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December 23, 1994,

#### ACCOUNT OF HARRASSMENT AT UNCC, SUMMARY.

At approx. 5.40 p.m. on Tuesday, Nov. 22nd, 1994, the Chairman of the Department of Physics at UNCC entered my evening 2221 class and handed me an envelope. He then left without saying anything. The event was witnessed by the students, and the envelope contained a handwritten note (documented) summing me to a meeting with the Dean of Arts and Sciences, Schley R. Lyons, the following Wednesday morning at 11.00 a.m. This meeting took place, those present were Almeida, Lyons and myself. The fact that the meeting took place is probably recorded in the diary of the Dean and the Chairman, and was witnessed by the secretaries. During the meeting Almeida took notes of the Dean's verbal assertions, and these notes are presumably available for inspection under the Freedom of Information Act.

The purpose of the meeting as asserted by the Dean was to accuse me of misconduct and neglect of duty and to initiate proceedings for my dismissal. This verbal assertion was recorded in writing by Almeida.

The following are verbal assertions made by Lyons.

- 1) An attorney had been instructed by UNCC to construct a case for my dismissal on these grounds, not on the grounds of incompetence. I was not informed of further details, except insofar that the Dean had a "stack" of e mail. Apparently, this e mail was construed as misconduct. Neglect of duty was not defined, merely mentioned verbally by the Dean and noted by Almeida in handwritten notes. I was informed that I did not spend much time on campus. This is because I have a fully functioning office at home, linked to the campus by internet and telephone, and am a theoretician, having been assigned no laboratory. Prior to the meeting no complaint has been received from the Chairman concerning this arrangement. My recorded, public domain, research output in the refereed, international literature (documented) has exceeded the sum total combined of all other staff members at the Physics Department at UNCC during the last five semesters. This output consists of papers and books, some of which are displayed in the Chancellor's Office. In faculty evaluations over the past two years I have received two "excellents" from the Chairman, Almeida. These assessments were reviewed and presumably approved by the Dean.
- 2) I was informed that I was opinionated, and that my opinion, only, counted, in words to that effect. These verbal assertions by the Dean were incoherent and hostile.
- 3) It was asserted that I had written a syllabus or syllabi (documented) on a sheet of writing paper. I assume that this meant that the syllabus was in some way inadequate despite the fact that

not a single student of three classes this semester has registered a complaint to this effect. Written evidence for this is available in documented student assessments.

3) Almeida informed me verbally by telephone at about 7.00 pm on the evening of Nov. 22nd that the Dean wanted to see me concerning a disagreement of opinion with Dr Mayes, but gave no hint or warning of misconduct or of neglect of duty.

4) It was asserted by Lyons that he expected me to fight this procedure. A little later it was asserted that he did not want a fight and that maybe something could be worked out. These comments were recorded in writing by Almeida.

5) It was asserted by Lyons that a committee would hear the case against me.

I responded by asking why these accusations were being made and that they were completely unrealistic. The Dean replied to the effect that my reality was different to that of the everyday world. He then asserted that I was not happy at UNCC, and I agreed. (I was not happy at UNCC because of previous harrassment of this nature, and because of reasons given in my resignation letter (documented).) It was then agreed that if I resigned on June 30th I would be allowed full pay until then and facilities, as set out in the Dean's letter exchanged with my letter of resignation (documented).

It is my contention that I was forced to resign by harrassment. Misconduct cannot be defined as the sending of e mail, it is usually defined in academic circles as a felony, or severe misconduct of some nature. Everyone sends e mail. In a public institution such as UNCC, opinion on diverse subjects is protected under the freedom of speech amendment of the US Constitution. (See letter (documented) from Mr Sheely, Attorney.) The following are a few examples of harrassment which can be witnessed or which are documented.

1) I was pressurized during this meeting to sign a letter of resignation on my return from a visit to Toronto, where I gave a lecture on Nov. 29th to the Physics Department there. I responded to the Dean in writing (documented).

2) My wife and I travelled to Toronto on Saturday, Nov. 26th. On Monday Nov. 28th., telephone calls were received by the secretary of the physics department at York University, by Dr Stanley Jeffers in his office, and by the Dean's secretary at York University. These were from Almeida, asserting that if I did not resign immediately on return, under the conditions discussed at the Nov. 23rd. meeting, proceedings for my dismissal would be initiated. One of these calls arrived during a meeting between Prof. Robert Prince, Dean of Science at York, Prof. Stanley Jeffers, Prof. Robert MacEachran (Chairman of Physics at York) and myself. The phone call was witnessed by all those present because the Dean's secretary interrupted the meeting with a slip of paper (documented) recording the phone call. Therefore while giving the seminar and pursuing discussions at York University I was being severely harrassed by Almeida and Lyons.

3) I was pressurized over the telephone by Almeida into meeting Lyons on the same day as my return from Toronto, (Wednesday, 30th. November), despite the fact that I would not be arriving until late afternoon at Charlotte (travel documents available). I managed to arrange a meeting at 8.30 a.m. on Thursday 1st Dec., where Almeida, Lyons and myself were again present. The fact that this meeting took place can be witnessed by the Dean's secretaries. At approx 7.00 a.m. that morning, my wife and I took advice from Mr. Michael Sheely, Attorney. At the meeting I offered a draft letter (documented) and I was again pressurized verbally into signing it. This I resisted and obtained an unsigned copy of a letter from the Dean which was shown to Mr Sheely at about 2.00 p.m. that same day. I was advised by Mr Sheely that as a permanent resident alien I could sue for violation of constitutional rights of free speech, provided that I could prove that

