

Biondi seems to try to bankrupt Prof. Meyer

By Roy Malone

In the last issue of SJR, it was reported that the suit pushed by Saint Louis University President Lawrence Biondi against Prof. Avis Meyer had ended with an out-of-court settlement just before a trial was to begin.

Not so fast, say Biondi's lawyers from the downtown firm of Lewis, Rice & Fingersh, who have already billed the university an estimated \$250,000 (one lawyer's hourly rate is \$357). They're still filing motions in federal court and trying to squeeze money out of Meyer, who has racked up about \$100,000 for his own legal defense.

"I'm broke," said Meyer, a tenured professor who was the faculty adviser to the student newspaper for 34 years. For about 20 years Biondi has been trying to get rid of Meyer as he blames him for anything in the UNews that he perceives as negative to him or to SLU.

Biondi, a Jesuit priest, doesn't worry about the legal bills as he can tap the university coffers to pay his team of lawyers.

The administration revised the newspaper's charter in 2007 and has more control over the editors. Efforts to get Meyer's name off the editorial page as adviser or mentor, were unsuccessful as editors were upset that he was pushed out. Last year, Meyer was ordered not to set foot in the UNews offices. But still the student journalists, as they have for years, seek him out for advice and editing help.

Biondi, who has never spoken to Meyer, seems intent on breaking him financially, Meyer says. His stipend as adviser to the newspaper was ended and a promised raise was reduced. Meyer was told by Biondi's lawyers that he should pay their legal expenses and the suit would go away. Meyer has to fork over to SLU the \$6,000 he would earn for teaching summer school next year and if he should not be able to teach, his wife would have to pay it.

Biondi claimed victory in winning the suit, though it never went to trial. The suit alleged trademark infringement because Meyer incorporated the name of the student paper. He did so in 2007 to preserve its name in case the UNews editors were forced to move off campus, as university officials warned might happen. He relinquished the name a few months later but Biondi's lawyers filed suit anyway.

U. S. District Judge Carol Jackson dismissed six out of seven counts in the suit last December. The remaining count was that Meyer had violated an obscure 1919 Missouri statute that forbids misuse of the name of a benevolent organization (SLU). At a pretrial hearing, Jackson looked annoyed and said, "What are we doing here?" She urged the parties to negotiate a settlement to end the suit. The judge admonished Meyer for deleting his e-mails, which SLU lawyers said were "highly relevant" as they might have contained information adverse to Meyer. Meyer agreed to plead guilty to unintentionally registering the name of the newspaper without SLU's permission.

Biondi claims victory

Biondi, in a message to staff, faculty, and students, said: "The court's judgment of March 3 is a victory for the university, however, we are disappointed that it took 18

months to get Dr. Meyer to publicly agree to relinquish what never belonged to him in the first place. The court's order shows that Dr. Meyer is responsible for all that has transpired in that time. . . . and led to a lengthy court case that the university would rather have avoided."

But the student journalists at the UNews reject the spin Biondi and his underlings put on the legal sparring. They say Biondi, in a "mean-spirited" message, never mentioned that Meyer sought to save the newspaper's name in case the students were forced off campus, and that he relinquished the name six weeks before the lawsuit was filed.

The UNews ran a cartoon that showed Biondi taking money from the SLU budget and pouring the money into a "frivolous lawsuit." An editorial said: "Filing six bogus charges out of seven is no victory. Suing a respected professor for efforts to protect students' free speech is no victory."

The editorial said the administration should have resolved any problems internally "rather than sue one of its most valued tenured faculty members . . . after writing off this frivolous lawsuit as a victory."

Despite the unpleasantness on campus, Meyer recently received a Lifetime Achievement Award from the Missouri Professional Communicators organization.

On May 3 about 100 people attended a trivia night party to raise about \$10,000 to help defray Meyer's legal expenses. SLU lawyers said this proves Meyer has money and this money should go to defray their expenses. Another fund-raiser is planned by Meyer supporters.

Meanwhile, in federal court, SLU lawyers are trying resurrect some of the arguments that were earlier tossed out and are trying to have financial penalties assessed against Meyer. They have been emphasizing how Meyer deleted his e-mails.

Meyer's lawyer filed a motion saying SLU should pay Meyer's costs and said the suit has been a waste of the court's time. SLU "has been using the court to try to punish Meyer and drain his resources," the motion said. ■



Elizabeth Glueck/The University News