

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TIMOTHY JACKSON,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	CIVIL ACTION
	)	
LAURA WRIGHT, ET AL.	)	NO.: 4:21-cv-00033-ALM
	)	
Defendants.	)	
	)	
	)	

ORAL AND VIDEOTAPED DEPOSITION OF

STEPHEN SLOTTOW, PhD

NOVEMBER 7, 2024

ORAL AND VIDEOTAPED DEPOSITION OF STEPHEN SLOTTOW, PhD, produced as a witness at the instance of the DEFENDANTS, and duly sworn, was taken in the above-styled and numbered cause on November 7, 2024, from 8:31 a.m. to 4:41 p.m., via Zoom teleconference before Vanessa J. Theisen, CSR in and for the State of Texas, and RPR, reported by machine shorthand, at the University of North Texas System, 801 North Texas Boulevard, Gateway Suite #340, Denton, Texas 76201, pursuant to the Federal Rules of Civil Procedure and any provisions stated on the record or attached hereto.

1 A P P E A R A N C E S 2 3 FOR THE PLAINTIFF: 4 Mr. Michael Thad Allen (via Zoom) 5 ALLEN LAW, LLC 6 P.O. Box 404 7 Quaker Hill, CT 06375 8 (860) 772-4738 9 Mallen@allenharrisllaw.com 10 11 FOR THE DEFENDANTS LAURA WRIGHT, ET AL: 12 Ms. Mary B. Quimby 13 Assistant Attorney General 14 OFFICE OF THE ATTORNEY GENERAL 15 General Litigation Division 16 P.O. Box 12548, Capitol Station 17 Austin, TX 78711-2548 18 (512) 463-2120 19 Mary.quimby@oag.texas.gov 20 21 FOR THE WITNESS: 22 Mr. Patrick Todd 23 OFFICE OF THE ATTORNEY GENERAL 24 Administrative Law Division 25 P.O. Box 12548, Capitol Station 26 Austin, TX 78711-2548 27 (512) 936-1660 28 Patrick.Todd@oag.texas.gov 29 30 ALSO PRESENT: 31 Mr. Phil Hall, Videographer 32 Mr. Timothy Jackson (via Zoom) 33 Mr. Justin Foster 34 Mr. Renaldo Stowers 35 Ms. Vanessa J. Theisen, Court Reporter (via Zoom) 36 37 38 39 40	4 1 THE VIDEOGRAPHER: Here begins the 2 deposition of Dr. Stephen Slottow, Ph.D., relative to 3 a case styled Timothy Jackson versus Laura Wright, et 4 al, filed in the United States District Court, 5 Eastern District of Texas, Sherman Division, Civil 6 Action No. 4:21-cv-00033-ALM. 7 Counsel, at this time would you please 8 -- the time is 8:31 a.m., and we are on the record. 9 Counsel, at this time would you please 10 state your appearances for the record. 11 MS. QUIMBY: Yes, Mary Quimby for the 12 defendant. 13 MR. ALLEN: Michael Thad Allen -- 14 MR. TODD: Pat Todd. 15 MR. ALLEN: -- for the plaintiff, 16 Timothy Jackson. 17 MR. TODD: Patrick Todd for the witness. 18 THE VIDEOGRAPHER: Thank you. 19 MR. ALLEN: I'm sorry, Patrick. I spoke 20 over you. 21 MR. TODD: Sorry. 22 THE VIDEOGRAPHER: Thank you. At this 23 time would the court reporter please swear in the 24 witness. 25
1 I N D E X 2 P A G E 3 Appearances..... 2 4 STEPHEN SLOTTOW, PhD 5 EXAMINATION BY MS. QUIMBY..... 5 6 EXAMINATION BY MR. ALLEN..... 104 7 FURTHER EXAMINATION BY MS. QUIMBY..... 157 8 FURTHER EXAMINATION BY MR. ALLEN..... 161 9 10 Changes and Signature..... 166 11 Reporter's Certificate..... 168 12 13 E X H I B I T S 14 NO. DESCRIPTION P A G E 15 16 1 Curriculum Vitae of 17 Dr. Stephen Slottow..... 15 18 2 Journal of Schenkerian Studies 19 Masthead 20 UNT_000848 - 0851..... 36 21 3 MHTE Faculty Response 22 UNT_000432 - 0433..... 87 23 24 4 UNT College of Music Faculty and 25 Staff Retreat Invitation 26 UNT_005523 - 5525.....106 27 28 5 November 25, 2020 Ad Hoc Panel Report 29 Jackson000208 - 0233.....146 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000	5 1 STEPHEN SLOTTOW, PhD, 2 having been first duly sworn, testified as follows: 3 EXAMINATION 4 BY MS. QUIMBY: 5 Q. Okay. Good morning, Mr. Slottow. Is that 6 how you pronounce your last name? 7 A. Yes. 8 Q. Okay, great. We're here today -- I'm going 9 to ask you a couple of questions about the Journal of 10 Schenkerian Studies and your role in that -- 11 A. Uh-huh. 12 Q. -- journal and related matters. But first I 13 want to go over some preliminary ground rules for 14 depositions. 15 First, you were just sworn in by the 16 court reporter there on that screen. Do you 17 understand that you've taken an oath and are 18 obligated to tell the truth today? 19 A. As I remember it. All these events took 20 place some years ago. 21 Q. Sure. Have you taken any medication that 22 would inhibit your memory today? 23 A. No. 24 Q. Is there anything else that would inhibit 25 your memory or ability to tell the truth today?

6 1 A. Age, the fact that all this happened three 2 or four years ago and I haven't thought much about it 3 since. 4 Q. Okay. Understood. 5 A. And I haven't done more than cursorily look 6 over these documents, because I finished a project 7 only last night, and my request for a postponement 8 was not approved. 9 Q. What documents did you review? 10 A. The ones that were sent to me. They're here 11 in this pile. Do you want me to describe each one of 12 them? 13 Q. If you don't mind, I would appreciate it. 14 A. Questions for Slottow, Confidential 15 Attorney-Client Privileged -- 16 MR. TODD: Objection. Privileged. Do 17 not answer it. 18 THE WITNESS: Huh? 19 MR. TODD: Do not answer that. Those 20 are -- that's attorney-client privileged documents. 21 MS. QUIMBY: Are they documents that 22 have been -- 23 MR. TODD: They're from me. 24 MS. QUIMBY: Okay. Are they documents 25 that have been produced in this matter?	8 1 MR. TODD: Never mind. Go ahead. 2 A. Okay. One that says, "Questions for 3 Slottow," with seven points; Confidential 4 Attorney-Client Privileged Communication. 5 Q. I'm not asking about that one. 6 A. Oh, that's right. There's no UNT. 7 An invitation to a college of music 8 retreat at the Gateway Center Ballroom. I don't know 9 why this is here. 10 Q. Okay. 11 A. Another Questions for Slottow. 12 Q. If you don't mind, could you -- what is the 13 number on that one? 14 A. 002640. 15 Q. Okay. Thank you. 16 A. The next page -- do you want -- just want 17 the numbers from now on? 18 Q. That would be helpful. 19 A. Okay. The next one is 002642, 002644, 20 00300. Each page is a different number. 21 Q. Right. You can just tell me the first page 22 of each document. 23 A. One is -- this one is -- this once does not 24 have a -- do you just want the ones that have a UNT 25 number?
7 1 MR. TODD: Some of them might have, but 2 those notes from me are my notes to my client. 3 Q. (BY MS. QUIMBY) Okay. I'm not asking you 4 to describe the notes from your attorney to you. 5 A. I don't know which ones are the notes from 6 the attorney to me. I just have a pile of these 7 documents. I'm not sure which ones you're talking 8 about. 9 Q. Okay. How many documents do you have there? 10 A. Seven. 11 Q. Okay. If there is a "UNT" -- do you see at 12 the bottom of that first document there is a "UNT" at 13 the bottom? 14 A. Yes. 15 Q. That means it was produced in this matter. 16 Can you describe each of the documents that have the 17 UNT insignia at the bottom of the page? 18 A. One says, "Questions for Slottow" beginning, 19 "What is your role" -- 20 MR. TODD: Those are my notes, so not 21 that document. That doesn't have UNT on it. 22 THE WITNESS: It does. 23 MS. QUIMBY: It does. 24 MR. TODD: Does it? 25 THE WITNESS: Yes.	9 1 Q. Is that one labeled Exhibit D? 2 A. Yes. 3 Q. Can you flip to the next page? Okay. Is 4 that the ad hoc review panel report, to your 5 knowledge? 6 MR. TODD: That's what it appears to be. 7 A. Yeah. 8 Q. (BY MS. QUIMBY) Okay. 9 A. 005523, and that's it. 10 Q. What is that last one, if you could describe 11 it briefly for me. 12 A. This is a college of music retreat on 13 inclusion, diversity, equity, and access. I don't 14 know why it's here. 15 Q. Okay. Thank you. 16 A. And then I brought along my own copy of the 17 Journal of Schenkerian Studies Volume 12 because I 18 have an article I might want to refer to. 19 Q. And is that -- that is the full print 20 version of the -- 21 A. Right. 22 Q. -- Volume 12, correct? 23 A. Uh-huh. 24 Q. Okay. Thank you. 25 In addition -- besides conversations

10 1 with your attorney about this deposition, have you 2 talked to anyone else about this deposition? And 3 that includes Mr. Todd and Mr. Foster. 4 A. That it's happening, you mean? 5 Q. I mean -- yes. 6 A. Well, I mentioned to my husband that I'm 7 going to a deposition. Tim Jackson knows. 8 Q. Uh-huh. 9 A. In fact, he's listening in. I think that's 10 it. 11 Q. Did you talk to Dr. Jackson about the 12 deposition other than that you were attending? 13 A. No. 14 Q. Okay. Anyone else? 15 A. Well, he told me he was going to listen in 16 on Zoom, but that's it. I was not sure what was 17 proper to discuss with him, so I did not say anything 18 else. 19 No, I don't think there's been anyone 20 else. 21 Q. Okay. Got it. Thank you. 22 We have a videographer here, a court 23 reporter who is here virtually. She's going to be 24 taking down what you say today, so I would just ask 25 that you use verbal responses instead of nodding. So	12 1 A. No. 2 Q. Have you ever testified in court otherwise? 3 A. I've been on juries, but that's it. 4 Q. Okay. Understood. 5 Okay. Briefly, I'm going to ask you 6 some questions about your background. This is just 7 to have an understanding of your role at UNT and how 8 you got here. 9 So how long have you been a professor at 10 the University of North Texas in the college of 11 music? 12 A. In the rank -- the rank of professor or 13 teaching at UNT? 14 Q. If you don't mind just walking me through 15 when you first started teaching here and when you 16 moved up in the ranks, if -- 17 A. Yeah, that's on the CV. 18 So I began as a lecturer in Sep -- 2001 19 for one year. Then I was an assistant professor from 20 2002 to 2008. I was an associate professor from 2008 21 to 2020, and I was a full professor, am a full 22 professor, from 2020 to the present. 23 Q. Okay. So you attained the rank of full 24 professor in 2020? 25 A. Yes, in September.
11 1 far so good. But just, you know, if I -- if you nod 2 your head or something at some point today and I ask 3 you to give a verbal answer, I'm not trying to be 4 rude. It's just we want to make sure we have a clear 5 record for the court reporter. 6 A. If I nod, it will be accompanied with a 7 verbal answer. 8 Q. Sure. If you need a break today, let me 9 know. We'll probably take a break about every hour 10 or so. If you need one more often, just let me know, 11 and we can take a break. 12 A. Okay. I cannot go beyond 11:30, though. 13 Q. I understand that, yes. 14 A. Okay. 15 Q. One other thing about making a clear record 16 for the court reporter is that I ask that you wait 17 until I finish asking my question before you begin 18 answering, because if we're talking over each other, 19 she can't take down both of us talking at once. 20 Have you ever had your deposition taken 21 before? 22 A. No. 23 Q. Have you ever testified in court? 24 A. As a witness? 25 Q. Yes.	13 1 Q. Okay. Are you tenured? 2 A. Yes. 3 Q. How long have you been tenured? 4 A. Well, that came with associate professor, so 5 that would be since 2008. 6 Q. Okay. So you started in 2001 as a lecturer, 7 you said, correct? 8 A. Uh-huh. 9 Q. Briefly, before we talk more about your 10 history at UNT, what degree do you hold? 11 A. I have a bachelor's degree from Cleveland 12 State University, a master's degree from Queens 13 College, and a doctorate from the City University of 14 New York. 15 Q. And what are each of those degrees in? 16 A. The bachelor's is in music history. The 17 master's and the doctorate are in music theory. I 18 don't know if they -- I think you just get a 19 degree -- I don't think you get actually a degree in 20 music theory. I think you get a degree in music, and 21 it's like the specialization is music theory or 22 something. I would have to look on the diploma. 23 The master's was en-route master's from 24 Queens. So the way the City University works is 25 that -- of New York works is that you can either

14 1 enter and get an en-route master's, so it's -- or 2 else you can get an actual master's after two years. 3 So with the en-route master's you have 4 to take a test or write a paper, and I was in that 5 program. It's the preferred one, actually. So you 6 enter with a bachelor's, and then you go all the way 7 to the PhD, and on the way you get an en-route 8 master's. 9 Q. I see. Okay. So was it effectively a PhD 10 program that you had to earn your master's before you 11 did the PhD, but you -- 12 A. No. That's the point of getting the 13 en-route master's is that you -- it's a PhD program 14 you enter with the bachelor's degree. 15 Q. Uh-huh, okay. When did you earn your 16 bachelor's degree? 17 A. That was -- let's see. When did I earn it? 18 I don't know. It's not really written down here. 19 Q. That you recall. If you don't recall right 20 now, that's okay. 21 A. Hold on. 22 Q. For the record, too, I'll let you keep 23 looking, but I would like to get a copy of the CV, 24 and we can use that as an exhibit. 25 A. Sure. I can either send an electronic copy	16 1 A. I don't think so, no. 2 Q. When you joined UNT in 2001 as a lecturer -- 3 well, let me ask it this way: At some point you 4 became involved in the Center for Schenkerian 5 Studies, correct? 6 A. Right. 7 Q. Do you know when you joined or became a part 8 of the center? 9 A. Well, that happened when -- well, it didn't 10 happen when I was a lecturer, but it happened when I 11 became an assistant professor. 12 One of the responsibilities of the job 13 was actually to be involved -- Dr. Jackson wanted 14 someone to help him with the center, someone who was 15 experienced in Schenkerian analysis. So in addition 16 to the usual things of teaching, research, service, 17 etcetera, one of the responsibilities, as I recall 18 it, was to be involved in the center. 19 Q. Who gave you that, we'll call it, job or a 20 role? 21 A. Well, I don't know, because that's -- 22 that's -- the search committee determined the 23 parameters of what I was to do. I was not privy to 24 the search committee, of course. But since 25 Dr. Jackson was the head of the center, the idea
15 1 or someone can copy this. 2 Q. We'll copy it on our break or something. 3 (Exhibit 1 identified.) 4 A. I don't know exactly when I got my 5 bachelor's. Some time elapsed between getting my 6 bachelor's and entering the doctoral program, so I'm 7 not sure. 8 Q. Do you remember when you earned your 9 master's or PhD? 10 A. Well, the PhD was earned -- oh, let's see -- 11 I think about 2000. That's -- yeah. 12 Q. What did you do between earning your 13 bachelor's and going for your master's? 14 A. I was a working musician in Cleveland, 15 playing in a bluegrass band. I was a fiddler and a 16 banjo player. And I kept on doing that for a while, 17 so there was a hiatus. After I got my bachelor's, I 18 wasn't sure what to do next. So that's what I did. 19 Q. Are you from Cleveland? 20 A. No. 21 Q. Where are you from? 22 A. Urbana, Illinois. 23 Q. Okay. I ask because I'm from Ohio. 24 Before you joined at UNT, did you have 25 any other jobs in academia?	17 1 probably came from him. 2 Q. When you say, "the search committee," what 3 are you talking about? 4 A. Well, when you apply for an academic job, 5 there is a search committee, a faculty, who evaluate 6 who -- from the -- from the applications, they 7 evaluate who is going to go to the next step of being 8 interviewed. And they handle the interviews, and 9 they are the ones that make the short list, and they 10 are the ones who pick who is to get the job. 11 Now, the candidate is not privy to the 12 deliberations of the search committee, of course. 13 Q. Sure. 14 A. So anything they did is -- I wasn't there 15 for. 16 Q. Sure. So what is -- can you describe the 17 Center of Schenkerian Studies for me? 18 A. Well, at that time, it was pretty much a 19 project of Dr. Jackson's, and it included a journal, 20 a -- putting on concerts, producing sound recordings, 21 CDs. I think that's about it. Certain -- 22 far-flung -- 23 Q. Uh-huh. 24 A. -- Schenkerian activities having to do with 25 Schenkerian analysis.

18 1 I think I was hired -- I think one of my 2 responsibilities was the journal specifically. 3 Q. Within the center? 4 A. Yes, within the center. 5 Q. Okay. So that kind of leads me to my next 6 question. What exactly did you do in the center or 7 the journal or if they're related? 8 A. Well, in the beginning, I handled the 9 journal. The journal had an editor; Jennifer Sadoff 10 was her name. But I actually handled the business 11 side of the journal, taking care of subscribers, 12 keeping records, correspondence, etcetera, keeping 13 the files. And then I was also consulted on other 14 business of the journal. I'm not sure what my 15 "rank" -- 16 Q. Uh-huh. 17 A. -- quote-unquote was. 18 Eventually, I found that the business 19 side -- taking care of the business side while 20 teaching was really too much and too complicated. So 21 we -- that was taken over by UNT press. 22 And then at some point I became kind 23 of -- I was never the editor. The editor of the 24 journal was always a student, and they made -- they 25 had really most of the power about what was going	20 1 well. 2 Q. Okay. 3 A. She was there for some years. 4 Q. And you said -- and I understand if you 5 don't know when this occurred, but UNT Press took 6 over the business side. Is that right? 7 A. Yeah, after some years. I can't tell you 8 when. I don't know. 9 Q. So after the UNT Press took over the 10 business side of things, what was your role then? 11 A. Just to help run the center in terms of 12 policy, along with Tim Jackson. 13 Q. What do you mean by "policy"? 14 A. Questions that came up about whether the 15 center -- whether there's going to be a theme issue 16 of the journal or a concert or -- the center had to 17 sort of justify its existence to UNT. There were 18 regular meetings, like every year, I think, that we 19 had to report to -- give a report to show that we 20 were a center, a UNT center, and we put those 21 together jointly, things like that. 22 Q. Okay. Did you have -- within the center 23 were there any other employees of the center? 24 A. Well, first of all, we weren't paid. 25 Q. Sure.
19 1 into the journal. 2 Where was I? At some point, I became 3 sort of supervisor of the -- under Tim Jackson, sort 4 of supervisor of the -- not supervisor, director of 5 the center. Then that was changed to codirector. It 6 was just a name change. My responsibilities didn't 7 change. 8 I can't really tell you exactly when 9 these things happened. And then I stayed with that 10 role. 11 Q. I have a few follow-up questions. So 12 Jennifer Sadoff, you said she was the editor when you 13 started? 14 A. She was the first editor. I think that 15 actually the journal started when I came in. 16 Q. Okay. 17 A. Because I was there when Issue 1 was 18 produced. 19 Q. And that would have been about, what, 2002? 20 A. Well, it would have been shortly after I 21 started. So on -- let's see. Yeah, probably around 22 2002, 2003. 23 Q. So was Ms. Sadoff a student? 24 A. Yeah, she was, I think, a -- she was a music 25 theory major, I think, and she played bassoon as	21 1 A. So in a sense there were no employees of the 2 center. 3 Q. Uh-huh. 4 A. There was Tim, there was me, there was the 5 editor of the journal. I think that's it. 6 Q. Was the editor of the journal -- you said 7 they were always a student? 8 A. Uh-huh. 9 Q. Were they paid? 10 A. No. Well, they got a stipend. 11 Q. Uh-huh. 12 A. They were a fellow, I think. They had a 13 fellowship or half a fellowship, so they were paid 14 through the college of music, yes. 15 Q. Okay. And you said you were -- you 16 eventually had the title of codirector. Do you 17 remember what the title was before that? 18 A. No. I don't even know if it was codirector, 19 actually. That's what it amounted to. 20 It's possible it's on the journal. 21 Let's see. It says, "Advisory Board, Timothy L. 22 Jackson, Stephen Slottow," but I'm pretty sure that 23 "codirector" was in there somewhere. 24 As I say, that was some years ago, and I 25 haven't thought that much about it.

