

four hurricanes in a single season in 2004. While employed by Fluor, I received excellent performance ratings, numerous promotions and consistent salary increases. I have never been the subject of a disciplinary action due to work performance. Prior to my employment as Executive Secretary to the Clemson University Board of Trustees, I had never had any adverse personnel action taken against me. I have never been arrested or convicted of any crime.

5. After my graduation from Clemson, I maintained a relationship with the University. I introduced my son to Clemson University and encouraged him to make Clemson his number one choice for college. In recent years, I have been a member of the Founders Club. In both 2005 and 2006 I made a \$10,000.00 contribution each year to the Clemson University Fund. I earmarked my contribution to be credited to the Clemson University Trustees for their discretionary use. By letter dated June 15, 2006, I forwarded my contribution to Neill Cameron, Vice President for Advancement, and expressed in that letter my high admiration for the "tireless" work by our Board of Trustees. Attached hereto as Exhibit 1 is a copy of that letter.

6. In approximately January of 2005, I learned Clemson University's Board of Trustees had a vacancy in the position of Executive Secretary to the Board. I learned of this job opening from Clay Steadman, the University's General Counsel, who is also the son of a very good friend and former professor, Dr. Mark Steadman.

7. In the job posting notice for the position of Executive Secretary to the Board of Trustees, it is stated "The successful candidate should possess strong character traits, including intellectual honesty, confidentiality, logical thinking, discretion, oral and written communication skills, and the ability to build consensus ..." I was impressed that the Board was looking for someone with intellectual honesty, a character trait which I have always admired and which I endeavor to have at all times.

8. After discussing the matter with my wife and my children and also after discussion with Les McCraw, a Clemson Trustee who was a long-time Fluor executive, I decided to submit my application. I had a deep desire to be of service to my *alma mater*. I was interested in a job with more stability and less time away from home. I wanted a position where I felt I could make a difference and give back to the community and to the State of South Carolina. I knew that Clemson had undertaken a quest to become a Top 20 public university, and I heartily supported that goal and the benefits I thought it would bring to Clemson University, its students, its graduates and all the citizens of South Carolina. A copy of my application for the position of Executive Secretary is attached to this Affidavit as Exhibit 2.

9. On February 7, 2005, I submitted my application. The application called for three references. I met that requirement by submitting along with my application three letters. Those letters were from John Thatcher, a retired Vice President of Fluor Corporation, Ed Kirkley, another retired Fluor executive, and Dr. Mark Steadman, a retired Clemson professor. Although I did not get a letter from him because he served on the search committee, I was assured by Les McCraw that he would give me a positive and favorable reference and could personally attest to my qualifications. All four of my references knew me for many years and were well able to speak of my qualifications. At the time I decided to seek the position, I studied the Clemson University Board of Trustees Policy Manual which was available on the Internet. I did a Google search on all the Trustees so that I could better understand each of them. I studied as much as I could find about Clemson University and the quest for Top 20 ranking. I concluded this was a job where I could fulfill my goals and also excel.

10. On February 22, 2005, I was notified by Clay Steadman that I had been selected as a semi-finalist among those who were selected to come for an interview by the search

committee. On April 21, 2005, I was interviewed by the entire Board of Trustees in a closed session of their spring quarterly meeting in the Madren Center in Clemson.

11. After my interview in the Executive Board room, I was escorted to the Trustees lounge to await their deliberations on my candidacy. Shortly thereafter, approximately fifteen minutes, Chairman Hendrix and Vice Chair Britton entered the room and offered me the job of Executive Secretary to the Board of Trustees. I immediately accepted. I began work on May 9, 2005. Afterwards, in a statement made public and printed in the newspaper, I learned there were 150 applicants for this position.

12. During my interview by the search committee consisting of Dr. J.J. Britton, the Chair of the Committee, Les McCraw, Patti McAbee, and Bob Peeler, I was asked by Patti McAbee if I would be willing to serve in the position for many years, I responded that I would. They made it clear that this was a position where experience and longevity in office was considered to be a plus. I recall also a conversation with Dr. Britton after I was offered the position that as the Executive Secretary, I would have the authority to hire whoever I needed to hire in order to get the work done properly and well. He told me also that if the present Assistant to the Executive Secretary, Janice Kleck, was not satisfactory, I could make my own choice of her replacement. He added that if one Assistant was found by me to be insufficient, I could hire another.

