

Chancellor loses law suit

Davis ordered to pay damages in athletic scandal

By Debbie Howlett
Of the Emerald

Chancellor Bud Davis was one of three defendants held liable in a legal dispute over the firing of a former University of New Mexico professor who says he was wrongfully "caught in the web" of an athletic scandal.

The federal court jury, which delivered its verdict Aug. 31, found the University of New Mexico, former UNM president Bud Davis and another administrator liable for punitive damages of \$147,500.

Davis was ordered to pay \$30,000 in damages to Harold Bailey, former head of UNM's Afro-American studies program. Davis' secretary in Eugene said the verdict is being appealed and that the Davis would have no comment on the case.

Bailey told the jury that the university used the scandal as an excuse to fire him. Davis and Marvin "Swede" Johnson, one of UNM's vice presidents, "were architects of a plan to get rid of Harold Bailey," said Bailey's attorney, Steven Farber.

By awarding punitive damages, the jury decided Davis and Johnson had acted in a malicious, wanton or oppressive manner in terminating Bailey's contract, according to Farber.

According to UNM, Bailey was dismissed because of his involvement with an athletic scandal, which concerned questionable entries on



Emerald photo

Chancellor Bud Davis is appealing a judge's ruling making him liable for \$30,000 in damages.

transcripts for some of UNM's basketball players.

At the trial, Farber presented evidence showing that the NCAA charged Bailey with altering course records, giving credit to basketball player Jimmy Allen for a course he did not attend. UNM records show Allen as receiving an "incomplete."

Bailey, 35, first filed suit in 1980. He claims his outspokenness on the problems of black athletes while coordinator of the

Afro-American studies program was the reason behind his dismissal, not the athletic scandal.

Davis has denied the decision to dismiss Bailey was improper, saying the university acted on the advice of legal counsel in making the decision.

According to Jon Zorn, one of the university's lawyers, holding Davis and Johnson liable for punitive damages was inappropriate because they were acting on the University's behalf, not as individuals.

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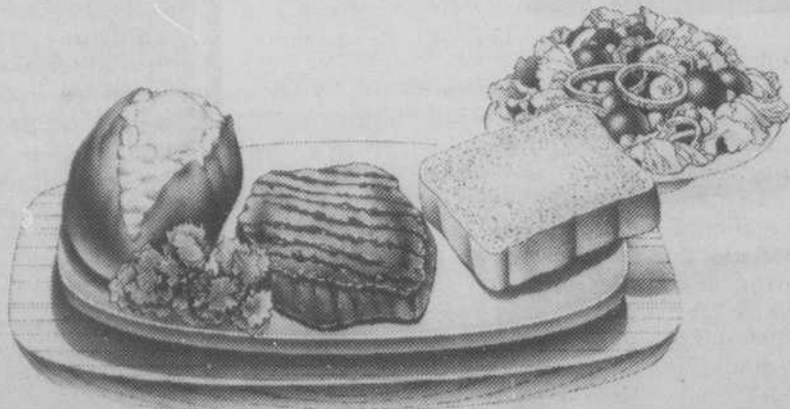
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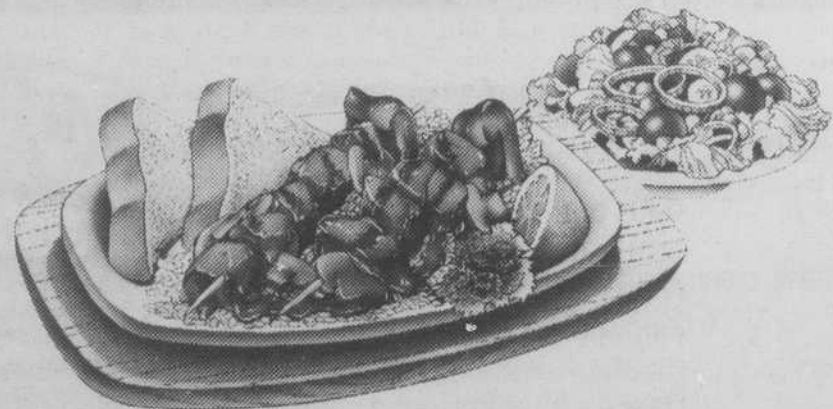


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