such violation had taken place. Harrassment was not discussed at this short meeting with Mr Sheely. The proof of breach of constitutional free speech rights is available in transcripts of the e mail referred to by Lyons, e mail which presumably must be made available by the Freedom of Information Act. I was not shown copies of this e mail. This e mail contains no comments of a kind that can be construed as misconduct, which is normally recognized in the academic profession as a felony such as assault, robbery etc. I have no criminal record of any kind whatsoever. No complaint about the contents of my e mail was ever received by the Chairman of Physics at UNCC and I received no warning at all from the Chairman that my e mail was in any way out of order. The latter had presumably been forwarding my e mail, without my knowledge or permission, to the Dean because I had sent no e mail directly to the Dean. To assert misconduct on the grounds of ordinary opinion sent by internet seems to be gross harrassment and a violation of my constitutional rights to free speech and privacy. The Chairman has not in the past two semesters informed me in any way of his actions, and had never warned me in any way of misconduct or neglect of duty of any nature. In the two semesters leading up to this meeting I have attended every scheduled session of every course, and all committee and departmental meetings excluding (because of prior commitment and influenza) three departmental meetings. The latter are often not attended by all faculty for various reasons. None of these faculty has been accused of neglect of duty.

4) Despite the written agreement (documented) I was pressurized on approx. Dec. 16th. 1994 to advise the Chairman when I was handing in my keys and "downloading" my computer. This is documented in the form of a note (documented) from a secretary acting for Almeida. I responded to this note by asking for clarification, to date no response has been received. I am not scheduled to resign until June 30th 1995 as per written agreement signed by the Dean, and by written agreement signed by Lyons I am allowed facilities at UNCC until then. After that I am adjunct professor. Almeida's demand for my keys amounts to harrassment and breach of contract.

#### Past Harrassment - Summary.

Since arriving at UNCC there have been numerous incidents which in my opinion add up to chronic harrassment which seemed likely to continue and intensify, catalyzing my decision to resign to concentrate on scholarship. In approximate reverse chronological order, examples include the following.

1) In a scheduled Oct. 21st., 1994 meeting attended by all physics faculty excluding Profs. Melton and Vermillion I was verbally informed by Prof. Mayes that I had told many untruths, to which I responded that I completely disagreed. This statement ws heard by all faculty present, none raised any objection. Subsequently I made a recorded official complaint to the Chairman, Almeida. Shortly afterwards the Nov. 23rd. meeting occurred and Mayes was not disciplined. The accusation by Mayes followed a statement of mine to the effect that when I arrived at UNCC for interview I thought that the position was a research professorship. The advertisement for it is in the public domain, (back issues of "Physics Today") and contains no mention of teaching. My Vita when I interviewed obviously demonstrated that my experience was overwhelmingly in research, and not in teaching.

2) In a meeting scheduled in 1993 to assess Prof. Farahi for promotion and tenure, I distributed my written opinion (documented) to each member of the committee in confidence before the meeting. The promotion committee consisted of full professors in the Department, Profs. Leamy,

Vermillion and myself, and excluded the Chair constitutionally. The tenure committee met at the same time as the promotion committee and was elected. It consisted of Profs. Mayes, Simpson, Melton and Vermillion. Thus the full committee consisted of six of the faculty, to whom I distributed an assessment of Prof. Farahi's promotion candidature. He was applying simultaneously for tenure and promotion to full professor. The documents on which my assessment was based had been available to the committee and all faculty for approximately two weeks prior to the meeting. I recommended against promotion as documented and made no comment on tenure, because I was not part of the tenure committee. Some days prior to the scheduled meeting, it was asserted verbally in a conversation between Vermillion and myself that I had shown bias against Farahi, because I had made a written assessment prior to the committee meeting. It was asserted that this was equivalent to a jury member finding an accused person guilty before the trial had taken place. This is an obviously false analogy because the "evidence", i.e. Farahi's record, had been made available for some time for the purpose of assessment. My written assessment was intended as just that, an assessment. Vermillion then asserted verbally that he did not wish to see the assessment document and that he would take the matter further, both in a one to one meeting with myself and in a tripartite meeting in the presence of Mayes. This is harrasment in my opinion because in a parallel case, involving the assessment of Prof. Corwin for promotion to full professor, I circulated my comments to the other two committee members, Leamy and Vermillion, and received a documented hand-written reply from Vermillion making no objections. When the committee convened for assessment of Farahi, I was asked to leave the room, and when I returned I found that I had been voted off the committee. Later, the Chairman, Mayes, informed me verbally in a corridor that my assessment of Farahi was a fair one, and I had been voted off to avoid the possibility of legal proceedings by Farahi. Verbal comments were received (again in a corridor) from Prof. Simpson to the effect that no offence was meant to me personally. I informed the Departmental Chairman that I had been voted off the committee, and there was no response. The harrasment consists of removal of my constitutional voting rights as a full professor on wholly inadequate grounds.

3) In a documented memorandum the Chairman, Almeida, has asserted that my body odor was interfering with the ability of students to learn in the class. This followed a documented official complaint from a student who asserted that he/she had to leave classes in which I was teaching because of the intensity of my body odor. This incident is well documented. The Chairman offered me no opportunity of replying officially, but accepted the student complaint and asserted verbally that many people had complained about my body odor. Later, in a documented memorandum, Vermillion at length upheld the accusation of intense body odor and accused me of calling a student a liar. In an e mail, Prof. Pollack asserted that every time I walked past his office he knew who was there by the smell, or words of that nature. The harrasment in this case consists of extremely unpleasant, unproven and recurrent, and personally offensive allegations concerning lack of hygiene. There are several ways in which considerable doubt can be thrown on these allegations, for example guests in our home at Charlotte detected no bad smell, no such accusations had been made (for example at Cornell) prior to my arrival here, the fact that meetings were frequently held in my room with staff and students who did not complain, the fact that such complaints emanated from students in one class but in no others and so on, building up a defence against what I assume is an accusation of misconduct due to lack of hygiene.