13. It was made clear to me during the interview process that the Board of Trustees was interested in me because of my extensive business background. They were well aware of my extensive work with the Federal Government and my knowledge and experience in process driven enterprises and public private partnerships. At no time during the interview process was I given any information or comment which led me to believe I would be restricted, curtailed, or

micro-managed. On the contrary, I was given the distinct impression by remarks made to me that the Trustees wanted a pro-active, self-starting, independent resource for them. At a later time after I received the job, I recall being told by Chairman Hendrix that he wanted me to be his "eyes and ears on the campus."

14. Although there is no written job description for the Executive Secretary, there are some bullet point items listed in the Board of Trustees Policy Manual. In Chapter 5, Item III, the manual states that the Executive Secretary has the following duties to the Board, namely:

- * Serving the Board and its committees as Secretary, making appropriate arrangements for all meetings and sending proper notice of all meetings, which includes taking the minutes at all meetings or arranging that they be taken,
- * Developing an agenda for each Board meeting and sending it to members well in advance of each meeting,
- * Promptly sending out the minutes of all Board meetings,
- * Making special studies for the Board or its committees, or as required,
- * Developing and maintaining the Trustee Manual,
- * Reviewing all matters proposed for Board or committee consideration to see that each has been thoroughly researched and documented and that finished staff work is presented for Board consideration,
- * Keeping the official files of the Board and its committees, and using these to facilitate their work,
- * Managing the Trustee budget.

15. Another directive for the Executive Secretary is found in Chapter 7 of the Policy Manual. There it is stated "The Executive Secretary shall be responsible for bringing to the

immediate attention of the Chairman of the Board and the President any audit, parts of an audit, that reflect practices, procedures or actions that vary substantially from normal or sound business practices.” In a prior paragraph under this same Chapter, it is stated:

“The Board of Trustees is committed to the proposition that University activities should be independently audited on a periodic basis as a service to management. The Board’s goal is that the State Auditor will never report a serious audit finding because the University’s internal audit function will have already discovered problems and presented them to management for timely solution.”

16. Elsewhere in the Policy Manual it is stated Section IV, Item 3 ... “Trustees will work diligently to maintain the integrity of the University as clearly defined in the wording and intent of the Last Will and Testament of Thomas Green Clemson.” Under the heading Financial Administration, the Policy Manual states:

“The Board of Trustees plays an important role in financial administration. It operates under restrictions and requirements contained in State and Federal legislation; it operates within its own broad policy guidelines; it controls expenditures within approved limits; and it develops the resources to carry out the basic plans it had considered and approved. The basic responsibility of the Board of Trustees in this area is so great that it has promulgated a separate set of financial rules and regulations, which it uses to delegate responsibility, fix operating controls, and specify the way in which financial affairs should operate.”

Although there is a reference to a separate set of financial rules and regulations, I have never found or been provided with a copy of those rules and regulations.

17. In exercising my duties under Chapter 7 entitled “Internal Auditing Division,” I was mindful of the broad scope of the Internal Auditing Division and the stated obligation to “[go] beyond the accounting and financial records to obtain a full understanding of the operations under review.”

18. I recall the Vice Chair of the Board telling me shortly after I was hired that one of the challenges I would have is learning exactly what my job entailed.

19. During the first six months of my job, I undertook an analysis of the organizational structure of the four divisions I was responsible for. Those divisions were Internal Audit, Institutional Effectiveness & Assessment, Institutional Research and Access in Equity. After consultation and interviews with fellow administrators and employees in my division, I initiated plans to combine two of the groups, reorganize the third, and address the fourth on completion of my priority issues. I perceived that given President Barker's overall administrative responsibility for the University and the fact that the Board delegated all administrative matters to the President, I sought and received President Barker's expressed approval to restructure Institutional Research and Effectiveness & Assessment by combining them and naming Debbie Jackson as the new division head. Debbie Jackson and I met with President Barker in my office on August 11, 2005 to request his approval. He did not indicate that any other approval was required, necessary, or requested. I learned shortly thereafter from Dori Helms that she believed that she should have been consulted because the Provost Office is a primary customer of the two groups. I acknowledged that while her expectation was reasonable, it had not been apparent to me as my office was the administrative budget center for both groups, nor had the President indicated to me that her concurrence should be sought. The Provost accepted my reasoning and my commitment to always seek her input in the future. She did not request or in any way indicate that my action be retracted. I reported on this restructuring in my 2006 Annual Performance Report to Bill Hendrix and received no comment. From this course of conduct, it was clear to me that I correctly inferred that it was my authority to restructure organizations already established under my administrative responsibility.