22 1 MR. ALLEN: Can we have the witness 2 identify for the record what document he's consulting 3 and have that marked or whatever. I think it's the 4 Volume 12, but I don't know what he's consulting. 5 THE WITNESS: This is Volume 12 of the 6 Journal of Schenkerian Studies. 7 MS. QUIMBY: Thank you. 8 MR. ALLEN: Should we mark that as an 9 exhibit? Do you want to mark it as an exhibit or 10 just have the record reflect that he consulted the 11 print copy of that? 12 MS. QUIMBY: I think we'll just -- we 13 won't mark it as an exhibit for now. 14 MR. ALLEN: Okay. 15 MS. QUIMBY: It's the physical copy, the 16 book copy, so we'll just note for the record that 17 it's been referenced. 18 MR. ALLEN: That's fine. 19 MS. QUIMBY: Okay. 20 MR. ALLEN: Thank you. Sorry to 21 interrupt. 22 MS. QUIMBY: No problem. 23 Q. (BY MS. QUIMBY) So how long were you 24 involved in both the center and/or the journal? 25 A. Well, they were -- I was involved in both	24 1 dates. Since there was no reason to make 2 chronological notes, I did not do so. 3 Q. When you say -- you said "they" -- I believe 4 you used "they" withdrew support for the center. Who 5 is "they"? 6 A. "They" is the college of music of UNT. 7 Q. Do you know who made that decision? 8 A. Well, certainly Benjamin Brand, who was the 9 division chair of music history, theory, and 10 ethnomusicology, was probably the main person, but I 11 don't think he would have the power -- well, maybe he 12 would. But he probably did not do it just himself. 13 Probably the dean was involved. I'm not sure who the 14 dean was at the time. It might have been Jim Scott, 15 or it might not have. 16 I don't know who else was involved. I 17 mean, we were not involved. We were just told. 18 Q. What were you told? 19 A. Well, I wasn't told anything, Tim was -- 20 Dr. Jackson was told that the journal was essentially 21 being -- he could correct me if I have this wrong -- 22 taken out of the hands of the center, of our hands, 23 and the university did not know what -- the college 24 of music didn't know what they were going to do with 25 it. They tried various things. It's essentially
23 1 starting when I was starting as assistant professor. 2 Q. Uh-huh. 3 A. So that would probably be 2002, and then the 4 Volume 12 of the journal was the last issue of the 5 journal, after which things fell apart. 6 I have the date of the journal, which is 7 2019, but I can't tell you exactly when that took 8 place. Often the dates of journals are not the 9 actual -- the actual dates. 10 Q. So correct me if I'm wrong, but you ended 11 your involvement after the Volume 12 was published? 12 A. Yes. Not immediately. After Volume 12 13 published, there was a huge foofaraw and hue and cry, 14 and UNT got cold feet and sort of withdrew the 15 support for the center. 16 It took a while, and there was this ad 17 hoc review, and the whole thing began -- and they 18 basically took the center away from us, especially 19 away from Dr. Jackson. And I think at that point I 20 felt there was nothing to be gained by continuing in 21 this sort of fictitious role of codirector. Of what? 22 Who knows. So I told Dr. Jackson I was withdrawing 23 at that time. 24 Q. Okay. Do you recall when that was? 25 A. No. I'm really -- I really am very bad at	25 1 defunct at this point. 2 Q. Is your statement that they withdrew support 3 for the center based on what you've heard from 4 Timothy Jackson? 5 A. Well, mainly, but it was widely known. Yes. 6 Q. How did you -- okay, so mainly. But is 7 there any other way you came to that knowledge? 8 A. I don't really remember. I mean, it might 9 have been communicated to both of us, but the college 10 of music did not want to be embarrassed, further 11 embarrassed, by the reaction to Volume 12, and they 12 simply said we're -- "it's not yours any longer." 13 I don't know -- did I get that from 14 Dr. Jackson or from -- I think it was mainly from 15 Dr. Jackson. I can't recall more precisely. 16 Q. You said the college was embarrassed. What 17 do you mean by that? 18 A. The reviews of -- the articles on Philip 19 Ewell's address to the -- he was part of the plenary 20 address at the Society of Music Theory annual meeting 21 where he attacked, among other things, Schenkerian 22 analysis in a particularly, I would say -- well, I 23 can't think of the word. 24 Anyway, we -- he was giving -- and it 25 created a huge stir, and there was no -- there was no

26 1 opportunity given for a response. 2 Usually at a plenary address there's 3 some room for questions and responses afterwards. 4 But this plenary address, since he was one of, I 5 think, three or four people who was talking on 6 different topics, there were no question-and-answer 7 periods. 8 And then, very unusually, there was 9 no -- there were no articles. There was no response 10 in the journals. There was nothing. There was no 11 opportunity to give any response. So the Journal of 12 Schenkerian Studies decided that we would post a 13 response and solicit articles from music theorists, 14 including us, Dr. Jackson and myself, whoever wanted 15 to respond. 16 This led to -- we were -- since Ewell 17 was accusing Heinrich Schenker of being a racist and 18 that his racism was affecting his music theory, 19 therefore, he was promulgating a racist music theory, 20 and it was certainly the kiss of death to be in any 21 way associated with racism, the school was terribly, 22 terribly embarrassed and then afraid of bad publicity 23 and reacted to that. That's what I mean. 24 Q. Who at the school was -- reacted, as you 25 say?	28 1 Q. Do you think the college's reputation was 2 damaged by the journal? 3 A. I don't know. If music theory -- the 4 division of music history and ethnomusicology, they 5 were certainly on the receiving end of a lot of 6 disapproval, so they certainly thought they were. 7 Perhaps their reputation was damaged by those who 8 were outraged that we would criticize Philip Ewell's 9 opinions. 10 Q. Who are you talking about when you say, "by 11 those who were outraged that you would criticize 12 Philip Ewell's opinions"? 13 A. Music theorists, musicologists, people 14 like -- people like -- people who would -- wrote 15 blogs on music. 16 If you look on YouTube, there is an 17 awful lot of support for Ewell's views, and, mixed 18 with that, would be attacks on Dr. Jackson, to some 19 extent me, and sort of by reflection, on the music 20 theory department of UNT -- not department -- area, 21 yes. It was a big kerfuffle, yes. 22 Q. And so was this coming from outside of UNT, 23 inside of UNT? 24 A. Well, it was certainly coming from outside 25 of UNT, but it was coming from inside UNT also,
27 1 A. Well, I know that Dr. Brand did and the dean 2 did. And beyond that, I don't know for certain. 3 Q. How do you know that Dr. Brand and the dean 4 did? 5 A. Because it was -- as I said, it was 6 Dr. Brand, with consultation from the dean, who told 7 us that we would no longer be handling the journal 8 and the center. 9 Q. He told you that? 10 A. Well, he told Tim -- he told Dr. Jackson 11 that, I think. I don't think he told me directly, 12 and I got it from Dr. Jackson, certainly. 13 Q. Okay. So you said Dr. Brand and the dean at 14 the time. Was the dean John Richmond by chance? 15 A. I don't -- I'm not sure if the dean -- if it 16 was Richmond or Scott. I -- for some reason I think 17 it was Richmond, but I'm not entirely sure. I think 18 it was John Richmond. 19 Q. Do you think they had reason to be 20 embarrassed? 21 A. Well, administrators are always terribly 22 concerned with the reputation of their programs and 23 the schools, and they're very sensitive to bad 24 publicity, so they probably did. We were certainly 25 getting plenty of bad publicity.	29 1 because a petition was put together by the majority 2 of UNT -- well, of faculty of the division of music 3 history, music theory, and ethnomusicology 4 attacking -- and also a separate petition by GAMuT, 5 which is a graduate student organization of the 6 division, attacking the -- criticizing the journal 7 and criticizing Dr. Jackson, in particular, of 8 essentially being a racist. And I think the student 9 petition demanded his ouster from the university. 10 And a lot of the music theory facul -- 11 the music theory and history -- well, the faculty of 12 the division signed this -- not everyone did. And 13 all of those people are now defendants in 14 Dr. Jackson's suit. Well, all of the faculty and one 15 student who's no longer a student at UNT. She's at 16 Yale. 17 Q. Uh-huh. 18 A. What was the question? 19 Q. I'm sorry, I don't recall either. 20 MS. QUIMBY: Court reporter, could you 21 please read it back? 22 THE REPORTER: Yes, give me just a 23 second. 24 MS. QUIMBY: Yes, thank you. 25 THE REPORTER: "And so was this coming

30 1 from outside of UNT, inside of UNT?" 2 A. Oh, yes. So it was coming from -- what I 3 was describing is what was coming from inside UNT. I 4 think before I was describing what was coming from 5 outside. 6 Q. So the YouTube posts and blogs posts you 7 described earlier, that was from outside of UNT? 8 A. Yes. 9 Q. Okay. You described both -- you described 10 petitions of both the faculty and the students, 11 correct? 12 A. Well, students through the student 13 organization called GAMuT. I forget exactly what 14 GAMuT stands for, but it's an association of music 15 history, theory -- music history and theory graduate 16 students. 17 Q. What about it was a petition, or why did you 18 use the word "petition"? 19 A. Is it not a good word? A document that 20 people signed onto requesting, nay demanding. I 21 think "petition" is a fine -- is appropriate. 22 Q. I wasn't questioning you. I'm just curious 23 about why you chose that word, that's all. 24 A. I think because that's what it was. 25 Q. That's fair. So you described the faculty	32 1 you -- 2 A. Yeah, I was trying to remember it. MHTE, 3 yes. 4 Q. Do you remember who didn't of the MHTE 5 faculty? 6 A. Yes, well I -- 7 MR. ALLEN: Objection. Form. 8 A. -- I don't remember everyone who didn't, but 9 the three people who didn't was me, Dr. Heetderks, 10 and Dr. Schwartz. 11 Q. (BY MS. QUIMBY) How many total faculty do 12 you recall -- 13 A. I don't recall. 14 Q. -- in the MHTE at that time? 15 A. I don't know how many there are. As I said, 16 I'm not very good with dates and numbers. 17 Q. Okay. No problem. 18 A. I would just -- I would have to go to a 19 register and count them. 20 Q. You said Dr. Heetderks and Schwarz and 21 yourself, correct? 22 A. Us three for sure. I -- they're the only 23 three I can think of. 24 Q. Do you remember receiving an email from 25 someone else on the faculty circulating that
31 1 petition -- and I believe both of the petitions -- as 2 attacking Dr. Jackson. Is that right? 3 A. Yes. I think myself to some extent but 4 mainly Dr. Jackson. 5 Q. What about the faculty petition attacked 6 Dr. Jackson, if you recall? 7 A. Well, what about them? What do you mean? 8 Q. Why could you say that they were -- why do 9 you use the word "attack"? 10 A. Well, they were attacked. They were a harsh 11 criticism. They -- I don't think they demanded he be 12 fired like the graduate student petition, but they 13 were decrying his temerity in publishing such an 14 issue and making what they conceived of as personal 15 attacks on Philip Ewell in his own article -- one of 16 the articles is his -- and basically taking Ewell's 17 side in all this and saying that Schenker was a 18 racist and that Dr. Jackson was a racist for 19 defending Schenker, and it was all quite disgraceful. 20 Q. And you said the majority of faculty signed 21 that, correct? 22 A. Of music history and theory faculty, yes. 23 Q. Is that yeah the MHTE? 24 A. Yes. 25 Q. Can we use -- if we use that acronym, will	33 1 petition? 2 A. Dr. Geoffroy-Schwinden, I think, is the one 3 who started it. 4 Q. Uh-huh. 5 A. And I did get emails from her, asking me to 6 sign it. 7 Q. Did you respond? 8 A. Yeah. I think I said no, I wouldn't sign 9 it. 10 Q. Did you object to any of the content in the 11 letter that was being circulated? 12 A. Yeah, almost all of it. 13 Q. Did you tell her that? 14 A. Yeah, I think I did. I said I didn't want 15 to sign it for two reasons. Because, one, being in 16 the center, I thought it would be rather hypocritical 17 to protest actions that I was a part of and sort of 18 ridiculous. I didn't use that word. 19 And the other was that I did not believe 20 in the charges that were being made. I did not think 21 it was a -- that it was a rac -- that Dr. Jackson or 22 the journal was being racist in any way by discussing 23 and soliciting responses. 24 The only responses officially that 25 existed at the time -- there was this strained

34 1 silence for a long time -- after Ewell's SMT address 2 and the article based on it that appeared in Music 3 Theory Online, and I think the actual address he gave 4 verbatim also appeared in, I think, Music Theory 5 Spectrum. I'm not sure which one appeared in which. 6 Q. Did that -- did the verbatim publishing of 7 his speech and the publishing of his paper occur 8 before or after Volume 12 was published? 9 A. I think it occurred after. We had a 10 recording of the speech, and we transcribed the 11 recording and were responding to that. 12 Somewhere along the line an article 13 based and expanding his SMT talk appeared in either 14 Journal -- either Music Theory Spectrum or Music 15 Theory Online. I don't think that was out -- I don't 16 think that was published yet when this came out, but 17 I might be wrong. Yeah. 18 Q. When you published Volume 12, were you aware 19 that those were forthcoming? 20 A. I was aware that there was an article 21 expanding the talk that was forthcoming, yes. 22 Q. Did you consider waiting until that was 23 published to publish the responses to his talk? 24 A. We might have, but I don't think we 25 considered it very much. We felt that some sort of a	36 1 an Exhibit 1, so let's mark that as Exhibit 2. 2 MS. QUIMBY: I'm sorry, this will be 3 Exhibit 2. 4 MR. ALLEN: Exhibit 2, right? Exhibit 1 5 is the full -- 6 MS. QUIMBY: You can hang onto that. 7 MR. ALLEN: -- print copy of the Volume 8 12. 9 THE WITNESS: You might want to change 10 the number. 11 MS. QUIMBY: Actually, the Exhibit 1, is 12 that the full volume? 13 MR. ALLEN: Which he referred to in the 14 course of the deposition, yes. 15 (Exhibit 2 marked.) 16 Q. (BY MS. QUIMBY) Dr. Slottow, I'll have you 17 just take a look at that while I'm putting this in 18 the Zoom chat. 19 A. Okay. 20 MS. QUIMBY: Mike, do you see that there 21 in the chat? 22 MR. ALLEN: I just did get it, yep. 23 MS. QUIMBY: Would you prefer that I 24 also share -- I don't know -- now I'm getting 25 feedback.
35 1 response to the talk, which was -- I mean, it's the 2 main -- it's the annual meeting of the major 3 professional society for music theory with a huge 4 attendance and huge publicity. It had been followed 5 by this very strange vacuum of no response. I think 6 we felt that it was more important to have some 7 response out there. At least that's my recollection. 8 Q. Okay. Back to the student who has been sued 9 in this lawsuit, Rachel Gain. Do you know her? 10 A. Not well. She was a student in a class of 11 mine. Well, I didn't know her personally outside of 12 that. 13 Q. Okay. If you will bear with me a moment, I 14 have an exhibit I want to show you. It is part of 15 the Journal of Schenkerian Studies, which you have 16 there in front of you. 17 MR. ALLEN: Is it part of Volume 12? 18 MS. QUIMBY: Yes, I'm sorry. 19 MR. ALLEN: Uh-huh. 20 MS. QUIMBY: Okay. I'm marking this as 21 Exhibit 1, and I'll share that with you momentarily, 22 Mike, in the chat. 23 MR. ALLEN: I'm not trying to hasten the 24 process. 25 THE REPORTER: I think we already have	37 1 MR. ALLEN: We just got an echo. Did 2 you hear that? 3 MS. QUIMBY: Yeah, for some reason my 4 laptop audio turned on. 5 MR. ALLEN: So this will be Exhibit 2, 6 sorry, for the record? 7 MS. QUIMBY: Yes. Are you okay to just 8 view it -- download it and pull it up that way? 9 MR. ALLEN: Yes, that's perfectly fine. 10 I can see it here, yeah. 11 MS. QUIMBY: Okay. 12 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. Have 13 you had a chance to look at this? 14 A. Yeah. 15 Q. What is it? 16 A. Well, it's the list of -- the first page is 17 a list of the editorial board, the editor, assistant 18 editor, advisory board. The second is information 19 about the journal with phone numbers and addresses 20 and fax numbers. Then there is the table of 21 contents. That's it. 22 Q. Okay. And to your understanding, this is 23 from Volume 12, correct? 24 A. Yes. 25 Q. Okay. So you're listed there both on the

38 1 editorial board and as the -- part of the advisory 2 board, correct? 3 A. I seem to be, yes. 4 Q. Can you explain to me the -- your role on 5 the editorial board first? 6 A. Well, the editorial board was just a whole 7 group of mainly prominent Schenkerian scholars, 8 who -- they didn't do much. They weren't consulted 9 much. But they were there to -- they could provide 10 some responses to the direction and actions of the 11 journal. They were partly there for prestige. I'm 12 not sure why I'm on there, actually. 13 That's some of the people there, such as 14 L. Poundie Burstein, Allen Cadwallader, David Beach, 15 Charles Burkhart, Carl Schachter were very prominent 16 -- were and are very prominent scholars. The 17 advisory board are people who were actually in charge 18 of the journal. 19 Q. Okay. I'm going to ask you more about that 20 in a moment. But you said the editorial board, they 21 weren't consulted on much. Were they consulted at 22 all? 23 A. Well, they certainly weighed in after Volume 24 12 came out. In fact, a number of them resigned. 25 Q. Do you recall who resigned?	40 1 A. No, no. Even though I was officially listed 2 as codirector, something like that. I think -- I 3 think in reality Dr. Jackson was the motive force and 4 the main director of the center. I mean, it was his 5 project from the start. 6 Q. Uh-huh. 7 A. So I viewed myself as sort of -- my role was 8 secondary to his. 9 Q. And I think you described earlier that the 10 center or at least the journal was created about the 11 time that you started? 12 A. Yeah, because Volume 1 -- I was involved in 13 Volume 1, so I think they had the idea of the 14 journal, and part of my role was to help make it 15 real. 16 Q. Uh-huh. Did Dr. Jackson create both the 17 center and the journal? 18 A. Well, he certainly created the center. I 19 mean, because it was already there -- 20 Q. Uh-huh. 21 A. -- when I came in. The journal was an idea 22 that was to be one of the activities of the center. 23 But it -- it had not been actualized. 24 Q. Okay. How and when did it become 25 actualized, if you recall?
39 1 A. L. Poundie Burstein resigned -- 2 Q. Uh-huh. 3 A. -- for sure. Frank Samarotto resigned. 4 Diego Cubero probably resigned. Ellen Bakulina, I 5 think, resigned. Mark Anson-Cartwright may have done 6 so, yes. 7 Q. What were they -- so they weren't -- so you 8 said they were consulted after Volume 12 was 9 published, correct? 10 A. Well, they weren't -- 11 Q. Or they weighed in, I think you said. 12 A. They weighed in. 13 THE REPORTER: Okay. Hang on. I can't 14 get your answer and -- okay. 15 THE WITNESS: What? 16 MS. QUIMBY: We were talking over each 17 other, so the court reporter is just reminding us to 18 not do that. That's my fault. Thank you. 19 A. They weighed in. 20 Q. (BY MS. QUIMBY) Okay. 21 A. Now, I don't know whether Dr. Jackson 22 consulted with them about the idea of soliciting 23 articles in response to Ewell's address or not. I 24 can't recall. 25 Q. Did you consult with them?	41 1 A. Well, it would have been shortly after I 2 joined. So that would probably be around 2002, 2003. 3 I don't know what date the first volume came out. I 4 have it at home, but I didn't think to bring it. 5 Actually, I should be able to tell you. 6 That's interesting. Volume 1 actually came out in 7 fall 2005. So it was later than I thought. 8 Q. Okay. Back to this Exhibit 2 here. Can you 9 describe your role as an advisory board member? 10 A. It's hard to remember specifics after some 11 years. I was -- I was involved in decisions of the 12 center. For instance, the decision to -- I was 13 certainly involved in soliciting articles and reviews 14 for the journal. I was certainly involved in the 15 idea of putting together a Ewell, Philip Ewell, 16 special edition. 17 I was involved in policy. Since I had 18 entered UNT, part of my job was to do with the 19 center, specifically with the journal. I was 20 probably more involved in things that -- issues 21 having to do with the journal than, say, putting on 22 concerts or making CDs. Dr. Jackson tended to be 23 much more involved in those than I was. 24 Q. The concerts and the CDs? 25 A. Yeah.

