

**Chalmers Eugene Troutman, III      PO Box 8479      Greenville, SC 29604**

July 12, 2010

**VIA US MAIL & E-MAIL: KIM.WILKERSON@BANKOFAMERICA.COM**

Ms. Kim A. Wilkerson  
President  
Bank of America of South Carolina  
P.O. Box 448    BOA Mail Code SC3-240-18-19  
Columbia, S.C. 29202-0448

Dear Kim:

I am writing to wish you every success in all your new responsibilities and obligations to Clemson University as Clemson's newest life trustee, the term of which I understand started officially yesterday, July 11, 2010. Your new duty is truly a monumental one in every dimension.

I am glad for you and also pleased for my alma mater. I know from my first-hand experience working for the board of trustees, that you will be bringing to them unique executive experiences that will help them tremendously and be a real asset to Clemson.

You must be very happy. I can imagine your joy.

I can still vividly recall the day I was named Executive Secretary to the Clemson University Board of Trustees and given the opportunity in that position to serve Clemson as an officer of the Board. It was one of the biggest days of my life, both professionally and personally. I wish I were still there. It continues to pain me that I am not, which brings me to the second purpose of my letter.

In addition to offering my most sincere congratulations to you, I wish to "introduce" myself to you in my own words and to provide you with a report about what happened to me on Monday morning, July 16, 2007. I believe a presentation of this information is important to your new responsibilities as a trustee, but may not be provided to you by Clemson.

My concern about your orientation comes from statements made by the Chairman of the Board, Bill Hendrix, under oath at the October 10, 2007, Grievance Hearing of my complaint at Clemson. In response to questions by my counsel, Hendrix stated that he not only *did not forward all information provided* to him by my counsel to his fellow trustees, but that he did not even read it himself. In response to the question of "Why not?" Hendrix explained that he did not read it himself because he did not need to.

Also, I should note that my submittal to you of this information is of my own volition. I am writing to you without the consent, knowledge or approval of my counsel, Joel Collins.

**ceugenetroutman@hotmail.com**

**Cell: 864-414-8988**

**Tel: 864-242-9037**

### **Abbreviated Self-Portrait**

I wish to tell you a little about myself. Hopefully this, and the following report of the phone call to me on July 16, 2007, by Bill Hendrix, will convey to you that Clemson's portrayal of me as no more than a "disgruntled employee" is woefully inaccurate.

Since my lawsuit, I have come to learn that those I once knew at Clemson only by their praise and embrace of me now deny me and do not accurately portray me. It is unfair to both you and me that I should be known only by the views of those whose perception of me is now tainted by the conflicts of interest inherent in a lawsuit.

First of all, I am proud that my Clemson bona fides are as orange as orange can be. I am a 1974 graduate. Starting in 2005, I joined the Founders Level for the Clemson Fund. My son is a 2010 graduate with a major in finance and a minor in accounting. I am pleased that the faculty treated him with respect and fairness during these past three years, especially after the administration's slanderous and false portrayal of him in official court filings as being guilty of destroying evidence in a Federal case. (Clemson's heavy handed and illegal pursuit of not only my personal files, but of my family is a whole other issue in and of itself but will not be addressed in this letter.)

To continue, foremost about me is that I love to work, and I love my work. I worked and paid my own way through Clemson. I have always defined myself by my work. It is very important to me and has been ever since I started working, which was at a very young age for my father. I learned to be a very careful and mindful worker/employee. I have always avoided any unauthorized undertaking or any other activity that would put my job at risk or reflect poorly on my performance.

As a result of my keen attention to policies and procedures throughout my career, I became extraordinarily proficient at systems analysis, and in turn, came full circle to become, in the opinion of many superiors, an expert in policies and procedures as well.

My work at Clemson was especially important to me and I took it very seriously. There was nothing I worked harder at than trying to please the trustees and their families. As a matter of fact, I was told by virtually all of the trustees that they were very pleased with my work and that I need not inconvenience myself so much to see to their needs.

Formally, and in their only written performance appraisal of my work, I received very high marks from the trustees; on a five-point scale with five being the highest, I was graded with an overall rating of 4.04. Most telling, however, (and most astounding) is that this appraisal was submitted to the Chairman in July of 2007 before and during the quarterly meeting, but was not reviewed or tabulated until *after* he called me on July 16, 2007. The appraisal consisted of twenty-seven performance metrics each ranked individually by each trustee. In total, 297 separate evaluation statements were submitted, which when tabulated, resulted in an overall ranking of 4.04. This brings me to the phone call I received on Monday morning, July 16, 2007, which is now within days of three painful years ago.