20. As I continued to discern the responsibilities of my office, I determined that one characteristic of all of my divisions was their need for organizational autonomy and independence to avoid any real or perceived conflict of interest issues by their constituent groups. Given this factor, it appeared that the logical organizational home for the Administrative Council's new office for Staff Ombudsman would be in my organization. President Barker and the General Counsel and the Provost concurred. I was pleased but believed despite the endorsed rationale, I should also in this instance make sure the Chairman concurred. I broached the subject with him at the 2006 winter quarterly. His opinion was that it would be a drain on my time and resources. Informed of his wishes, I returned to the Staff Ombudsman search committee and advised them to redesign the reporting structure for the proposed new position. This course of action is similar and parallel to the course of action I took following my conversations with the Chairman concerning the need to strengthen Internal Audit -the former being a case where he said "No" and I acted on that direction; the latter being a case where he said "Yes" and I acted on that direction.

21. During my employment as Executive Secretary to the Trustees and an Executive Officer on the Administrative Council, I was assigned to various ad-hoc committees, special task forces, and individual assignments by the President. I was also asked to participate on special team initiatives by fellow Administrative Council members. These include: The National Scholars Task Force, the Staff Ombudsman Search Committee, Assistant to the President, the Diversity Officer Task Force, the Communications Task Force, the Asset Stewardship Committee, and Special Liaison to one of the Governor's appointees to his Task Force on Higher Education. I inferred that requests by the President had the support and endorsement by the

Board Chairman. I therefore worked these assignments without guidance or direction from the Chairman.

22. During the week of May 21, 2007, the General Counsel called a special meeting of the President's former Assistants of which I was one. Clay Steadman, Marvin Carmichael, and I were in attendance. Cathy Sams was absent. Clay Steadman explained that the primary agenda item was the deteriorating status of the CFO search. He said the number one candidate of choice did not look likely and that the number two candidate was not satisfactory to anyone on Administrative Council. He suggested that steps be taken to encourage Brett Dalton to submit his application. Clay and Marvin asked me what I thought about it, particularly what would Alan Godfrey's reaction be. They were worried Alan would derail the effort with a protest and invalidate the search. I explained that I thought they were right. Therefore, I agreed to talk to Alan in an attempt to win his concurrence for Brett as CFO. Clay Steadman said this effort had Dori Helm's support. Clay's course of action and assumption of authority on this matter was not questioned, as it was generally accepted that he took special initiatives for the President. My actions on this task were consistent with all other similar efforts requiring my exercise of my executive leadership.

23. I worked extraordinary hours to learn and accomplish my job. For approximately the first 12 months, I averaged 10 to 12 hours a day. These days were even longer during football season. For approximately the next 14 months, I averaged 9 to 10 hours per day. I frequently worked Saturdays, Sundays and evenings. I took no vacations.

24. Confident that I had the authority and discretion to be pro-active in my position as Executive Secretary, I designed and installed a new communication format to eliminate fax cover sheets and to distinguish Trustee mail from other types of mail so as to make it stand out and be

immediately identifiable. I devised a new calendar form to improve efficiency of coordinating multiple Trustee personal schedules in order to plan meetings and determine dates that suited all Trustees. I decided to answer my telephone directly to assure Trustees they had immediate access to me at all times.

25. Shortly after taking the position, I was advised by staff and by those closest to the job that the office of the Executive Secretary was woefully understaffed. I was told this by Janice Kleck, by Linda Weir, Linda Allen, Becky Copeland, and also by Marvin Carmichael. Despite my predecessor having three to four part-time assistants, I honored President Barker's request that I not add additional staff until I could better evaluate the need.

