 out of the general funds to support
25 Professor Asadi. Furthermore, Professor Akbulut provided

1 uncontested and uncontroverted testimony that he used
2 approximately \$15,000 in grant money between June of 2015 and
3 August of 2015 so as not to lose it before the grant expired,
4 clearly showing that the \$600 needed by Luke Williams was, in
5 fact, available.

6 Instead of admitting his mistakes and allowing
7 Professor Akbulut's class to run, Keith Promislow doubled
8 down on his error by keeping the class canceled and ensuring
9 that Professor Akbulut would be assigned another class.

10 Professor Akbulut made it known that he would not teach that
11 class, a class that testimony provided to this committee was
12 a lower level undergraduate class that always runs.

13 Therefore, the math department would have always needed to
14 provide a teacher for that course whether or not Professor
15 Akbulut taught it and whether or not Professor Akbulut's
16 class had run. Professor Akbulut by all testimony did teach
17 his Math 996 course as if it were a real course. However,
18 Keith Promislow determined yet again to not do wrong. He
19 gave each student a reading course credit for that class,
20 even going so far as to not give each student credit for the
21 same reading course. This act is not only an additional lie
22 in which as testified to here at this committee caused the
23 graduate students to not have their true academic records
24 reflected on their transcript, it is one that negates the
25 true responsibility undertaken by Professor Akbulut when he

1 taught different courses. This dishonesty, this academic
2 dishonesty by Keith Promislow in assigning this a reading
3 course tarnished the academic record of all of the math
4 students who actually took that class because they cannot
5 state that they've taken that class. It doesn't show that on
6 their record. It is a lie on their transcript put there by
7 Keith Promislow.

8 Matt Hedden and both grad students testified
9 here that a reading course is generally a course that is an
10 independent study course that meets informally or often over
11 email or in the professor's office. However, Professor
12 Akbulut's course had a full workload that resulted in all
13 five graduate students using the research done in that course
14 as their thesis and at least one student giving a lecture to
15 an international audience and two students teaching resulting
16 theorems in nationally renowned universities, such as the
17 University of Rochester and Harvard. Still yet Keith
18 Promislow can't admit his mistake.

19 He asked for an inquiry from Terry Curry into
20 whether or not Professor Akbulut abrogated his duty, his duty
21 to teach, to teach students, including his graduate students.
22 Terry Curry admitted that at no time did he investigate
23 whether or not Keith Promislow had actually caused Professor
24 Akbulut's class to be canceled but merely relied on the
25 assumption that if Professor Akbulut was told to teach a

1 class and didn't, he was guilty. At no time did any single
2 committee look into whether or not Professor Akbulut's claims
3 against Keith Promislow were true. It was enough for
4 everyone as testified to by Jeff Schenker and all of the
5 other Advisory Committee members and Terry Curry that the
6 claims against -- that Professor Akbulut was told to teach a
7 class and then he didn't and everything else that they looked
8 at really didn't matter in the end.

9 If you look at the entirety of Professor
10 Akbulut's emails submitted by both the charging party and
11 Professor Akbulut over the course of the six days of
12 testimony, none of them actually complain about the penalty
13 itself. All of them request a review of the information that
14 tarnished Professor Akbulut's reputation and blemishes on an
15 academic record and asked about the nature in which he was
16 incapable to avail himself of any independent body or
17 resource to investigate his claims. Professor Akbulut tried
18 all official channels to avail himself of relief from the
19 academic blemish, but the results left much to be desired.
20 The grievance he filed got dismissed inappropriately and
21 without proper adjudication for lack of specificity of the
22 claim. The two OIE complaints filed, one by Professor
23 Akbulut and one by Professor Akbulut and two other faculty
24 members who clearly supported Professor Akbulut's claims,
25 resulted in zero finding against Keith Promislow, a fact that

