

# EXHIBIT 1

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**To:** Adam Tamburin

**Subject:** Re: Read anything interesting lately?

**CC:**

**Date:** Wed, 04 Jun 2008 08:59:37 -0500

**Status:** Normal

**From:** "meyerae"

**Reply-To:** meyerae@slu.edu ( Add to: [Pick List](#) or [Address Book](#) )

Thanks, Adam.

And I thought you should see this 6-4-08 note from Joe W. \*

Cheers..

Avis -

I have been told that you intend to continue attending UNews meetings on Thursday evenings, presumably because you feel that you are providing a valuable service, that students are not opposed to (or perhaps are supportive of) your being there, and/or that "the University" or "the Administration" or Jason Young, or two or all three of these, can't be trusted. I hope that I have been misinformed, because again I must state that, now that the spring semester has concluded, you are no longer to be routinely present in the UNews suite as a volunteer to the paper.

I truly do value the time, energy, and caring you have invested in the paper over the years, Avis, but for reasons we spent more than an hour discussing several weeks ago, a transition is now needed - preferably a transition that will celebrate what you have achieved and the good work you have done. 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.

If you do not, or cannot, comply with I am asking of you, I will be

forced to take actions to block your access to the newsroom.  
 For both personal and professional reasons, this is a step I do not wish to take.  
 But please understand I will not be loath to take it, if forced.

With concern, and in all sincerity,

\*Joe

> 615.477.0610  
 >  
 > On Tue, Jun 3, 2008 at 1:31 PM, meyerar <[meyerar@slu.edu](mailto:meyerar@slu.edu)>  
 > wrote:  
 >  
 > > Adam: When you have a moment, please send me your phone  
 > > number.  
 > > Thanks,  
 > > Avis Meyer  
 > >  
 >  
 >  
 >  
 > --  
 > Adam Tamburin  
 > Editor-in-Chief, The University News  
 > Saint Louis University  
 > 615.477.0610  
 > [adam.tamburin@gmail.com](mailto:adam.tamburin@gmail.com)  
 >

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or  to:

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To: Kavita Kumar
Subject: Re:
CC:
Date: Wed, 04 Jun 2008 08:56:20 -0500
Status: Normal
From: "meyerae"
Reply-To: meyerae@slu.edu ( Add to: Pick List or Address Book )

Attachments: kavita

Kavita:
I have attached most of what you requested ... I will check for more, after class and the deposition, today.
Cheees,
Avis

> As a reminder, if you could please email me the following:
>
> --The letter you received today from Provost Joe Weixlmann.
> --The email correspondence with the university about why you were not invited to the awards ceremony where the award in your name was presented
> --Any other email correspondence you have had with university administrators (i.e. Weixlmann, Porterfield, etc.) about U-News, your involvement with the newspaper, etc.
>
> Thanks.
> Kavita

-----
Kavita Kumar / Staff Writer / St. Louis Post-Dispatch
900 N. Tucker Blvd. / St. Louis, MO 63101
314-340-8017w / 314-604-8280c
kkumar@post-dispatch.com <kkumar@post-dispatch.com>

kavita

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\*  
Letter from Weixlmann, sent June 3, 2008.

Avis -

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I truly do value the time, energy, and caring you have invested in the paper over the years, Avis, but for reasons we spent more than an hour discussing several weeks ago, a transition is now needed - preferably a transition that will celebrate what you have achieved and the good work you have done. 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.

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With concern, and in all sincerity,

\*Joe

Letter explaining why I was not invited to give the  
award name after me. Sent mid May, 2008

Dear Avis,

Ms. Weston forwarded me your message and I apologize  
for not responding  
sooner. I was out of town most of last week attending  
a family wedding.

First, let me explain that I am new to the University  
this year and was not  
aware of the tradition to invite the person after whom  
an award is named to  
attend the ceremony and present the award. When asked  
if you should present  
at this year's event, I advised Ms. Weston that this  
might not be advisable  
due to legal matters involving you and the University.  
I thought it was in  
the best interests of the students being recognized to  
prevent any  
unnecessary distractions. I hope you can understand  
the rationale for my  
decision. My intent was not to create any ill will, and  
I apologize if this  
has upset you.

If you have any questions, please feel free to contact  
me.

Scott F. Smith, Ph.D.  
Assistant Vice President & Dean of Students  
Saint Louis University  
20 N. Grand Blvd.  
Busch Student Center, Rm. 313  
St. Louis, MO 63103  
(o) 314-977-7326; (f) 314-977-2196

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Letters responding to several requests to respond to Biondi's "message" about his version of the lawsuit ...sent over a one-month period.