4) In the Fall Semester of 1993, an anonymous note (documented) was sent to the Dean's Office accusing me of not allowing student assessments, and of not attending every session of instruction in a 4251 Thermal Physics Class. The documented student assessments from this class

were subsequently favorable to very favorable. This incident is well documented and led to a meeting in early December, 1993, between Lyons, Almeida and myself at which Almeida again took handwritten notes of the Dean's verbal assertions. The meeting was subsequently recorded in a letter to me from Almeida of January 1994, which is available. This letter asserts for example that final examination schedules must be adhered to, and appears to be accusing me of not doing so. However, the UNCC regulations (public domain) clearly state that no final examinations need be given at the discretion of the instructor. In 4251 of Fall, 1993, I examined the class through two papers, to be delivered from each student at half semester and end of semester. I did not give final examinations at my discretion, as the UNCC regulations allow. There are several forms of harrassment here: i) acceptance of an anonymous note as ground for disciplinary action against a newly appointed full professor; ii) accusation of misconduct in not adhering to final examination schedules when the regulations allow no final examinations at instructor discretion; iii) intense and hostile verbal harrassment by the Dean during the December 1993 meeting recorded by Almeida, a meeting which occurred on the same day that I was scheduled to fly for Europe on business (travel documents available); iv) uncritical acceptance of an anonymous accusation of not allowing student assessments when subsequent documented student assessments included some that were straight "excellents"; v) pressure from the Dean to attend a meeting with Almeida and himself at extreme short notice, for example I was told that dismissal proceedings against me would be initiated if I did not attend this meeting, on the same morning as my scheduled evening flight out of Charlotte overnight to London; vi) inuendo concerning neglect of duty, i.e. that I had missed classes, when full student agreement had been obtained to dedicate one session weekly to preparatory work. The subsequent very positive assessment from members of this class show how well this system worked. Not a single verbal or written objection was received to this system from any member of the class.

5) In the Spring of 1994, I forwarded a letter (documented) to the Chairman and the Dean asking for a transfer to Chapel Hill, a research university offering a more suitable environment, and part of the same University of North Carolina federal system. The documented reply from the Dean was a letter appended with a typed statement to be signed by myself to the effect that I resign from UNCC. I refused to sign this document, which is another form of harrassment.

6) In January 1994, I was instructed by Almeida to take over a seniors dynamics class from Prof. Melton at virtually no notice in a phone call from the Chairman's secretary to my home in Wales, a call which arrived during a meeting at my home with Dr. Gareth J. Evans, who witnessed the incident and heard the telephone conversation. I was given no time to prepare this course, which doubled my teaching load for Spring Semester 1994. The phone call arrived two or three days before I was scheduled to fly back to Charlotte. Having no experience at all of teaching this class, and having been given no time at all to prepare it, I was subjected to additional criticisms (documented) by the students, who did not know of the way in which I had been obliged to teach them. The complaint about body odor came from a member of this class, and this is documented. The complaint was anonymous, information about its source was withheld from me by the Chairman because it was asserted by Almeida that I would retaliate against the student, this assertion is documented in his memorandum. No reason was given for the change of instructor, and Prof. Melton has now again taken over the course, which he had run for several years. It appears clear that this load was imposed as punishment for incident 4 above, and that this class was needlessly transferred from Melton to myself at extremely short notice. This amounts to harrassment by arbitrary imposition of work for no discernible purpose. It is grossly unfair to both instructor and students. The student criticisms of this process were

subsequently used by the Chairman against me in his teaching faculty assessment for 1993/1994, an assessment which I refused to accept. This led to the Nov. 23rd., 1994 meeting and proceedings for my dismissal and subsequent enforced resignation. The latter had been deliberately planned for several months, again amounting to gross harrassment. It is of key importance to note that before arrival at UNCC I had NO experience of teaching in the US system, and was hired for research, for which I received two "excellents" from the Chairman himself in two yearly faculty evaluations (public domain).

7) In my 1993/1994 Faculty evaluation (documented), I was accused by the Chairman of leaving for Europe (where I had been asked to interview for the MacRobert Chair at Aberdeen, Scotland) without giving the students of the class mentioned in point 6 adequate notice. This is a demonstrably false accusation because the incoming e mail from Almeida concerning this trip was downloaded and recorded and shows that he knew about the visit more than a week in advance. I have filed a grievance against Almeida which documents this incident and my various efforts at informing the students of my departure, the dates when I would be away, and of my efforts to obtain the agreement of Prof. Melton to take over lectures on the dates I would be away, agreement which was actually obtained from him as documented by him in an e mail to me which has been recorded. The harrassment in this case consists of an accusation of misconduct which can be demonstrated to be false.

#### **VIOLATION OF CONSTITUTIONAL RIGHTS TO FREE SPEECH.**

This has been dealt with as above, and in a letter from Mr Sheely. Sending of opinion by e mail does not constitute grounds for misconduct, and the fact that this was used by the Dean as a reason for my dismissal violates my right to free speech.

#### **VIOLATION OF PRIVACY RIGHTS.**

I did not send e mail directly to the Dean, but sent e mail to the Chairman and other members of the Department. None ever objected that this e mail amounted to misconduct. It is clear from the Dean's remarks on Nov. 23rd. 1994 that this e mail had been forwarded to him for some time, without my knowledge or acquiescence, and this amounts to violation of my constitutional rights to privacy.

#### **MISLEADING ADVERTISEMENT**

The advertisement which brought me here is documented in the public domain and asserts that UNCC was seeking an "outstanding" physicist in fields of speciality which included non-linear optics. It heavily emphasised research, and made no mention of teaching. Less than three years later my teaching duties had been increased to six courses a year. This compares with one and a half courses a year at York University, Toronto. I was appointed as full professor with tenure in competition with over 120 candidates. I mentioned my research record to the Dean at

the Nov. 23rd. meeting at which I was asked to resign, and I was told that it was commendable. Nevertheless, I was still to be forced to resign.

