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## Clemson officials claim 'immunity' against suit

### They ask judge to dismiss action filed by former executive secretary

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Attorneys for Clemson University's trustees and other school officials have again asked a federal judge to dismiss a lawsuit filed by the board's former executive secretary, who alleged he was fired in retaliation for his accusations of fiscal mismanagement.

Trustees and school officials filed a motion for summary judgment in U.S. District Court to dismiss Chalmers Eugene Troutman III's claims against them individually based on

"qualified immunity."

The defendants, including Clemson President James F. Barker, contend that Troutman can't sue state officials "in their individual capacities."

Troutman's suit, filed against the trustees and school officials both as individuals and as college representatives, asserts he was improperly terminated because he exercised his First Amendment right to speak out on matters of public concern.

Trustees and school officials have rejected that

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## CLEMSON

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claim.

A second summary judgment motion filed by the trustees and other school officials asks the judge to dismiss Troutman's claims that they engaged in an unlawful conspiracy to force him out.

U.S. District Judge Matthew J. Perry Jr. will hold a hearing on the motions June 11 in Columbia.

The lawsuit by Troutman, who also was assistant to Clemson's president, alleges he lost his job, in part, after he spoke out about "excessive" salary increases given to some university administrators.

Troutman alleged in his suit that increases in tuition and fees at Clemson weren't justified by cuts in state appropriations, and that trustees "hoarded" cash from tuition increases to build an unrestricted \$80 million fund.

The trustees and school officials have denied any wrongdoing. They said in court filings Troutman improperly circumvented the trustees' policy manual by

reorganizing the Internal Auditing Division and he failed to establish and maintain effective working relationships with members of the board, faculty representatives, and administration.

In March, Perry denied a motion filed by Clemson trustees and officials to dismiss Troutman's suit.