1 he would like this committee to use to vindicate him from all
2 allegations of wrongdoing. However, this committee cannot
3 consider the OIE findings against Keith Promislow a
4 vindication for two reasons. First, because Keith Promislow
5 had admitted to this panel the information that he initially
6 lied about in a math department meeting regarding the money
7 from Mr. Asadi's health insurance was repeated as a lie to
8 the OIE investigators. It is clear that given a chance
9 between admitting a mistake and doubling down on a lie to
10 save face, Keith Promislow will always double down on the
11 lie. Therefore, it is likely true that Keith Promislow told
12 many other lies to the OIE investigators, to this committee,
13 and to colleagues and the administration at MSU during the
14 entire process of Professor Akbulut's Abrogation of Duty
15 Penalty, grievances, official, and unofficial meetings. In
16 fact, he has proven that again today by providing inaccurate
17 and untruthful information in his closing arguments.

18 Second, the finding of the OIE did not exculpate
19 Keith Promislow from any wrongdoing but rather it determined
20 only -- it was only a determination that he did not
21 discriminate against Professor Akbulut based on a protected
22 class as defined by Title IX. In fact, whether or not Keith
23 Promislow is just lying to cover his mistakes or retaliating
24 against Professor Akbulut for calling out his election
25 violation in his support of Jon Wolfson after a

1 discrimination finding was not part of the OIE investigation
2 and was not addressed by the OIE.

3 When Professor Akbulut realized that official
4 channels were not going to provide him relief because Keith
5 Promislow was able to cover up his direct -- his deceit,
6 creating the possibility of an environment of corruption and
7 dishonesty in the math department that Selman Akbulut loved,
8 nurtured, supported for over 30 years, he reached out to his
9 colleagues to expose what he thought had went wrong. His
10 intent as he testified was not to harass or target anyone but
11 rather to create a discourse about what was going on, allow
12 all interested persons to have the information necessary to
13 make a sound and honest judgment of their own, the emails and
14 the testimony presented over the last six days that prove
15 that is what Professor Akbulut was doing.

16 All of the emails sent to Carolyn Wemple
17 contained language of courtesy and respect as testified to by
18 Beth Gagnier. They stated please and kindly and could you
19 and continued on to address items that were either within her
20 control or knowledge or were otherwise part of her job
21 function. He asked for information of public manner not to
22 embarrass or harass Carolyn Wemple as he wasn't asking her
23 any information but his own grant information and nothing
24 that could be deemed to embarrass her.

25 Professor Akbulut provided emails that show

1 Carolyn Wemple agreed with his assertions regarding the
2 availability of funds to cover Luke Williams. The charging
3 party provided documentary proof that backs up that email.
4 However, Keith Promislow and others responded that
5 information was faulty because Carolyn Wemple had chemo
6 brain, which is highly offensive and actually harassing and
7 very indignifying to somebody who is an actual subordinate of
8 Keith Promislow for him to have said that on the record.
9 Then they dismissed proof when Professor Akbulut attempted to
10 follow up, and how did they do that? They filtered Carolyn
11 Wemple's email address so that Professor Akbulut was unable
12 to get clarification on the issue and was unable to clear his
13 name. In fact, testimony presented by the charging party
14 affirmatively states that Professor Akbulut's emails
15 regarding the 2014 grant issue never reached Carolyn Wemple
16 and went unanswered, a fact that was unknown to Professor
17 Akbulut until it was testified to at this hearing.

18 There was further testimony regarding Carolyn
19 Wemple that Professor Akbulut was told to go to Mr. Hensh to
20 have his questions answered, but the fact remains that
21 Mr. Hensh was getting those emails all along and could have
22 responded but didn't. What is even more striking is that
23 when Professor Akbulut approached Carolyn Wemple about his
24 grants, something that was her job, it became an issue, and
25 when Keith Promislow was soliciting information and emails

1 from faculty and staff so that he could call Selman out to
2 the dean or provost, did he ever call out Jon Wolfson for
3 discrimination? No. But calls out for Selman Akbulut for
4 asking reasonable questions from someone whose job it is to
5 provide answers.

