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St. Louis U. bars former newspaper adviser from entering the newspaper's offices

By **Kavita Kumar**

ST. LOUIS POST-DISPATCH

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The prickly relationship between St. Louis University administrators and a communications professor has worsened, with the university last month barring him from the student newspaper office.

The move follows a federal suit the university filed against Avis Meyer last year alleging copyright and trademark infringement after he formed a nonprofit corporation with the same name of the student newspaper, The University News.

Meyer, a tenured professor, was once the newspaper's official adviser and has continued to volunteer his time on production nights, as he has done for decades.

But SLU says that has to end.

"In my professional judgment, your presence in the newsroom, on balance, no longer contributes to the smooth functioning of the paper and is not advancing students' best interests," SLU Provost Joseph Weixlmann wrote in an e-mail to Meyer a few weeks ago.

If Meyer doesn't comply, Weixlmann wrote, "I will be forced to take actions to block your access to the newsroom."

But Meyer remains steadfast, saying the students want his help. He added that it "should be an interesting scene" if the university tries to physically stop him from going to the newspaper office.

"I'm not backing down," he said.

University spokesman Jeff Fowler said some students have told administrators privately that Meyer's disagreements with the university's appointed newspaper adviser have created confusion and a tense atmosphere. Fowler said the suit is an unrelated issue.

In the spring of 2007, SLU began rewriting the newspaper's charter, a move that some student editors believed was an attempt to take editorial control of the paper. But SLU officials repeatedly have said their aim was to improve the quality of the paper, which they said was plagued with grammatical and reporting errors.

Meyer said he formed the nonprofit corporation using the name of The University News and SLU in case students wanted to take the newspaper off campus.

Meyer notes that he terminated the corporation last summer after students decided to accept the changes and stay on campus. He says that ought to have ended the matter.

But the university filed suit in October seeking assurances that he will not use the university's name in the future and reimbursement of its attorneys'

fees. Those started at about \$6,000, and the meter is running.

Fowler said the university had no choice but to sue Meyer when it didn't hear from him on those issues.

"We have to protect our intellectual property just as any other institution does," Fowler said.

Meyer, who has hired an attorney, says he believes the real reason for the suit is because SLU officials blame him for the newspaper's sometimes critical editorials about the administration and school policies.

"In my opinion, Biondi is a very vindictive man and he's out to get me," Meyer said, referring to the university's president, the Rev. Lawrence Biondi. "He's convinced, I believe, that every time something goes in the paper that (attacks or makes fun) of him that I'm behind it."

While he acknowledges that he is often critical of Biondi, Meyer said his function at The University News consists mainly of helping out with copy editing — fixing grammar and writing headlines. He said he only gives students story ideas and feedback when they ask for it.

(Meyer also worked as a part-time copy editor at the Post-Dispatch for more than 20 years until he took an early retirement buyout a couple of years ago.)

Fowler said the university knows that it's common for student newspapers to be critical of university administrations, and the university, he said, is doing nothing to abridge the freedom of the press.

BIONDI: IT'S 'A SHAME'

In March, Biondi addressed the issue in his monthly e-mail to the university.

He said then that the university "has been forced to spend over \$18,000 to protect its interests."

"In these challenging economic times when SLU must stretch every dollar to fund scholarships, salaries and other operating expenses, it is a shame that the University has to use its resources to defend its trademarks and intellectual property from Dr. Meyer," Biondi wrote.

Biondi also denied that the suit — and the charter changes — were an attempt to influence the newspaper's coverage.

"Nothing could be further from the truth," Biondi wrote. "As a matter of fact, the changes last spring to the charter for The University News have produced a much better newspaper, and one that is, by the way, no less critical of me and my administration!"

A group of students, alumni and friends have started an online petition in support of Meyer that has more than 275 signatures to date.

A NEW ADVISER

Over the summer, the university hired Jason Young to be the first full-time staff person devoted to advising the newspaper. So now that the school has Young on board, there is no need for Meyer to be a second adviser, Fowler said.

"We think it serves everybody to have one voice as an adviser," Fowler said. "You shouldn't have two people with different ideas causing confusion."

Fowler added that Meyer is free to meet with students outside of the newsroom.

Adam Tamburin, a SLU senior and the current editor-in-chief, said that the newspaper is not taking a position in the dispute.