#### SUMMARY OF DAMAGES.

In my opinion damages should include loss of salary from year of appointment to retirement at age seventy, loss of pension and benefits, compensation for gross harrassment, violation of rights and false advertisement, compensation for loss of earning power at IBM by my wife, Dr. Laura J. Evans, compensation for taking a loss on our property at Ithaca and other moving expenses. Compensation for moving expenses from Charlotte to Wales where we will be setting up a small research institute.

This would be in the region of \$3,000,000 to \$5,000,000.

M W Evans

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December 25, 1994,

### SUMMARY OF SOME STUDENT ASSESSMENTS; FALL SEMESTER, 1994.

The following comments from students show no hint of any misconduct or neglect of duty, and most are favorable to very favorable. The Chairman, Almeida, in my case based his faculty evaluations wholly on these assessments, and made no attempt to make ANY independent evaluation of his own, to give advice on teaching, or even to inform me on my arrival from Cornell of the existence of an evaluation system. Student assessments can be erratic and subjective. I have experienced wide variations in assessments from different classes of the same material.

It should be noted that none of these assessments (all available from these classes are reproduced below) mention anything about "body odor", which was made into a big thing in the Spring Semester of 1994, and apparently used to try to construct grounds for dismissal.

As frequently occurred at UNCC, Physics, I was given very little time to prepare these courses, of which I had NO prior teaching experience. Under these conditions, class preparation took place as the Semester unfolded. This usually meant an eighty hour, seven day, week.

THE KEY POINT ABOUT THESE ASSESSMENTS IS THAT THEY SHOW NO SIGN WHATSOEVER OF ANY MISCONDUCT OR NEGLECT OF DUTY, THERE ARE NO COMPLAINTS ABOUT SYLLABUS, AND NO OFFICIAL COMPLAINTS AT ALL. I HAD NO TEACHING EXPERIENCE BEFORE ARRIVING AT UNCC, AND WAS QUICKLY GIVEN A HEAVY TEACHING LOAD. THE ASSESSMENTS ARE AVAILABLE IN THE PUBLIC DOMAIN FOR INSPECTION.

Quantum Theory 6141-0001 (Graduate).

1) "His interest was very apparent and the way the material was presented showed history and development of QM. A unique approach which made it interesting."

2) "Dr Evans is pretty much excellent in his study area but teaching still is not as good as some profs. whom I met."



- 1) "The instructor was clear and usually easy to understand. The choice of textbooks was costly (choice made by Chairman, MWE) and somewhat unnecessary for the needs of the course. But, in terms of teaching ability I rated this professor above average because the information was clearly presented in class and the test were, for the most part, fair."
- 2) "It's readily apparent from the lecture (sic) that Dr. Evans is more into theory than practice - we saw no demonstrations of the properties being explained. Physical examples would have made many of the concepts easier to understand."
- 3) "He has a broad AND VERY (student's emphasis) indepth (sic) knowledge on any topic from ANY (student emphasis) chapter we have studied."
- 4) "The professor did nothing special or out of the ordinary to go either way."
- 5) "I feel Dr. Evans is too far advanced to teach such an intro class as this one. He sometimes loses his students and doesn't seem to realize it."
- 6) "Dr Evans is very intelligent compared to most of my Proffessors (sic). Although he does no (sic) put much feeling into the teaching he makes the material understood."
- 7) "Dr Evans has gone beyond what I feel is required of a professor. I have been challenged to perform well on tests; however, my weakness in math has not prevented me from scoring well on his tests. I am in the process of reviewing algebra, integration and differentiation. Dr. Evans has always been willing to spend time before and after class to personally assist me."
- 8) "Dr Evans is a very fair instructor during class and his grading system."
- 9) "The grading policy that was used seemed extraordinarily fair, and the testing policy was ingenious in that it allowed liberal minded non-physics majors to use their specialty, which was writing essays. Really good class overall."
- 10) "He made it quite interesting and he explained pretty clearly."
- 11) "He knew his subject well and it showed in his way of teaching."
- 12) "The subject matter was presented in an organized manner. However, some change in the way concepts are presented should be done. Dynamics suggest a little dynamics from the teacher. Overhead projections are not a good means of transmission of knowledge and should be used as sparingly as possible. Beside this (sic), I have no particular comment."

M W Evans

11-22-94

5:15 PM

Myron,

Urgent - Message -

The Dean (Byons) has  
scheduled a meeting for you, me  
and him in his office Tomorrow  
Nov. 23 @ 11 AM.

Please phone me at  
home tonight.

Thanks  
Sut

my  
Home #

892-8332

Prof. M. W. Evans,  
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November 24, 1994,

Dr. S. R. Lyons,  
Dean of Arts and Sciences,  
University of North Carolina,  
Charlotte,  
NC 28223,

Dear Dr Lyons,

I would be grateful if you could forward to me a copy of the letter you proposed to draft up at our meeting yesterday. I will then carefully consider its contents. Unfortunately, I will not be able to meet you at 2.00 p.m. on Wednesday as scheduled because I will be en route back from Toronto, and because I need time to carefully study the contents of your letter.

Sincerely Yours,

M W Evans

(Dr. M. W. Evans, Professor of Physics).

proof of Nov. 23rd meeting.

This letter was sent by registered mail  
to Lyons, and received by him, catalyzing  
a barrage of phone calls from Alameda to  
Toronto 2 Nov. 28th. MWE

office 704 376 6591

To: Michael Sheely FAX 704 376 9909

Date: Nov. 29, 1994

From: Laura J. Evans

Subj: M.W. Evans - UNCC

Records attempt to  
contact Sheely from  
Toronto, M.W.

Attached, please find my husband's draft of a resignation letter.

