

FROM THE COURTS

White Law Prof Suspended Over N-Word Sues Emory, Ex-Dean



Emory University law professor Paul Zwier contends Black professors at Emory have used the same epithet both in and out of class without consequence.

by R. Robin McDonald

An Emory University law professor suspended and banished from campus for more than a year over his use of a racial epithet has sued the university, contending he was subjected to discrimination, retaliation and libel because he is white.

The suit was filed Thursday on behalf of tenured law professor Paul Zwier by attorney Lee Parks of Atlanta's Parks Chesin & Miller. It contends that Zwier was suspended indefinitely and recommended for termination over his use of the N-word in teaching a class. The suit contends that Black professors at Emory have used the same epithet both in and out of class without consequence.

As a result, Zwier said his reputation has been damaged, and he lost hundred of thousands of dollars in legal and consulting fees because of the public controversy that resulted.

Emory University spokeswoman Laura Diamond said Friday that Emory "disagrees with the characterization of what occurred, and will vigorously defend itself against this lawsuit."

According to the suit, after Zwier was suspended, he complained to the chairman of the university's Faculty Hearing Committee that the disciplinary action imposed was discriminatory. As a result, the suit claims that the law school's then-interim dean, James Hughes, recommended the committee fire Zwier and strip him of his tenure.

According to the suit, after an October 2019 private hearing that lasted two days, the faculty committee issued a decision finding that neither the interim dean nor Emory had demonstrated adequate cause to revoke Zwier's tenure and directed that Zwier be reinstated.

But according to the suit, the committee withheld its determination for several months "because of unfounded fears pressed upon it by the law school that a favorable decision in Zwier's favor would cause a wave of antipathy and negative publicity for the law school and Emory."

The suit also contends that, on at least four occasions, Hughes wrote multiple letters that circulated widely through the university community and to the media equating Zwier's use of a racial epithet with white supremacy and racism.

Zwier first uttered the epithet in a first-year torts class in 2018 while referencing a 1967 civil assault case and then called on a Black student to discuss it. Zwier made the first of multiple apologies the following day but explained that, in using the term, he intended to suggest the court record was sanitized and that the plaintiff was actually called the inflammatory epithet.

He was placed on administrative leave and banished from the law school campus in November 2018 after a post-graduate law student complained Zwier used the uncensored phrase "n—r lover" during a personal conversation over use of the word. Zwier said the term had been directed at him as a teenager because of his friendship with Black students.

According to the suit, multiple members of the faculty and some students told Zwier that it was inappropriate for him to use the epithet or any variation of it because he was white.

Hughes served as the interim dean of the law school from September 2017 to August 2019. Zwier has been a member of the law school faculty since 2003.

Zwier's suspension was lifted in March, and he is slated to begin teaching elective courses to second- and third-year law students this fall.

But law school Dean Mary Anne Bobinski warned in a letter to the law school community that, while the use of controversial words aren't banned on campus, there are limits to academic protections and that faculty members' use of racially charged or derogatory language with students without a clear educational objective could lead to censure or other forms of academic discipline.

R. Robin McDonald reports for the Daily Report, an ALM affiliate of the Daily Business Review. Contact her at rmcdonald@alm.com.



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **VIRTUAL LOCAL PLANNING AGENCY (LPA)** meeting on **Wednesday, August 26, 2020 beginning at 10:00 AM**, to consider the following amendment to the Official Zoning Map of the City of Doral. The meeting will be held with the elected officials, administration and City staff participating via video conferencing.

Governor DeSantis' Executive Order Number 20-69 and extension 20-179 suspended the requirements of Section 112.286, Florida Statutes and the Florida Sunshine Law, that a quorum to be present in person, and that a local government body meet at a specific public place. The Executive Order also allows local government bodies to utilize communications media technology, such as telephonic and video conferencing for local government body meetings.

Public Comments: members of the public that wish to provide comments may do so by emailing the City Clerk at cityclerk@cityofdoral.com. Comments must be submitted with your name and full address by **Tuesday, August 25, 2020**. The comments will be circulated to the elected officials and administration, as well as remain as a part of the record for the meeting. If you wish to provide comments during the meeting for this hearing item, please email the City Clerk at cityclerk@cityofdoral.com by 12:00 pm on Monday, August 24, 2020 so that accommodations can be arranged.

The meeting will be broadcasted live for members of the public to view on the City of Doral's website (<https://www.cityofdoral.com/government/city-clerk/council-meetings>) as well as Channel 77 and Facebook Live.

The City of Doral proposes to adopt the following Resolution:

RESOLUTION No. 20-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, RECOMMENDING APPROVAL / DENIAL OF, OR GOING FORWARD WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF DORAL FROM INDUSTRIAL COMMERCIAL DISTRICT (IC) TO OFFICE-1 DISTRICT (O-1) FOR A ±4 ACRE PARCEL OF LAND LOCATED AT 9455 NW 40 STREET ROAD, DORAL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 20-08-DOR-05

APPLICANT: Orbis Fortium, LLC (the "Applicant")

PROJECT NAME: Shelton Academy

LOCATION: 9455 NW 40 Street Road, Doral, Florida

FOLIO NUMBERS: 35-3028-015-0010 and 35-3028-015-0020

SIZE OF PROPERTY: ±4 acres

CURRENT FUTURE LAND USE MAP CATEGORY: Office and Residential (OR)

CURRENT ZONING DESIGNATION: Industrial Commercial District (IC)

PROPOSED ZONING DESIGNATION: Office-1 District (O-1)

REQUEST: The Applicant is requesting an amendment to the official zoning map of the City of Doral from Industrial Commercial District (IC) to Office-1 District (O-1).

LEGAL DESCRIPTION: Lots 1 and 2 in Block 1 of "Swiss Chalet Subdivision", according to the Plat thereof, as recorded in Plat Book 140, Page 79, of the Public Records of Miami-Dade County, Florida.

Location Map



Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, any person who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

Connie Diaz, MMC
City Clerk
City of Doral City of Doral