### **July 16, 2007 Call Report**

Given the appraisal described above, I hope you can imagine my surprise, shock, and horror on Monday morning, July 16, 2007, immediately following the conclusion of the Summer Quarterly when I received a phone call from the Chairman to tell me that I was fired.

You should know, as should all others, the details of that telephone call, specifically what was concluded therein. That phone call is the critical event that reveals the grievous error at the core of this case that could have been corrected, but instead was compounded and escalated by closed and restricted communications.

To not fully know what was communicated in that telephone call or not have been provided the information that was exchanged immediately following the call over the next five weeks, from July 16<sup>th</sup> to August 16<sup>th</sup>, is to have been misguided and now woefully uninformed on key matters about the case. I believe that is the position in which most of the trustees have been placed.

The administration's revisionist version of the events between July 16<sup>th</sup> and August 16<sup>th</sup> reshapes and distorts what actually transpired to purposefully mislead the trustees and to have them and the public believe that the Chairman and the administration worked diligently to avoid a legal clash, and had no choice but to terminate me on August 17, 2007.

However, the events that transpired before August 17<sup>th</sup> reveal that the Chairman and the administration had many other choices and numerous, gracious opportunities to avoid confrontation. Yet they chose otherwise. They arrogantly and stubbornly defied reasonable and fair overtures. They invited confrontation with threats and fabrications.

What occurred on August 17<sup>th</sup> was no more than a staged event performed for the record to establish a legal position and serve as posturing to hide the real, overriding facts. My employment was effectively ended on Monday morning, July 16, 2007, via a telephone call by Chairman Hendrix.

I was in Charleston reviewing the Planters Inn's invoices and preparing to return to my office. I had just called my secretary to schedule a meeting with President Barker to discuss some unusual events that had occurred over the weekend during breaks at the quarterly meeting. I expected a call back; it came shortly thereafter, but it was the Chairman's call, not the return call I expected from the President.

The Chairman demanded my resignation. I asked to meet with him. He was only a short drive away. He said that was not necessary. I pleaded for anything that would either save my job or my employment at Clemson.

He said negotiations would be pointless, and there were no compromises. I asked why and he said because of my performance and the fact that he knew I would never change. I asked what was wrong with my performance. He said, "You're doing too much; you'll never change," and "Clemson doesn't need a watchdog."

I again pleaded for some middle ground, and said it was unconscionable that I was being given no notice, no opportunity to alter my performance, and no consideration of recognized professional protocols, such as a written directive for correction, or reassignment and a reduction in pay. He rejected any notion of progressive discipline. He said no to every suggestion as I persisted. I even pleaded, "I can do less." But, the Chairman was unequivocal and said my job was over because they didn't want a watchdog.

He said he had already discussed the matter with the university's general counsel, Clay Steadman. He said the President did not want me to return to my office, and they required that I sign an "employment agreement" whereby I would "work" from home and my job would be to find a new job.

The Chairman explained that in exchange for my "voluntary resignation" I would be given a "strong letter of recommendation" and three months of pay to be extended if I honored the conditions of the agreement, cooperated without protest, and could not find new employment in that time period.

He emphasized that the important point was that I had to cooperate without protest, which meant no public disclosure, and he stressed that if I did not cooperate, there would be consequences.

He wanted my answer on the spot. I did all I could to keep my wits about me. I believe I did. I responded, "I'll do what's honorable." The obvious implication was that my decision would be forthcoming. My wife and daughter were in the hotel room with me when I received the call.

The Chairman concluded the call by advising me that I would soon be receiving a call from Clay Steadman who would be transitioning into my job and give me more details. The entire conversation lasted about twenty-five minutes. Steadman called approximately two hours later and repeated the instructions I was to follow.

I had no doubt that the Chairman was through discussing the matter, and considered it a "done deal." I also felt sure that no others within Clemson would contradict Hendrix to intervene on my behalf. With that conviction, and knowing that my efforts had failed to achieve any open dialogue, I sought help and legal representation.

It was my hope that an outside advocate, someone strong that was also deeply committed to Clemson and widely known as a true supporter, could come to my aid and open the doors that were being shut in my face. The challenge of my advocate was to correct a misguided and uninformed decision by the Chairman in order to prevent the catastrophe I believed it would cause for both Clemson and myself if not reversed.

Not only did I not want to resign, but it also appeared to me that the terms of my resignation would make me complicit in activities that appeared to me to be illegal, not to mention grossly unjust.

On July 17, 2007, I called Joel Collins. On July 18, 2007, my wife and I met with Mr. Collins. On Friday July 20, 2007, Mr. Collins agreed to represent me as my advocate. Also on July 20, 2007, Clay Steadman telephoned me to advise me that he needed to meet me in order to complete the documents for my “resignation.”