26. Over the two years and three months I held the position of Executive Secretary, I had much interaction with the Chairman. I sought feedback on my work and clarity on his expectation. I found him to be a man of few words, short directions which he often repeated. He was often impatient and anxious for quick results. He praised me for my take-charge approach and high sense of urgency.

27. On January 31, 2006 over a dinner meeting at Hennessey's Restaurant in Columbia, South Carolina, Chairman Hendrix explained to me that I should consider it my primary obligation to keep him fully apprised, to serve as his eyes and ears on the campus, to learn as much as I could about everything and to report my findings and my conclusions to him. He said he would be responsible for passing such information along to the other Trustees. He asked me to please keep him posted on any requests or any conversations I had with other Trustees. He also explained in a direct response to one of my questions concerning my role and whether or not I should "have a voice at the table," that I definitely should, He told me he wanted me to speak out. He explained that one of the strengths I brought to the job was my

extensive and diverse business background. He stated he looked forward to any insight I could add, especially on the business side of the administration of the University. I was never told prior to the weekend of the Board of Trustees summer quarterly meeting in Charleston in July of 2007 that I had acted in any way outside my authority or taken any action of which they disapproved.

28. The other Trustees greatly deferred to the Chairman. Other than conversations about football game tickets, room reservations at the Martin Inn, AEC Basketball Tournament tickets, Bowl game, admission requests, matters of interest, or concern were seldom brought to my attention by the other Trustees.

29. I recall that approximately two months into the job I proposed to Chairman Hendrix that we create a new position which I called the Executive Director of Fiscal Control. Chairman Hendrix approved and agreed with this recommendation. During the "Breakfast With the President" on July 13, 2007, at the summer quarterly, Chairman Hendrix acknowledged that he had discussed the proposed new position for policy compliance with me during the first two months of my job.

30. About seven months into the job, I recall preparing a list of five priority items and sending it to President Barker pursuant to his request. Attached hereto as Exhibit 3 is a copy of my memorandum which was sent to President Barker on December 5, 2005. One of my priority items was "Internal Audit Organization Development."

31. It is clear to me the decision to ask for my resignation on Monday, July 16, 2007, was the displeasure the President and then later the Chairman had over the creation of the position of Executive Director of Fiscal Control/Policy Compliance and the hiring of Alan Godfrey to fill that position. I was careful to gather support, approval and funding for this

position. Those steps are set forth in detail in a letter which my attorney sent to Chairman Hendrix dated July 23, 2007, which is attached to my Grievance. I assisted in the preparation of that letter.

32. I obtained salary approval for the new position. I also obtained from the Chief Business Officer a waiver of the posting requirement. Attached hereto as Exhibits 4 and 5 are documents relating to those approvals.

33. Throughout the two years and three months I served as Executive Secretary, I sought consistently to be given a formal job review and an evaluation. I told the Trustees I was eager to learn whether or not I was performing the job as they expected and required. My numerous requests never resulted in an evaluation. Prior to the summer quarterly meeting in July 2007, I asked Chairman Hendrix to please give me a performance review before the quarterly meeting began. He told me he could not do that, but that this year, unlike last year, 2006, he would give me an evaluation on Sunday morning, July 15, 2007. When I asked him about that on Sunday morning, July 15, 2007, he stated, as he had the year before, that he was too tired and would do it later. In my efforts to obtain a performance review, I prepared an evaluation form, a copy of which is attached as Exhibit 6. Per Chairman Hendrix instructions, I sent the form to all Trustees under his signature and requested that they complete the form and return it to Mr. Hendrix's home address. To my knowledge, it has never been utilized by any of the Trustees.

34. Contrary to the representations which were made publicly that I exceeded my authority and failed to follow Clemson's policies and procedures, I believe I followed those procedures as carefully and thoroughly as I could. I recall discussing the new position with President Barker. I noted on my copy of the new organizational chart that he had approved, it conditional upon certain changes which were discussed during my meeting on May 30, 2006

with him and the Chief Business Officer, Steve Copeland, in President Barker's office. According to notes I took during the meeting I had with President Barker, he asked "Is there any way we can use 'discovery money' to pay for this?" Steve Copeland's answer was "Yes." Attached hereto as Exhibit 7 is a copy of the Clemson University Organizational Chart which I had prepared prior to that meeting. The lines, circles and other notations on it were made by me during the course of my meeting with President Barker as I explained and illustrated the changes Bill Hendrix had requested.