42 1 Q. Let me just stop you real quick before you 2 go on. 3 So the advisory board, was that for the 4 Journal of Schenkerian Studies? 5 A. No, it was for the center -- 6 Q. Okay. 7 A. -- as a whole. No, no. It's actually -- 8 well, in here it says it was for the journal, 9 advisory board for the journal. So, yes, for the 10 journal, I would say, at least as regards this 11 exhibit. 12 Q. So if I asked what was your role as an 13 advisory board member for the journal, is your answer 14 different? 15 A. No. 16 Q. Okay. You described policy. You were 17 involved in policy, I think you said. What do you 18 mean by that? 19 A. Well, the policy that went into Volume 12, 20 for instance. The decision to do a Philip Ewell 21 response feature, that's certainly a matter of 22 policy. 23 If we had -- if we had -- if we were 24 going to invite -- I was also involved in the lecture 25 committee, so if we were going to invite someone -- a	44 1 A. But mainly involved in the journal, with the 2 journal. 3 Q. Okay. So you said the policy of the special 4 edition addressing Ewell's talk. What do you -- I'm 5 having a hard time understanding what exactly the 6 policy is that you're referencing. 7 A. The policy was the decision. 8 Q. Okay. Was there a written policy that you 9 followed to -- in making that decision? 10 A. No. No, no, no? It's -- by "policy," I 11 just mean what the journal was going to do. 12 Q. Okay. Okay. 13 A. It's not more exact than that. 14 Q. So your role on the advisory board, was it 15 the same as Dr. Jackson's role on the advisory board? 16 A. After a while, officially. But I think in 17 practice it was a secondary role. I felt Dr. Jackson 18 had the lead, and I kind of would work with him. But 19 I always regarded the whole center was his project, 20 and so I think my main role was to support or argue 21 with or work with him in activities of the center. 22 Q. What did he do as the lead, as you 23 described, that you didn't do? 24 A. Well, he would generally initiate things. 25 He -- of course, the question would be better
43 1 Schenkerian talk in the lecture committee, I was 2 certainly involved in that. 3 Now, that wasn't really an activity of 4 the journal or the center. That was the lecture 5 committee that... 6 Q. So what was -- 7 A. That's all I can think of. 8 Q. -- the policy that you're referencing? 9 A. What I'm referencing is the policy to do a 10 Philip Ewell-featured journal in Volume 12. That's 11 an example. 12 Other than that, it was more the -- I 13 was involved in the journal. The editor had the main 14 responsibility, though I would certainly be consulted 15 on who to pick for reviews, who to pick -- who would 16 be good people to approach and doing a review of 17 submissions, whether for when Dr. -- when Edward 18 Laufer died, we did a special issue of responses to 19 his work. I was certainly involved in that decision. 20 We had a special issue of intersections 21 between Schenkerian and neo-Riemannian theory that 22 was mainly Jennifer Sadoff's project, but I was 23 certainly involved in approving it and giving it the 24 go-ahead. Things of that sort. 25 Q. Okay.	45 1 directed towards him, but he would come up with 2 ideas, inviting people to give talks. 3 I think the idea of the Edward Laufer 4 issue was his idea or maybe we -- it was both of our 5 ideas. I mean, it was -- the whole center was very 6 much his project from the start, so if the idea is to 7 maybe solicit or ask if people would be interested in 8 submitting an article on specific topics that were 9 their specialty, that might have been his idea, that 10 kind of thing. 11 Q. Did he come up with the topics for each 12 journal? 13 A. No. Most of the journals didn't have 14 topics. 15 Q. Uh-huh. 16 A. A few had themes, but most did not. Most 17 was just the usual procedure of people writing in 18 with article submissions. Sometimes there would be 19 topics. For in -- the topics wouldn't necessarily be 20 the whole journal. I mean, in Volume 12, the Philip 21 Ewell part is not the whole journal. It's a section 22 of the journal. 23 With the Laufer edition, that was -- 24 well, that might have been the whole journal, 25 actually. That they were -- no, not every journal

46 1 had a theme. Some did. 2 Q. Okay. The Edward Laufer edition you've 3 described, was that described as a festschrift? And 4 I probably didn't pronounce that correctly -- 5 A. I think you did -- 6 Q. -- but I think you know what I'm talking 7 about. 8 A. -- actually. Yeah, that -- 9 THE REPORTER: Can you say that again? 10 "Was that described as a"? 11 MS. QUIMBY: Festschrift? 12 THE REPORTER: Thank you. 13 MR. ALLEN: Shall we spell it for the 14 reporter? 15 THE REPORTER: Yes, please. 16 MS. QUIMBY: I can try. 17 MR. ALLEN: I'll try -- I'll type it in 18 the chat. How's that? 19 THE REPORTER: Thank you. 20 MS. QUIMBY: Dr. Slattow might be better 21 at spelling it than me. 22 THE WITNESS: If I were going to spell 23 it, I would probably look it up first, because I'm 24 not sure of the spelling either. 25 MS. QUIMBY: I believe it's F-E-T-S --	48 1 be someone else's research on sonata form, and the 2 connection would be -- it would be a topic -- 3 Q. Uh-huh. 4 A. -- that the festschrift or recipient would 5 have worked in. 6 Q. Was the -- 7 A. They -- they're -- 8 Q. Go ahead. 9 A. -- tributes. They're scholarly tributes. 10 Q. Was the festschrift you did on Laufer 11 critical of him? 12 A. No, I don't think there were any critical 13 articles. I think it was the usual mix of short 14 reminiscences about him -- 15 Q. Uh-huh. 16 A. -- from people who knew him. Some 17 appraisals of his work, some -- I can't recall 18 exactly what was in there. It's usually a mixture of 19 these things. 20 Q. Sure. Were they positive appraisals of his 21 work? 22 A. Yes. I can't think of anyone who had a 23 negative thing to say about Edward Laufer. 24 Q. Was the festschrift peer-reviewed? 25 A. No, they're usually not. I think the
47 1 THE WITNESS: No, it's fest. 2 MS. QUIMBY: Fest. 3 THE WITNESS: So it's probably F-E-S-T. 4 My guess would be -- let's see -- schrift, 5 S-C-H-R-I-F-T maybe. 6 MS. QUIMBY: I think that's good enough. 7 THE REPORTER: Okay. Yeah. I can look 8 it up from there. Thank you. 9 THE WITNESS: It's a German word. 10 Q. (BY MS. QUIMBY) What does that mean? What 11 is a festschrift? 12 A. It's a collection of articles in tribute to 13 a scholar, usually one of some fame and usually 14 someone who has recently died. 15 Q. Are they critical of the person? 16 A. Generally, no, or, if they are, they're very 17 mild. They're generally in the nature of an informed 18 scholarly tribute, but they may also contain articles 19 on a topic that the recipient of the festschrift 20 would have been interested in or a specialty of. 21 Q. Uh-huh. 22 A. So if someone was -- you know, worked in a 23 special -- worked in sonata form, so some articles 24 would be about the scholar, the scholar's work. Some 25 might be mild critiques in a benign way. Some might	49 1 tradition is that they not be peer-reviewed. They 2 have a kind of a personal tone to them. 3 Q. Uh-huh. Are you aware of any comparable 4 journals that have published a festschrift on others? 5 A. Oh, lots of them. Well, festschriften can 6 appear as standalone volumes -- 7 Q. Uh-huh. 8 A. -- like books or yearbooks or as journals. 9 There have been a number of them. I don't think I 10 can cite any specific ones. 11 When a famous scholar like a famous 12 music theorist dies, there's likely to appear some 13 sort of a festschrift in some form or at least a 14 section of a journal, say a mini festschrift devoted 15 to that person. 16 It's -- as I said, I don't think I 17 remember specific examples, but it's pretty common. 18 Q. Uh-huh. Okay, that was kind of my question. 19 I just have a couple more questions and 20 then we can take a break. 21 If you'll -- I'll ask you to turn to the 22 second page of Exhibit 2, please. And the Bates 23 number on that is UNT 849. 24 A. Yeah. 25 Q. Okay. Do you see that first paragraph

50 1 there? 2 A. Uh-huh. 3 Q. And that says, "The Journal of Schenkerian 4 Studies is a peer-reviewed journal published annually 5 by the Center for Schenkerian Studies," correct? 6 A. Yeah. 7 Q. Okay. 8 A. And the University of North Texas. 9 Q. Right. I didn't read the entire sentence, 10 but -- so the statement represents that this 11 Volume 12 is peer-reviewed, correct? 12 A. Well, that's what it says, yes. Well, it 13 says the center -- it says the journal is 14 peer-reviewed. It doesn't specifically say Volume 15 12. 16 Q. Do you see anything on these two pages that 17 I've -- or, I guess it's four pages of Exhibit 2 that 18 say that it's not peer-reviewed? 19 A. No. They don't say -- no. But, as we know, 20 that the articles and the festschrift were not 21 peer-reviewed. 22 Q. Was the -- 23 A. Or I -- it's not a festschrift. It's a -- 24 what do I call it -- a symposium. 25 Q. Sure. Okay. One more question and we can	52 1 Q. (BY MS. QUIMBY) You can answer. 2 A. And what was the objection? 3 Q. It's just for the record. 4 A. As I said before, I thought the editorial 5 board was there largely for purposes of prestige. 6 There are some very famous and all of them reputable 7 Schenkerians on the editorial board. 8 I don't think they did all that much. I 9 had answered this question before. 10 Q. Okay. I'll stop you. I'm sorry. My 11 question probably wasn't clear enough, then. 12 How did these people listed here come to 13 serve on the board? Did you ask them to or -- 14 A. Well, Dr. Jackson asked them to. In some 15 cases I was consulted. I think, as I said, he was 16 concerned to get as many famous Schenkerian scholars 17 on here to help to give the journal some weight. 18 I think he asked most of them. In fact, 19 I think most of them were already there early on, but 20 I don't think they were consulted all that much. 21 Q. Okay. 22 MS. QUIMBY: I think it's a good time to 23 take a break. 24 THE VIDEOGRAPHER: We're off the record 25 at 9:40 a.m.
51 1 take -- a couple more questions perhaps. 2 So when you -- when you started at UNT, 3 was Dr. Jackson tenured? Do you know? 4 A. Yeah, well, yes. 5 Q. Okay. Was he a mentor to you? 6 A. No, not really. We had both been mentored 7 from some of the same people. Both of us are 8 graduates of the City University of New York. 9 Q. Uh-huh. 10 A. Both of us were close students of Carl 11 Schachter. Yes, mainly of Carl Schachter. 12 I would not call Dr. Jackson -- I got 13 certainly some advice from him, but I didn't view him 14 as a mentor, and I don't think he viewed himself as a 15 mentor. 16 Q. Okay. That brought up one more question. 17 So the editorial board, I understand -- 18 I'm sorry, now I can't find his name -- Carl 19 Schachter was on the editorial board of the JSS, 20 correct? 21 A. Yes. 22 Q. How did -- how was the editorial board 23 comprised, if you recall? 24 A. I don't really -- 25 MR. ALLEN: Objection.	53 1 MR. ALLEN: How long do you need? Are 2 we off the record? 3 MS. QUIMBY: Yes. 4 (Recess 9:40 a.m. to 9:55 a.m.) 5 THE VIDEOGRAPHER: We're back on the 6 record at 9:55 a.m. 7 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. So I 8 wanted to go back to something you said earlier about 9 the policies. 10 Did the JSF -- JSS -- and I'm talking 11 specifically about the journal -- 12 A. Uh-huh. 13 Q. -- not the center. Did the JSS have any 14 written policies? 15 A. Not that I know of. 16 Q. Okay. So I'll have you look at Exhibit 2 17 again. 18 A. Which one is Exhibit 2? 19 Q. That one that says Exhibit 1 on it, 20 confusingly. 21 A. Yes. 22 Q. That is Exhibit 2. 23 A. Yes, Exhibit 1 is Exhibit 2. 24 MR. ALLEN: Sorry, I'm not laughing at 25 the witness.

54 1 MS. QUIMBY: It's okay. You can laugh 2 at me. 3 MR. ALLEN: I'm not laughing at you 4 either. 5 Q. (BY MS. QUIMBY) So we've talked about the 6 editorial board and the advisory board, and now I 7 would like to ask you some questions about the editor 8 and assistant editor. 9 A. Yeah. 10 Q. So here the editor is listed as Benjamin 11 Graf, correct? 12 A. Yes. 13 Q. At the time that Volume 12 was published, 14 was Benjamin Graf a student? 15 A. Yes, I think he -- well, had he graduated? 16 I think he was still a student. But he was, he was 17 close to graduation. 18 Q. Okay. 19 A. But he may have graduated in -- I'm actually 20 not exactly sure when he graduated. 21 Q. Okay. And was Levi Walls there, was he a 22 student, the assistant editor? 23 A. Levi was a student, yes. 24 Q. What was the -- can you describe the editor 25 position versus the assistant editor position?	56 1 didn't want to continue being the editor, I believe, 2 after this journal, partly because he was graduating. 3 And so Levi was going to be the next editor. And so 4 he was on as -- he was sort of an apprentice to learn 5 how to be the editor from Benjamin Graf while he was 6 still there. That was his role. 7 Q. Besides this instance of Benjamin Graf 8 serving as the editor and Levi Walls serving as the 9 assistant editor, was such an apprenticeship ever -- 10 had ever happened before -- 11 A. I don't think so. -- 12 Q. -- in the journal? 13 A. I don't think so. We had an editor. We 14 didn't have an assistant one until now, until this 15 issue. That's my recollection. 16 Q. And, I'm sorry, you may have already 17 answered this question, and I'm -- so do you 18 understand or do you recall why in this particular 19 time there were this apprenticeship set up? 20 A. I did just answer that. Because Benjamin 21 Graf -- usually someone served as editor for a long 22 time. 23 Q. Uh-huh. 24 A. Benjamin Graf certainly had. And since he 25 announced he was -- did not want to continue, partly
55 1 A. We never had an assistant editor position 2 before, to my knowledge. The editor is the one who 3 really did most of the work of the journal. The 4 editor would communicate with the authors, would -- 5 often the editor would be very involved in 6 typesetting the journal, although I think that -- 7 yeah, I think that remained the case. I don't think 8 the UNT Press did that. 9 The editor would certainly be very 10 involved with -- would be involved in acceptances 11 and -- if we got a journal submission, we would 12 either accept it, reject it, or say it needs more 13 work. So accepted provisionally -- 14 Q. Uh-huh. 15 A. -- upon condition of revisions. The editor 16 would be involved in mailing the journals out. 17 We didn't have, you know, a big staff of 18 people. So the editor is really the key person. 19 We -- Dr. Jackson and I sort of stood behind the 20 editor. The editor was the person who was -- did the 21 most work on the journals. 22 Now, you asked about assistant editor as 23 well. Now, the only reason we -- to my recollection, 24 the only reason we have an assistant editor at all is 25 because Benjamin had, I think, announced that he	57 1 because he was graduating and would no longer be a 2 student -- the editor had to be a student. This is a 3 model -- this model is not unique to the Journal of 4 Schenkerian Studies, by the way -- we needed to bring 5 someone else in as editor, so Levi was there as an 6 apprentice in the classical sense. 7 Q. What was your understanding of why Benjamin 8 Graf didn't want to serve as editor anymore? 9 A. He was going to graduate. 10 Q. Okay. 11 A. He couldn't be editor if he wasn't a 12 student. 13 Q. Okay. Isn't it -- wouldn't that be true for 14 all of the editors, though? Eventually they would 15 graduate and no longer be able to -- 16 A. Yeah, but he was going to graduate very, 17 very -- if he hadn't already graduated, which he may 18 have, he was going to graduate very, very soon. And 19 it would have been untenable for him to continue, and 20 I don't think he wanted to continue anyway. It's a 21 lot of work. It's a lot of time. He had done it for 22 some years. 23 Q. How many years, do you recall? 24 A. I don't know. Four, five, perhaps more. He 25 was certainly the editor when the Laufer issue came

58 1 out. 2 Q. Do you remember what volume that was? 3 A. No. We didn't have that many editors. 4 We -- Benjamin was the third. They typically stayed 5 in that position for some years. 6 Q. Were they always PhD students or were -- 7 A. Yes, they were always doctoral students. 8 Q. And you described that the editor did most 9 of the work. Did that include choosing what articles 10 were published? 11 A. No, because -- they might have a say, but 12 when a submission came in, typically, especially if 13 it wasn't festschrift or some kind of symposium 14 thing, we would send it out for review. 15 Q. Uh-huh. 16 A. The reviewer, if it didn't pass review, 17 well, it didn't get published in the journal. If it 18 did pass review, and -- well, if there were changes 19 that needed to be made, usually the editor would be 20 the one to look over the alterations and make sure 21 they were okay. 22 I don't think it was usually sent back 23 to the reviewer. And then the editor would make 24 the -- I think the choice of what articles were going 25 to be in which edition of the journal, because you	60 1 chosen? 2 A. Well, we try -- well, one function of the 3 editorial board that I've -- didn't think to mention 4 before is that they supplied a pool of people who 5 could be reviewers. That was actually a prime 6 function. 7 Now, we could also get -- no, you don't 8 get paid for reviewing -- 9 Q. Uh-huh. 10 A. -- for doing an academic review. It's 11 volunteer. So I think that if you were on the 12 editorial board, you were expected to be available to 13 review. 14 I don't know if all of our reviewers are 15 on the editorial board, but a lot of them were. Some 16 people were on the board just for prestige. They 17 never reviewed. Carl Schachter didn't. 18 Q. Uh-huh. 19 A. I guess I lost track of the question again. 20 Q. That's okay. Did you -- so you were on the 21 editorial board. Did you ever review articles? 22 A. No. I'm not really sure why I'm on the 23 editorial board. Dr. Jackson is on the editorial 24 board too. I'm not sure why we had a double 25 function. I don't think it meant very much. But --
59 1 could have things accepted, but it may not appear in 2 that issue because it was already full. 3 Q. So who did make the decision about what was 4 published and what wasn't? 5 A. Well, I tried to answer that: The reviewer, 6 but after that, the editor. The editor -- if it 7 passed review, I think the editor, with consultation 8 with Dr. Jackson and I, would make that decision. 9 Q. And when you say, "the reviewer," can you 10 describe what you mean -- who you mean by that? 11 A. The academic reviewer. An article would be 12 sent out to someone with a specialty in that topic 13 who would agree to review the article and to give 14 their opinion on whether it was good enough to be 15 published. And whether -- and in any case, whether 16 there were alterations that needed to be made or 17 things that needed to be expanded or questionable 18 statements or procedures. And that's all the 19 responsibility of the reviewer. That's what "send 20 the submission out for review" means. 21 I think typically there would be one 22 reviewer per article. 23 Q. Are you describing the peer review process? 24 A. Yes. 25 Q. Okay. And did -- how are the reviewers	61 1 sorry, repeat the question. 2 Q. I think you've answered it. My question was 3 had you reviewed. 4 A. No. 5 Q. You're on the editorial board -- 6 A. No, it would have been a -- 7 Q. -- so did you review anything? 8 A. -- kind of conflict. I was never asked to 9 review -- 10 THE REPORTER: I need you to -- hang on. 11 I need you to start your answer over again. Y'all 12 were over-talking each other. 13 A. I was never asked to review an article. 14 Q. (BY MS. QUIMBY) Do you know if Dr. Jackson 15 ever reviewed articles? 16 A. I don't think he did. I don't know for 17 sure, but I would be very surprised if he had. They 18 were typically sent out to someone else. 19 Q. Who may have been on the editorial board but 20 may not have? 21 A. Right. 22 Q. Okay. So can you describe or -- how you 23 came up with the idea to publish this symposium in 24 Volume 12? 25 A. Well, it was the next volume of the journal.