We expect to be at your office by 7:15 AM on Thursday, December 1, 1994. As noted during our conversation, my husband is being asked to sign a document being prepared by UNCC; <sup>the document</sup> ~~which~~ will be shown to him at a meeting at 8:30 AM at UNCC, and he is expected to sign ~~the~~ <sup>the</sup> document during this meeting. My husband's recollection is that his chairman informed him that The University would initiate dismissal procedures if he did not show up for this 8:30 AM meeting. Nothing has been said regarding a lawyer. Therefore, we would both like you to attend this <sup>8:30 UNCC</sup> meeting so you can review <sup>the UNCC document</sup> & advise him ~~regarding~~ <sup>about it.</sup>

If you need to reach ~~us~~ <sup>us</sup> in Toronto, Canada the number is (416) 736-2100, ext. 33511 (The main number <sup>is</sup> for York University.) We are scheduled to leave here on Wed. and expect to arrive in Charlotte about 4:20 pm. In case you need to reach us prior to our Thurs. AM meeting our home phone number is 599-0874. (We live right near the University). We probably will not answer the phone until the caller identifies him or herself on our ~~new~~ answering machine.

My husband and I very much appreciate your kindness during our phone conversation.

Sincerely yours, Laura J. Evans

11/28 Draft: M. W. Evans to UNCC (copied over by  
L. J. Evans)

To Whom it may concern

I have decided to resign from my position of Professor of Physics effective from 31<sup>st</sup> August 1995. In so doing I understand that I will be paid a full salary until 30<sup>th</sup> June 1995 and a summer salary thereafter. I will not be required to teach courses or be on campus in the Spring and Summer semesters of 1995.

My resignation comes about as the result of an advertisement which emphasized research in non-linear optics and made no mention of teaching. My research record in the past five semesters has been assessed as "excellent"; my teaching "very good to good"; and my service as "fair". However, my teaching load has been increased to the point at which I can no longer function effectively in the role for which I was hired.

If I resigned my position as described above, I would be able to <sup>return to</sup> my life's work in research. In so doing, I understand that UNCC agrees not to pursue any legal claim against me or my estate on any grounds whatsoever. I similarly agree not to pursue any claim against UNCC.

It is agreed between both parties that my resignation in no way whatsoever tarnishes my reputation as a leading research scientist, and is in no way a bad reflection on my performance at UNCC.

It would be desirable to have <sup>a non-paid affiliation</sup> ~~an affiliation~~ as  
emeritus professor and in return, UNCC would receive  
credit on all research publications. I intend to set  
up a research institute in my native Wales and any  
voluntary donation of money or equipment would be welcome.

In the past five semesters I have authored or coautho  
5 books, co-edited 3 volumes for the prestigious  
Advances in Chemical Physics series <sup>and</sup> authored  
a large number of scientific papers and letters.  
The major discovery of this time frame is the Evans-Vigier  
field,  $B^{(3)}$ , which is a novel fundamental field of  
light. I consider that I have fully carried out  
the requirements of the advertisement that brought  
me to UNCC from Cornell University.

I ~~have~~ understand that all benefits will be  
paid by UNCC until August 31st, including  
pension contributions.

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November 30, 1994,

Mr Michael Sheely,  
Attorney at Law,

Dear Mr Sheely,

Further to the fax from my wife, I think it would be proper if you came to the meeting to represent me. However, I fear that UNCC will withdraw the offer as soon as they see that I have hired an Attorney.

I have been heavily pressurised into resigning and threatened several times with dismissal proceedings on the grounds of misconduct and neglect of duty. I have been told that a detailed list of charges is being drawn up by an Attorney working for UNCC.

I am shocked by this treatment, which I think amounts to gross harrassment. I would like to resign my position here under the terms offered by UNCC, and eventually sue the College for harrassment and wrongful dismissal. My wife and I have effectively lost up to twenty years of salary, at a combined total of \$100,00 per year, and we would like to sue to recover this loss.

Finally I am providing you with some detail, much more is available to build up what amounts to a strong case against UNCC, and would like to hire you to sue UNCC on a contingency basis. We would like to offer you power of attorney to pursue these matters, because we intend to return to the UK, and perhaps visit Toronto for a year, where I have been offered a year's visiting research position.

"Misconduct" in academic life is generally accepted to mean gross misconduct such as setting fire to the Dean's wife or similar. I have given some opinions in writing to UNCC in the past two and a half years, but this is not misconduct but liberty of speech, which is in my understanding constitutionally protected.

Sincerely Yours,

(Dr. M. W. Evans, Professor).



November 30, 1994

Department of Physics  
704/547-2536  
FAX 704/547-3160

Dr. Schley R. Lyons  
Dean, College of Arts and Sciences  
UNC Charlotte  
Charlotte, North Carolina 28223

III  
mwe  
I have decided to resign from my position of tenured full professor of physics at UNCC effective June 30, 1995. In so doing I understand that I will be paid a full salary until that date and allowed to use the UNCC facilities. I will not be required to teach courses or provide service from now until that date, and research publications will be accredited to UNCC.

My resignation comes about as the result of an advertisement that emphasized research in non-linear optics and made no mention at all of teaching. My research record in the past five semesters has been graded in faculty evaluations as "excellent"; my teaching as "fair to very good" with the exception of one class; my service as "fair." However, my teaching load has been increased to the point where I have little time for research and I can no longer function effectively in the role for which I was hired, that of RESEARCH leadership.

In resigning my position, I will be able to return to my previous career of research scientist, I am probably among the most prolific of scientists in the world in regard to output in the public domain. It is agreed between all parties that my resignation does not tarnish my reputation in any way whatsoever. In the past five semesters I have authored or co-authored five books, co-edited three more volumes for the prestigious "Advances in Chemical Physics" series, and have published a very large number of papers and letters. The major discovery has been made during this time at UNCC of the Evans-Vigier field, on which I have just lectured in Toronto, Canada.

Therefore it is clear that I have tried to carry out the terms of the advert that has brought me here in a scholarly manner.

I understand that all benefits will continue to be paid by UNCC until the resignation date.