Andrew Emmerich was the newspaper's op/ed editor in the fall of 2007 and

graduated in December. He said Young and Meyer would sometimes disagree on ideological issues, such as whether the newspaper should write about its charter fight with the university. Emmerich said he found that dialogue exciting — the kind of conversations that should be taking place in a newsroom.

"Dr. Meyer is such a valued asset to the paper," Emmerich said. Besides, he added, "How can you stop someone from volunteering his time?"

Katie Lewis, last year's editor-in-chief, declined to comment.

The newspaper will put out a summer issue in the coming weeks, but will not resume weekly production until the fall. That is when Meyer could test the blocking orders, if not sooner.

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Suit still pending against communication professor

By: Stephanie Sidak

Posted: 2/8/08

The prolonged face-off continues in the lawsuit between communication professor Avis E. Meyer, Ph.D., and Saint Louis University, as the federal court system works toward setting a final court date.

SLU originally filed suit against Meyer on Oct. 11, on the grounds of trademark infringement. Last March, Meyer registered the phrase "The University News: A Student Voice Serving Saint Louis University Since 1921" during last year's conflict over the newspaper's charter. He relinquished the newspaper's name in mid-August.

According to Meyer, Dec. 20, 2007, was the date set for the University to "presumably either accept or reject the monetary offer" he had made as a counter offer. The University chose to withhold a decision, causing the case to be rerouted to the federal court system.

Since the original court date in December, the case was reassigned to Missouri Eastern District Court Chief Justice Carol E. Jackson, original judge Audrey G. Fleissig's clerk said.

Jackson's clerk said a court conference was held in which an official court date was to be determined on Thursday, Feb. 7. No decision was made, however. Meyer's lawyer Brian Gill was not available for comment, but Meyer said that Gill expects the date to be announced within two weeks.

"Because this is pending litigation, the University is not going to have any additional comment on the lawsuit at this time," said Vice President of University Marketing and Communication Jeff Fowler.

The University is seeking a \$6,327 reimbursement from Meyer, recognized by *The University News* as its faculty mentor, for legal fees spent attempting to reclaim the paper's name, which the University said belongs to the school.

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Labor voices not heard

by Don Corrigan and Roy Malone

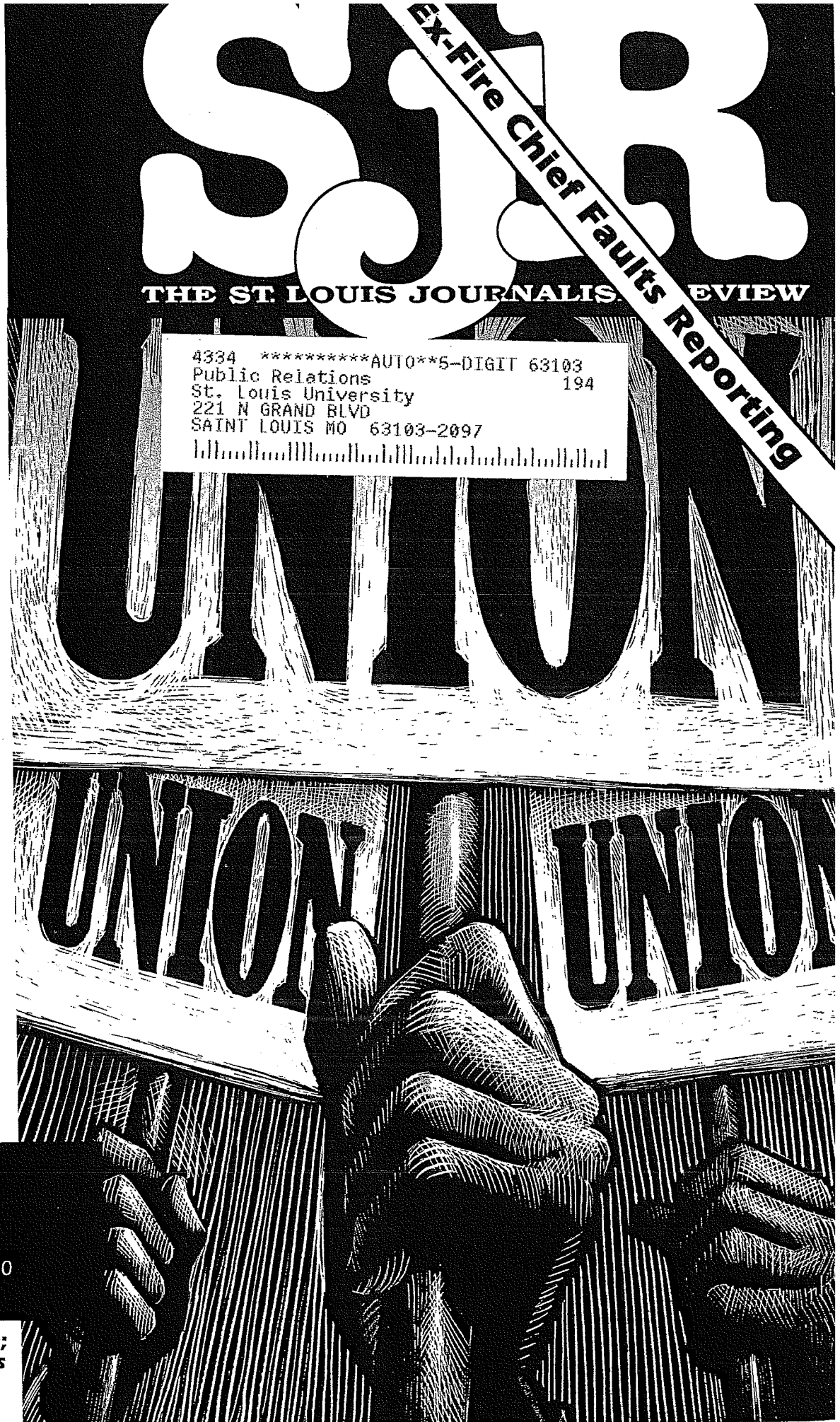
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The Worm turns;
Riverfront Times
turns 30
(pg.14)