62 1 We felt that since there was not -- very strangely, 2 after such a provocative address by Philip Ewell 3 where he kind viciously attacks and hypocritically, 4 if I might add, attacks a very important music 5 theorist whose methodology is still being used in a 6 very active way, there was no response. There was no 7 response at the conference. There was no response in 8 the journal. It's almost like everyone was afraid to 9 say anything. I think they were, actually. 10 And as the Journal of Schenkerian 11 Studies, we felt if anyone was going to respond to a 12 concerted attack on Schenkerian theory, it should be 13 us. I mean, it's in our name, for Pete's sake. 14 That's how the idea came about. 15 Q. Whose idea was it? 16 A. Well, I think that Dr. Jackson and I had the 17 idea probably more or less simultaneously. The 18 editor, Benjamin Graf, may have had the idea too. I 19 mean, it was kind of obviously our role to do so if 20 no one else was going to, and it didn't look like 21 anyone else was. 22 Q. When was the -- Dr. Ewell's talk given? Do 23 you recall? 24 A. I don't recall the date. It's in 25 probably -- it was in November, but probably the	64 1 had three or four short talks. I wasn't actually 2 present at his talk. I was present at the one before 3 his talk, maybe the one after his talk. But I 4 certainly heard about it. 5 Q. How did you hear about it? 6 A. Because there everyone was talking about it 7 at the conference, and it was recorded, too. 8 Q. Okay. So why was it called a "symposium"? 9 What is a symposium? 10 A. I'm not sure who came up with the word. 11 It's a group of responses. A symposium is usually 12 like a graduate symposium, a rather high-level course 13 on a certain topic or a group of people putting 14 their -- I'm not saying this well -- their input in a 15 certain topic. So symposium would presuppose a sort 16 of high level of skill and reputation and people who 17 were qualified to comment on the talk. 18 So "symposium" is maybe an old-fashioned 19 kind of a word but not entirely out of place. 20 Q. Were symposia generally peer-reviewed? 21 A. I have no idea. I mean, I'm not sure if 22 symposia is actually a kind of word of -- the word 23 that's usually used. I don't know because I don't 24 think of there being a class of journal -- a group of 25 articles called symposia. I don't know. It's the
63 1 same -- probably the same year the journal came out 2 or the -- this issue of the journal came out or very 3 close thereto. 4 Q. If I said November of 2019, does that sound 5 familiar? 6 A. Well, that would be plausible. 7 Q. How soon after the talk was given did 8 you-all come up with the idea to do the symposium? 9 A. I don't really remember. I think we 10 waited -- I think the idea was in our minds that we 11 might do it, and I think we kind of waited to see 12 whether anyone was -- else was -- whether there was 13 actually going to be any response, print response. 14 So I don't -- it was probably no more than a month. 15 Q. So you were expecting a response from 16 elsewhere within a month? 17 A. I think the possibility was in our minds 18 from the start. But I think that we also looked to 19 see whether there would be some response to such a 20 provocative attack in such a major venue. And I 21 think we thought it was -- I thought it was strange 22 that there was nothing at all. 23 Q. Did you attend the talk? 24 A. You know, I was at the session at the 25 plenary address, but that year the plenary address	65 1 common word for that kind of thing. 2 Q. Is there another word you would use to 3 describe the symposium that was published in Volume 4 12? 5 A. No, I think symp -- I can't think of a 6 one-word synonym. You could say a group of articles 7 in response to, but that has a lot of words. 8 Q. Uh-huh. 9 A. Symposia is -- symposium is one word, so 10 that's an advantage. 11 Q. And the symposium wasn't peer-reviewed, 12 correct? 13 A. No. 14 Q. Why wasn't it peer-reviewed? 15 A. I think that we generally had a sort of 16 tradition at the journal of when we had a group of 17 articles in response to or about a single topic, like 18 the -- that they were not peer-reviewed. 19 And there was an element of time also. 20 We -- the journal comes out -- came out only once a 21 year, and UNT Press did have deadlines, and we wanted 22 to get something out that year, not wait a 23 whole additional year. But there was a kind of 24 tradition at the journal that they would not be. 25 Q. What else had the journal published that

66 1 wasn't peer-reviewed that's similar to this 2 symposium? 3 A. The Laufer festschrift, certainly. And then 4 there was one on neo-Riemannian theory and 5 Schenkerian analysis. Now, I'm not sure if that was 6 peer-reviewed or not. I think those were the only 7 ones. 8 Q. Have you personally published elsewhere or 9 in other academic journals? 10 A. Yeah. 11 Q. How many articles have you published that 12 are peer-reviewed? 13 A. Well, luckily, I can count them up. 14 Q. Do you mind letting me know what you're -- 15 what page you're on so I can follow along? 16 A. 3. 17 Q. Okay. 18 A. There is a section called Articles -- 19 MR. ALLEN: Mary, for the record, this 20 is his CV he's consulting during his testimony? 21 MS. QUIMBY: This is Exhibit 1, his CV, 22 that I -- we have not shared in the chat yet because 23 I do not -- I will share in the chat right now. 24 MR. ALLEN: I think we're getting -- 25 maybe we can talk when we're off record about the	68 1 A. No, I did not. 2 Q. Did that ever come up about you potentially 3 being the editor? 4 A. No, it never came up. The model was the 5 editor would be a graduate student. 6 Q. Who came up with that model? 7 A. Well, it was the model that was used in 8 Theory and Practice, the music theory journal of the 9 Eastman School of Music, and it may be more places 10 than that. But we adopted that model. So the editor 11 was never faculty. 12 Q. Is "we" yourself and Dr. Jackson? 13 A. Huh? 14 Q. You said, "we adopted that model." Are you 15 talking about yourself and Dr. Jackson? 16 A. Yes. 17 Q. Why did you decide to adopt that model? 18 A. I don't know. It just seemed like a good 19 model that worked at -- it worked at Eastman. It was 20 a way of kind of a form of -- it had certain 21 advantages for the editor. They got a lot of 22 professional experience. They had to interact with 23 professionals in the field; interact rather closely. 24 They became known, as opposed to just being sort of 25 anonymous graduate students.
67 1 numbering of exhibits. There just seems to be 2 some -- I didn't even know that that had been -- 3 MS. QUIMBY: It hasn't. If you will 4 give me a second, I'm going to share it with you. 5 THE WITNESS: The number is 18. 6 Q. (BY MS. QUIMBY) Okay. How many have you 7 published that aren't peer-reviewed, if you have? 8 A. I assume most of them -- I think almost all 9 of them were peer-reviewed. Let's see. One, two -- 10 two of them at least were not. I think that 16 were 11 and two weren't. 12 Q. Okay. Thank you. 13 MS. QUIMBY: Can we go off the record 14 just for a second so I can... 15 THE VIDEOGRAPHER: We're off the record 16 at 10:16 a.m. 17 (Brief pause.) 18 THE VIDEOGRAPHER: We're back on the 19 record at 10:17 a.m. 20 Q. (BY MS. QUIMBY) Okay, Dr. Slottow. So did 21 you -- was Dr. Jackson ever the editor of the JSS? 22 A. No. 23 Q. Were you ever the editor? 24 A. No. The editors had to be students. 25 Q. Did you ever want to be the editor?	69 1 As editors, they also probably did 2 develop a certain authority possibly. It was -- 3 there was a side, a training side also. It was 4 considered that it could be -- that the graduate 5 student, in addition to the monetary stipend, would 6 get a certain amount of useful experience from it. 7 Q. How was Levi Walls chosen as the assistant 8 editor? 9 A. I'm not sure. I was not happy with that 10 choice. I think Dr. Jackson possibly -- probably in 11 conferral with Benjamin Graf chose Levi as the 12 editor-to-be. 13 I did not have any alternate choices, 14 but I did not -- I didn't think Levi could write very 15 well, and I thought to be an editor you had to be 16 able to write well. 17 Also, Levi was not self-assertive or 18 confident. He -- Benjamin Graf and our previous 19 editor, Colin Davis and, in fact, our first editor, 20 Jennifer, were far more confident in themselves than 21 Levi was. 22 So I kind of went along with it because 23 I couldn't think of an alternative. But I wasn't 24 happy with it. 25 Q. Okay. You described an editor's role

70 1 earlier as one of them being typesetting. Can -- 2 what is typesetting? 3 A. Well, putting the article into the form it 4 appears in the journal. The words and the examples 5 on the page, using whatever program, computer 6 program, was in use. That's what I mean. 7 All books, articles, newspapers, 8 magazines are typeset. Of course, the word kind of 9 harkens back to where people actually physically 10 placed type in the form, but that's changed. But we 11 still use that word. 12 Q. Out of the 18 articles you identified that 13 you published, how many were published in the Journal 14 of Schenkerian studies? 15 A. One. 16 Q. Which one was that? 17 A. That was "Analytic Process in Schenkerian 18 Pedagogy: An Introspective Exercise;" was published 19 in the very first edition in 2005. 20 Q. Did you publish a response in the symposium? 21 A. Oh, that's true. I did that also. That was 22 a very short but well -- direct response, yes. So I 23 guess I would have to say two. 24 Q. Do you know if Dr. Jackson published any 25 articles himself in the JSS?	72 1 reasons. But I don't think so. 2 Q. Do you think they should have been 3 peer-reviewed? 4 A. In retrospect, yes, because of what -- 5 because of the follow-up. But at the time we were 6 following our, I would say, traditional policy of not 7 peer reviewing such articles. 8 Q. What do you mean by "traditional policy"? 9 A. Well, we didn't -- the articles in the 10 festschrift were not reviewed, the -- peer-reviewed. 11 The -- and this wasn't a festschrift, but it was a 12 sort of more personal thing. People's -- in addition 13 to more formal articles, people were giving their 14 sort of personal responses to Ewell's address, and we 15 generally did not subject those types of things to 16 peer review. 17 Q. Besides the festschrift, was there any other 18 example of that? 19 A. Well, yes, there was the edition -- the 20 issue exploring the intersections between 21 neo-Riemannian theory and Schenkerian theory, and I 22 don't really know if that was peer-reviewed or not. 23 Q. Were the responses in the symposium critical 24 of Dr. Ewell? 25 A. Some were and some weren't.
71 1 A. Well, he published a very long article in 2 the Laufer festschrift. 3 Q. Uh-huh. 4 A. So long, it was almost book-like. And one 5 of the responsibilities of Benjamin Graf was to get 6 him to finish it because he was stalling. He was 7 sort of stuck or stalling, and that's also an 8 editor's responsibility. 9 In addition to that one -- I don't know 10 if there were others. 11 Q. I want to go back to something you talked 12 about a little bit ago before we looked at your CV. 13 If there had been more time to publish 14 Volume 12, would the symposium have been 15 peer-reviewed? 16 MR. ALLEN: Objection -- 17 THE WITNESS: I don't know. I don't 18 know. I really don't know. 19 Q. (BY MS. QUIMBY) And I think you answered 20 this earlier, but did you-all discuss subjecting the 21 responses to peer review? 22 A. I don't recall that we did, but we may have. 23 As I say, my memory of those events is somewhat hazy 24 because I've not thought about them that much. 25 Dr. Jackson has thought about them, for obvious	73 1 Q. How many were? Do you recall? 2 A. I don't know. I would have to count them. 3 The call that Levi -- the call for papers that Levi 4 sent out emphasized that we wanted -- we would accept 5 both things, critical or in favor and anything in 6 between. I would have to sort of count them. It 7 would take a while. I don't know if it's worth the 8 time to do that. If you want me to, I will try. 9 Q. That's okay. Actually, if you'll -- you can 10 go ahead and take a look and see if you can recall 11 from looking at the -- 12 A. Does someone have a pencil? I don't want to 13 mark this up with pen. 14 Q. I have -- if you -- you can mark on 15 Exhibit -- 16 MR. TODD: 2. 17 Q. -- 2. 18 A. That's okay. I can -- you mean Exhibit 2 19 which is called Exhibit 1? 20 Q. Correct. 21 A. That's a nice twist there. Some of them I 22 don't actually know. 23 Q. Well, let me -- we can stop there. So did 24 you read all of the -- 25 A. No.

74 1 Q. -- responses? 2 A. No, no. 3 Q. Did you read them at the time? 4 A. No, I looked -- you know, I would -- some of 5 them I read completely. Some of them I just sort of 6 browsed through. Some of them were very short. Some 7 are much longer. 8 Q. Was it expected or were you expected to read 9 all of them before the volume was published? 10 A. It was expected that I look at them. I'm 11 not sure it was expected that I read every word. 12 Q. Did you read any of them in their entirety? 13 A. Yes, I did. 14 Q. Did you provide feedback on any of them? 15 A. No, I wasn't asked to. Well, yes, I did, 16 actually. I -- well, both Benjamin Graf and I 17 provided a lot of feedback on Dr. Jackson's, which is 18 viewed as somewhat problematical. 19 Q. What is viewed as somewhat problematical, 20 the... 21 A. Well, I think what we found problematical is 22 there were a lot of derogatory -- as I recall, there 23 were a lot of derogatory references to 24 ethnomusicologists and ethnomusicology. And 25 we worked hard at getting --	76 1 like musicology plus anthropology. So there are 2 anthropologically-oriented ethnomusicologists and -- 3 well, most of them are, and some which are more music 4 theory, musicology oriented. But the subject matter 5 tends to be different from music theory and 6 musicology, per se. 7 But all this is getting blurred because 8 you find music theorists doing nonwestern music or 9 nonwestern classical music. So all these boundaries 10 are -- have shifted quite a lot. 11 Q. Okay. So what was written in Dr. Jackson's 12 article about ethnomusicology that you're describing 13 that you recall? 14 A. I can't really recall. It's just that there 15 were a lot of -- there seemed to be a lot of 16 derogatory references to it. And my recollection is 17 that Benjamin and I were afraid that these would be 18 taken as, well, criticisms of ethnomusicology and 19 ethnomusicologists, and they weren't necessary, and 20 we didn't want them in there. 21 I'm not sure how accurate my 22 recollection is, but that is what it is. 23 Q. Were you requesting or recommending changes 24 to the substance of the article? 25 A. Yeah, we wanted those to be tempered down or
75 1 THE REPORTER: I'm sorry, to what? 2 "There was a lot of derogatory references to"? 3 THE WITNESS: Ethnomusicology. 4 THE REPORTER: Ethno? 5 THE WITNESS: It's one word, 6 ethnomusicology. 7 THE REPORTER: Thank you. 8 A. So we certainly worked a lot on that one. 9 Of course, I worked a lot on my own article. I think 10 those were the only ones that I had some critiques 11 of. 12 Q. What is ethnomusicology? 13 A. Ethnomusicology began as sort of the 14 academic formal study of nonwestern music. So these 15 none -- like -- or nonwestern classical musics. So 16 music of Africa, music of Indonesia or, within North 17 America, you might say pop music or American Indian 18 music or -- especially when it started, musicology, 19 music theory were mainly sort of western classical 20 music. So musics outside that and especially musics 21 from outside of European culture, you might say, 22 were -- had this -- fell under the catch-all 23 ethnomusicology. 24 In practice, it was sort of a 25 combination and remains so of formal music study,	77 1 removed. I think in the end they were removed for 2 the most part. 3 Q. Would you describe that as censorship? 4 A. No. Because we were -- when you send an 5 article out for review and changes and suggestions, 6 that's not censorship. That's the function of the 7 reviewer. 8 When -- so we were doing essentially the 9 same function. We had no -- we had no power to make 10 those changes, just to make our case to Dr. Jackson. 11 We thought it was a -- they were a bad idea, you 12 know, those -- those things. 13 Q. I think you just described the peer review 14 process of sending things out, correct? 15 A. Yes, but the -- if we're asked to read over 16 an article -- I think Dr. Jackson asked us to read 17 over his article and give responses -- then we would 18 give responses. 19 Q. In the peer review process, were substantive 20 changes recommended? 21 A. Oh, I don't know, because -- 22 MR. ALLEN: Objection. 23 A. -- I was -- the editor was the one who 24 primarily read the peer reviews. 25 Q. (BY MS. QUIMBY) Uh-huh.

78 1 A. We were only called in when the editor felt 2 it was necessary, which was -- didn't happen, or it 3 didn't happen very much. So I don't know. 4 Q. In your experience of engaging in the peer 5 review process of your own articles, were you -- did 6 you engage in substantive changes in that process 7 ever? 8 A. Well, I was asked to at times. Often the 9 author can argue against changes -- 10 Q. Uh-huh. 11 A. -- that the peer reviewer or some of these 12 peer reviewers want to make. 13 In my case, I have done that, because 14 especially if you're doing an analytical article, the 15 peer reviewer may have a different interpretation of 16 the piece than you have. And if you incorporate too 17 many of their changes, your entire argument, your 18 entire interpretation might be gone; you've simply 19 substituted it with theirs. 20 Q. Uh-huh. 21 A. It's not your article anymore. So I have 22 argued successfully for the most part on a number of 23 occasions. 24 Q. Is peer review a form of censorship? 25 A. No, no. It's -- in fact, it's viewed as a	80 1 to certain people that they submit responses or if I 2 don't know, I assume and strongly suspect so. 3 Q. And you said Ben Graf also may have provided 4 feedback on Dr. Jackson's article? 5 A. He did. 6 Q. Okay. 7 A. We both did. 8 Q. And I'm sorry if you may have answered this, 9 but do you recall any other feedback you provided 10 besides the feedback about ethnomusicology or 11 musicologists? 12 A. I don't recall that there was more. I mean, 13 it took some work to get those done, because 14 Dr. Jackson was resistant to making those changes, so 15 we had to apply a certain amount of persuasion. 16 As in my own case, suggesting changes 17 doesn't equate to the author making those changes. 18 Q. In the peer review process I think you 19 described as -- is it required that suggested changes 20 be adopted? 21 A. That depends on the journal and the 22 editorial policy. If you're lucky, the editor -- the 23 editor of the journal will permit you to make a plea 24 of conscience and say, "If I make these changes, it's 25 no longer my article; it's their article," and let
79 1 prestigious thing. An article that appears in a 2 peer-reviewed journal has more -- a higher reputation 3 than an article that does not because in the article, 4 if it's not, the idea is that just any old thing can 5 get published in the journal. It's not subject to 6 inspection from someone who is a specialist. 7 Q. So I want to -- can you describe how the 8 articles that were published in the symposium were 9 chosen? I understand you may not have read them all. 10 A. No, I really can't because I wasn't involved 11 in that. 12 Q. Did you -- were you involved in soliciting 13 responses? 14 A. No. 15 Q. Who -- did anyone solicit responses? 16 A. The editor, I think, solicited responses. I 17 think Dr. Jackson also solicited responses. 18 Q. When we're talking about the editor, are we 19 talking about Ben Graf or Levi Walls or both? 20 A. I would say Ben Graf. I mean, Levi might 21 have written the letter, but I would suspect that, 22 being a -- Levi, being sort of an apprenticeship 23 learn-on-the-job role, that anything of that sort 24 would have come more from Ben. 25 But I know that Dr. Jackson did suggest	81 1 you -- let you publish with that disagreement. 2 But some journals I think will say, "You 3 have to implement these changes or we won't publish 4 your article," and then you -- that's that. 5 Q. Was it a policy of the JSS to require 6 changes suggested in the peer review process to be 7 adopted? 8 A. I don't know because that was the editor's 9 job, and the editor handled it seemingly very well, 10 and we -- he seldom felt it was necessary to consult 11 us. 12 Q. So was it -- was there a written policy 13 addressing that one way or the other? 14 A. Oh, I'm sure there was, and that would be up 15 to the discretion of the editor. 16 The editor had considerable power in the 17 journal. It wasn't just a matter of doing the work; 18 it was also making a lot of the decisions. If the 19 editor saw fit to consult Dr. Jackson and I or if we 20 felt we really needed to consult with the editor, 21 that would happen. But it would not automatically 22 happen. 23 Q. Is that true for -- that the editor had a 24 lot of power, is that true for the symposium of 25 Volume 12?