35. This Clemson University Organizational Chart for the Office of Internal Affairs, Exhibit 8, was prepared for me by Leslie Milling, an employee of Fluor Corporation who does free lance graphics work in her spare time. These charts were prepared by her in March or April of 2006. I used these organizational charts when I discussed the proposed new position with others.

36. Based on my understanding of the contents of the will of Thomas Green Clemson and the purpose for the enactment of the Morrill Land Grant Act, Clemson's mission is to provide an affordable education to middle and lower income people in South Carolina, and not to increase tuition and fees. By providing accurate, understandable and useful information to the Board of Trustees through the Executive Director for Fiscal Control/Policy Compliance, I believe these problems could be addressed and these concerns alleviated by appropriate action and decisions of the Board of Trustees. I believe this would also fulfill one of my duties as Executive Secretary to the Board which was to "make special studies for the Board or its committees as required."

37. Based on my personal observations, I do not believe there was ever a candid public discussion about the unrestricted fund balances maintained by Clemson and the way they

have grown over the years. I am aware there was a presentation made by the Huron Group following an extensive study they conducted. That presentation was made in Executive Session. The Huron Report was stamped "Draft" so that it would not fall within the prevue of the Freedom of Information Act and therefore not be made public. I believe the presentation of this in Executive Session and the marking of their report as "Draft" was done specifically to defeat the requirements of the Freedom of Information Act.

38. In Section V of the Board of Trustees Policy Manual, one of the specific duties of the Chairman is stated as "giving an annual accounting of the Board's work to the General Assembly." Although I understand the previous Chairman made such reports or accountings, Chairman Hendrix has not. One of the reasons why I believe he was upset about the creation and filling of the post of EDFC/PC is that it would force more accounting and responsibility on fiscal matters. At the winter 2007 quarterly meeting at the Adams Mark Hotel in Columbia, there was a discussion in Executive Session of unrestricted funds. I recall Chairman Hendrix saying in front of me and several Trustees, "If the General Assembly ever finds out about this, they will not give us another dime."

39. During the time the Huron Group was on campus, they were pointed to the numbers reflecting the unrestricted cash by Alan Godfrey, then the Budget Director. Mr. Godfrey has stated in my presence that "The money is hidden in plain view."

40. Alan Godfrey has discussed with me on several occasions his belief that the unrestricted funds, and the cash and cash equivalents of Clemson University are not understood by the State Treasurer's office, the Budget and Control Board or by the General Assembly. He has expressed to me his concerns about the substantial increases in tuition which he finds offensive. He has reminded me that while all the freshman qualify for Life Scholarships and

Palmetto Fellow Scholarships, the majority of the students lose their eligibility for these scholarships in their later years. He has advised me that over half of the students lose these scholarships and therefore have to pay the full tuition.

41. On Friday, July 13, 2007, the Board of Trustees had a breakfast meeting with the President. I recall that Chairman Hendrix addressed the Trustees about the new position of Executive Director of Fiscal Control/Policy Compliance and explained that he wanted to discuss it because questions had been raised by a couple of Trustees. He explained that I had first mentioned the need for this position within the first two months of assuming the job of Executive Secretary. He acknowledged that he and I had discussed it a number of times, but stated he had not talked about it with all the other Trustees. He stated that he believed the Board had three options. The first option was for the Trustees to let him know if they considered the position to be needed. The second option was that if the Trustees thought the position was not needed then it would be eliminated. The third option was that if the Trustees thought the position was needed, then it would be left as is. While I considered this proposal to essentially be two options, they were presented as three.

42. During the Friday, July 13, 2007 breakfast meeting, in response to a direct question put to him by Trustee Smyth McKissick, President Barker denied knowing about the new position. Although it was not said in my presence, I understand and believe that President Barker at some point expressed concern about this new position being a "watchdog on the Administration."

43. On Thursday evening, July 12, 2007, I prepared a memorandum to Chairman Hendrix in an attempt to explain to him why the newspaper story about Alan Godfrey's promotion to the new position appeared in The Greenville News that same day and was sooner

than I expected. The newspaper story, a copy of which is attached as Exhibit 9 was apparently written by Clemson Public Affairs Director Cathy Sams and provided to The Greenville News reporter Anna Simon on Wednesday, July 11, 2007. It is my understanding and belief that the photograph of Mr. Godfrey was also supplied to the newspaper by Ms. Sams or her office.