nel. He'll do live interviews from local jazz clubs.

"It's been a hobby for me, not a business," Wolff said. "Jazz is America's music... the only form created here."

HEC-TV director Dennis Riggs said, "Don's fan base from across the country and the world will be able to watch 'I Love Jazz' streamed live on www.HECTV.org."

Joe Sonderman

SLU's Biondi sues professor and wants him to pay for it

When a college official doesn't like what is printed in the student newspaper it's easy to blame the faculty adviser. So it is with the Rev. Lawrence Biondi, president of St. Louis University, who for years has been targeting Professor Avis Meyer as his nemesis.

Biondi's latest salvo, with the help of a big downtown law firm, is to demand that Meyer pay \$6,327 in legal fees the university incurred in a suit for damages threatened against Meyer. It was not filed.

Meyer has been told that he might avoid the legal bill if he agrees to never show his face again at the office of the *University News*. That initial demand was made by attorney Frank Janoski, of the Lewis, Rice, Fingersh law firm.

Students on the paper see it as coercion, or Biondi's style of Jesuit hardball.

"I'm not going to pay," said Meyer, who teaches journalism and other writing classes.

And he plans to keep advising the students, as he has done for 32 years, though he is now the unofficial adviser, or adviser emeritus, as he is listed in the paper. Meyer has said that if he was not a tenured professor he would probably have been fired by Biondi.

Biondi is apparently using money as his weapon against Meyer and the student journalists. The administration forced the newspaper last year to discontinue the \$1,500 yearly stipend Meyer got as adviser, money that came from the paper's ad revenue. Last year the editor's year of free tuition was cut in half; she was so hurt she transferred to another university for her senior year. The newspaper couldn't print its usual summer issue this year because the university held back about \$2,000 in ads with student information.

What is Biondi upset about? Probably the *U. News* articles about him through the years, including his dispute with former Archbishop Justin

Rigali over the sale of the university's hospital, having his picture appear 22 times in an alumni publication, hefty increases in parking fees, firing of two popular priests and various administrators, a \$75 fee to graduate that was later rescinded, how a homily by Biondi was identical to one given by a priest in California and other stories he deems as negative.

Biondi declined comment. He deals with the newspaper only through subordinates. Earlier this year there were rumors the paper would be forced off campus. Meyer reacted by trying to save the name of the paper for the students by getting the name registered as a non-profit state corporation he set up. The paper still has its free office on campus.

Then, a new charter for the paper was drawn up by school officials that gives the administration the right to fire editors.

While Meyer was out of the country this summer he was sued by the university. He was not aware of the suit until he returned several weeks later. Janoski had drafted a 14-page trademark infringement lawsuit seeking punitive and treble damages, which he threatened to file in federal court unless Meyer relinquished control of the newspaper's name. Meyer did so to avoid students being caught up in litigation.

Janoski then sent Meyer a notice that the university demanded payment of \$6,327 for its legal fees.

