

Cyclist: Phone call yields all-access pass

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"People said tailgating was an all-American culinary experience, so here I am," Kevill-Davies said.

The English might indulge by eating sausages out of their Volvos before rugby games, "but it's on a completely different level here," Kevill-Davies said. "They don't drive 400 miles in a million-dollar RV."

A phone call to the University Athletics Department put him in touch with Eric Brandt, director of food and hospitality services for athletics, and come game day Kevill-Davies had what amounted to an all-access pass to Autzen.

"This is crazy," he said as he made his way through the sea of buses, cars and motor homes. "I've never seen anything like it."

Kevill-Davies visited the poshest and most lavish tailgaters the Autzen parking lot had to offer, snacking on barbecued chicken, grilled salmon and smoke-cooked pork sandwiches while hobnobbing with some of the most diehard Duck fans around.

Minutes before kickoff, Brandt whisked him up to University President Dave Frohnmayer's skybox, where he watched the first quarter of the game with the Frohnmayer family and more than 40 guests.

A writer and aspiring food journalist, Kevill-Davies talked journalism with the dean of the School of Journalism and Communication and discussed the food in London with the University senior vice president and provost while sipping on a bottle of ESB India Pale Ale, compliments of the company catering the skybox.

He left Frohnmayer's skybox after the first quarter, passing Republican Sen. Gordon Smith of Oregon in the hallway as Brandt led the way to the next stop: the press box.

Sampling chicken and baked beans as more than 50 of the Northwest's top sports journalists worked nearby, Kevill-Davies said he wanted to experience the game as an average student would in the student section, not as a "corporate bigwig" in a skybox.



TIM BOBOSKY | PHOTO EDITOR

Tom Kevill-Davies eats a sandwich at the University president's Civil War tailgater. Kevill-Davies joined President Dave Frohnmayer in his skybox for the first quarter of the game.

He stood in the student section during the last quarter and soon realized the pass Brandt had given him was enough for some security guards to allow him on the sidelines.

He spent a few moments watching the game from behind the Ducks' bench before a skeptical guard ordered him to return to the stands.

Kevill-Davies hopes to write a book about his experiences and is trying to raise money for cancer research, but he says that's not the main impetus behind the trip.

He's here to eat food and see America. "If a book comes out of it, great," Kevill-Davies said. "If that means I raise £10 or £50,000 for charity, brilliant."

He said he's always loved food and saved money for years to make the trip happen, though many companies have sponsored him by providing camping equipment for his bike ride.

He ranks his experience at this year's Civil War as one of the best he's had on his nearly 5,000-mile trip.

A perfect meal doesn't just depend on food quality, he said, because the sights, sounds and people that make up the surrounding atmosphere play a huge role.

Duck fan Randy Enders of Eugene has been attending the football game tailgate parties for many years and told Kevill-Davies tailgating is the best example of American culture he'll find during his travels.

"Americans lack culture, but it all comes out at the tailgate party," Enders said.

And come out it did. After a full day of eating, drinking and generally being merry, Kevill-Davies said he's still as amazed as he was when he first set foot in the Autzen parking lot.

"I've never gotten to see anything like that in my life," he said. "The fact that people do it week in and week out is amazing."

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Sued: Weiner employed the help of other professors

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Handbook to argue against the University administration's claim that publishing the article was a personal act.

"I don't think the University is living up to its obligations under the law," Weiner said. Either the Oregon Tort Claims Act or the University's policy needs to be changed, she said.

Weiner stated in a 32-page report that "because the University explicitly directed me to engage in scholarly publishing ... and directed me to continue publishing throughout the course of my employment at the University, publishing 'Strengthening Article 20' is precisely the kind of work that I was hired to perform."

Weiner wrote "Strengthening Article 20" while on sabbatical from Aug. 16, 2003 to May 15, 2004, "for the precise purpose of writing a published article." This kind of publication "directly serves the University's mission as a flagship research university," she wrote in her claim.

"Any claim that I departed from the scope of my employment or duties ... is not only untenable but barred by the University's own admissions," Weiner wrote.

The University said Weiner's claim was related to work done outside her role as a University employee, according to Weiner's report.

Melinda Grier, general counsel to the University, did not return multiple Emerald phone calls and e-mails on Friday and Monday asking for comment about the Senate committee or Weiner's case in general.

The Oregon Department of Administrative Services Policy Manual states that "we will pay and defend claims against you for torts which you are alleged to have committed, while acting within the scope of your employment or duties."

The DAS Policy Manual also says, "The state covers only claims, which arise in the scope of your performance of your state duties under the direction and control of the state."

Assistant professor of law and faculty Senator Judd Sneirson, acting as a law school representative to the Senate, brought the issue to the Senate Executive Committee's attention on Nov. 14.

Senate President Peter Keyes said the new committee will look into the issue at the Jan. 11 meeting.

"We will be going forward with

the ad hoc research committee, and asking Judd Sneirson et al to work on defining this issue, doing some more groundwork, etc," Keyes wrote in an e-mail.

Hollis Professor of Law Garrett Epps, formerly a staff writer for The Washington Post and visiting associate professor at Boston College of Law and Duke Law School, helped Weiner deal with defamation law.

"We thought it set a bad precedent to basically cave in on an academic freedom issue," Epps said.

Together, Weiner and Epps sought outside advice from Rodney A. Smolla, dean and Allen professor of law at the University of Richmond and author of "Free Speech in an Open Society." Smolla read Weiner's article and said Weiner will likely win the case.

She was put in a difficult bargaining position, she said, because the University would not indemnify her. Also, the University of San Francisco, a co-defendant in Weiner's case, had offered to remove electronic and hard copies of the article. The reference to Aldinger's case was removed, which Weiner said cheapened the article.

"My opinion is that the University has their priorities wrong," Weiner said.

Grier encouraged Weiner to remove the reference to the Aldinger case in an e-mail dated March 30.

"While I understand your frustration with Mr. Aldinger, when I step back and look at what (University of San Francisco) is proposing, it seems a reasonable way to resolve this without undermining or reducing in anyway the power and quality of your article," Grier's e-mail states.

The University hired Weiner in 1998 and awarded her tenure in 2000.

Weiner received a letter from former law school dean Rennard Strickland in May 2003 that read: "This is exactly the type of work that is so important for our faculty to engage in and that will bring much justified credit not only to you but to the school."

"The University has basically shut down and will not deal with us on this issue," Epps said. "The Senate may have a better chance."

"It was a very alienating feeling because the University was abandoning me, basically," Weiner said.

Contact the campus and federal politics reporter at nwilbur@dailyemerald.com



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