I reminded Mr. Steadman that I had not told him or Chairman Hendrix that I would resign. In fact, I had left the conversation with the Chairman by saying only that I would do the honorable thing. To Steadman I said, “that means that I am not going to resign.” He warned me that if I did not cooperate, then I would be terminated. I asked him on what basis I would be terminated. He said for performance. I responded that that was blatantly untrue and he knew it. He said, “Well, that is what they are going to do.” He then asked if I would like for him to give me the names of any attorneys he could recommend. I said no thank you; I have already retained counsel.

Steadman said, “That is going to make Bill very, very angry,” as if to suggest I should be complicit in a cover-up and go along with their fabrication.

Clearly, the Chairman was not acting at the request of the Board on July 16<sup>th</sup>. The Board was not aware of the Chairman’s call to me. The Chairman was instead acting in response to the President’s request that morning and the day before. The President [Per sworn testimony by Bill Hendrix on October 10, 2007] explicitly requested the Chairman to get rid of me. Unfortunately, the Chairman complied.

The real story reveals that my counsel, Joel Collins, strived valiantly and persistently during the twenty-five days preceding August 17, 2007, to inform and advise the Board that they were being misled and misinformed.

Nevertheless, the Board never met with Mr. Collins or me, or even read the information provided to them by Mr. Collins. [Per Bill Hendrix’s sworn testimony October 10, 2007, “I did not read the material because I did not need to.”]

Instead, the Board was choreographed and scripted by the administration to present and construe events to look as if they took action by a unanimous Board decision on August 17, 2007, to terminate me for cause. It was a unilateral decision. That alone should have raised some questions immediately. I was not even requested to attend the meeting.

Instead, as I have since learned, the administration warned the campus that I was dangerous and should be kept away from the meeting. They raised the specter of some unlawful act by me. Tensions were heightened by false reports that I was going to “crash” the meeting. Detailed plans were made and implemented for armed guards to be present. The normal host location for board teleconferences was changed and held outside of the administration building to thwart my attendance.

Surely you can see how pathetically malicious these acts were and the impression they sought to create.

From my perspective, it is tragic and remains a nightmare. But, I believe that ultimately all those who care for Clemson will see the actions taken against me, despite whatever the outcome of the legal claims, as a dark and troubled chapter in the history of Clemson's leadership.

The upcoming trial, whenever it may occur, will show that the President, among others, wished to silence me to cover up the management malfeasance and gross financial waste of his administration, and to keep the trustees from learning what they did not know but were in the process of learning from me, as those responsible for informing them conspired to withhold information from them.

From your corporate experience, can you imagine making a major decision affecting a senior executive that you know will destroy his name and career, which in turn could cause serious repercussions for the University, without undertaking a very diligent inquiry to validate the charges?

My experience has taught me this lesson: Show me an individual who has all the right qualifications, who loves his job, and who puts both heart and effort into his work, and I'll show you an outstanding employee.

Moreover, as a manager over such outstanding employees, I have experienced that if others bring me criticism about them, especially if the critic does not directly control them, then it would be reckless and imprudent of me to not also inspect the critic as much as his criticism. And, it would be unthinkable not to involve the employee if it turns out that I think the criticism has some substance to it.

I did not get that very obvious and minimal consideration.

The bottom line is that there is something very wrong in Clemson's treatment of me. Furthermore, all of Clemson's subsequent actions in response to my complaint raise serious questions that warrant serious scrutiny. Even without the facts, fair thinking and reasonable people, despite their backgrounds or experiences, can see that something just doesn't add up.

Maybe the most telling observation of all is when a former Clemson University Vice President for Administration & Secretary to the Board of Trustees, with over a thirty year career of distinguished service to the university, and who is widely regarded as the very last of the old guard that remains legendary in the lore of Clemson, can look at Clemson's leadership today and lament that, "Jim Barker is the Jim Bakker of Higher Ed."

**Chalmers Eugene Troutman, III    PO Box 8479    Greenville, SC 29604**

This letter presents one small chapter given the greater context. I only ask that you give it a careful reading, and I encourage you to learn more by examining the information presented about the case at [www.Clemsonlawsuit.com](http://www.Clemsonlawsuit.com), a website dedicated to informing the public on the events and public filings of my case.

It is my hope and belief that this information, together with your experience, will serve to help you help Clemson.

I wish you and Clemson the very best.

Sincerely,

A handwritten signature in blue ink that reads "Gene Troutman". The signature is written in a cursive, flowing style with a large initial "G" and a long, sweeping tail.

Gene Troutman

Cc: David Wilkins, Chairman, Clemson Board of Trustees  
Bill Smith, Vice-Chair, Clemson Board of Trustees  
<http://www.Clemsonlawsuit.com>