Janoski declined to answer questions, saying "the parties are in discussion."

Meanwhile, the university hired a young "official" adviser for the paper. Meyer, who is on sabbatical this term to write a book, still shows up each Thursday night to help the students put out the paper. He still has the respect and loyal following of the newspaper's editors and staffers, past and present. He has a shelf full of teaching awards, including one this year for mentoring.

Meyer has criticized Biondi publicly in the past for bullying tactics and trying to "kill the *University News* as a student voice."

St. Louis Magazine recently did a feature on Meyer in which he called Biondi "a super-weasel" for trying to intimidate him and the newspaper staff.

"He's done great things for the campus and terrible things to people. . . . Biondi tends to blame me for the bad coverage he gets."

Roy Malone

Employees buy Republic-Times

The *Republic-Times*, a 117-year-old weekly newspaper in Waterloo, Ill., is now an employee-owned newspaper.

The new co-publishers are Kermit Constantine and Lynn Venhaus, both of Waterloo. Constantine, as general manager, is in charge of the business operation and advertising sales, and will remain an ad sales representative. Venhaus continues as managing editor overseeing editorial content and office personnel.

They bought the newspaper from Steve Mahlandt, current publisher and president of the Breese Journal and Printing Company, who will continue as a co-owner and consultant for two years.

The new company, Republic-Times Group LLC, will also publish *The Shopper*.

It will operate from its current downtown Waterloo office at 114 N. Main St.

Brothers Steve and Dave Mahlandt purchased the *Republic-Times* and *The Shopper* from Knight Ridder in April 2002. They also had owned the *Herald*, which covered Cahokia and Dupon and was shut down during the summer.

"We look forward to expanding our coverage of Monroe County and surrounding communities. We are excited about some of the new features we will be adding, and launching a new Web site soon," Venhaus said.

The *Republican*, started in 1890, bought the *Times* in 1979, and became the *Republic-Times*. The *Times* was founded in 1872.

Constantine said the *Republic-Times*, with 4,000 paid subscribers, will continue its tradition of keeping the readers of Monroe County informed.

Monroe County has been one of the fastest growing counties in the St. Louis area for the past few years.

Constantine has lived in Waterloo since 1991. He is a 20-year veteran of the U.S. Air Force. He spent 11 years at Scott Air Force Base. Venhaus has been managing editor of the *Republic-Times* since March 2003. She moved to Waterloo from Belleville in 2005. She has spent 30 years working in local newspapers and radio, including writing for the *St. Louis Globe-Democrat*, the *St. Louis Post-Dispatch*, the *Belleville News-Democrat* and *SJR*.

Roy Malone

AVIS MEYER WILL NOT BE SILENCED

THE UNOFFICIAL ADVISER TO
SLU'S STUDENT NEWSPAPER
LOVES FREE SPEECH LIKE HE
LOVES HIS KIDS—AND HE'S GOT
A FEW CHOICE WORDS FOR
ANYONE WHO'D LIKE TO MESS
WITH EITHER OF THEM

by MATTHEW HALVERSON
photograph by KATHERINE BISH

DEPENDING ON WHO YOU ARE,

the fact that Avis Meyer has tenure at Saint Louis University is either a really good thing or a really bad thing. If you're Avis Meyer, it's a really good thing, because it means you can fight the perceived injustices meted out by an overzealous administration and put an exclamation point on your argument by saying that the Reverend Lawrence Biondi has "all the class of a toilet seat"—all without fear of a pink slip. If you're Biondi, well, it's a really bad thing, because it means you have no choice but to sit back and gnash your teeth as one of your school's professors compares you to a dirty ring of porcelain in print. It's not that Meyer is drunk on his invincibility, slinging ad hominem insults just because he can. The unofficial adviser to SLU's student newspaper started speaking his mind this spring when the school's administrators attempted to make significant changes to the paper's charter and, in his words, "squelch their First Amendment rights and effectively kill the *University News* as a student voice."

It was the fiery culmination to a tense school year. About the same time last August that provost Joe Weixlmann informed the 32-year *U. News* vet that SLU would no longer allow the paper to provide Meyer with his \$1,500 annual stipend (which had come out of ad revenues and was more or less a reimbursement for the snacks he bought the staff on deadline nights), the university cut the editor's tuition remission in half. And then the whispers started: In the process of transferring to Loyola University Chicago, a former *U. News* editor learned from one of the school's admissions counselors that word of the

paper's death was spreading in the academic community. Rumors of its demise turned out to be exaggerated, but not by much: In late April, Weixlmann and vice president for student development Kent Porterfield met with the staff (but banned Meyer from the proceedings) and presented them with a new charter that proposed giving university officials the authority to elect the *U. News* editor in chief and fire him or her at will. (At the time, SLU administrators claimed they were just concerned about mistakes found in the student newspaper.)

