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LOCAL NEWS

Suit put on hold as Clemson appeals

Federal judge says Troutman action can't go forward until 4th Circuit rules

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COLUMBIA — U.S. Senior District Court Judge Matthew Perry on Thursday agreed to stay proceedings in a lawsuit against Clemson University by its former board executive secretary until after an appeal is heard on his decision not to dismiss the case.

"It is appropriate this court stay the matter in this case pending resolution of the appeal," Perry

told both sides in a hearing Thursday afternoon.

Perry also attempted to referee a resolution of a dispute between lawyers in the case over records Clemson alleges were "misappropriated" by the former executive secretary, Eugene Troutman. But the two sides walked away from the hearing with different ideas of what was agreed to.

Troutman's lawsuit alleges he lost his job, in part, after he spoke out about "excessive" salary in-

creases given to some university administrators. Troutman also 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 that he failed to establish and maintain effective working relationships with members of the board, faculty

representatives and administration.

Clemson asked Perry to halt proceedings in the case until its appeal can be heard by the 4th U.S. Circuit Court of Appeals in Richmond. The university has appealed Perry's decision not to dismiss the case, arguing the school is an arm of the state and therefore cannot be sued under a federal statute at issue in the lawsuit.

Troutman's lawyers have asked the appeals court to dismiss the appeal, labeling it "frivolous." If the appeals court disagrees, hearing the appeal could delay any further proceedings before Perry for

months.

Clemson's lawyers also agreed to take their requests for sanctions against Troutman and his lawyers to the appeals court as well.

The school this week filed motions seeking to disqualify Troutman's lawyers from the case after alleging that they have repeatedly denied demands by Clemson for university records they say are held by Troutman.

They have argued that while Troutman's lawyers agreed in September to turn over a disk of files copied from a Clemson laptop he used before he erased the files from the comput-

er, Troutman's lawyers have refused demands for the return of records held by Troutman, including any copies of the files on the disk.

At times, the judge pounded his desk and told lawyers that he was going to resolve the matter. "I am looking to you to act like gentlemen and the true professionals that you are," he said.

Troutman's lawyers left the hearing with the understanding that they would provide a list of the records at issue to Clemson, while Clemson's lawyers said they expect to have all the records in addition to a list.