Sincerely,

M. W. Evans

Dr. M. W. Evans, Professor of Physics





College of Arts and Sciences  
Office of the Dean  
704/547-4303

November 30, 1994

Dr. Myron W. Evans  
Department of Physics  
UNC Charlotte  
Charlotte, North Carolina 28223

Dear Dr. Evans:

In exchange for your irrevocable resignation terminating your employment at UNC Charlotte effective June 30, 1995, I agree to the following arrangements.

- (1) You are relieved of all teaching and service responsibilities during spring semester 1995. During this period of time (January 1 - June 30, 1995), you will remain on the payroll at UNC Charlotte at full salary and continue conducting your research.
- (2) During July and August of 1995, you will be paid a stipend for research that you will conduct either at UNC Charlotte or some other location. A stipend equal to two months of net pay (\$6829.88) will be paid to you in equal installments on July 15, July 30, August 15, and August 30. Furthermore, it is agreed that the University of North Carolina at Charlotte will be acknowledged as supporting scholarship conducted by you during this period (January to August 1995) and which is eventually published.
- (3) It is agreed that you will be appointed as an Adjunct Professor at UNC Charlotte during 1995-96. The Adjunct Professor appointment may be extended through 1996-97 if requested by Dr. Evans. An adjunct appointment creates no employment and carries no compensation.

Sincerely,

Schley R. Lyons  
Dean

SRL:js

1

12-16-94

( VANS,

Dr. Almeida wants to know  
what dates you will be away  
& if you have downloaded your  
computer & when you will be  
turning in your keys. You  
can contact him about this.

16<sup>th</sup> Dec., request to  
turn in keys, despite the  
agreement of 30<sup>th</sup> Nov.  
MWE.

From: Myron W Evans <mwevans@uncc.edu>

Date: Tue, 13 Dec 1994 18:12:50 -0500

To: almeida@uncc.edu

Dear Sil,

Stanley Jeffers from Toronto has asked if UNCC will help sponsor the Symposium on the Evans-Vigier field to be held at York University August 28th to 30th., 1995. This will be advertized in "Physics Today" and would be good publicity for UNCC. Two of Louis de Broglie's former colleagues will speak, Jean-Pierre Vigier, and O. Costa de Beauregard, who both support B(3) and its many implications.

The first call for papers has just gone out, and the Conference Fee set at roughly \$200 US, \$300 Canadian.

Murray Webster advises that the Dean is the only source of funding for such an event. However, as it will be advertized all over the world in "Physics Today", it would be a good amount of publicity for UNCC, where B(3) theory was developed.

MWE

Almpt  
Refusal  
to support  
Toronto  
meeting,  
MWE

12/14/94

Schley,  
FYI.

Physics does not have such funds  
to contribute. Does the College?

Sil

To: Sil  
From: Sil  
12/15/94

The College of Arts does not have funds to invest  
in a Symposium scheduled to be held at York University.

# RESEARCH ASSOCIATE Center for Radiophysics and Space Research Cornell University

There may be openings for research associates in general relativity and theoretical astrophysics for the academic year 1992-93. The Cornell Theoretical Astrophysics and Relativity Group includes D. F. Chernoff, E. E. Salpeter, S. L. Shapiro, S. A. Teukolsky and I. Wasserman. Experience in relativity theory, relativistic astrophysics, cosmology, interstellar medium theory, stellar evolution, stellar dynamics, or computational astrophysics is desirable for the positions. Applicants should submit a resume with publications list and arrange for three (3) letters of recommendation to be sent to: Dr. Stuart L. Shapiro (Theoretical Astrophysics Applicant) or Dr. Saul A. Teukolsky (General Relativity Applicant) Center for Radiophysics and Space Research, Space Sciences Building, Cornell University, Ithaca, New York 14853-6801. Completed applications should be received no later than February 1, 1992. Only candidates who anticipate receiving their Ph.D. by September 1991 should apply. *Cornell is an Equal Opportunity/Affirmative Action Employer.*

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## SENIOR FACULTY POSITION

### THEORETICAL OR EXPERIMENTAL CONDENSED MATTER THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE

The Department of Physics at UNC Charlotte is seeking an outstanding condensed matter physicist to complement its expanding applied physics program which emphasizes research in applied optics. Candidates must have an excellent research record, show potential for leading a research program in his/her field, and have experience appropriate for appointment at the rank of professor. Researchers in the areas of Materials Science, Solid State physics and Optoelectronics are encouraged to apply. Salary will be commensurate with qualification and experience. The department has research capabilities in the areas of optical image processing, pattern recognition, holography, fiber optics, quantum optics, non-linear optics and radiation damage in solids. Some of the research facilities are housed in the newly built university Applied Research Center. UNC Charlotte is experiencing a steady growth and currently enrolls more than 15,000 students. Applicants should send a letter explaining their interest in the position, a resume, and the names, addresses, and phone numbers of at least three references to: Dr. T. W. Mayes, Chair, Search Committee, Department of Physics, UNC at Charlotte, Charlotte, NC 28223. (Telephone 704-547-4516). Review of applications is expected to begin January 15, 1992 and continue until the position is filled. *UNC Charlotte is an Equal Opportunity/Affirmative Action Employer.*

### Postdoctoral Positions Theoretical Particle Physics Université de Montréal

Applications are invited for one or two post-doctoral research positions in theoretical particle physics starting September 1, 1992. Preference will be given to a phenomenologist for one position, while the other will be reserved for a field theorist. The particle theory group consists of 6 faculty members (G. Bélanger, J. LeTourneux, D. London, R. MacKenzie, M. Paranjape, L. Vinet), as well as several postdocs and students. Please send CV and 3 letters of reference to: Dr. David London, Laboratoire de physique nucléaire, Université de Montréal, C.P. 6128, succursale A, Montréal (Québec), Canada, H3C 3J7.

