



Ave Maria
SCHOOL OF LAW

June 4, 2007

Mr. Alex Vernon, President
Ave Maria School of Law
Alumni Association
1133 Hall Avenue
Windsor, Ontario N9A 2MB
Canada

Dear Alex,

I understand that some members of the Alumni Association Board of Directors have requested a response from me regarding my absence from Alumni Board meetings. I will do my best to explain some of the underlying reasons that have caused me to question the value of my participation in these monthly meetings, and why I do not plan to participate in the foreseeable future.

At the outset and by way of background, I wish to remind the members of the Board that, although I have not been personally present for some time, I have been represented at every single meeting of the Board by my designee, consistent with Article V of the bylaws. In his capacity as my designee, the Director of Development and Alumni Affairs is authorized to represent the point of view of the Law School administration and cast votes in my absence.

I do appreciate that there are limits to this representation, however. The designee does not, for example, attend meetings of our governing board or faculty and certainly cannot be expected to speak to issues that come before the Alumni Board with the same authority as the Dean. This, I assume, is the cause for concern expressed by some Board members regarding my participation, and I can certainly understand that this could be a source of frustration.

The primary reason for my decision to discontinue attending meetings is that a majority of the Board has taken advantage of their position as elected representatives of the alumni to undermine the mission and direction of Ave Maria School of Law. There are numerous examples I could cite to support this, but I will offer just one for the sake of brevity.

On the morning of February 20, I announced at a meeting of students and faculty that the Board of Governors had resolved to relocate the Law School to Florida. I also announced that a

press conference would be held in the afternoon providing additional details on the rationale for the relocation, and that the Law School would continue to provide ongoing information to the Law School community, including alumni.

Rather than waiting for the press conference and for the opportunity to hear and see why the Board of Governors believed that it was in the long-term best interests of the Law School to relocate, some members of the Alumni Board took advantage of their majority position and hastily called an “emergency” meeting to issue a “condemnation” of the Governors’ decision. Although there was no actual “emergency” in the usual sense of the term, the emergency meeting took place before the press conference, and with the full knowledge that it was impossible for either me, or my designee, to attend the meeting to offer the point of view of the Board of Governors or the Administration. The condemnation was then made public in an attempt to affect negatively the press coverage of the Board’s decision.

So with absolutely no knowledge of what was to be communicated with respect to the relocation to Florida, and with no opportunity for the view of the Board of Governors and the Administration to be represented at the emergency meeting, the Alumni Board attempted to undermine the Law School with a public and pre-emptive “condemnation” of the Governors’ decision to relocate.

Second, I am concerned that several members are violating accepted standards of professional responsibility by maintaining their seats on the Alumni Board. Article II of the bylaws states the purpose and mission of the Alumni Association and, by extension, the responsibilities of its Board of Directors, as follows: “...*The Association...plays an integral role in recruiting qualified students, mentoring and placing students and graduates, promoting financial support of the School, and establishing scholarships and grants.*”

This is a noble mission, and I am grateful for those members of the Alumni Board who take seriously these fiduciary responsibilities. However, several members have made it clear that they will not support the School financially, and they have publicly discouraged alumni from participating in annual giving. Further, it has come to my attention that some members of the Alumni Board have actively discouraged prospective students from enrolling at Ave Maria. To the extent that these members of the Alumni Board act in a manner that is contrary to their responsibilities as prescribed in the bylaws, their continued membership on the Board is inconsistent with their responsibilities as elected members of it and clearly in bad faith.

Third, it is widely known that at least two members of the Alumni Board actively participate in weblogs by posting, entries, comments and graphics that are clearly intended to incite dissent and undermine the mission and direction of the Law School. These postings are often entirely untrue, and nearly always distorted and intentionally misleading. They are frequently vulgar, and often caricature individual members of the faculty, administration, alumni, and student body in a most unkind manner. And, although these postings commonly name the

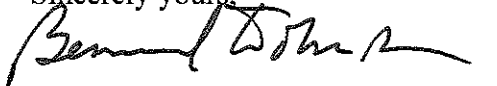
names of the individuals they wish to disparage for their support of the Law School--without regard for the privacy and dignity of these individuals--the posters themselves hide in anonymity. Such actions are, at best, unprofessional and morally infirm.

But even more troubling is that, in some cases, these postings include information discussed at Alumni Board meetings—information that is clearly expected to remain confidential within the Board until released in the approved minutes of those meetings. In other words, members of the Alumni Board are actively using the privilege of their elected positions to subvert the legitimate functions of the Board and the mission of the Law School. Here again, this activity by some members of the Board is inconsistent with their responsibilities as elected members of the Board and clearly constitutes bad faith participation.

Finally, on May 15, an email message was distributed to the alumni by members of the Alumni Board that included a copy of Professor Joseph Falvey's response to a request of the Board of Governors for a proposal for keeping the Law School in Michigan. This distribution took place despite the fact that it was made abundantly clear to the Alumni Board that the Board of Governors had not and would not consent to the public release of Professor Falvey's response because it is a confidential document that includes privileged and proprietary information. I found this action particularly egregious because it demonstrated that several members of the Alumni Board are willing, if not eager, to convert their contempt for the Administration and Governing Board into activities that harm the Law School. It also demonstrates, unambiguously, that several members of the Alumni Board are willing to disregard the expressed wishes of the Administration and Governing Board, in direct contravention of its own bylaws (see Article I).

In summary, it is my view that some members of the Alumni Board have abused their privilege and their majority position in order to derail the mission and direction of Ave Maria School of Law, rather than to play a constructive role in advancing its mission and the stated mission of the Alumni Association. As such, I hope that you can understand why I must curb my involvement until the situation changes.

Sincerely yours,



Bernard Dobranski
Dean and Professor of Law

BD/sr

Cc: Alumni Board
All Alumni
Board of Governors