

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

DR. RACHEL TUDOR,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:15-CV-00324-C
)	
SOUTHEASTERN OKLAHOMA)	
STATE UNIVERSITY,)	
)	
and)	
)	
THE REGIONAL UNIVERSITY)	
SYSTEM OF OKLAHOMA,)	
)	
)	
Defendants.)	

**PLAINTIFF DR. RACHEL TUDOR'S
MOTION AND INCORPORATED BRIEF
SEEKING RECONSIDERATION OF FRONT PAY**

Dr. Tudor respectfully requests that the Court reconsider the front pay order (ECF No. 286) so as to correct or clarify the period for which front pay is awarded, otherwise correct a mathematical error in computation, and reconcile or reconsider conflicts between the order and the earlier issued reinstatement order (ECF No. 275).

I. PERIOD OF FRONT PAY AWARD

The front pay order grants front pay for a period of 14-months, measured by the time between Tudor's termination from Southeastern in May 2011 and the start of her job at Collin College in September 2012 (ECF

II. ERROR IN COMPUTATION OF FRONT PAY

In the event that the Court intended to award front pay for the 14-month period immediately *after* the trial, Dr. Tudor respectfully points out a mathematical error.

The front pay order indicates (ECF No. 286 at 4–5) that Tudor is entitled to 14-months of front pay which shall be calculated based upon the yearly salary identified in Scenario 4 of the exhibit computing front pay (ECF No. 279-8 at 6). However, the \$51,463.52 figure, which the front pay order identifies as Tudor’s “yearly compensation” (ECF No. 286 at 5), is actually the pro-rated projected 2017-18 term salary over a 253-day period between the jury verdict (November 20, 2017) and the end of the 2018 Summer session (July 31, 2018), not annual salary. *See* ECF 279-8 at 6 (Scenario 4 at line one, column marked “Period” reflecting date range of “11/20/17–7/31/18”).

Assuming the Court intended to award Tudor 14-months of front pay at the rate indicated in Scenario 4, the proper sum is \$90,080.58. This sum is arrived at by taking the pro-rated 2017-18 compensation (\$51,463.52) and adding to it pro-rated 2018-19 compensation² (\$38,617.06³). Under this

² Because it is undisputed under Southeastern’s salary card (ECF No. 286 at 3) that Tudor is entitled to a slightly higher rate of pay each succeeding year of service, and a 14-month front pay period falls across two different service years, using a pro-rated portion of the 2017-18 salary card rate and the 2018-19 rate is the proper means of computing a 14-month period of front pay immediately following trial.

³ To calculate the pro-rated salary for the 2018-19 term, one takes the total year compensation of \$81,475.16, divides it by 365 to reduce it to a daily rate (\$223.22), and then

No. 286 at 4). However, that particular calendar period cannot be remedied with front pay.

Though Tudor did in fact lose compensation between the time of the adverse actions and trial (failure to promote in the 2009-10 tenure cycle *and* termination in May 2011), those losses are redressed with *back pay*, not *front pay*. See *Dalal v. Alliant Techsystems, Inc.*, 1995 WL 747442, at *3 (10th Cir. 1995) (“[F]ront pay is an alternative to the remedy of reinstatement, and thus it is an award of future damages. Compensation for the period prior to trial constitutes back pay, a matter that was already submitted to the jury and that cannot be awarded again by the court as front pay.”).

Similar to the situation in *Dalal*, Dr. Tudor sought back pay from the jury, presented evidence in support thereof, and the jury was instructed to compute the appropriate compensation to her as back pay.¹ Tudor understands that the jury appropriately awarded undifferentiated back pay, subsumed in the omnibus damages award. See ECF No. 262 at 2 (awarding Tudor combined total damages of \$1,165,000 without delineating kind). Dr. Tudor respects the jury’s verdict and does not seek additional back pay.

¹ See, e.g., Jury Instructions, ECF No. 257 at 24 (Types of Damages—Instruction No. 14: “Back pay damages are to compensate Plaintiff for the economic injuries or losses she sustained as a result of Defendants’ illegal discrimination or retaliation.”); *id.* at 26 (Back Pay Damages—Instruction No. 15: “You may consider the earnings to which Plaintiff proves she would have been entitled if her employment had not ended, measured from the time her employment with Defendants ended in May of 2011, until she began employment with Collin College in September of 2012. These damages are intended to put Plaintiff in the economic position she would have been [in] if her employment with Defendants had not ended.”).

calculation, Tudor is compensated for 253 days under the appropriate rate for the 2017-18 term (Nov. 20, 2017 through July 31, 2018) and 173 days under the rate for the 2018-19 term (August 1, 2018 through January 20, 2019).

III. OTHER ISSUES

A. Revisiting Front Pay

In the event that the Court did not intend to award front pay for the period *after* trial, Dr. Tudor respectfully requests the Court reassess whether front pay is necessary to make Tudor whole. In support thereof, Dr. Tudor points to the trial proceedings as well as her arguments and evidence in her merits brief (ECF No. 279), reply brief (ECF No. 285), and motions to supplement (ECF Nos. 280 and 282⁴). In addition, Dr. Tudor respectfully clarifies other issues.

Dr. Tudor's subsequent reemployment at Collin College does not bar front pay. Contra ECF No. 286 at 4 (“Because Plaintiff gained similar employment at Collin County, any front pay which Plaintiff is entitled must end with the beginning of her employment there.”). The mere fact that Tudor found subsequent, temporary, non-equivalent employment in the same

multiplies the daily rate by 173 (the number of days between the end of the 2017-18 term and January 20, 2019, the day that falls 14 months after the jury verdict).