Official adviser or not, the roly-poly journalism prof launched a campaign to retain the *U. News* staff's self-governance, asking hundreds of his ex-students who'd gone on to powerful media jobs to tell Biondi, Weixlmann and Porterfield what they could do with their new charter. It worked, and the students kept control—for the most part. But the drama didn't end there: Not long after the issue was resolved, *U. News*' incoming editor in chief got her hands on an email sent to Porterfield from a department VP not involved in the dust-up that said, simply, "Congratulations I think. How does the new charter solve Avis?"

This summer, Meyer sat down with *St. Louis Magazine* to recount the fallout from SLU's attempt to alter the charter and to make it perfectly clear what he really thinks about Biondi. And given his obsession with protecting *U. News* staffers' right to speak their minds, it probably shouldn't have come as any surprise that Meyer wasn't about to censor himself.

You were pretty vocal about this situation. I think it's unnecessary. I think it's unfair. I don't even know why they're doing this.

You even took out an ad in the *Post-Dispatch*, asking people to write in and complain. Yes, I did. It cost \$985. It was a killer. That's how strongly I felt about it.

No kidding—you called out Biondi by name. I said Biondi, Weixlmann and Porterfield were trying to take control of the paper and change it to effectively kill it as a student voice. Now, there's a wonderful, cyclical piece of justice to this: Biondi maintains that the paper needs better advising—that's aimed at me. There's an award given on campus called the Chauncey Finch Mentoring Award, and I got it [in May]. It

comes with a \$1,000 stipend, and I thought, "Man, if I could use that \$1,000 to pay for this ad, wouldn't that be justice?" But I don't think they're going to let me.

Did you catch heat from anyone for that ad? No one said a word about it. But I do know that they hired a few people to answer some of the e-mails and letters because they got something in the neighborhood of a thousand responses, and it almost crashed the system—or so I was told by somebody who works in alumni [affairs]. That really made me happy. If we'd actually crashed the system, that would have made my *week*.

All of those people who wrote in—do you think it accomplished anything? It accomplished something. It's hard to know for sure what, though. If [SLU's] intent was to shut the paper down completely, then we had a pretty good success.

Do you really think that's what they wanted, though—to shut it down altogether? No, they don't want to settle this. They want to control the paper. Period. It was like bargaining for a used car. They shoot for one level knowing that they'll settle for this level. We almost had to do the same thing. I think they did better in the compromise than we did because they have more power and authority.

But if the students still have the power to elect the editor and section editors, then how did you guys come out on the short end? Because until this charter was in effect, they had no input whatsoever and no way to fire anybody. And now they do.

SLU administrators have said they were just concerned by mistakes in the paper and the mixing of editorial and news content. I can pick up the *Post-Dispatch* every day and find that stuff, so of course it's going to happen in a student paper. They're learning to do it. That's why they call it a college paper.

Have you spoken directly to Biondi about this? No. I've been here 32 years, and he's been there, I think, 19, and we've had three discussions. And they were all hilarious. In '98, this same thing happened, and I was calling my alumni and they were writing letters and griping. Biondi called me and said something like, "I know what you're doing." I said, "OK." He said, "I don't think muc

of it." I said, "OK." And then he said, "You know I have a Ph.D. in social psychology," or something like that. I said, "OK, I have a Ph.D. in English." And he said, "OK," and hung up. What do you make of that?

The next time I saw the guy, it was at an awards ceremony in the basement of College Church. We left early, and we walked along Grand Avenue, almost side by side. He had just had a knee operation, so I caught up to him unavoidably. We had this generic conversation for about 20 paces—"The Fox looks busy. Don't the flowers look nice?"—and then we ended up waiting at the corner for the light to change. I crossed the street to the parking lot and he was going someplace else, and to be civil, as he was stepping off the sidewalk, I said, "Watch that knee. I know those operations can be tricky." He says to me, "You're 60. Your time is coming."

And then the last time we talked was a 30-second conversation at another award ceremony, and it was because we were forced to be in the same room. I've got no power or money, so he doesn't care about me.