### MECHANICS DUKE UNIVERSITY

Department of Civil and Environmental Engineering, invites applications for a tenure-track or tenured faculty position in theoretical, experimental or applied mechanics. Current departmental research areas include fracture mechanics and failure, plasticity, geomechanics, structural dynamics, biomechanics, granular materials, and computer simulation of complex mechanical systems. Intellectual intensity and curiosity and a commitment to exploring ideas are more important, however, than a candidate's specific research area. Interested persons should write to Prof. Peter Haff, Search Committee Chairman, Dept. of Civil and Environmental Engineering, Duke University, Durham, NC 27706. *Duke University is an Equal Opportunity/Affirmative Action Employer.*

### THEORETICAL ASTROPHYSICS at the UNIVERSITY OF ARIZONA

The University of Arizona is planning to fill a tenure-line faculty position in its interdisciplinary program in theoretical astrophysics. Participating departments include Astronomy, Physics, and Planetary Sciences. This program currently consists of approximately ten faculty with positions in one or more of these departments. We interpret theoretical astrophysics broadly and areas of interest range from cosmology to theoretical planetary physics, including solar system origin and evolution, atomic and molecular astrophysics, high-energy and nuclear astrophysics, plasma astrophysics, relevant applied mathematics, etc. The appointment will be in one or more of the participating departments and can be either junior or senior faculty level, depending on qualifications. Appointees will also be members of the Committee on Theoretical Astrophysics. We invite inquiries and applications from qualified theorists for a position to be filled within approximately one year. We are interested in highly qualified individuals from any area of theoretical astrophysics who can interact effectively with all the participating departments. Applicants should send their curriculum vitae and bibliography, and arrange for three letters of reference and any other supporting materials to be sent to: Professor J. R. Jokipii, Chairman of the Theoretical Astrophysics Steering Committee, Department of Planetary Sciences, University of Arizona, Tucson, AZ 85721, U.S.A. Deadline for receipt of all materials is January 10, 1992. The University of Arizona is an Equal Opportunity/Affirmative Action Employer.

## RESEARCH ASSISTANT PROFESSOR

Perform advanced microscopy and microlithography of high temperature superconductors. In particular, work with laser holography with masking and reactive ion etching (RIE) pattern superconductor films and various substrates with sub-micrometer structures over large areas. Characterize patterned and unpatterned films and substrates using scanning electron microscopy (SEM), scanning tunneling microscopy (STM) and photon scanning tunneling microscopy (PSTM). Requirements: Ph.D. in Physics or Material Science. At least six months' experience with laser holographic microlithography and surface characterization of sub-micrometer structures using high vacuum evaporation, RIE, SEM, STM, PSTM, and related equipment. Theoretical knowledge of superconductivity and surface physics as demonstrated by publications or course work. Salary is \$24,000 per year for 40 hours per week. Job location is Oak Ridge, Tennessee. Applicants should send a vita and two letters of reference to: Mr. Charles Turner, Tennessee Department of Employment Security, 505 Market Street, P.O. Box 11088, Chattanooga, TN 37401. Refer to Job Order TN2407100. An EEO/Affirmative Action/Title IX/Section 504 employer.

## Theoretical Physics Department

The Theoretical Physics Department expects to make at least one Associate Scientist appointment with a five year term beginning in September, 1992. This position corresponds to a junior faculty position at a university and has the possibility of leading, in time, to a continuing appointment at the Laboratory. We are seeking candidates who have demonstrated creativity and a high level of technical competence in formal or phenomenological areas of particle physics research. The tenured staff of the Department now consists of Bill Bardeen, Estia Eichten, Keith Ellis, Chris Hill, Paul Mackenzie, Stephen Parke and Chris Quigg. In addition, Fermilab has an active Theoretical Astrophysics Group led by Rocky Kolb and Mike Turner.

An applicant should submit a curriculum vitae containing a list of publications and a statement of research interests, and should arrange to have letters of recommendation sent by three senior physicists. This correspondence should be sent to: William A. Bardeen, Theoretical Physics Department, Fermi National Accelerator Laboratory, MS 106, P.O. Box 500, Batavia, IL 60510. Applications should be sent to Fermilab by January 1, 1992. Fermilab is an equal opportunity/affirmative action employer m/f/h.



Fermilab



# UNC CHARLOTTE

The University of North Carolina at Charlotte  
Charlotte, N.C. 28223

April 28, 1992

Office of Academic Affairs  
704/547-

Dr. Myron W. Evans  
Room 732  
Cornell Engineering and Theory Center Building  
Hoy Road  
Cornell University  
Ithaca, NY 14853-3801

Dear Dr. Evans:

Upon the recommendation of Dr. Schley R. Lyons, Dean of the College of Arts and Sciences, I am pleased to offer you the position of Professor of Physics at The University of North Carolina at Charlotte effective August 16, 1992 with a salary of \$60,000 for the 1992-93 academic year, August 16, 1992 - May 15, 1993.

All faculty appointments at UNC Charlotte are made under the provisions of The Code of The University of North Carolina and the Tenure Policies, Regulations, and Procedures of The University of North Carolina at Charlotte. Consistent with these provisions, your appointment as Professor shall be with permanent tenure. An excerpt from the UNC Charlotte document pertaining to faculty appointments is enclosed for your information.

Faculty members of The University of North Carolina at Charlotte are responsible for enforcing the UNC Charlotte Code of Student Academic Integrity. Academic dishonesty by students in any of your classes must be handled in accordance with its provisions. You may obtain a copy from your department chair.

UNC Charlotte complies fully with the Immigration Reform and Control Act of 1986 (IRCA). You are required to establish your identity and eligibility to work in the United States by completing INS Form I-9 not later than the third day of beginning work. A list of acceptable documentation is available in the department office. The certification process is handled in our Personnel Department. Failure to meet this requirement within the time specified results in termination of employment.