44. The memorandum I wrote to Chairman Hendrix for his eyes only, was an attempt on my part to "eat some crow" and to apologize, if such an apology was needed, for the timing on the announcement of the new position of EDFC/PC. Although I made the statement in that memorandum that the matter had "gotten away from me," I fully believe that I had done everything necessary to create, fund and fill the position. Because Chairman Hendrix was out of the country in Germany and in Africa during the two or three week period before, I was not able to speak with him with the frequency to which I was accustomed and which I desired. According to my calendar, President Hendrix was in Germany from May 21, 2007 through May 28, 2007. From June 11, 2007 until June 26, 2007, Chairman Hendrix was in Africa on a hunting safari and was completely out of communication with everyone in South Carolina.

45. One of the concerns I have had as Executive Secretary is that Trustee meetings are too brief, presentations made by the Administration are scripted and rehearsed. Critical detail and analysis is not undertaken. Committee meetings are often artificially limited in their length so as to not allow full consideration of matters of importance.

46. I have prepared a list of my top twenty accomplishments during the past year. I had planned to cover these in my performance evaluation meeting as Executive Secretary. That list is attached as Exhibit 10.

47. On the afternoon of July 12, 2007, I had a conversation with Chairman Hendrix in the courtyard of The Planters Inn following one of our committee meetings. I recall Chairman

Hendrix telling me with regard to the new position of EDFC/PC "the Administration does not need a watchdog." I have been advised by Alan Godfrey that the same statement was made to him by Chairman Hendrix during a telephone conversation on July 16, 2007.

48. Alan Godfrey and I have a friendly and close relationship, going back to the time when we were both employees of Fluor Corporation. When I was hired as the Executive Secretary to the Board, I was pleased to resume my friendship and relationship with Mr. Godfrey. I came to respect and admire his knowledge of Clemson finances. He served for approximately 18 years as the Budget Director, and he has more knowledge than anyone on campus of Clemson's budget which contains over 30,000 line items. As explained in detail in my attorney's letter to the Trustees and the University's General Counsel, which I helped him write, I carefully timed and coordinated my efforts to fill this new position by making sure that the Chief Financial Officer position was filled before I offered the job to Mr. Godfrey. The explanation of these steps as set forth in my attorney's letter is set forth as part of this Affidavit by reference. I recall Chairman Hendrix agreeing with me that Alan Godfrey was uniquely well-suited to take this position. Chairman Hendrix told me this where I outlined my proposal to create this new position.

49. One of the reasons why I had multiple conversations with Chairman Hendrix about the new position was Michael Hughey, the University's long-time Director of Internal Audit, was planning to retire in the spring of 2006. He had desires to be retained by the University on a contractual basis, and my understanding is that he was petitioning Chairman Hendrix to continue his employment on a contract basis. Chairman Hendrix made it clear to me he did not want to see us hire Mr. Hughey. Chairman Hendrix asked me my opinion about hiring Mr. Hughey as a contract auditor. I expressed my reservations and my recommendation that it

not be done. It was during those conversations that I recall Chairman Hendrix agreeing with me that there should be some role in audit for Alan Godfrey.

50. I have had a number of conversations recently with Alan Godfrey. I recall him telling me that on the morning of Monday, July 16, 2007, he was with his son on a camping trip to Cape Romaine. He told me he received a call about 9:00 A.M. from Sandy McKinney, Secretary to President Barker. He told me Ms. McKinney advised him he should be available for a conference call at approximately 10:00 A.M. and that the call would be made by Chairman Hendrix and President Barker. Mr. Godfrey said that when he learned that these two highly placed leaders would be calling him, he immediately assumed the worst. He said he became so upset during the intervening time that he became nauseated and threw up on a bush near his campsite. Mr. Godfrey told me that at approximately 10:00 A.M. on that morning he did receive the conference call. He stated that Chairman Hendrix did most of the talking and told him his job would not be exactly what he had been previously told. Chairman Hendrix instructed him, according to Mr. Godfrey, to limit his activities to certain real estate projects and to undertake no auditing functions. Chairman Hendrix further advised him that they had no concerns about him, but that this job was being changed. Mr. Godfrey told me he was worried that the curtailing of the job responsibilities would make this position expendable. He was very proud to have been selected for the position and was very pleased with the raise he was scheduled to receive which would increase his compensation from approximately \$110,000.00 a year to approximately \$140,000.00 per year. Mr. Godfrey discussed the fact that once the real estate projects he was working on, especially tasks instead of broad job responsibilities were completed, he would be vulnerable to a "reorganization" or a "reduction in force" where his job would be eliminated. Because of his grave concerns about losing his job, he has been reluctant to agree to give an