82 1 A. Yeah, I would say so. I think it's 2 generally the case that the editor is the one who 3 makes most of the decisions. 4 Q. Do you recall telling the ad hoc panel that 5 you and Dr. Jackson kind of took over on the 6 symposium part of the Volume 12? 7 A. Took over? What do you mean "took over"? 8 Q. I believe those are words that you used. 9 A. I wonder what I meant by that. 10 MR. ALLEN: Objection. 11 A. I don't think we took over at all. 12 Q. (BY MS. QUIMBY) Do you recall telling the 13 ad hoc panel that? 14 A. I don't -- 15 MR. ALLEN: Objection. 16 A. I don't recall. I mean, we do have notes 17 from the ad hoc panel, which I've looked over, but 18 not thoroughly. I don't know if it's -- I don't 19 think something like that is mentioned, but I'm not 20 sure. 21 Q. Was there anything about -- strike that. 22 Was there ever a time before publishing 23 or before Volume 12 was published that the editorship 24 of the journal or the structure of it was discussed 25 or discussed that it needed to be changed?	84 1 A. No. 2 Q. Okay. 3 A. I've met him because Ellen -- well, Ellen 4 Bakulina, who was on our faculty for some years, just 5 left to go to McGill, was a friend of his. I don't 6 think I've ever talked to him. So I guess the answer 7 is no. 8 Q. Were you involved in the creation of the 9 call for papers for the symposium issue? 10 A. No. Well, no, no. The editor and the 11 assistant editor came up with that. I wasn't -- I 12 saw it, but I wasn't involved in it. 13 Q. For the sym -- go ahead. 14 A. I guess I could have been involved in it if 15 I had an objection to it. 16 Q. Do you recall having an objection to it? 17 A. No, no. I mean, I recall that I did not 18 have an objection to it. 19 Q. Do you recall how many responses or -- were 20 received? 21 A. I don't know because they would come in to 22 the editor. They wouldn't come in to either 23 Dr. Jackson or to me. 24 Q. Were all of the responses that you received 25 published?
83 1 A. No. 2 MR. ALLEN: Objection. 3 A. I mean, we were in a period of transition as 4 it was. 5 Q. (BY MS. QUIMBY) What do you mean by that? 6 A. Well, as I said, Ben Graf was the editor, 7 but Levi was being groomed, so to speak, as the next 8 editor; therefore, we have "assistant editor" on the 9 masthead. 10 THE REPORTER: I'm sorry, "an assistant 11 editor on the"? 12 THE WITNESS: The masthead. 13 THE REPORTER: Masthead, thank you. 14 Q. (BY MS. QUIMBY) Before Volume 12, though, 15 was it ever discussed that the structure -- the 16 editorial structure be changed? 17 A. No. That was the model from the beginning. 18 It seemed to work very well. Ben Graf was, as Colin 19 Davis had been before him, superb at his job. We had 20 nothing to complain about. There didn't seem to be 21 any reason -- he was not complaining. Didn't seem to 22 be any reason to change that. And it was part of the 23 conception of the journal from the outset. 24 Q. Switching gears a little bit, do you know 25 Philip Ewell personally?	85 1 A. I don't know. That would be a good question 2 to ask Levi Walls or Ben Graf. 3 Q. Do you recall the -- that there was a 4 deadline in the call for papers? 5 A. There was a deadline, and it was a close 6 deadline, as I recall. A little too close for 7 comfort. I know that some people complained about 8 it. We weren't giving them enough time. 9 Q. What was too close for comfort about that? 10 A. I don't re -- I think it was three weeks or 11 something like that. It was just -- that's very 12 short. I think it's mainly because we were looking 13 at a publication deadline from UNT Press. But, yeah, 14 there was definitely a deadline. There has to be a 15 deadline. It's unworkable if there's not. 16 Q. You said that it was about three weeks that 17 you recall? 18 A. I think so, but I'm not sure. 19 Q. How long -- 20 A. That's just an impression. 21 Q. How long would a normal deadline be? 22 A. Well, normally -- normally, a journal is not 23 going to have a deadline. I mean -- well, I don't 24 know. 25 Usually, with journals, people send in

86 1 submissions -- 2 Q. Uh-huh. 3 A. -- and they go through the peer review 4 process, and then the editor will say, "Okay, we 5 accept it," if they accept it. "And we can put it in 6 this issue" or "We might have to wait until the next 7 issue." 8 Now, if there is a special section, as 9 there was here, then there would be a deadline. And 10 I would think that you would have to have -- any 11 journal that has a special section like that would 12 have to have a deadline because it's going to be 13 published at some point; it's not going to be in 14 every issue. 15 Q. Uh-huh. How long does the peer review 16 process take normally? 17 A. As long as it takes the peer reviewer to do 18 it. It depends on the peer reviewer. Sometimes the 19 peer reviewer appears to have fallen asleep and to an 20 extended sleep of several year -- months. And then 21 you have to -- editor has to nudge the peer reviewer 22 and say, "Have you gotten to that peer review yet?" 23 Q. Uh-huh. 24 A. "When are you going to do it?" In extreme 25 conditions, you would then conclude they're not going	88 1 A. Okay. (Reading document.) I forgot it was 2 as bad as this. 3 THE REPORTER: I'm sorry, I can't hear 4 you. Is your microphone way down on your shirt? Can 5 you move it up some? 6 THE WITNESS: Can you hear now? 7 THE REPORTER: Yes, thank you. 8 A. (Reading document.) Okay, I'm done. 9 Q. (BY MS. QUIMBY) Do you recognize this 10 document? 11 A. Oh, yes. 12 Q. What is it? 13 A. It is the protest made by faculty in support 14 of the student protest as response to the symposium. 15 Q. You've described it as "protest." What do 16 you mean -- why are you using the word "protest"? 17 A. Because it's protesting against what is 18 alleged to be the egregious material which -- and 19 systematic racism which is contained therein. 20 Q. I believe you described earlier in the 21 deposition that this attacked Dr. Jackson, correct? 22 A. Well, it doesn't -- this -- the student 23 version mentions Dr. Jackson by name, and, as I 24 recall, demands that he be fired. This is the 25 faculty one, which is a little -- which does not.
87 1 to do it, and you would have to give it to someone 2 else. You try to avoid that. 3 Q. Okay. I think we can take a brief break. 4 THE VIDEOGRAPHER: We're off the record 5 at 10:47 a.m. 6 (Recess 10:47 a.m. to 10:58 a.m.). 7 (Exhibit 3 marked.) 8 THE VIDEOGRAPHER: We're back on the 9 record at 10:58 p.m. 10 Q. (BY MS. QUIMBY) Okay. Thank you, 11 Dr. Slottow. I have now marked Exhibit 3. I'm -- 12 MS. QUIMBY: It is Exhibit 3, right? 13 THE REPORTER: Yes. 14 MS. QUIMBY: Okay. 15 Q. (BY MS. QUIMBY) I'll have you take a look 16 at that. 17 A. Oh, yes. It's been a while. 18 MR. ALLEN: Mary, can you put that in 19 the chat? 20 MS. QUIMBY: I don't have it at the 21 moment, but it's on the way, so I will have it to you 22 momentarily. 23 MR. ALLEN: Okay. 24 Q. (BY MS. QUIMBY) Let me know when you're 25 finished reviewing.	89 1 Q. Okay. Does it -- does this letter state 2 that Dr. Jackson is a racist? 3 A. Well, his name is not mentioned. 4 Q. Okay. Have you ever heard any of these 5 signatories in this letter, these faculty members, 6 have you ever heard any of them call Dr. Jackson a 7 racist? 8 A. They would never say -- they would never 9 been so uncouth as to mention -- especially to me, 10 since I was involved with the journal, to say that. 11 Q. Okay. 12 A. Yeah. 13 Q. Okay. That's all the questions I have about 14 this document for now. 15 Going back to -- I had asked you 16 something earlier about if you remembered stating 17 something to the ad hoc panel, but I wanted to ask, 18 do you remember being interviewed by the ad hoc 19 panel? 20 A. Yes. 21 Q. Do you remember -- what do you remember 22 about that interview? 23 A. Well, I remember the head of the panel -- I 24 forget his name -- talking to me for a long time. I 25 think it was on Zoom. And I answered his questions,

90 1 and he was asking about editorial policies and 2 etcetera. 3 Q. Were you truthful in your interview? 4 A. Yeah, as -- to my knowledge, yeah. 5 Q. Do you recall describing the symposium as a 6 visceral reaction to the Ewell -- Dr. Ewell's talk? 7 A. Visceral reaction? Well, the notes that 8 were taken -- I see that there were notes taken on 9 the interview. They were certainly not written by 10 me. 11 Q. Uh-huh. 12 A. And they were certainly not language that I 13 would usually use. I don't think I would say 14 "visceral reaction" because they weren't. 15 Q. How would you describe it, then? 16 A. Well, it's a reaction to Ewell's allegations 17 involving Heinrich Schenker and Schenkerian analysis. 18 Visceral implies a sort of like a scream of pain from 19 the guts. Hopefully they weren't that; they were 20 more considered. And, besides, not all of them were 21 critical of Dr. Ewell either. So I would not 22 describe it as a visceral reaction. 23 I didn't -- I don't think I would use 24 those words, but who knows? It's possible. 25 Q. Do you recall expressing -- and maybe not in	92 1 Dr. Ewell would be looked upon as a victim and we 2 would be looked upon as oppressors and racists 3 because I thought a lot of what Ewell was saying was 4 outrageous and ill-founded. So I was taken aback by 5 the -- and had I anticipated such a reaction, I would 6 have counseled a great deal more caution in what the 7 journal did. 8 Q. Would you have read all of the responses 9 before they were published? 10 A. Probably, but what I probably would have 11 done differently was that I -- in retrospect, I would 12 have counseled that we ask Dr. Ewell to participate 13 as a respondent, and I probably would have counseled 14 that in this case everything be peer-reviewed. But I 15 did not anticipate that -- that response. 16 Q. You just mentioned Dr. Ewell, you would have 17 invited him. So was he invited into the process at 18 all? 19 A. No. Well, he was invited only to the extent 20 that he could have submitted -- 21 Q. Uh-huh. 22 A. -- an article of his own, and -- like anyone 23 else. He was certainly aware of the call for papers, 24 but he wasn't invited as a respondent to the papers. 25 Q. A respondent to the responses. Is that --
91 1 these words, but that more caution should have been 2 exercised in publishing -- 3 A. Yes, I did -- 4 Q. -- this symposium? 5 A. -- because I did not anticipate the 6 reaction. It took me by surprise. I thought that a 7 lot of what Dr. Ewell was saying was outrageous and 8 hypocritical because he said, "I hope we can save 9 Schenkerian analysis." 10 Save Schenkerian analysis from what? 11 Well, from Dr. Ewell's attacks. That's from what. 12 It didn't need to be saved before. 13 So to take this sort of sanctimonious -- 14 "I'm only here to save Schenkerian analysis from its 15 enemies of whom I am the main person," I thought it 16 was a little hard to swallow and of their -- and so I 17 think hypocritical is the word I would use for some 18 of what he said. 19 What was the question? 20 Q. I don't -- I asked if you recall expressing 21 that more caution should have been -- 22 A. Oh, yes. 23 Q. -- exercised? 24 A. Yes. I was -- I went off on a tangent. 25 I did not anticipate the reaction that	93 1 A. Yeah. 2 Q. Why would he have responded to his own 3 paper? 4 A. Well, it does seem sort of illogical when 5 you put it that way. But that's the extent, that he 6 was not invited in any special role at all. 7 In retrospect, after the response to the 8 journal, he probably -- I would feel -- I don't know 9 if Dr. Jackson would, but I would feel that that 10 would have been the better approach and more cautious 11 approach. 12 Q. So we talked about that Benjamin Graf, you 13 think he resigned as the editor. What about Levi 14 Walls? Did he resign, or do you know what happened 15 to that role? 16 A. Levi was attacked -- Levi was attacked, as 17 was Dr. Jackson, and to some extent, me, as being the 18 assistant editor and the one who signed, I think, the 19 call for papers. And then I think the -- there was 20 something here that was sort of a little introduction 21 to the symposium that he might have signed saying 22 something about, "We welcome," you know, "all 23 opinions." 24 Oh, yes. This introduction to the 25 symposium, he wrote that, though he didn't sign it.

94 1 He came in for a lot of criticism. As a graduate 2 student, he was afraid that he would be -- his career 3 would be adversely affected or ruined entirely, and 4 he -- well, he did a number of things. He went 5 online and kind of said he was bullied into doing 6 certain things, I think, by Dr. Jackson, or made to 7 do certain things or felt he had no choice, and he 8 resigned as editor in chief in an attempt to 9 forestall further negative reaction which could hurt 10 his career. 11 Q. Do you think he was justified in being 12 afraid for his career? 13 A. Oh, yeah, sure. Definitely. And look what 14 happened to Dr. Jackson. All of that as a result of 15 this issue and of his article in this issue. 16 I was attacked, certainly have been 17 attacked in Ewell's recent book. And since -- in the 18 United States especially, not so much in Europe or 19 Britain, anyone accused of racism in the academic 20 circles is sort of assumed guilty. And -- yeah, he 21 had reason to be afraid, certainly. 22 Q. So he resigned, as I understand and you have 23 testified, and Dr. Graf resigned. So effectively 24 there's no editor? 25 A. Well, at that point, I don't know if there	96 1 been sort of his project, fundamentally. 2 Q. So if there's no editor -- let's just say, 3 for example, the journal still exists. 4 MR. ALLEN: Objection. 5 Q. (BY MS. QUIMBY) Could it be -- could it 6 publish anything without editors? 7 A. No. 8 Q. Okay. 9 A. I mean, not with any degree of repute. No 10 one would take it seriously. 11 Q. Do you think Volume 12 or the symposium 12 damaged UNT's reputation? 13 A. I don't know, but there's a good chance of 14 it. I mean, certainly UNT was reacting to the 15 possibility that it would. 16 Q. Are you -- so Levi Walls' resignation, are 17 you -- did he do that on his own accord, do you know? 18 A. I'm sure he did it on his own accord. He 19 was trying to remove himself from a toxic situation 20 as much as he could. 21 Levi was viewing himself very much as a 22 victim, I think, a victim of Dr. Jackson in 23 particular. And he was trying to -- and he was being 24 attacked and criticized by the -- certainly by the 25 online music theory community, and he was scared,
95 1 was any journal or any center anymore. I'm not sure 2 exactly what happened first. But at a certain point 3 there was nothing left to be editor of. 4 Q. Why do you say that? 5 A. Because the journal was taken away from us 6 by the college. They tried, naively, to find someone 7 who would take the journal on, maybe someone from 8 another school. Of course -- well, I wasn't on the 9 search committee, but, evidently no one would touch 10 it with a 10-foot pole. It was radioactive at that 11 point. 12 Q. What do you mean that it was taken away from 13 you? 14 A. The journal was part of the center. The 15 center was part of the -- and the school said that we 16 were -- we could no longer publish the journal and 17 that the center is in abeyance. 18 Q. And I think you testified earlier that your 19 knowledge of this is through Dr. Jackson, correct? 20 A. Well, it was widely known. I mean, things 21 get out fast, but I don't recall what any of the 22 administration -- I don't think any of the 23 administration told me directly, because Dr. Jackson 24 was certainly viewed as sort of the main person 25 responsible for the center. It was -- it had always	97 1 with reason. 2 Q. Do you think he was wrong in being a victim 3 or feeling like a victim? 4 A. No, he was -- well, of Dr. Jackson? I don't 5 think he was a victim of Dr. Jackson. 6 Levi was -- Levi was not -- my 7 perception was that Levi was not very assertive. 8 Levi was slow to argue back. If he really felt 9 something was wrong, he might say something, but he 10 wouldn't stick to his guns. He felt very much 11 that -- in a subservient position, far more than any 12 of the previous editors had done. I mean, I don't 13 think that any of our previous editors felt 14 especially they had to take -- be subservient or feel 15 they had to do something which is against their 16 conscience. 17 I don't think that Ben Graf felt that 18 way, but I think I read somewhere that he said he 19 did. Maybe in a deposition; I don't know. But that 20 wasn't my perception. 21 But Levi did. He was not very -- he 22 felt he was -- his role was a subservient one. 23 Q. So you described the committee that was put 24 together to find a new editor, correct, or you 25 mentioned that?

98 1 A. I alluded to it, yeah. I wasn't part of it. 2 Q. Uh-huh. Is there anything preventing you 3 from applying to be the editor? 4 A. The editor of what? There's nothing left. 5 Q. Well, isn't the committee searching for an 6 editor? 7 A. Oh, that's -- that disbanded probably years 8 ago. 9 Q. Before it disbanded. 10 A. Well, you don't apply to be. You're 11 appointed to it, probably by the dean. You can't 12 apply to be on it. You can, but it's not going to do 13 anything. 14 You don't volunteer to -- it was a 15 search committee. You don't volunteer for search 16 committees, or there's no reason to. 17 Q. I meant apply for the position of editor. 18 A. That would be a rather absurd thing to do 19 because I had already been so involved in it, they 20 would want a clean sweep. 21 Q. Is it -- did they tell you that? Did they 22 say you can't? 23 A. No, but it's obvious. 24 Q. How is it -- 25 A. It would be like Dr. Jackson applying to be	100 1 Q. Why do you think it was associated with 2 racism? 3 A. Well, you looked at this exhibit, didn't 4 you? 5 Q. I'm asking you. 6 MR. ALLEN: Can you state for the record 7 which exhibit you're referring to, please? 8 THE WITNESS: It says 3. 9 MR. ALLEN: Thank you. And is that the 10 faculty petition? 11 THE WITNESS: Yes. 12 A. "The forthcoming issue is replete with 13 racial stereotyping and tropes and include personal 14 attacks directed at Dr. Ewell." Yeah. 15 MS. QUIMBY: Can you read back my 16 question, please? 17 THE REPORTER: The witness's mic is 18 getting very, very quiet. Was it getting quiet for 19 anyone else? 20 MR. ALLEN: I'm good. I was having 21 trouble hearing Mary, but I think it was the way she 22 turned her head when she turned to you. 23 THE REPORTER: Okay. Here's the 24 question: "Why do you think it was associated with 25 racism?"
99 1 the editor of the journal or Ben Graf. I mean, the 2 idea was to preserve the journal, but to disassociate 3 it with anyone it had be associated with and maybe 4 even hand it off to a different school. It didn't go 5 anywhere. 6 In any case, we weren't approached 7 certainly. I mean, I guess there's nothing to 8 prevent us from -- I mean, there was a public search. 9 You know, "We're looking for someone to take over the 10 editors of the journal," and I suppose Dr. Jackson or 11 I or Ben could have written in, but it wouldn't have 12 gotten to first base. I mean, you generally don't 13 apply for things where you feel you have no choice of 14 acceptance because that wasn't the reason it was 15 being advertised. 16 Evidently -- I mean, nothing came of it, 17 and I don't know -- I wouldn't be surprised if no one 18 applied, but I wouldn't know, because I wasn't on the 19 search committee. 20 Q. I think you described it as radioactive, the 21 journal. What do you mean by that? 22 A. The journal was now associated with racism 23 and with acting unfairly to poor Dr. Ewell and 24 deficient editorial practices, and it was just like 25 this sort of radioactive turd.	101 1 A. So, in addition to this, I mean, Ewell's 2 contention was that Schenker was a racist, that his 3 racism had infected his views (phonetic) of theory, 4 which I deny, by the way, and that -- and then that 5 the Journal of Schenkerian Studies, by criticizing 6 Ewell, was racist in doing so. 7 So each side is accusing the other of 8 being racist for different reasons. In a sense, the 9 Journal of Schenkerian Studies is being accused of 10 being racist for criticizing Philip Ewell's 11 accusations that Schenker was racist. So a lot of 12 racism. 13 Q. (BY MS. QUIMBY) Was the criticism of 14 racism, did that come from other than just the 15 faculty petition and the student petition as you've 16 described them? 17 A. Yeah, yeah. 18 Q. Where else did it come from? 19 A. Online chatter, and there was an SMT talk 20 list where there was a lot -- or SMT discussion list. 21 SMT being the Society for Music Theory. 22 THE REPORTER: Okay. I need to pause. 23 He's very, very quiet on my end. 24 MR. ALLEN: They both are. I don't know 25 what happened in that transition.

102 1 THE VIDEOGRAPHER: Off the record at 2 11:22 a.m. 3 (Discussion off the record.) 4 THE VIDEOGRAPHER: We're back on the 5 record at 11:23 a.m. 6 Q. (BY MS. QUIMBY) Okay. Thank you. I just 7 have one follow-up item. You mentioned, I think, 8 Dr. Graf's deposition testimony? 9 A. Well, I know that he did a deposition. I 10 think Dr. Jackson told me at one point. 11 Q. Have you read the deposition transcript? 12 A. No. I guess -- I guess, if I wanted to, 13 there is a way I could, but I don't know what that 14 way is, and I haven't tried to. 15 Q. What did Dr. Jackson tell you about the 16 deposition? 17 A. Well, that he had done one. I don't recall 18 him saying anything else about it. I try not to ask 19 very much about depositions if people mention them 20 because whether they are private or not, I kind of 21 regard them as -- I'm a little cautious about getting 22 into depositions, because I -- well, whether they are 23 or not, I consider them to be somewhat privileged 24 information. 25 In any case, I don't recall him saying	104 1 And that would have the advantage for you is that it 2 would be over. 3 THE WITNESS: Yes, I would like that. 4 MR. ALLEN: Okay. Why don't we do that? 5 THE WITNESS: Do you know approximately 6 how long you might take? 7 MR. ALLEN: I can't predict, but it's 8 not going to be -- I would hope we could do it in an 9 hour. 10 THE WITNESS: Okay. I can come back at 11 3. 12 MR. ALLEN: Okay. Can we go off the 13 record? 14 (Recess 11:26 a.m. to 3:03 p.m.) 15 THE VIDEOGRAPHER: We're back on the 16 record at 3:03 p.m. 17 EXAMINATION 18 BY MR. ALLEN: 19 Q. Good afternoon, Professor Slattow. My name 20 is Michael Allen, and I represent Timothy Jackson, as 21 you probably remember from the first part of the day. 22 A. Yes, I've known that for some while now. 23 Q. I believe you testified earlier today that 24 you had worked for the Center for Schenkerian Studies 25 and obviously had worked on the editorial staff in
103 1 anything else about Dr. Graf's deposition. He 2 probably did, but I don't recall what. 3 Q. Okay. 4 MS. QUIMBY: I'll pass the witness. 5 A. We -- Dr. Jackson and I generally do not 6 talk much about depositions and his case. 7 Q. Okay. 8 A. Because -- partly because I don't really 9 want to. 10 Q. Okay. Thank you. 11 MS. QUIMBY: I'll pass the witness. 12 MR. ALLEN: So since the witness needs 13 to go, and it's -- it looks like it's 11:25. Is that 14 right? 15 MR. TODD: Yeah. 16 THE WITNESS: Well, we could, I guess, 17 extend it a little bit, 10 minutes maybe. 18 MR. ALLEN: Yeah, and I have more than 19 ten minutes. So I'm going to continue -- I'm going 20 to ask to continue the deposition. 21 I think it's best, Professor Slattow, if 22 we can come back at 3, just so that everything is 23 fresh in everyone's mind -- 24 THE WITNESS: Okay. 25 MR. ALLEN: -- your time, of course.	105 1 various capacities for the Journal of Schenkerian 2 Studies, which was housed in the center. Is that 3 accurate? 4 A. I don't know about the editorial staff. 5 Really, the editorial staff consists of the editor, 6 and, if there is an assistant editor, that person 7 too. That's the editorial staff. 8 Q. And you were on -- you were on the advisory 9 board, correct? 10 A. Yeah. 11 Q. Okay. 12 A. I think that's what they call it. 13 Q. Yeah. And, again, I'm not trying to 14 mischaracterize your testimony. I'm just trying to 15 get us on the same page, figuratively speaking, here. 16 A. Yeah, somewhere I have -- yes, I'm on the -- 17 I was on the advisory board. 18 Q. And did you list your service on the 19 advisory board of the Journal of Schenkerian Studies 20 in any of your papers when annual review time came 21 around at UNT? 22 A. Yes. Every time under Service. I don't 23 know if I specifically mentioned advisory board, but 24 I probably said, "Codirector" or "Assistant director 25 of the Center for Schenkerian Studies with special