6 Other emails provided by the charging party
7 include an email asking a body whose responsibility it is to
8 place someone in a position to reconsider their appointment
9 based on concerns regarding qualifications and honesty, an
10 email that only went to the committee and nobody else, an
11 email that contained no allegations, no harassing tone. The
12 target supposedly of that email, Jeff Schenker, stated that
13 he believes faculty should raise those issues regarding
14 qualifications and honesty of appointees with the hiring
15 committee because they are the proper body to address such
16 issues. And further he stated that, in fact, he had raised
17 some of those concerns prior to this with that same committee
18 about candidates in the past. They provided an email in
19 response to the OIE asserting they are going to have a
20 renewed policy of practicing -- and practice regarding the
21 treatment of sexual harassment and sexual abuse claims, and
22 Selman Akbulut in that email was asking his colleagues to
23 join him in calling out discrimination and harassment in
24 academics and reminding everyone that not long ago a
25 professor who discriminated against and harassed students

1 based on national origin and religion, a fact that remains
2 true to this day. They provided an email warning committee
3 members not to rely on Keith Promislow, who has admitted to
4 lying several times in front of this panel, when relying on
5 documents because people were put in a position by Keith
6 Promislow to rely on lies which caused them to sign documents
7 where faulty -- that were faulty and fraudulent. He doesn't
8 call the people faulty or fraudulent. He calls the documents
9 faulty and fraudulent and based on lies.

10 They provided a truthful email containing public
11 information which is easily accessible regarding people's
12 salaries, pointing out that the people who have discriminated
13 against grad students, like John Wolfson, continue to get the
14 most highest raises and those -- and keep getting appointed
15 to committees by Keith Promislow. They provided emails
16 calling letters written against Professor Akbulut which he
17 found hurtful and disfavorable hate letters and providing
18 links to websites where interested persons could read without
19 edit and without comment the words of those letters. All
20 persons testifying regarding their words and their letters
21 have stated that they were honest and they stood by them, and
22 yet somehow those same people stated they felt personally
23 attacked reading their own words that were critical of a
24 colleague because that colleague gave them a label that they
25 thought unfairly characterized their words.

1 None of the emails presented by charging party
2 have personal attacks, derogatory language, or accuse a
3 person of doing anything other than, number one, relying on
4 lies that were told, two, failing to investigate information
5 they were told, three, failing to ask questions of Professor
6 Akbulut who had a personal knowledge and personal stake in
7 that information, and, four, relying on and signing documents
8 which were faulty and fraudulently based on the inaccurate
9 information they had received.

10 We are here today to decide whether a dedicated
11 professor who is world-renowned in his field of mathematics,
12 who is a major draw to both students and faculty should be
13 fired in engaging in activity aimed at clearing an academic
14 blemish off of his record and clearing the air about what
15 happens at the MSU math department after there was an
16 admission that he was, number one, acting in good faith and,
17 two, probably would have won an appeal of his class
18 cancellation had he been allowed such a process.

19 Professor Akbulut is accused of not acting in a
20 collegial manner. Collegial manner can be defined as
21 relating to or involving a shared responsibility as among a
22 group of colleagues. However, as we have seen from the
23 testimony of several witnesses, there is a complete lack of
24 collegiate atmosphere, professionalism, and overall lack of
25 civility in the math department and outside of it from

1 individuals intertwined with Keith Promislow. Witnesses
2 behaved here on the stand in a defiant, rude, belligerent
3 manner and twisted themselves in knots not to give a full and
4 fair response to answers to questions that didn't suit them
5 while testifying under oath, something that most people take
6 very seriously, and in the charging party's case chief
7 witness and biggest complainer, Keith Promislow, who admitted
8 to, number one, not telling the truth several times, two,
9 misspeaking about several things, and, three, knowing the
10 professors who were rude, disrespectful, discriminatory, and
11 harassing to both students and colleagues who were okay with
12 doing so because they didn't know better but were working
13 hard to call out Selman and working hard to have him
14 terminated because Selman Akbulut refused to sweep violations
15 of MSU policy, rules, bylaws, and the basic tenets of honesty
16 and fairness under the rug.