affidavit to me for submission as part of my Grievance. As of the time of the preparation and execution of this Affidavit, my attorney and I have not received an executed Affidavit from Mr. Godfrey, a draft of which was sent to him on August 27, 2007.

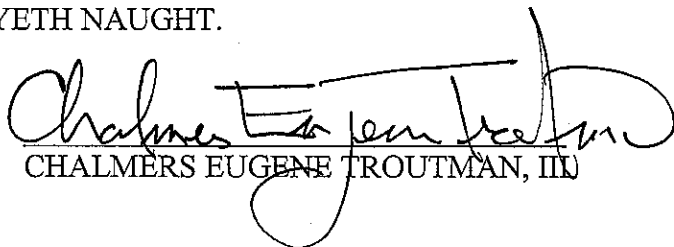
51. Mr. Godfrey told me that during the course of the conversation he had with the Chairman and the President on the morning of July 16, 2007, they told him "The Administration does not need a watchdog" and that he should keep the substance of that telephone call confidential. Mr. Godfrey is worried that because he has talked to me and told me about that telephone call and its substance, he will be perceived as "not a team player" and will suffer adverse job consequences. I reminded Mr. Godfrey that he does not work for the President or for the Chairman, but rather for Clemson University and the State of South Carolina. I provided him with information about certain provisions of South Carolina law, as provided to me by my attorney. A letter reflecting my concerns about Mr. Godfrey was sent by my attorney to the Ogletree Law Firm. That letter dated August 23, 2007, was shared with Mr. Godfrey by email.

52. In my Grievance, I seek reinstatement to the position of Executive Secretary to the Board of Trustees. I realize that this Grievance, the letters which have been exchanged and the accompanying circumstances create stress between me and the members of the Board of Trustees. I nevertheless believe that I am uniquely well suited to be the best Executive Secretary to the Clemson University Board of Trustees has ever had. I have on numerous occasions during my lengthy career in the engineering, construction and project services business, had to patch up relationships, work out differences, and go forward on a positive basis with persons with whom I have had strong disagreements. I am confident I can do this again. I am willing to resume my position. I understand that the Board of Trustees may want to restructure the job, to define the limits of my responsibility, or to otherwise make changes which would make the working

relationship more to their liking. I am confident I can live with these changes. I believe Clemson University would be well served by my continuing in the position. I believe the taxpayers of South Carolina, students of Clemson University, and everyone involved would ultimately have renewed confidence in the fiscal integrity and the fairness of the policies of Clemson University if I am allowed to continue as Executive Secretary.

53. During our conversation on the morning of July 16, 2007, I recall asking Chairman Hendrix why he considered his only alternative to be asking for my resignation. He and the Board could have simply reversed the decision and eliminate the EDFC/PC position. I never received an oral or written reprimand, a refined and limited job description, a counseling session or any other measure which would be part of a graduated employee disciplinary system. I was never placed on probation and Chairman Hendrix, by his statements, was unwilling to consider any such intermediary measure at this time. I recall him saying, "You will never change." While he did not explain that remark, I believe it is untrue and unfair. Throughout the time that I served as Executive Secretary, I craved and requested feedback and performance reviews. I did my very best, and I am willing to continue doing my very best if I am reinstated as the Executive Secretary.

FURTHER, YOUR AFFIANT SAYETH NAUGHT.

 w
CHALMERS EUGENE TROUTMAN, III

SWORN to and SUBSCRIBED before me
this 30th day of August, 2007

 (L.S.)
NOTARY PUBLIC for South Carolina

My Commission Expires: 1/28/14