106 1 responsibilities towards the journal," something like 2 that, because that was a large part of my service 3 component. 4 Q. Okay. That was what I was going to ask you. 5 You were evaluated based on that contribution to 6 service to the University of North Texas? 7 A. Well, and the other service I did -- 8 Q. Yeah. 9 A. -- committee work, etcetera. 10 Q. Sure, okay. 11 (Exhibit 4 marked.) 12 Now, I've had marked for the record, as 13 we talked before we went on the record, Exhibit 4. 14 A. What is Exhibit 4 again, the invitation? 15 Q. It's an email sent on November 23rd, 2021, 16 captioned, "Retreat Invitation and RSVP." 17 A. Yeah, that's it. 18 Q. It has the UNT Bates number 05523. Did I 19 characterize that correctly, Professor Slottow? 20 A. Yes. 21 Q. So I have a few questions to ask you about 22 this. 23 Do you remember getting this email and 24 notification? 25 A. Well, there is a faculty retreat every	108 1 Q. Okay. That was going to be my follow-up 2 question. All right. So you can put that exhibit 3 aside, then. 4 You also discussed some of the bad 5 publicity focused on the journal, and also, I suppose 6 we would say bad publicity for Timothy Jackson as 7 well. Do you remember testifying to aspects of that? 8 A. You mean here in this deposition? 9 Q. Earlier today, yeah. 10 A. Yes, also bad publicity focused on me. 11 Q. Of course. And that was going to be my -- a 12 follow-up question would be you -- how many years 13 have you worked as a music theorist? 14 A. What did I say? I think it's about 23 or 24 15 at this point. Let's see. I began in 19 -- well, 16 are we counting the years I was a graduate student or 17 after graduation? 18 Q. Well, I guess it's a question for you 19 because you're -- you know your career and the people 20 in it better than anyone at the table. 21 A. Because I did teach as an adjunct while I 22 was a grad student. 23 Q. Is it safe to say you've been active as an 24 academic music theorist for over a quarter of a 25 century?
107 1 year -- 2 Q. Uh-huh. 3 A. -- which all faculty are invited, so I 4 probably did get it. I don't know if I attended. I 5 probably didn't attend that one. I stopped attending 6 these after two or three years. 7 Q. Okay. So you didn't attend this one so far 8 as you remember? 9 A. Yes. 10 Q. Do you know anything about the institution 11 that's announced in this faculty retreat? 12 MS. QUIMBY: Objection. Form. 13 A. What institution? 14 Q. (BY MR. ALLEN) Yeah, sure. Let me direct 15 your attention to the bottom of that second page of 16 Exhibit 4. It says, "Afa Dworkin." Do you see that 17 in kind of large letters? 18 A. Yes, I see it. 19 Q. And do you see that she's the president and 20 artistic director of Sphinx Organization, as it says 21 on the exhibit? 22 A. Yep. 23 Q. So that was my question. Do you know 24 anything about the Sphinx Organization? 25 A. Not at all, nor about her.	109 1 A. Well, starting in 1992, yes, that would be 2 about 32 years if we count my adjunct teaching. 3 Q. And do you have a -- do you feel that you 4 have a firm sense of the reputation of various 5 colleagues and academics in the field? 6 A. The ones I know -- 7 Q. Uh-huh. 8 A. -- yes. There is a lot I don't know. 9 There's -- but -- 10 Q. Uh-huh. 11 A. -- yeah. I mean, to the degree that I know 12 of them and their work, yeah. 13 Q. And you certainly know Timothy Jackson, 14 correct? 15 A. I certainly know him. 16 Q. So -- and I believe you testified earlier 17 that the Journal of Schenkerian Studies is now, for 18 lack of a better word, defunct? 19 A. Defunct would be the word. 20 Q. Okay. 21 A. I don't know if it has any theoretical 22 existence at the moment or not. It certainly has no 23 tangible existence. 24 Q. You don't know of any publication of the 25 Journal of Schenkerian Studies after July of 2020, do

110 1 you? 2 A. Well, now we're getting into dates again. 3 I'm not good on dates. 4 Q. Well, let me just represent to you that 5 journal Volume 12, JSS Volume 12 came out in July 6 of 2020. 7 A. That was the last one. 8 Q. And there hasn't been one since, has there? 9 A. No. 10 Q. Did the -- when the Journal of Schenkerian 11 Studies ceased to exist, based on your knowledge of 12 your field and your colleagues, did that damage 13 Timothy Jackson's reputation? 14 A. Yes, quite definitely. The -- not just 15 because it ceased to exist; because of the reason it 16 ceased to exist. And Tim -- 17 Q. And -- go ahead. 18 A. -- Dr. Jackson was part of that reason, 19 essential part of that reason. 20 Q. And that reason being the accusations of 21 racism flying around? 22 A. Yes. Partly because -- partly because of 23 the -- well, what I've already talked about before, 24 Ewell's accusations that in criticizing his 25 accusations of racist, we were demonstrating and	112 1 maybe general questions, about his article. But let 2 me ask a follow-up question. What's the usual way 3 for scholars in music theory to address their 4 critics? 5 A. Their critics? Well, usually, if someone 6 writes, say, a critical article in a journal, there's 7 usually a letter to the editor in the next issue that 8 finds -- that takes objection to the article, 9 sometimes in rather strong and pointed terms, and 10 that is published as a follow-up. 11 Q. Uh-huh. 12 A. And actually this -- and that can also cause 13 another follow-up, and this sort of thing can work 14 through various issues of the journal, though it 15 doesn't have to. 16 In my experience, that's the usual way 17 these things are handled. 18 Q. And I think you testified earlier that 19 Philip Ewell published a book eventually addressing 20 some of this -- at least somewhat addressing this 21 controversy in which he actually criticized you, 22 correctly -- I mean, am I correct about that? 23 A. Yes. I acted in bad faith. I purposely 24 chose -- 25 Q. I'm sorry, can I interrupt you? Do you mean
111 1 proving his accusations of racist, of criticism 2 equaling racism, per se. 3 Q. Uh-huh. 4 A. But part of it is because of the nature of 5 Tim's own essay in the journal, which was sort of 6 wide-ranging and -- while I haven't read it for a 7 long time but -- 8 Q. Uh-huh. 9 A. -- it certainly seemed to find fault with 10 Philip Ewell, and I think it mentioned he was not -- 11 sort of ungrateful to his teacher, Allen Forte, and I 12 think bringing up anti-Semitism, black anti-Semitism, 13 I think, was in there. He was very frank about his 14 views, and it was sort of wide-ranging. 15 So part of it was the nature of his 16 article in addition to just the general issue, Volume 17 12, itself. 18 Q. And just for the record, you're flipping 19 through the pages of Volume 12 there, right? 20 A. Yeah, I'm actually trying to find -- 21 Q. That's all right. 22 A. -- his article. 23 Q. Yep. 24 A. It's right here. 25 Q. And I'm not going to ask you, except for	113 1 he argues you acted in bad faith, or are you 2 testifying that you acted in bad faith? 3 A. He states I acted in bad faith in regard to 4 the visit we were trying to arrange, his planned 5 visit to UNT. 6 I'm not exactly sure what he meant 7 because I chose not to -- I chose not to read that 8 book. 9 Q. Uh-huh. 10 A. I did not want to get sidetracked from my 11 current work into this sort of -- I can't read 12 Ewell's work, especially Ewell's work about me 13 personally, without getting very involved in it. And 14 despite Tim's urging, I simply decided I would not 15 read it. And except for a quick skim, I have not 16 read it. 17 Q. Uh-huh. And you were familiar enough with 18 his work that he published the plenary talk of 19 November 2019 in the journal Spectrum, right? 20 A. Music Theory Spectrum, yes. 21 Q. I'm just going to represent to you that 22 Philip Ewell has represented that that was not 23 peer-reviewed; the publication of his plenary talk in 24 Spectrum was not peer-reviewed. 25 A. Well, I'm --

114 1 Q. Was that your understanding as well? 2 A. Well, if anyone would know, he would know. 3 So I have no reason to doubt what he says. 4 Q. In the field of music theory, was there any 5 outcry when his work was published without peer 6 review? 7 A. It was not. Generally, it is not -- if it's 8 true that it was not peer-reviewed, it's not 9 generally known, because it's -- it should have been 10 peer-reviewed. It's the usual practice if -- with an 11 article especially in a journal as prestigious as 12 Music Theory Spectrum, which is one of the two 13 flagship journals, two or three, of the discipline 14 that everything would be peer-reviewed. 15 Q. Uh-huh. 16 A. So if it wasn't -- and if he says it wasn't, 17 then it wasn't -- then I would say very few people 18 know that. And I think if it was known, it would 19 not -- I don't know what the reaction would be. 20 Q. Do you recall Philip Ewell ever saying -- in 21 the midst of this, I believe you called it a 22 kerfuffle over the Journal of Schenkerian Studies, do 23 you recall Philip Ewell ever saying publicly words to 24 the effect that he had also published aspects of his 25 work without peer review?	116 1 THE REPORTER: Y'all need to -- 2 THE WITNESS: The online is called Music 3 Theory Online. 4 THE REPORTER: Thank you. 5 THE WITNESS: The print journal is 6 called Music Theory Spectrum. 7 Q. (BY MR. ALLEN) In fact, in your entire 8 career, has there ever been a journal that has been 9 forced out of circulation in any kind of controversy 10 like this besides the Journal of Schenkerian Studies? 11 A. Not to my -- 12 MS. QUIMBY: Objection. Form. 13 A. Not to my knowledge. 14 Q. (BY MR. ALLEN) Okay. And you certainly 15 know of most of the prominent journals of music 16 theory in your field, correct? 17 A. Yes, but not necessarily the ones going back 18 40, 50 years. I'm not acquainted with -- 19 Q. Yeah. 20 A. -- every journal. But I don't know of a 21 parallel case. 22 Q. Uh-huh. 23 A. And I will say also, it's -- no, I'm not 24 going to say that. 25 Q. That's fine. I believe you testified
115 1 MS. QUIMBY: Objection. Form. 2 A. I don't recall him saying anything of the 3 sort or writing anything of the sort that I've read. 4 Q. (BY MR. ALLEN) You do recall criticism of 5 JSS that the symposium had been published without 6 peer review, right? 7 A. Quite a lot. There was a lot of criticism, 8 both internal at UNT and external, that these were 9 not peer-reviewed articles, and they all should have 10 been peer-reviewed. 11 Q. But yet you don't know of any criticism of 12 theory the journal Spectrum -- what did you say, it's 13 Society for Music Theory Spectrum? 14 A. It's called Music Theory Spectrum. 15 Q. Music Theory Spectrum, thank you, sir. 16 A. And there is compan -- there's an online 17 companion journal, which is called Music -- 18 Q. Right. 19 A. -- Theory Online. 20 Q. Understood. Thank you. 21 THE REPORTER: I'm sorry, it's called 22 what? The journal online is called? 23 THE WITNESS: What? 24 MR. ALLEN: What's the name? 25 THE WITNESS: Oh, the online is --	117 1 earlier that you were basically in on the ground 2 floor of the founding of the Journal of Schenkerian 3 Studies when you joined the University of North Texas 4 faculty, right? 5 A. Yes. 6 Q. Before July of 2020, which is when Volume 12 7 first became known to the public of music theorists, 8 were there ever any complaints about how the Journal 9 of Schenkerian Studies was organized? 10 A. I can't think of any at all. It was a very 11 small journal, a very specialized journal. I don't 12 think that many people who were not interested in 13 Schenkerian analysis would have necessarily even 14 known about it. UNT Press didn't sell very many 15 copies. 16 Q. Right. 17 A. I cannot think of any negative comments from 18 anyone about it. It was not -- it did not have a 19 high profile, you see. I'm not sure a lot of 20 people -- 21 Q. Yeah. 22 A. -- paid attention to it who weren't 23 Schenkerians themselves -- 24 Q. Uh-huh. 25 A. -- and there's not a ton of those around.

118 1 Q. And among the people who are either 2 considering themselves Schenkerian or at least have 3 some expertise in that field, in your experience, 4 what was the reputation of the journal of Schenkerian 5 Studies among that group? 6 A. Well, that group hasn't talked to me about 7 their -- what they felt -- 8 Q. Uh-huh. 9 A. -- the reputation was. But I would say -- I 10 mean, at that time Schenkerian analysis was one of 11 the methodologies of choice for analyzing tonal 12 music. 13 Q. Uh-huh. 14 A. And even though the other music theory 15 journals would publish Schenkerian articles, they 16 published many other methodologies as well. 17 Q. Uh-huh. 18 A. The Journal of Schenkerian Studies was the 19 only journal that specialized in that. So it was -- 20 I think it was a welcome outlet to submit Schenkerian 21 work to really -- 22 Q. Uh-huh. 23 A. -- the only one that had that as its central 24 focus. And the -- I think that -- I think it had a 25 good reputation.	120 1 criticisms of Timothy Jackson's scholarship opinions, 2 whatever he published in any journal, but especially 3 Volume 12 of the Journal of Schenkerian Studies in 4 other venues like Spectrum, like Music Theory Online, 5 or -- 6 A. Is there anything -- 7 Q. -- the normal course of scholarship? 8 A. Is there anything preventing that? 9 Q. Yeah. 10 A. No, I would say that since Ewell's articles 11 have proven so influential and, you might say, 12 popular, I would expect more people to jump on the 13 bandwagon. 14 Q. Uh-huh. 15 A. And maybe they have. But, if so, I'm not 16 aware of it. 17 Q. Okay. And are you familiar with a journal 18 also published by the University of North Texas 19 called Theoria? 20 A. Yes. 21 Q. Have you ever published in that journal? 22 A. I actually have, yes. 23 Q. Was your article peer-reviewed in Theoria? 24 A. I don't know. It was a review -- 25 Q. Uh-huh.
119 1 Indeed, Philip Ewell also published a 2 Schenkerian article in the journal. So he evidently 3 thought well enough of them of it. But I think it 4 had a good reputation. 5 Q. Okay. Besides Philip Ewell, do you know if 6 any of the critics of Timothy Jackson and his article 7 in Volume 12, have they taken up those criticisms in 8 print? 9 A. Well, I've seen various -- online I've seen 10 various online journals that were critical and some 11 that were not at all critical of the Journal of 12 Schenkerian Studies and the Volume 12. In print, I 13 think most of it was coming from Philip Ewell. I 14 can't -- 15 Q. Uh-huh. 16 A. -- it's quite possible that other -- that 17 sort of contra Center for Schenkerian Studies 18 articles exist, but I don't know. If they do -- I'm 19 not sure if they do; I'm not sure what they are. 20 Q. Uh-huh. 21 A. The only ones I'm aware of were written by 22 Philip Ewell himself. 23 Q. But to your knowledge, is there anything 24 preventing either your colleagues or any other 25 scholars in the field from addressing their	121 1 A. -- of a book on set theory. I don't know 2 whether Frank Heidelberger sent it out for review. I 3 suspect, since it was a review itself rather than a 4 full-fledged article on its own, I suspect he 5 didn't -- 6 Q. Uh-huh. 7 A. -- but I certainly didn't hear back from any 8 reviewers. 9 Q. Uh-huh. Okay. 10 A. I heard no feedback, which would suggest to 11 me he probably didn't send it out. 12 Q. Okay. And I'm just going to also represent 13 to you that in 2020, the same year that Volume 12 of 14 the Journal of Schenkerian Studies actually came out, 15 even though I know it says 2019, but it actually came 16 out in July of 2020. That same year, 2020, Theoria 17 published Philip Ewell and Ellen Bakulina in its 18 pages in the volume that came out that year. Were 19 you aware of those articles? 20 A. I must have been, yes. 21 Q. And -- 22 A. Well, I don't know. No, I'm not sure if I 23 was or not. I didn't pay that much attention to what 24 Theoria was publishing. 25 Q. And do you read it on a reg --

122 1 A. I may not have been. 2 Q. Do you read it on a regular basis? 3 A. I don't read Theoria very much. 4 Q. Okay. 5 A. It focuses on the history of music theory, 6 and that's not one of the topics I do much work in. 7 Q. Okay. 8 A. I'm not uninterested in it, but it's not a 9 specialty of mine -- 10 Q. Fair enough. 11 A. -- so I don't make a point to read it. 12 Q. Is it your understanding that Theoria holds 13 itself out as a peer-reviewed journal? 14 A. I think it does, yes. 15 Q. And, again, I'm just going to represent to 16 you that both Philip Ewell and Ellen Bakulina have 17 testified that those articles published in 2020 in 18 Theoria were not subjected to double-blind peer 19 review. And then my follow-up question is were you 20 aware of any controversy surrounding Theoria because 21 they published authors without peer review? 22 A. If they published authors without peer 23 review, word did not get out about it. I'm sure that 24 neither Philip Ewell or certainly -- Ellen Bakulina 25 was a good friend of mine; I never heard anything	124 1 Q. Uh-huh. 2 A. -- that like all reputable scholarly 3 journals, their articles are peer-reviewed. And 4 certainly I would -- probably a respectable number of 5 items in Theoria were sent out for peer review. But 6 since I didn't work with Dr. Heidlberger on it or 7 talk about the issues, I never knew or even really 8 wondered what the percentage was. So I don't know if 9 it's deceptive. If it's deceptive, it's sort of 10 deceptive in a passive kind of way. 11 Q. Uh-huh. 12 A. He let the impression stand. 13 Q. Let me follow up with this: Do you 14 remember -- well, let me strike that question and 15 phrase it differently. 16 In the -- back in the time frame July, 17 fall of 2020, when the, what you've called a 18 kerfuffle first arose over the Journal of Schenkerian 19 Studies, did Frank Heidlberger criticize the 20 symposium because it wasn't peer-reviewed, if you 21 recall? 22 A. I don't recall him criticizing it. I don't 23 recall him taking an active part in the kerfuffle. 24 Q. How about if I asked the same question about 25 Ellen Bakulina?
123 1 from her. I don't think they would be -- they would 2 want to tell people that because it would be 3 assumed -- 4 Q. Uh-huh. 5 A. -- that it was peer-reviewed and something 6 that gets published as a peer-reviewed article is 7 more prestigious than something which is not. 8 Q. Sure. 9 A. So if that happened, I don't think it was 10 generally known, and I would be surprised if they 11 would have told many people about it. And I would be 12 very surprised if Theoria received any criticism on 13 that account because I think they would be rather 14 careful not to let it be known. They wouldn't 15 advertise the fact. 16 Q. And in your view, is that deceptive? 17 A. That would get down to does -- Theoria is 18 widely regarded as a peer-reviewed journal. 19 Q. Uh-huh. 20 A. I don't know whether it says specifically 21 that their articles are peer-reviewed. 22 Deceptive or not, that's a sort of 23 touchy question. I would say that Dr. Heidlberger, 24 the editor, did not address -- did not address that 25 question. I mean, it was sort of assumed --	125 1 A. Well, I think Ellen and I think Frank both 2 signed that faculty petition. 3 Q. Uh-huh. 4 A. So you could say that that's an active role, 5 but I don't think that either of them were 6 particularly outspoken to me about it. I know that 7 Dr. Heidlberger thought that it was just going way, 8 way over the top. I'm not sure what Ellen thought. 9 I don't know if I can -- 10 Q. And is it in your -- 11 A. -- say much beyond that. 12 Q. Can I just interrupt you for a second? Is 13 it the usual practice of scholars who think someone 14 has published something that's way over the top to 15 call for the journal to be canceled? 16 A. No. 17 Q. Back to Philip Ewell, you had mentioned this 18 call for papers that went out; there was a short 19 deadline, and there was a need to get these papers 20 out, or a perceived need to get these papers out 21 quickly. Do you remember talking about that earlier 22 today? 23 A. Yeah. 24 Q. And you even today talked about the 25 customary process that you know in the field of