[Editor's note: SLU's director of media relations says Biondi has no recollection of having ever spoken to Meyer.]

You seem to revel in telling these stories. Are you maybe just out to stir things up a little? No, and this is why I think not: I've never done anything but react to what Biondi does. This is reaction. It's not action. If he leaves us the hell alone, I wouldn't have anything to say. But you're right about the degree to which I enjoy this, and here's why: Not everybody knows what a super-weasel Larry Biondi is, and I think they should know. His image is of this big builder and improver of campus, and that's absolutely true. He's done great things for campus and terrible things to people, and it's a wash, as far as I can tell.

So ... how would you describe your relationship? It's almost nonexistent, although I'm sure he sees it as the classic adversarial relationship between newspapers and people in power. I'm told, by almost every student I've known in the last 15 years, that Biondi tends to blame me for the bad coverage he gets in the *U. News*, which is really absurd. I can count on one hand the number of times in any given semester the kids come to me and say, "Should we do this?" I never tell them unless they ask. They're good, bright people.

But you were in college once. You know there's a certain amount of satisfaction to be taken from challenging the establishment. Pulling the tail of the tiger, yeah. There is some of that. And I think that any administrator knows there's some of that. But I don't think this paper has ever crossed the line with that stuff.

The university provides you the space for free. They pay for your utilities and Internet use. They should be able to throw their weight around, shouldn't they? If Monsanto had a paper published with stuff about Monsanto, I'd expect this to happen. But this is presumably a place where learning is important, where ideals are important, and principles are important, and the give-and-take of ideas is important. That's what a university is all about. To clamp down on an organization that disagrees with you and backs it up is almost immoral in a university setting.

I'VE NEVER DONE ANYTHING BUT REACT TO WHAT BIONDI DOES. THIS IS REACTION. IT'S NOT ACTION. IF HE LEAVES US THE HELL ALONE, I WOULDN'T HAVE ANYTHING TO SAY.

Why not just go independent? It's partially a money thing, and it's partially safety. We might even be able to cover the money; we have good advertising revenue coming in. But finding some place that would be safe would be a big deal. I leave at 1 in the morning. And even when I walk through Grand and Laclede, I watch over my shoulders. Someone said, "Can you imagine the furor that would be raised if we did get forced off campus and we had to get a place that we can afford and it turns out to be really crappy and something happens? How's the administration going to respond to that?"

So going into the school year, what's the mood among the staff? Everybody's apprehensive. I talked to the editor. She's apprehensive about the degree to which there will be some kind of quasi-control or input by the administration, and I told her, "Let's just see what happens."

Any chance of you inviting Larry out for some coffee to bury the hatchet? It would be fine with me. I can't imagine it happening, though. I think it's about as likely as [Iranian president Mahmoud] Ahmadinejad or Muammar Qaddafi and Bush meeting.

Who are you in that analogy? [Laughs] I actually see myself as Ahmadinejad or Qaddafi. I'd let [Biondi] be George Bush—and that's a hell of a comment on Bush.

Do you think that this will be resolved in your time at the university? I hadn't thought about that. I plan to stay until this is resolved. Biondi is going to have to step down before too long. He's been there 20 years, and eventually he's going to have to go on to something else. I don't. I get to stay. Depending on what the next president is like, if he's a weasel-in-training, I'll stick around until I'm 80, or until the *U. News* is truly independent. There is a plan, vaguely in the works—I'm not behind it, but I'm part of it—trying to raise enough "offshore" money to enable the paper to have a secure place to operate from, and we'll go there of our own accord. That's not going to happen in a year. It might happen in three. We have some real big shots who are *U. News* alumni, people with really important jobs, and they have really good income, and they're going to help us set this up.

Wait—so you are thinking about going independent? We're looking into it. Whoever the next president is—and I hope Larry has a wonderful retirement, soon—the first thing we need to do is have the kids go to him and say, "How would you like to make \$500 a month? We'll rent the space from you." One of the things that Biondi and the administration have never said but they must know is this: At the *Post*, the Pulitzers owned everything, so they were the publishers. At SLU, they don't own everything in that office, but they do own the room that we're in. So it's not clear if they're the publisher, it's not clear that we're independent. But unlike the *Post-Dispatch*, the publisher isn't the source of news. At Saint Louis U., they are the source of news. It makes it more complicated. So we understand this. We understand why they get annoyed, but we don't make them do things that make them look silly. ●