17 By very definition, Selman Akbulut's conduct in
18 sending emails asking for clarification, bringing to the
19 attention of individuals problems within the department, by
20 asking for clarity, transparency, by asking to hold people --
21 by very definition this was collegial because it has
22 attempted to create an environment of shared responsibility,
23 ownership, ideas, and opinions through intellectual honesty
24 while holding others to a collegial responsibility and
25 requiring intellectual honesty from all of those who surround

1 him.

2 There has been much hay made about Professor
3 Selman Akbulut having exhausted his remedies and therefore he
4 should just, as they say, let it go, but charging party's
5 desire to make that argument is fatally flawed because Selman
6 Akbulut was thwarted at every attempt to use the formal
7 process by those involved in stating that it was an attempt
8 at proper venue, and they didn't have enough info to start an
9 investigation. And, two, all avenues available to him failed
10 to actually look into the validity of his claims by means of
11 verifiable information.

12 Three, no other person claiming to be aggrieved
13 by Selman Akbulut has been held to the same standard of being
14 required to go through the formal processes. Testimony
15 presented by the charging party thus far has affirmed that
16 there is the ability for any single faculty member who has
17 felt targeted or harassed by Selman Akbulut they could have
18 filed a formal grievance against him, the way that Professor
19 Akbulut filed a grievance against Professor Promislow.
20 Testimony presented by the charging party show that those
21 testifying were told that they could and should file a formal
22 complaint against Selman Akbulut. However, not a single
23 person that testified here in this committee filed any
24 grievances or any complaints against Selman Akbulut.
25 Testimony of charging party's witnesses clearly shows that

1 people talked about Selman Akbulut in an unkind manner behind
2 his back and took their complaints to who they knew would be
3 a sympathetic ear, that of Keith Promislow, who did not
4 require a single person to follow proper protocol because he
5 was going to take care of it himself. In fact, so far the
6 only person in the MSU math department to follow proper
7 protocol and procedure for addressing concerns is Selman
8 Akbulut.

9 And, four, there was, in fact, an OIE
10 investigation of Selman Akbulut for his tweets and his
11 website which has -- and that OIE determination that Selman
12 Akbulut's behavior was not targeting and did not violate MSU
13 policy.

14 Keith would like you to sit here and assume and
15 conjecture and guess what went on in Matt Hedden's mind and
16 he would like you to interpret the information. However, the
17 standard that you are required to follow is clear and
18 convincing evidence. If there is a conjecture or there is a
19 reasonable interpretation of events or facts or email or
20 language that could reasonably see -- be seen on both sides
21 of the fence, you could see it as Professor Akbulut sees it
22 or you could see it as Keith Promislow sees it. Then Keith
23 Promislow and the charging party lose. If it is reasonably
24 likely that Professor Akbulut was acting in a collegial
25 manner and if everything is left open for interpretation and

1 both interpretations are reasonably likely, charging party's
2 claims against Professor Akbulut must fail. He must not be
3 terminated because that means charging party did not meet
4 their burden of proof of clear and convincing evidence, and
5 it is our assertion here today that there is only one
6 interpretation that is appropriate and that is the
7 interpretation that Professor Akbulut did not target anybody
8 by definition, did not harass anybody by definition, but was
9 rather acting within the scope of the collegial manner,
10 within the scope of the First Amendment rights to criticize
11 people and to provide information on a public website, and he
12 acted within his rights as a professor at MSU, and therefore
13 charging party must fail, and we ask that you do not find
14 against Professor Selman Akbulut here today. Thank you.