126 1 should an author feel something is unfair or missed, 2 they have a criticism or an axe to grind, they often 3 write a letter to the editor of a journal, things of 4 that nature. Do you remember talking about that? 5 A. Yeah, that's been -- in my experience -- of 6 course -- 7 Q. Uh-huh. 8 A. -- I'm 70 years old now, but in my 9 experience, that's the usual way such things are 10 handled. 11 Q. And when you were participating in the 12 process that led to the call for papers for Volume 12 13 of JSS and the symposium, was there any discussion 14 internal to the journal that you were aware of 15 intended to exclude Philip Ewell? 16 MS. QUIMBY: Objection. Form. 17 A. Exclude him from what? 18 Q. (BY MS. QUIMBY) From publishing in the 19 pages of the Journal of Schenkerian Studies about 20 the, whatever you want to call it, the kerfuffle, the 21 Schenkerian controversy? 22 A. No. 23 MS. QUIMBY: Objection. Form. 24 A. If he had sent something in, of course, it 25 would have been considered, I would think, like any	128 1 Q. Uh-huh. 2 A. He had, after all, published in the journal 3 before, for what that's worth. He would have been 4 treated like any other submitter. 5 Q. Uh-huh. 6 A. But there was also no effort to invite him 7 as a formal responder to the articles that were 8 printed, so he was treated like everyone else. 9 Q. Uh-huh. And, being treated like everyone 10 else through an invitation to submit an article and 11 so forth with a call for papers, that's not the same 12 as being denied an opportunity to respond, correct? 13 MS. QUIMBY: Objection. Form. 14 A. The problem is the word "respond." I mean, 15 he could have, like anyone else, like all the -- 16 Q. Uh-huh. 17 A. -- people who did publish in the symposium, 18 he could have written something and submitted it to 19 the journal. 20 Q. Uh-huh. 21 A. And, no, those -- those items were a 22 response. Not to the journal, but they were a 23 response to Philip Ewell's plenary address at the SMT 24 conference. 25 Q. Uh-huh.
127 1 other submission. On the other hand, we did not 2 invite him specifically. 3 Q. (BY MR. ALLEN) Is it accurate to say that 4 he was not given an opportunity to respond? 5 A. Well, he wasn't shown -- respond to what? I 6 mean, he wasn't shown -- you mean, in issue -- 7 in Volume 12? 8 Q. Well, let me strike that. But he could have 9 responded. He could have published something in 10 Volume 12 if he had wanted to, right? 11 A. Oh, yeah. Sure. 12 Q. He got the call for papers, right? 13 A. Yes, but I'm not sure what he would have 14 responded to because until Volume 12 came out, he 15 would not have known what was in Volume 12. 16 Q. Sure. But it wasn't the case that he was 17 not given an opportunity to respond, correct? 18 A. "Respond" is a strange word. Respond to 19 what? 20 Q. Well, good question. We'll look at that in 21 a minute. 22 But let me put it this way: Was there 23 ever any effort to exclude Philip Ewell from 24 publishing in the symposium? 25 A. There was no effort to exclude him.	129 1 A. Now, he could have -- but they -- none of it 2 was a response to what was published in the journal 3 because the journal has to -- hadn't been published 4 yet. 5 Q. Uh-huh. 6 A. And Philip Ewell could no more respond to 7 what was in the journal than anyone else because it 8 wasn't published yet unless various contributors had 9 sent him copies of the articles -- their 10 soon-to-be-published articles privately, which they 11 may well have done, some of them. 12 I know that a number of contributors -- 13 at least I've heard that a number of contributors who 14 thought that the journal was treating Philip Ewell 15 unfairly, complained to him before the issue was 16 published. 17 Q. Did he ever reach out, to your knowledge, to 18 the journal to make a contribution? 19 A. No. No, not that -- 20 Q. Were you aware that -- 21 A. -- Volume 12. 22 Q. Were you aware that he told the Denton 23 Record-Chronicle that he would refuse to read the 24 articles in Volume 12? 25 A. Yes, I am aware of that, but he's since

130 1 changed his mind, evidently. 2 Q. You think that was just posturing? 3 A. I think there was a good element of 4 posturing in there. He -- I mean, that comment is 5 very disdainful, you know. "Whatever they say about 6 me, they're racists, and it's not worth reading about 7 them. And I refuse to dirty my hands in reading any 8 of these articles," is sort of the subtext. 9 But then when his book came out, he was 10 quite clear that he had read all the articles, and he 11 responded to a good many of them. So he seems to 12 have changed his mind. 13 Q. Incidentally, are you on the board of 14 editors of any other journal? 15 A. No, I'm not even on the board of editors of 16 this journal now. 17 Q. I understand. Were you ever the editor of 18 an academic journal? 19 A. No. 20 Q. Sorry if you're hearing my dog in the 21 background. She's stretching. I apologize. 22 So in your experience as an author and 23 also in your experience in the Journal of Schenkerian 24 Studies and observing your colleagues in the field, 25 is it common for journal editors to solicit articles?	132 1 Q. I believe Chris Segall published in that 2 section, too, correct? 3 A. Yes. So those are -- other music theory 4 journals, I don't know because I don't know -- 5 Q. That's all right. 6 A. -- the editors, and I'm not sure what they 7 do. 8 Q. And if you don't know, you don't know, and 9 that's a perfectly fine answer. I just want to know 10 for the purpose of the record. 11 So a similar question addressing special 12 topics, and you've already identified another 13 journal, Theoria, which solicited contributions on a 14 special topic concerning Russian music. So my 15 follow-up question is is it normal in the field in 16 which you're a scholar for editors to organize 17 publications around special topics in a journal? 18 A. Yes, that's quite usual. 19 Q. And did anyone ever object to that in your 20 field before July 2020, when the kerfuffle erupted 21 over the Journal of Schenkerian Studies? 22 A. No, I don't -- I don't know of any instance 23 or anyone who objected to a special topic. 24 Q. And was your colleague Frank Heidlberger 25 ever accused of being a racist for organizing a
131 1 A. Well, certain -- well, in the Journal of 2 Schenkerian Studies, it's certainly not uncommon for, 3 say, Tim to go to someone he knew was, say, working 4 on the Felix Salzer, Influential Student of Schenker 5 and suggest that an article might be submitted or 6 the -- certainly that's something that Dr. Jackson 7 would do. 8 I think that Dr. Heidlberger would also 9 solicit articles. I mean, he's the one that asked me 10 to write a review on this book on set theory. 11 Q. Uh-huh. 12 A. He put together a symposium on Russian 13 music. 14 Q. Uh-huh. 15 A. Philip Ewell was one of the contributors. 16 That's something that Dr. Heidlberger put together, 17 and he would probably certainly have been active in 18 soliciting contributors. 19 Q. If fact, that's the one published in 2020 20 with Ellen Bakulina in it as well, right? It 21 addressed Russian music? 22 A. Yes, the one that were -- a number of 23 articles were evidently -- 24 Q. Yes. 25 A. -- not peer-reviewed.	133 1 special topics journal? 2 A. Well, I would say certainly not. 3 Q. Was he ever accused of being a racist 4 because he didn't subject every single article to 5 peer review? 6 A. As far as I know, no. Of course, the lack 7 of peer review wasn't in itself the reason why 8 Dr. Jackson was accused of being a racist. It was a 9 contributing factor. 10 Q. And speaking of racism, are you aware -- can 11 you name any specific actions that Timothy Jackson 12 has ever done which you would characterize as racist? 13 A. Me? No. 14 Q. And if I asked you if you can name or are 15 aware of any specific acts that Timothy Jackson has 16 committed that would constitute extortion, what would 17 you say? 18 A. Extortion? 19 Q. Yes. 20 A. That's a very wild claim. I can't -- no, 21 certainly not. I can't imagine what that would be 22 referring to. 23 Q. Thank you. 24 A. But I will say, getting back to the racism 25 question, that some of the things he said in his

134 1 article about black anti-Semitism -- 2 Q. Uh-huh. 3 A. -- would certainly be construed as racist by 4 some key people. I would not because I think it's a 5 phenomena that exists. 6 Q. Uh-huh. Did anyone actually take issue with 7 its factual basis? 8 A. Not to my -- well, not to my knowledge, no. 9 Q. I believe Timothy Jackson also argued that 10 black children are, on average, not exposed to the 11 tradition of western classical music -- 12 A. I think -- 13 Q. -- in comparison to other groups of people 14 in the United States? 15 A. Yeah, I think he did say that. 16 Q. And do you recall that being -- him being 17 accused of being racist because he wrote that? 18 A. I don't recall any specific instance, but 19 it's a case where he well might be. 20 Q. Has anyone, to your knowledge in the 21 Schenker kerfuffle that you have identified, ever 22 published any factual refutation of that assertion? 23 A. No, I don't think that anyone has. 24 Q. Do you know if it's in fact true? 25 A. I don't know if it's true. I would assume	136 1 A. Levi Walls I did not know that well. He was 2 a student in my Schenker class. 3 Q. Uh-huh. 4 A. And then I had some contact with him when 5 this issue was being put together, mainly emails. He 6 would email Ben Graf and Tim Jackson and me -- 7 Q. Sure. 8 A. -- and we would go back and forth, but that 9 was about it. 10 Q. Okay. And do you remember him ever 11 expressing a view before the publication came out on 12 the quality of Philip Ewell's scholarship? 13 MS. QUIMBY: Objection. Form. 14 A. No, no. 15 Q. (BY MR. ALLEN) Okay. That's fine. 16 Now, you -- I think you characterized 17 Levi Walls -- and I'm not trying to put words in your 18 mouth, but something of a weak person? 19 A. Well, it's -- yeah, don't put words in my 20 mouth. 21 I wouldn't say -- he was -- he was not 22 as assertive or as self-confident as the previous 23 editors had been. And he was more inclined to feel 24 that he had to do what -- most specifically, what 25 Dr. Jackson told him to do, that that was his role.
135 1 that Dr. Jackson has his own reasons for -- 2 Q. Okay. 3 A. -- saying it, but I wouldn't care to defend 4 that as a true or false assertion. 5 Q. Okay. That's fine. But you don't know of 6 anyone in the controversy that actually tried to 7 refute with facts Timothy Jackson's argument that 8 this is actually a cultural phenomenon in the United 9 States? 10 A. I don't know of anyone who has done that. 11 But also, I made a conscious decision to stop 12 involving myself at a certain point -- 13 Q. I understand. 14 A. -- in reading the back-and-forth on it. So 15 to my knowledge, no. 16 Q. Thank you. You talked quite a bit in your 17 testimony about Mr. Levi Walls and Benjamin Graf, the 18 two editors of the Journal for Schenkerian Studies 19 back in 2020, and I want to ask you if you worked at 20 all with Levi Walls in the lead-up to the publication 21 of the Volume 12 of the Journal of Schenkerian 22 Studies? 23 A. No. Benjamin Graf, yes. I mean, I've known 24 him for a long time as a student and colleague. 25 Q. Uh-huh.	137 1 I don't think that Ben Graf or Colin 2 or -- who was the first editor? The name escapes 3 me -- really felt that way. They would argue back if 4 they really felt -- 5 Q. Uh-huh. 6 A. -- something was the wrong thing to do and 7 they had a better idea. 8 Levi would only argue to a certain 9 extent, and then he would say, well -- and then he 10 would stop. So he was more prone to viewing himself 11 as a -- sort of a functionary under authority -- 12 Q. Uh-huh. 13 A. -- than the previous editors were. And then 14 he wasn't a full-fledged editor too. I mean, he was 15 sort of an editor-in-training. So he was also under 16 the authority of Benjamin Graf to some extent too. 17 Q. Sure. And in your view -- 18 A. It was -- 19 Q. Sorry. 20 A. It was an apprenticeship. 21 Q. Okay. And in your view, was there a power 22 differential between Benjamin Graf and Levi Walls? 23 A. Well, there was, because Benjamin was the 24 very experienced editor, and Levi was just coming in 25 and learning the job. I don't think it was a

138 1 problematic power issue -- power imbalance. 2 Q. Okay. 3 A. The power imbalance he felt between him and 4 Timothy Jackson was a much more powerful and 5 problematic one. 6 Q. Well, why was it problematic? 7 A. Because he felt -- I think he felt he was 8 under Dr. Jackson's control, as I said, in a way the 9 other editors did not and that -- 10 Q. Uh-huh. 11 A. -- he had sort of had to do what Dr. Jackson 12 said even if he disapproved of it. He would -- he 13 would kowtow in a certain way. 14 Q. And yet that didn't prevent him from 15 condemning Professor Jackson in July of 2020, did it? 16 A. Well, that was -- that was after the 17 publication of the journal, right? 18 Q. Yes. 19 A. No, he -- you might say he turned on 20 Dr. Jackson then because he felt that Dr. Jackson was 21 instrumental in possibly destroying his career. 22 Q. Do you think he feared Dr. Jackson or the 23 larger community of society of music theory 24 professors who were agitating against the journal at 25 that time?	140 1 to Dr. Jackson and me and Ben arguing before 2 publication that we should invite Philip Ewell in as 3 a respondent and that -- and that -- well, I argued 4 against it because I told him what I told you, which 5 is that in my experience, the traditional way to 6 handle these things is that the criticized scholar 7 would write a letter to the editor, and it would be 8 dealt with in that way. 9 Q. Uh-huh. 10 A. It turns out that there evidently was also a 11 practice of doing just what Levi suggested, but I 12 somehow didn't know about it. I hadn't had 13 experience with that. 14 So I argued against that, and then 15 Dr. Jackson agreed with me. And then Levi -- in 16 retrospect, as I said, I think that would have been a 17 good idea. But Levi then just let the matter drop. 18 He -- you know, "If Dr. Jackson and Dr. Slottow say 19 no, then I've done what I could. I'm not going to 20 press the issue. I'm not going to continue to argue 21 for it." He just let it drop. So he brought it up, 22 but he let it go fairly easily. That's one instance 23 I can remember. 24 Q. Was he ever ordered by Timothy Jackson to 25 censor anyone?
139 1 A. Well, he certainly feared the larger 2 community to the extent the larger community was 3 pointing to him as the editor and saying, "This is 4 your fault" -- 5 Q. Uh-huh. 6 A. -- but he blamed Dr. Jackson to a large 7 extent for that situation. 8 Q. And you said -- I forget how you put it, but 9 he felt dominated or something like that by Timothy 10 Jackson? 11 A. Yes. 12 Q. What specific observations did you -- you 13 know, what specific events or emails or utterances by 14 Levi Walls gave you that impression? And I'm talking 15 about before the journal came out. 16 A. Well, it was in -- before it was published, 17 you mean? 18 Q. Yes, correct. Before his grand, you know, 19 renunciation of his position and condemnation of 20 Timothy Jackson and claiming that he had been stuck 21 in a car by some gangster-like professor and all this 22 stuff. 23 MS. QUIMBY: Objection. Form. 24 A. Yeah, I don't -- he never talked to me about 25 that last point. I do know he did send an email out	141 1 A. Not to my knowledge, no. It would seem very 2 uncharacteristic. 3 What do you mean "censor anyone"? 4 Q. I don't know. That's the word he used, 5 right, that he was directed, quote, "not to censor 6 someone that he wanted to censor," or something of 7 that nature. 8 A. Are you saying that I said that? 9 Q. I'm asking you. I'm asking you if you ever 10 heard Timothy Jackson direct Levi Walls to censor 11 someone? 12 A. No. 13 Q. Had -- did you ever -- 14 A. I'm not even sure what that means. 15 Q. Did you ever witness -- okay. Sorry, go 16 ahead. 17 A. Like -- no, I never heard anything of that 18 nature, and this context, I'm not even sure what that 19 would mean. 20 Q. So you don't even know what Levi Walls is 21 talking about? 22 A. Well, I don't know that he had used that 23 term, and I'm not sure -- unless -- without knowing 24 more -- 25 Q. Yeah.

142 1 A. -- the context of that comment, I don't know 2 what he was talking about. 3 Q. And I'm just going to phrase the same 4 question more or less upside down. But did you ever 5 witness Timothy Jackson direct or order Levi Walls 6 not to censor someone, this idea of censorship? 7 A. No. No, no, the issue never came up that I 8 was aware of at all. 9 Q. Uh-huh. 10 A. And, again, I'm not sure what that means. 11 Censor what? Censor who? I mean, who... 12 Q. It's certainly not the job of an editor of 13 any journal to censor people, right? 14 A. Well, granted that I don't even know what 15 that means -- what it would mean, I would say no. 16 But I don't know -- if he made that comment, I don't 17 know what he was talking about. I would need more 18 context. 19 Q. Okay. You also talked about Benjamin Graf 20 and yourself providing feedback to Timothy Jackson in 21 his contribution to Volume 12. 22 A. Yeah. 23 Q. Do you recall talking about that? 24 A. Yes. 25 Q. We already discussed that there was a power	144 1 making our case. 2 Q. Sure. I want to call your attention back to 3 Exhibit 3. Can you get Exhibit 3 in front of you 4 again? I think it's only two pages. 5 A. Is that the letter from UNT faculty members? 6 Q. Yes. 7 A. Yeah, I've got it here. 8 Q. And I just want to direct your attention 9 to -- the first sentence says, "We, the undersigned 10 faculty members of the University of North Texas 11 Division of Music History, Theory, and 12 Ethnomusicology, stand in solidarity with our 13 graduate students in their letter of condemnation of 14 the Journal of Schenkerian Studies." 15 Did I read that correctly? 16 A. Yes. 17 Q. Do you understand that letter of 18 condemnation to be incorporated by reference in that 19 https internet link that's in the middle of the page? 20 MS. QUIMBY: Objection. Form. 21 A. I haven't clicked on that link. I'm not 22 sure where that link goes. It says the students' 23 letter can be found in the link. 24 Q. (BY MR. ALLEN) Okay. 25 A. I've read the letter. I mean, I read the
143 1 differential between Benjamin Graf and Timothy 2 Jackson, right? 3 A. Yes, because ultimately Jackson was sort of 4 the head of the Center for Schenkerian studies, and 5 it was his project. So there is a power -- there 6 definitely was a power differential. We sort of 7 acted within that. 8 Q. Did that prevent Benjamin Graf in any way 9 from expressing his criticism of Timothy Jackson's 10 work? 11 A. Well, in my experience, no. And, in fact, 12 he did -- we both did offer rather, you know, 13 explicit critiques of Timothy Jackson's work, 14 specifically in his article for Volume 12. 15 Q. Uh-huh. 16 A. And if Benjamin Graf has said that it did, I 17 wasn't aware of it, and he didn't say it to me. 18 Q. And, in fact, I think you testified Timothy 19 Jackson eventually accepted that criticism that you 20 were -- you and Benjamin Graf were providing? 21 A. Yeah. He pretty much cut most of that out. 22 There were other things I guess we probably could 23 have and should have criticized him, but we spent 24 most of our effort on that. He was stubborn about 25 it, you see, and so we had to expend some energy in	145 1 letter at the time. 2 Q. Sure. And the -- you don't have any reason 3 to believe that that link wasn't to the student 4 letter that we're both referring to, which you've 5 also referred to as the student petition, right? 6 MR. TODD: Objection. Form. 7 A. I have no reason for supposing that because 8 I haven't clicked on the link. I don't know where 9 it goes. 10 Q. (BY MR. ALLEN) That's fine. We could do 11 that, but I don't want to really waste our time doing 12 that. 13 A. I know where it says it goes. 14 Q. Yeah. And you did refer to the student 15 letter as a student petition earlier, right? 16 A. Yeah, yeah. 17 Q. And let's look at that second paragraph. 18 It says, "We endorse the call for action 19 outlined in our students' letter," right? 20 A. Uh-huh. 21 Q. And then in the final sentence of that 22 paragraph, it says, "Responsible parties must be held 23 appropriately accountable," right? 24 A. Yes. 25 Q. And in the student letter, as you remember

146 1 it, who was being singled out to be called into 2 account? 3 MS. QUIMBY: Objection. Form. 4 A. Well, it was both Dr. Jackson and, to a 5 lesser extent, myself. But Dr. Jackson more -- it 6 was a stronger accusation against him. 7 MR. ALLEN: Why don't we just put in the 8 record the student letter, just so we're not being 9 vague about anything. Let me -- you'll have to just 10 give me a second. 11 A. Yeah, I haven't seen it since then. 12 MR. ALLEN: This will be Exhibit 5 I'm 13 going to mark for the record, and this will be the 14 last exhibit we look at, Professor Slottow. 15 (Exhibit 5 marked.) 16 Q. (BY MR. ALLEN) You will see that Exhibit 5 17 is the November 25th, 2020 ad hoc panel report. 18 A. Well, I don't -- I don't see it at all. 19 Q. I know. You don't see it right here. And 20 I'm going to share it with you. 21 MR. ALLEN: I don't know. He doesn't 22 have a screen. How should we do -- should we go off 23 the record for a second? 24 THE VIDEOGRAPHER: We're off the record 25 at 3:59 p.m.	148 1 Q. Well, and my question, for the record, was 2 going to be do you recognize the document -- 3 A. Yes. 4 Q. -- that begins, "I am sharing this statement 5 on behalf of a cross-section of graduate students in 6 the Division of Music History, Theory, and 7 Ethnomusicology"? 8 A. Yes, I do recognize it. 9 Q. And is that the student petition that you 10 had referred to earlier in your deposition? 11 A. Yes, it is. 12 Q. So now we're going to do a little flipping 13 back and forth between exhibits, and I want to refer 14 your attention back to Exhibit 3, which was the 15 faculty letter we just talked about. 16 A. I've got it here. 17 Q. And we read that paragraph that begins, "We 18 endorse the call for action outlined in our students' 19 letter." 20 A. Yeah. Let's see. Where -- where is -- 21 Q. That's -- the second paragraph begins -- 22 A. Yes. 23 Q. -- "We endorse the call for action." 24 A. Right. 25 Q. So my question is in the student letter,
147 1 (Recess 3:59 p.m. to 4:12 p.m.) 2 THE VIDEOGRAPHER: We are back on the 3 record at 4:12 p.m. 4 Q. (BY MR. ALLEN) Dr. Slottow, I've introduced 5 into the record Exhibit 5, and I'm just going to 6 represent to you that Exhibit 5 is the ad hoc panel 7 report which has been discussed in earlier 8 depositions and throughout this litigation, and it's 9 dated November 25th, 2020. 10 I'm not going to ask you questions about 11 the entire report, but I want you to focus on one 12 portion of it, which begins on the Bates-numbered 13 page Jackson 226, and it is an exhibit that was 14 attached to the ad hoc panel report. 15 A. Wait a moment. I do not have this exhibit 16 in front of me. I -- wait. Oh, I see -- unless 17 it's -- unless it's part -- oh, okay. Wait a minute. 18 This is -- the student petition, the student letter I 19 read is attached to the ad hoc review panel. So -- 20 Q. Yes. 21 A. -- now here -- 22 Q. And it's only that student petition that I 23 want to focus on, okay? 24 A. Okay. Well, I am -- I have -- I just read 25 that. I have that in front of me.	149 1 which we've just introduced into the record as part 2 of Exhibit 5, can you identify what you understand as 3 the call for action? 4 A. Well, it's the numbered elements. 5 1. Publicly condemn the issue and 6 release it freely online to the public. 7 2. Provide a full public account of the 8 editorial and publication process and its failures. 9 And then next, Dissolve the Journal of 10 Schenkerian Studies. 11 Q. Uh-huh. 12 A. And then, Critically examine the culture in 13 UNT, the College of Music, the MHTE Division, and act 14 to change the culture. 15 And three, Hold accountable every person 16 responsible for the direction of the publication. 17 It certainly is characterized by sort of 18 overblown exaggeration, yes. That's what I -- 19 Q. And in that -- 20 A. That's what I would say is the call for 21 action. 22 Q. And in that last number 3 that you just read 23 that said, "Hold accountable every person responsible 24 for the direction of the publication" -- 25 A. Right.