All appointments at this level are subject to the approval of the Board of Governors of The University of North Carolina, and cannot be considered final until this approval has been granted officially. As soon as we receive your written acceptance of the terms of this offer, we shall begin the process to gain that approval, after which you will be notified of the Board's action.

Dr. Evans

April 28, 1992

Page Two

To help us both with planning, we will proceed with your formal appointment if I receive your written acceptance by May 12, 1992. You may indicate your acceptance by signing and dating the enclosed copy of this letter and returning it to us in the envelope provided.

Sincerely yours,

Philip L. Dubois  
Vice Chancellor for  
Academic Affairs

PLD/smz

Enclosures

cc: Dr. Schley R. Lyons  
Dr. Silverio P. Almeida

Acceptance: \_\_\_\_\_

Signature

M. W. Evans

1st May 1992

Date



Department of Physics  
704/547-2536  
FAX 704/547-3160

Dr. Myron W. Evans  
Room 732  
Cornell Engineering and Theory Center Building  
Hoy Road  
Cornell University  
Ithaca, NY 14853-3801

June 16, 1992

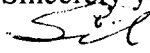
Dear Myron,

I am very pleased to learn that the Board of Governors has approved your appointment in the department of Physics as Professor with permanent tenure. As you may surmise, the level of the appointment is not common, even at a relatively new and developing university such as UNCC. However, in exceptional cases such as yours it is approved. Congratulations!!

We look forward to your arrival with Laura. Please let me know when you will be arriving here. I have kept track of your writings and correspondence with Faramarz. I am pleased to see you are actively pursuing research activities with Faramarz. I do believe that it will be a more efficient and productive collaboration with faculty once you arrive here and get to know their strengths and weaknesses in research. Certainly, Faramarz is one of the most professionally able (and interested in your research) faculty we have in the department.

I have talked to the university attorney, Bill Steimer about your patent interests in the ONMR and he, together with Harry Leamy, the new Director of the Cameron Applied Research Center and myself will get together with you once you arrive and discuss the various options, you have at UNCC. In addition, I have talked to Ms. Elizabeth Rodgers from Optical Ventures Inc. about your concerns on patent rights. She is in transition to changing job locations from Conn. to Texas, if I understood her correctly. Since several players such as Cornell, Penn State, Princeton and UNCC are involved in the future patent for the ONMR, it is difficult to sort all this only by mail letters. I believe, once you are here and we have our meeting on this matter, it will become fairly clear as to what direction should be taken.

Please do not hesitate to write or phone me should you have any questions or need my help. (Note, however, that I shall be in England and France the from July 1- 15th.)

Best regards,  
Sincerely yours,  
  
S.P. Almeida



The Graduate School  
704/547-3371  
FAX 704/547-3279

September 16, 1993

Dr. Myron W. Evans  
Department of Physics  
The University of North Carolina at Charlotte  
Charlotte, North Carolina 28223

Dear Dr. Evans:

It is my sincere pleasure to appoint you a member of the Graduate Faculty of The University of North Carolina at Charlotte for a renewable term of five years ending June 30, 1998. You are to be congratulated upon fulfilling the criteria for membership which were proposed by your graduate unit and approved by the Graduate Council in accordance with the By-Laws of the Graduate Faculty.

As a member of the Graduate Faculty, you are authorized to participate fully in graduate education by offering courses and seminars and by supervising research and theses at an advanced level. You are also eligible for election to the Graduate Council, the faculty body which develops policy, approves curricular proposals, and advises the Dean of the Graduate School.

Please feel free to call if I can be of any assistance to you or if you wish to discuss current or possible future graduate programs.

I extend to you my best wishes for continued success in our shared endeavors.

Sincerely,

Denise M. Trauth  
Associate Vice Chancellor  
for Graduate Programs and  
Dean of the Graduate School

DMT:jhg

c: Vice Chancellor Philip L. Dubois  
Dean Schley R. Lyons  
Dr. Silverio Almeida





*In Recognition of  
High Scholarship in Physics*

**Myron W. Evans**

*has been elected a member of*

**Sigma Pi Sigma**

*National Physics Honor Society*

*And Received into the Chapter at*

**UNC Charlotte**



*Gerben J. Jones*  
PRESIDENT



# UNC CHARLOTTE

The University of North Carolina at Charlotte  
Charlotte, N.C. 28223

Department of Physics  
704/547-2531  
FAX 704/547-3161

Dr. Myron W. Evans  
Department of Physics  
UNC at Charlotte

August 6, 1993

Dear Bob,

*Presumably  
this should be addressed to me, MWE*

The General Assembly approved salary adjustment monies equal to 3.38% of the total payroll. The 3.38% was distributed in the following manner: The Office of Administrative Affairs kept 0.5%, The College of Arts and Sciences kept 0.88%. This total amount of 1.38% was used by the Vice Chancellor and Dean of the College of Arts and Sciences to address University/College merit/equity adjustments they perceive as needing adjustments. The remaining 2% was distributed to each department in the College of Arts and Sciences. The department of physics held back 0.5% for salary merit/equity adjustments. That left 1.5% of the money to be distributed among the faculty for merit increase. I realize that this is a sad state of affairs for department to try and adjust salaries given the paucity of salary money available this year. It is impossible to adequately adjust salaries for 1993-94 to properly compensate for merits performed over the past 2-3 years of no salary money being available.

Your recommended salary adjustment for 1993-94 is \$1,200. (2.00 % Increase). Your salary during 1993-94 will be \$61,200. This adjustment should be included in your August 31 paycheck.

Note:

In addition, to the amount you receive for the 1993-94 salary merit, there will be a 1% bonus given to each faculty member, across the board. This one percent "bonus" is based on your 1992-93 salary. It should be distributed in December of '93.

Sincerely,

S.P. Almeida  
Chairman

*Presumably, a 2%  
salary increase is no  
evidence of neglect of  
duty or misconduct,*

*MWE.*