15 MR. REIFENBERG: You have five minutes for
16 rebuttal.

17 DR. PROMISLOW: Okay. I'll see if I can speak
18 up for five minutes. I won't get the mike. I just want to
19 first clarify two key factual points. There is evidence for
20 five class cancellation. I would submit document FM-8, which
21 is Tab 5, Page 13. That would be my evidence at the bottom.
22 And Counselor Doukoure indicated that four faculty members
23 have testified. In fact, five faculty members testified,
24 Jeff Schenker, George Pappas, Matt Hedden, Rajesh Kulkarni,
25 Effie Kalfagianni. Five full professors out of 28 full

1 professors.

2 But much more important I think is that the fact
3 remains and is not in dispute that Selman Akbulut refused to
4 teach an assigned class. The evidence for this is clear and
5 convincing. The university's review process concluded the
6 Abrogation of Duty Penalty was justified. The evidence for
7 this is clear and convincing. The emails, I'll let you look
8 at them. I feel they speak for themselves. I do not
9 understand how a reasonable judge can find it likely that
10 Professor Akbulut was acting collegially. I just -- that is
11 not supported by the evidence. That's my rebuttal. Thank
12 you.

13 MR. REIFENBERG: Okay.

14 JUDGE WHITBECK: Questions to either party.

15 MR. REIFENBERG: Do we have questions?

16 DR. SMITH: I didn't know we were going to be
17 afforded the opportunity, so no.

18 MR. REIFENBERG: It's not in the procedure but
19 we've been doing it. No questions. All right.

20 DR. SMITH: I do have one question. And this is
21 to both parties just as kind of a point to clear up
22 confusion. Do we have any documentation about the
23 reassignment of the teaching responsibility?

24 MS. DOUKOURE: I don't think so. But I also
25 don't think that there's any dispute. I don't think --

1 DR. PROMISLOW: That was stipulated to.

2 MS. DOUKOURE: Yeah. I don't think there was
3 any dispute that there was a reassignment.

4 DR. SMITH: Right. But we don't have any email
5 or any document that says you are assigned to teach Math 124
6 in spring '15.

7 MS. DOUKOURE: Not that was presented.

8 DR. PROMISLOW: Not that was presented. I was
9 unable to present because of my lack of understanding. It
10 was testified to. It was testified to, but a hard document
11 was not presented largely because of my lack of understanding
12 of the evidence process.

13 MS. DOUKOURE: Yeah.

14 MR. REIFENBERG: Okay.

15 DR. PROMISLOW: The document exists.

16 JUDGE WHITBECK: Dr. Promislow, as part of your
17 initial argument, you made the flat assertion that free
18 speech does not protect Dr. Akbulut. I'm not going to ask
19 you here to support that assertion, but I do note that I
20 believe briefs are going to be required and you're going to
21 have to argue that and present legal argument on that point.
22 Simply asserting it does not make it so.

23 And, on the other hand, Ms. Doukoure, I believe
24 you said you provided a statement from the United States
25 Supreme Court --

1 MS. DOUKOURE: I did.

2 JUDGE WHITBECK: -- on the issue of free speech.

3 MS. DOUKOURE: I don't think I did.

4 MS. KELLEY: It's clear and convincing standard.

5 JUDGE WHITBECK: Excuse me. I was talking to
6 her.

7 MS. DOUKOURE: No. I don't think I provided a
8 statement on free speech by the Supreme Court. I believe
9 that the court I used was regarding clear and convincing
10 standard.

11 JUDGE WHITBECK: I'm sorry.

12 MS. DOUKOURE: Okay.

13 JUDGE WHITBECK: Even better. And I assume in
14 your brief you're going to give us that citation and --

15 MS. DOUKOURE: Oh, absolutely.

16 JUDGE WHITBECK: Okay. Thank you.

17 MS. DOUKOURE: Absolutely I will. Yes.

18 MR. REIFENBERG: Then just to make sure that
19 we've got the records correct, according to our records,
20 CP Exhibits 1 through 69 were admitted?

21 MS. KELLEY: I don't have that information with
22 me here today, so . . . But I know they were going to review
23 that.

24 MS. DOUKOURE: I didn't bring it either. But I
25 do believe that there was somewhere between 69 and 70

1 exhibits.