You will need to contact Fr. Biondi's office. That is were I left it.

I have not heard back yet.

Nick

meyerae wrote:

>To: Nick Hebel  
>It's been about a week. No word on this, yet. I assume?  
>Thanks ...  
>Avis Meyer  
>  
>  
>  
>Fr. Biondi's March 14, 2008 message to the university  
>touched on  
>several significant topics, including the "Avis Meyer  
>lawsuit," although  
>Fr. Biondi neglected to mention – perhaps in the haste  
>of  
>composition  
>– an important fact about the timing of the lawsuit.  
>The  
>trademark in  
>question, the name of the school paper, was  
>relinquished and  
>deregistered on Aug. 11, 2007; the lawsuit alleging a  
>trademark  
>violation was filed on Oct. 21, 2007.  
>  
>

Nick

Avis,



Since this is in response to Fr Biondi's message, he will have to approve your access to send to this list.

Nick

meyerae wrote:

>To: Nick Hebel  
>From: Avis Meyer  
>I would like to send the following correction of a factual  
>omission (two  
>sentences) to the faculty. Please let me know how this can  
>be done.  
>Thanks . . .  
>Fr. Biondi's March 14, 2008 message to the university  
>touched on  
>several significant topics, including the "Avis Meyer  
>lawsuit," although  
>Fr. Biondi neglected to mention – perhaps in the haste of  
>composition  
>– an important fact about the timing of the lawsuit.  
The  
>trademark in  
>question, the name of the school paper, was  
relinquished and  
>deregistered on Aug. 11, 2007; the lawsuit alleging a  
>trademark  
>violation was filed on Oct. 21, 2007.  
>

meyerae wrote:

>To: Nick Hebel  
>Since no decision has been forthcoming on this  
request, and  
>it's been  
>about a month ... would it be reasonable to conclude  
that  
>no answer will  
>probably be the answer?

>Thanks,  
>Avis Meyer

Reminder note to Biondi's secretary, about the response to his message .. no answer, to date...

Sent 6-1-08

To: Bridget Fletcher

From: Avis Meyer

The recent arrival of the president's latest message reminded me that

two weeks, or so, have passed since my inquiry about sending

a

supplemental note to the university community.

Since I have yet to hear either "yea" or "nay" from anyone,

perhaps this

note will serve as a gentle reminder.

(I have, again, included the two-sentence, supplemental note, below.)

Thank you.

Supplemental note:

Fr. Biondi's March 14, 2008 message to the university touched on

several significant topics, including the "Avis Meyer lawsuit," although

Fr. Biondi neglected to mention – perhaps in the haste of

composition

– an important fact about the lawsuit. The trademark in question, the

name of the school paper, was relinquished and deregistered

on Aug.

11, 2007; the lawsuit alleging trademark violation was filed

on Oct. 21, 2007.

>  
>

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To: rarcamona@spic.org

Subject: Re: Robert at the Student Press Law Center

CC:

Date: Tue, 03 Jun 2008 14:04:21 -0500

Status: Normal

From: "meyerae"

Reply-To: meyer@slu.edu ( Add to:  or  )

Rob: This may be the second copy .... but better than none.

(Sent 6-3-08, from the university's provost.)

CHEERS, AVIS MEYER

Avis -

I have been told that you intend to continue attending UNews meetings on Thursday evenings, presumably because you feel that you are providing a Valuable service, that students are not opposed to (or perhaps are supportive of) your being there, and/or that "the University" or "the Administration" or Jason Young, or two or all three of these, can't be trusted. I hope that I have been misinformed, because again I must state that, now that the spring semester has concluded, you are no longer to be routinely present in the UNews suite as a volunteer to the paper.

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With concern, and in all sincerity,

\*Joe

Robert A. Arcamona  
> Reporter  
> Student Press Law Center  
> 1101 Wilson Boulevard, Suite 1100  
> Arlington, VA 22209-2275  
> 703-807-1904

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**To:** racramona@splc.org  
**Subject:** Re: SPLC article  
**CC:**  
**Date:** Tue, 03 Jun 2008 13:42:08 -0500  
**Status:** Normal  
**From:** "meyerae"

**Reply-To:** meyer@slu.edu ( Add to:  or  )

**To:** SPLC:  
The note from the university's provost<sup>\*</sup>... sent 6-3-08, as requested: \_\_\_\_\_

Avis –  
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✕ Joe

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