150 1 Q. -- it also says in the last sentence, 2 "Specifically the actions of Dr. Jackson -- both past 3 and present -- are particularly racist and 4 unacceptable," right? 5 A. Yes. 6 Q. And then -- 7 A. And then it goes out of its way to praise 8 Philip Ewell. 9 Q. Sure. And so the last question would be 10 about Exhibit 3. 11 When you have been asked questions about 12 this document, Exhibit 3, by the state's attorney 13 Mary Quimby, she had asked you if this identifies 14 Timothy Jackson in the quote "faculty statement"? 15 A. Not in the faculty statement. 16 Q. But it does refer to the student letter and 17 incorporates it by reference, right? 18 A. Yes. 19 MS. QUIMBY: Objection. Form. 20 Q. (BY MR. ALLEN) And does that, quote, 21 "Endorsed student letter" refer to Timothy Jackson 22 directly by name? 23 MS. QUIMBY: Objection. Form. 24 A. The student letter does. The faculty letter 25 does not.	152 1 A. Yes. 2 Q. And it incorporates it through a URL or 3 website link, right? 4 A. Right. 5 Q. And the last sentence of that second 6 paragraph of the faculty petition says, "Responsible 7 parties must be held appropriately accountable," 8 right? 9 A. Yes, it does. 10 Q. And if you then refer to Exhibit 5, which is 11 the student petition, what is your understanding of 12 who is referred to as the responsible parties that 13 need to be held appropriately accountable? 14 MS. QUIMBY: Objection. Form. 15 A. Well, certainly it focuses on Dr. Jackson, 16 but it also says, "every person responsible," and 17 casting a wide net. But Dr. Jackson is the only 18 name -- person's name which is mentioned there. 19 Q. In that specific numbered call for action, 20 right? 21 A. Yes. He -- 22 Q. Now, are you -- sorry, I didn't mean to cut 23 you off. 24 A. Yes, he seemed to be the prime mover here. 25 Q. And are you mentioned by name in the student
151 1 Q. (BY MR. ALLEN) And when it says, 2 "Responsible parties must be held appropriately 3 accountable" in Exhibit 3 -- you see that last 4 sentence of the second paragraph? 5 A. The last sentence? Yes. 6 Q. Of the -- it says, "Responsible parties must 7 be held appropriately accountable." 8 A. That's not -- 9 Q. Do you understa -- 10 A. -- the last sentence. You mean -- 11 THE REPORTER: I'm sorry? 12 THE WITNESS: That's not the last 13 sentence. 14 Q. That's the last sentence of the second 15 paragraph I was referring to. 16 A. The last sentence is "Specifically, the 17 actions of Dr. Jackson," etcetera. 18 Q. Oh, I'm sorry. I meant Exhibit 3. I'm 19 trying to -- 20 A. Oh. 21 Q. -- link -- I'm trying to get some clear -- a 22 clear record of your understanding of how these two 23 documents interact, because obviously the -- as 24 you've already testified, the faculty petition refers 25 to the student petition, right?	153 1 petition? 2 A. Yes, I am, actually. 3 Q. And that's in the third paragraph, right, of 4 Exhibit No. 5, the student petition? 5 A. Yes. 6 Q. And it says it's -- it says, "We would like 7 to make it clear that the JSS is not a graduate 8 student journal; since 2010 (Vol.4), it has been run 9 primarily by Drs. Timothy Jackson and Stephen 10 Slottow." 11 A. Right. 12 Q. Did I read that right? 13 A. Yeah. 14 Q. Is that an accurate, factual statement about 15 the journal? 16 A. Yeah, because Dr. Jackson and I were 17 co-directors or director and assistant director. So 18 I would say as far as it goes, it's accurate, as far 19 as the editorial direction. 20 Q. How about the -- in the next sentence where 21 it says, "Students have absolutely no say in the 22 content of the JSS"? 23 A. Well, some students do. The students who 24 are on the staff, you might say, of the journal. 25 Certainly Benjamin Graf and Levi Walls are involved

154 1 and do have -- they are -- yeah, there is student 2 involvement. In fact, it acknowledges that. 3 We never said it was a student-run 4 journal, I mean, like run by the -- a mass of 5 students. It has a student editor, in this case a 6 student assistant editor. So, yeah. 7 Q. Did Levi Walls have absolutely no say in the 8 content of the JSS? 9 A. I would not say that's true at all. 10 Q. That's false, right? 11 A. I would say so, yes. 12 Q. Okay. Thank you. 13 So flipping back to Exhibit 3, I want to 14 just ask one last question about the final sentence 15 of the first paragraph of the student -- excuse me -- 16 the faculty petition, Exhibit 3. 17 A. Of the faculty petition, okay. 18 Q. You see it says, "The fact that he was not 19 afforded the opportunity to respond in print is 20 unacceptable, as is the lack of a clearly defined 21 peer-review process." 22 A. Uh-huh. 23 Q. Did I read that correctly? 24 A. Yes. 25 Q. Who is "he" in that sentence; the fact that	156 1 A. If it had been accepted and if it had come 2 from Philip Ewell, I can't imagine it would not have 3 been. Yes, we certainly would have been happy to 4 publish it. 5 Q. Okay. And to that extent, the statement 6 that he was not afforded the opportunity to respond 7 in print is unaccept -- that being unacceptable, 8 that's false, right? 9 MS. QUIMBY: Objection. Form. 10 A. To that extent, yes. But the word "respond" 11 is still a problematical word. 12 Q. (BY MR. ALLEN) Okay. 13 A. Because we don't know what he would be 14 responding to, other than a call for papers in 15 response to his SMT plenary address. 16 Q. It doesn't say that he wasn't invited 17 personally, does it? 18 A. No. It says he was not afforded the 19 opportunity to respond in print. I know what that 20 means. I know what they meant by that, but as for 21 what it actually -- that's what it says. 22 Q. Okay. 23 MR. ALLEN: If you want to redirect, 24 Mary, I'm going to pass the witness. I have no 25 further questions.
155 1 "he" was not afforded the opportunity to respond in 2 print is unacceptable. 3 A. That would be Dr. Ewell. 4 Q. And is that factually accurate, that he was 5 not afforded the opportunity to respond in print? 6 MS. QUIMBY: Objection. Form. 7 A. Well, that gets back to that "respond." I 8 mean -- 9 Q. (BY MR. ALLEN) Yeah. 10 A. -- he was not invited to respond as a 11 responder to the items in the symposium. So he was 12 invited, like anyone else, to submit an article or a 13 submission to the journal. 14 Q. Isn't it true that the only way he was 15 denied an opportunity to respond, if he had even 16 wanted to, was because UNT refuses to publish the 17 journal anymore, right? 18 MS. QUIMBY: Objection. Form. 19 Q. (BY MR. ALLEN) I mean, otherwise the 20 journal would have been happy to publish him? 21 MS. QUIMBY: Objection. Form. 22 A. The journal would have been happy to publish 23 anything that he sent in in response to the call for 24 papers of Volume 12? Is that what you mean? 25 Q. (BY MR. ALLEN) Yes.	157 1 MS. QUIMBY: Okay. Can we take just 2 five minutes, please. 3 MR. ALLEN: Absolutely. 4 THE VIDEOGRAPHER: Okay. We're off the 5 record at 4:24 p.m. 6 (Recess 4:24 p.m. to 4:31 p.m.) 7 THE VIDEOGRAPHER: Back on the record at 8 4:31 p.m. 9 FURTHER EXAMINATION 10 BY MS. QUIMBY: 11 Q. Okay. Dr. Slottow, I'll have you look at 12 the student statement again. And you stated, "I know 13 what they mean." 14 A. Well, I was talking about the faculty 15 statement -- 16 Q. I'm sorry, the faculty -- 17 A. -- when I said that. 18 Q. Okay. What do -- 19 MR. ALLEN: Are we on Exhibit 3, then, 20 or Exhibit 5? 21 MS. QUIMBY: That would then be 22 Exhibit 3. 23 MR. ALLEN: Okay, thank you. 24 A. I think I said that about -- did I say that 25 about responsible parties must be held appropriately

158 1 accountable, or was it about something else? 2 Q. It was about the response issue. 3 A. Well, can you point to a specific -- I think 4 I was referring to a specific sentence. Do you 5 remember what it was? 6 Q. "Responsible parties must be held 7 appropriately accountable," at the end of the second 8 paragraph. 9 A. Yes. Well, it's a general -- I thought -- 10 it would have made more sense in the context of 11 what -- who is Tim Jackson's attorney? What's his 12 name? 13 MR. ALLEN: Michael Allen. 14 A. -- what Michael Allen said. Now, what was 15 he getting at, he was trying to get at? I forget. 16 Let me reread the paragraph. 17 Well, I'm not sure exactly what I meant 18 then because it was in response to something that 19 Michael Allen said. 20 MS. QUIMBY: Could we read back 21 that part of the transcript, please? 22 (Background noise.) 23 THE REPORTER: I'm sorry? 24 MS. QUIMBY: Could we read back that 25 last question and answer before we went off the	160 1 A. Well -- 2 MR. ALLEN: Objection. 3 A. -- for the first part, do I agree with what 4 he says in his article, I wouldn't even answer that 5 without having -- rereading the article. It's been 6 years. And he says a lot about black anti-Semitism. 7 Well, there are -- certainly are pockets 8 of black anti-Semitism, and there are certainly 9 instances of synagogues being burnt down by some 10 black people. Those are facts which have been 11 reported on. So I think some of that is around, yes. 12 Q. (BY MS. QUIMBY) And what about what he said 13 in the article that black children are not exposed to 14 classical music? 15 A. I don't know if that's true or not. I don't 16 know what he has -- what Dr. Jackson supports that 17 with, and I wouldn't venture to agree or disagree 18 with that statement. 19 Q. Would you expect that statement to be 20 supported in an academic journal in a scholarly 21 article? 22 A. I wouldn't venture to say. I don't know. I 23 mean, it's too speculative. Would I expect it to be 24 supported if someone had done a study on it? I don't 25 know. I would have to wait to see if someone does do
159 1 record? 2 THE REPORTER: The last question is: 3 Q. It doesn't say that he wasn't 4 invited personally, does it? 5 A. No. It said he was not afforded the 6 opportunity to respond in print. I know what that 7 means. I know what they meant by that, but as for 8 what it actually -- that's what it says. 9 A. I think I was referring to a sentence with 10 the word "respond" in it. It wasn't that sent -- it 11 wasn't in the sentence -- 12 Q. Right. 13 A. The one -- it was the last sentence of the 14 first paragraph. 15 Q. Now that you've heard that response -- your 16 response again, do you now know -- can you now answer 17 the question of what you meant when you said, "I know 18 what they mean"? 19 A. Yeah, it meant that we did not -- the 20 journal did not invite Dr. Ewell to provide a 21 response to each of the items in the symposium. 22 That's what they meant. 23 Q. Okay. And do you agree with what 24 Dr. Jackson said in his article, particularly the 25 point regarding black anti-Semitism?	161 1 a study on it. Until then, I'm not going to express 2 an opinion. I think it's -- it's a sort of statement 3 that I don't think should be made without some 4 evidence. 5 Q. Okay. Thank you. 6 MS. QUIMBY: I will pass the witness. 7 MR. ALLEN: Sure. 8 FURTHER EXAMINATION 9 BY MR. ALLEN: 10 Q. I just have one more question about the last 11 sentence of the first paragraph in Exhibit 3, the 12 fact that he was not afforded the opportunity to 13 respond in print is unacceptable, right? 14 A. Right. 15 Q. You said you know what they mean. 16 A. Yeah. 17 Q. And you even explained to the state's 18 attorney, Mary Quimby, what your understanding was, 19 right? 20 A. Right. 21 Q. And my question for you is there's been a 22 lot of discussion about what they meant after this 23 faculty petition was published, right? 24 MS. QUIMBY: Objection. Form. 25 A. Wait a minute. After this faculty -- what

162 1 was published? It circulated among faculty. It -- 2 Q. (BY MR. ALLEN) Sure. 3 A. -- certainly has appeared in court. What do 4 you mean was published? 5 Q. So I'll just represent for the record -- and 6 I'm not trying to make you a legal beagle or 7 anything, but in defamation law, something is 8 published when it's disclosed to another party, like 9 a third party. 10 A. Okay. 11 Q. Not necessarily having to be published in a 12 journal or newspaper, all right? 13 So when I -- so maybe I shouldn't use 14 this jargon. I should say, "when this was 15 circulated." This was circulated at the time in 16 July 2020, correct? 17 A. As far as -- 18 MS. QUIMBY: Objection. Form. 19 A. I don't know the exact date. I would have 20 to depend on you. 21 Q. (BY MR. ALLEN) But you remember receiving a 22 copy of it and being asked to sign it, right? 23 A. Yes. 24 Q. At that time was it explained to you what 25 they actually meant by this last sentence? Do you	164 1 A. I don't recall that it was put in those 2 terms to me, no. 3 Q. Okay. 4 MR. ALLEN: I don't have -- 5 Q. I'm sorry. Go ahead. 6 A. If anyone said that, I would say it would 7 amount to the same thing. He wasn't invited to 8 respond to the items in the symposium, and that is 9 what was referred to. 10 Q. Okay. 11 MR. ALLEN: I don't have any further 12 questions. 13 MS. QUIMBY: Okay. Thank you. 14 THE VIDEOGRAPHER: Do you need to get 15 anything on the record before we go off? 16 THE REPORTER: Go ahead, Phil? 17 THE VIDEOGRAPHER: I was just asking if 18 you need to get anything on the record before we go 19 off. 20 THE REPORTER: I do, thank you. 21 Read and sign, do you want him to waive, 22 or do you want him to read and sign? 23 MR. TODD: Yeah, we would request that 24 we be allowed to review the transcript, Rule 25 30(e)(1).
163 1 remember -- 2 A. No, because -- 3 Q. -- anything to that effect? 4 A. -- it wasn't explained because I felt I 5 knew -- I felt that what they meant was obvious. 6 Q. And all of that what you just said about 7 this statement, that wasn't said in the actual 8 petition that was circulated to you, was it? 9 A. It's not spelled out into any greater 10 degree, no. I mean, this is the faculty petition, 11 yes. 12 Q. Uh-huh. All right. 13 A. I think -- 14 MR. ALLEN: I have no -- 15 Q. Go ahead. 16 A. I think that whoever put it together 17 expected it to be obvious, and I think it is obvious. 18 I would say it clearly refers to the 19 fact that Dr. Ewell was not invited to respond to the 20 items in the symposium. And that was a common and 21 much repeated criticism at the time. 22 Q. Wasn't the criticism that was common -- 23 wasn't a criticism that was common and repeated at 24 the time that he was excluded from the journal? 25 MS. QUIMBY: Objection. Form.	165 1 THE REPORTER: And, Mr. Allen, do you 2 want a copy of the depo? 3 MR. ALLEN: I'll just need a transcript 4 only. 5 THE REPORTER: No video. Is that what 6 you're saying? 7 MR. ALLEN: Yes. 8 THE REPORTER: Okay. All right. I 9 think that's it. We can go off the record. 10 THE VIDEOGRAPHER: Off the record at 11 4:41 p.m. 12 (Deposition concluded at 4:41 p.m.) 13 14 15 * * * * * 16 17 18 19 20 21 22 23 24 25

166 1 CHANGES AND SIGNATURE 2 WITNESS NAME: STEPHEN SLOTTOW, PhD 3 DATE OF DEPOSITION: NOVEMBER 7, 2024 4 PAGE LINE CHANGE REASON 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 _____ 21 _____ 22 _____ 23 _____ 24 _____ 25 _____	168 1 THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF TEXAS 3 SHERMAN DIVISION 4 TIMOTHY JACKSON,) 5) 6 Plaintiff,) 7) 8 VS.) CIVIL ACTION 9) 10 LAURA WRIGHT, ET AL.) NO.: 4:21-cv-00033-ALM 11) 12 Defendants.) 13 14 REPORTER'S CERTIFICATION OF THE ORAL 15 DEPOSITION OF STEPHEN SLOTTOW, PhD 16 NOVEMBER 7, 2024 17 18 I, Vanessa J. Theisen, a Certified 19 Shorthand Reporter in and for the State of Texas, 20 hereby certify to the following: 21 That the witness, STEPHEN SLOTTOW, PhD, 22 was duly sworn by the officer and that the transcript 23 of the oral deposition is a true record of the 24 testimony given by the witness; 25 That the original deposition was delivered to Mr. Patrick Todd to obtain witness's signature. That a copy of this certificate was served on all parties and/or the witness shown herein on November 11, 2024. I further certify that pursuant to FRCP Rule 30(3) that the signature of the deponent: _XX_ was requested by the deponent or a
167 1 I, STEPHEN SLOTTOW, PhD, have read the 2 foregoing deposition and hereby affix my signature 3 that same is true and correct, except as noted above. 4 5 _____ 6 STEPHEN SLOTTOW, PhD 7 THE STATE OF _____) 8 COUNTY OF _____) 9 Before me, _____, on this day 10 personally appeared STEPHEN SLOTTOW, PhD, known to me 11 (or proved to me under oath or through 12 _____) (description of identity card or 13 other document) to be the person whose name is 14 subscribed to the foregoing instrument and 15 acknowledged to me that he executed the same for the 16 purposes and consideration therein expressed. 17 18 Given under my hand and seal of office, this 19 _____ day of _____, _____. 20 21 _____ 22 NOTARY PUBLIC IN AND FOR 23 24 THE STATE OF _____ 25 My commission expires: _____ _____ No Changes Made _____ Amendment Sheet(s) Attached	169 1 party before the completion of the deposition and 2 that the signature is to be before any notary public 3 and returned within 30 days from date of receipt of 4 the transcript. 5 If returned, the attached Changes and 6 Signature Page contains any changes and the reasons 7 therefore: 8 _____ was not requested by the deponent or 9 a party before the completion of the deposition. 10 I further certify that I am neither 11 counsel for, related to, nor employed by any of the 12 parties or attorneys in the action in which this 13 proceeding was taken, and further that I am not 14 financially or otherwise interested in the outcome of 15 the action. 16 Certified to by me on this, the 11th day 17 of November, 2024. 18 19 _____ 20 VANESSA J. THEISEN, Texas CSR, RPR 21 Texas Cert No. 3238 22 Expiration Date: 10/31/25 23 Integrity Legal Support Solutions 24 Firm Registration No. 528 25 9901 Brodie Ln., Ste. 160-400 Austin, Texas 78748 (512) 320-8690 www.integritylegal.support

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