2 DR. PROMISLOW: 69 is my memory.

3 MS. DOUKOURE Yeah.

4 MS. YERMAK: We do have 69.

5 MR. REIFENBERG: I just want to clear that up.
6 With the exceptions I think of CP-29 that was held and not
7 admitted.

8 MS. DOUKOURE: Right.

9 DR. PROMISLOW: Yes.

10 MR. REIFENBERG: Is that correct in your
11 understanding?

12 MS. KELLEY: Again, I didn't bring that
13 information. I think Kara's got all the exhibits with her or
14 noted somehow.

15 MS. DOUKOURE: Yeah. If Kara provided you with
16 that, I would -- that information, I have no reason to object
17 to her calculation of the -- I don't know if -- calculation
18 is not the right word, but I have no reason to object to
19 whatever she has stated as being --

20 MS. KELLEY: I would defer to Kara as well.

21 MS. DOUKOURE: Okay.

22 MR. REIFENBERG: All right. And then with
23 respect to faculty member's exhibits, I think there are 22.

24 MS. DOUKOURE: I think so.

25 MR. REIFENBERG: Probably the answer is the

1 same.

2 MS. DOUKOURE: Yeah.

3 MR. REIFENBERG: Then, and this is to both
4 parties, and I'll ask you individually. Do you agree that
5 the policies and guidelines collectively provide for a
6 hearing process that includes the right to legal counsel, the
7 right to confront and cross-examine opposing witnesses, the
8 right to call supporting witnesses, the right to submit
9 relevant documents into the record as exhibits, the right to
10 a written transcript of the record, the right to make oral
11 and written arguments, and the right to a written decision?

12 MS. DOUKOURE: Yes.

13 MR. REIFENBERG: Okay. Basically this is sort
14 of cleaning things up, making sure that everyone agrees to
15 the fact or at least the idea. You have the idea that this
16 has been following what we generally refer to as due process.

17 MS. DOUKOURE: Yes.

18 MR. REIFENBERG: Okay.

19 JUDGE WHITBECK: The other party.

20 DR. SMITH: Both parties.

21 MS. KELLEY: I mean, I would agree with
22 everything. I'm not really sure what you refer to by written
23 arguments. I mean, I don't know. I don't see that anywhere
24 in the policy. But I guess we've already talked about that
25 at some degree.

1 MR. REIFENBERG: So you both agree?

2 MS. DOUKOURE: Yes.

3 MR. REIFENBERG: All right. Then after
4 consultation with the hearing committee, I rule that the
5 parties present written briefs in this matter. Now, with
6 respect to the written briefs and timing, we anticipate the
7 transcripts will be available shortly, possibly by the end of
8 the month but we're not exactly sure. When the transcripts
9 are received by the committee and the parties, the parties
10 will have 21 days from that date of receipt of the
11 transcripts to file written briefs. Five copies of these
12 briefs should be filed with Ms. Yermak, and all communication
13 has always been going through Ms. Yermak, with a copy being
14 served on the opposing party. Now, I've mentioned the number
15 of days in terms of time limits. Days will be counted
16 beginning with the day following the date of receipt, and so,
17 for example, we're talking about the receipt of the
18 transcript and then all these things go from the date of
19 receipt of the transcript.

20 MS. DOUKOURE: So day one will be the day after?

21 MR. REIFENBERG: The day after.

22 MS. DOUKOURE: Okay.

23 MR. REIFENBERG: If the day for the filing of
24 briefs, and we don't know yet because the transcript is --
25 when it's coming is variable, falls on a weekend, then the

1 date for filing of the briefs will be the next business day
2 following the weekend. Okay? So it's date of -- so we start
3 from date of receipt or if, in fact, that falls on the
4 weekend. The committee will consider the date of filing of
5 the briefs to be the date of final argument. And the final
6 argument is talked about in the proceedings. So basically
7 what happens here is that final argument will be on the
8 receipt of the briefs. Now, why is that important? Because
9 the committee will meet, confer, and reach a decision within
10 14 days of final argument. All right? So 14 days of final
11 argument is counted from the date of the filing of the
12 briefs. And that's variable depending upon when the
13 transcripts come in. The committee will circulate its
14 written decision, so we will reach a decision within 14 days
15 and then we will circulate our written decision within
16 30 days of the date of final argument. Now, we've already
17 set out the possibility of there being briefs and the
18 organization of the briefs is set out in the guidelines. If
19 you go back to the guidelines, the guidelines lay out the
20 organization of the briefs. Generally your briefs should be
21 clear and concisely written. Avoid legal jargon and
22 legalese. Please avoid abbreviations that are not common
23 usage. Please do not assume that the committee is familiar
24 with the organization of the Department of Mathematics or the
25 College of Natural Science or with their personnel. When

1 referring to a date, please provide the day if known, month,
2 and year.

3 Now, and this is -- what I'm last going to talk
4 about is the statement of facts and the possibility the
5 statement of facts can mistakenly become argument. So the
6 statement of facts must be in chronologic order. Do not
7 provide a witness by witness summary of this as it will be no
8 use to the committee. Do not include arguments within the
9 statement of facts as this will not be considered by the
10 committee. Your statement of facts should be so
11 straightforward and objective that the committee could if it
12 chose adopt it as its own statement of facts. Each asserted
13 fact must be supported by a transcript reference and an
14 exhibit number if relevant. With respect to the argument,
15 your job is to provide a -- and this is -- we want to make
16 this clear, a letter of reasoning that supports your position
17 and that would if accepted lead to a conclusion in your
18 favor, so basically what in moot court we would call a
19 roadmap.

20 Are there any other matters for the panel before
21 we adjourn?

22 MS. KELLEY: Is there a page limit on the --

23 MR. REIFENBERG: Oh, yes. The page limit in the
24 guidelines is I think 50. And the guidelines -- if you go
25 back to the guidelines, they specify that. And all these

1 things should be sent to Kara and opposing counsel.

2 MS. DOUKOURE: So the filing of them -- because
3 everybody else is up here. You guys can handle it. The
4 filing of them will be resulted from the day that she
5 receives them by mail?

6 MR. REIFENBERG: Kara.

7 MS. DOUKOURE: Yes. So if we have 21 days, that
8 means I have to mail mine seven days before the 21 days or if
9 I email them to her on the day that they're due, is that
10 sufficient?

11 MR. REIFENBERG: Yes. As long as she gets them
12 by email on that day.

13 MS. DOUKOURE: Okay.

14 MR. REIFENBERG: And you can choose how you send
15 it. You can send it by slow mail or email or whatever.

16 MS. DOUKOURE: Okay.

17 MR. REIFENBERG: Or carry it for God's sakes.

18 MS. DOUKOURE: I mean, yeah. It's so much fun
19 to drive up here I know.

20 JUDGE WHITBECK: But you must simultaneously
21 serve a copy on the opposing party.

22 MS. DOUKOURE: That's fine. I just want to make
23 sure that I can email them instead of having them mailed.

24 MR. REIFENBERG: Sure. And probably what we
25 need to do because there was an issue with respect to the

1 emails before is Kara will let you know when she gets them.

2 MS. DOUKOURE: Okay.

3 MR. REIFENBERG: So if there's an issue with
4 email, then we don't have a problem with it.

5 MS. DOUKOURE: Okay.

6 MR. REIFENBERG: So are there any other matters
7 that we need to deal with? Well, then I declare this hearing
8 adjourned.

9 MS. DOUKOURE: Thank you.

10 (At 11:19 a.m., hearing concluded)

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1 STATE OF MICHIGAN)
)ss
2 COUNTY OF WAYNE)

3
4 I certify that this transcript, consisting of 66 pages,
5 is a complete, true, and correct transcript of the Dismissal
6 for Cause Hearing and testimony taken in this hearing on
7 August 26, 2019.

8
9 Date: August 29, 2019

Cheri L. Poplin

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