⁴ The undersigned erroneously filed ECF No. 281 (which contained an error) and refiled a corrected version as ECF No. 282. Given the foregoing, the Court properly struck ECF No. 281 as moot in the front pay order (ECF No. 286 at 5).

sector⁵ at Collin College does not bar front pay. *See, e.g., McInnis v. Fairfield Communities, Inc.*, 458 F.3d 1129, 1146 (10th Cir. 2006) (front pay available where there is evidence that employee has “no prospects of attaining” similar pay to that entitled if reinstated at old job even if she is reemployed in same sector); *Johnson v. Spencer Press of Maine, Inc.*, 364 F.3d 368, 382–83 (1st Cir. 2004) (separation from mitigation job, even where employee is at fault for separation, does not bar lost wages from first employer) (*citing Medlock v. Ortho Biotech, Inc.*, 164 F.3d 545, 555 (10th Cir. 1999)).

Unrefuted evidence shows that Dr. Tudor did not earn more at Collin College than she would have if reinstated at Southeastern. Contra ECF No. 286 at 3 (“Her pay at that college exceeded what she had made at Southeastern.”). The record reflects that Dr. Tudor’s, year-to-year earnings at Collin College were significantly less than what she would make if reinstated at Southeastern.⁶

Dr. Tudor need not prove Defendants’ Title VII violations are the proximate cause of her separation from Collin College. Contra ECF No. 286 at 3 (“There is no suggestion or any evidence from which the Court could

⁵ Uncontroverted evidence in the record shows that the Collin College job did not offer the security of tenure (Tudor Dec., ECF No. 279-3 at 7 n.1), it offered lower benefits than Southeastern (*id.*), it had substantially different job responsibilities than teaching at a four-year university (*id.*), and it is substantially less prestigious than teaching at a four-year university (*id.*).

⁶ Compare ECF No. 270-6 at 6 (Defendants’ evidence of Tudor’s highest rate of compensation at Collin College, showing annual compensation of \$58,022 in the 2014-15 term) with ECF No. 279-8 (showing Tudor’s projected Southeastern compensation for 2017-18 term, once pro-rate adjustment is removed, as higher under scenario 1 [\$82,862.72], scenario 2 [\$74,245.79], scenario 3 [\$82,862.72], scenario 4 [\$74,245.79]).

determine that the discrimination at Southeastern, as found by the jury, ultimately led to or even played a role in Collin College's determination to terminate Plaintiff.").

"The award of future wages is designed to compensate the plaintiff for any economic loss from the date of the trial until a date certain in the future when such loss is extinguished." *Wirtz v. Kan. Farm Bureau Servs., Inc.*, 274 F.Supp.2d 1215, 1221 (D.Kan. 2003). To support a front pay award, Tudor need only prove that, without it, she will be economically harmed by Defendants' past illicit actions into the future because she will lose out on income. *Carter v. Sedgwick Cnty., Kan.*, 929 F.2d 1501, 1505 (10th Cir. 1991) ("front pay should be limited to the amount required to compensate a victim for the continuing future effects of discrimination until the victim can be made whole").

Tudor need not prove that Defendants directly caused the loss of her mitigation employment to get front pay. *See, e.g., Johnson*, 364 F.3d at 382–83. The purpose of front pay, where reinstatement is denied, is to make the employee economically whole for loss of future work that, but for discrimination, she was entitled. *See, e.g., Cox v. Shelby State Comm. Coll.*, 194 Fed.Appx. 267, 276–77 (6th Cir. 2006) (approving front pay award through remaining work life expectancy of professor who was not reinstated in light of evidence that he could not secure equivalent employment and

would, without front pay, suffer economic loss). “If this were not the case, an employer could avoid the purpose of the Act simply by making reinstatement so unattractive and infeasible that the wronged employee would not want to return.” *EEOC v. Prudential Fed. Sav. & Loan Ass’n*, 763 F.2d 1166, 1173 (10th Cir. 1985).

Front pay period should give Tudor time to make up difference in lost income. Whatever period of front pay is awarded, it should track the time, based on evidence in the record, the Court deems necessary for Tudor to be made economically whole in terms of future wages. The Court’s inquiry should look at what Tudor would be paid if reinstated (see ECF No. 279-8 [computing earnings]), her current earning capacity, and her actual job prospects. *See Carter v. Sedgwick Cnt., Kan.*, 36 F.3d 952, 957 (10th Cir. 1994) (front pay award that does not “make whole” based on evidence in record is reversible “guesswork”); *Davoll v. Webb*, 194 F.3d 1116, 1145 (10th Cir. 1999) (rejecting flat two-year front pay period where “record does not appear to support” conclusion that employees are made whole).

Tudor stands by her proffer that, because her job prospects are so dim, it is appropriate to grant her front pay for a period between present and her retirement at age 75. *See* ECF No. 279 at 6–16 (argument and evidence in support). It is undisputed that Dr. Tudor has been unemployed since her separation from Collin College in May 2016, two years ago. All evidence

reflects that at present, Tudor has no prospect of obtaining *equivalent* employment to the tenured job she earned at Southeastern. There is no evidence showing Tudor failed to mitigate damages. Indeed, the record reflects that Tudor has diligently sought out work, attempted to improve her marketability (ECF No. 279-3 ¶ 3(d) [Tudor attesting to recent efforts]), and even resorted to directly confronting the specter of the Southeastern tenure denial head-on in cover letters to prospective employers sent after the jury's verdict (*Id.* ¶ 3(c)). Despite continuous diligent efforts,⁷ the undersigned attests that Tudor still has not received a single offer of employment since her separation from Collin College.

B. Necessity of reconciling reinstatement and front pay orders.

The front pay order (ECF No. 286 at 4) construes the Collin College materials as something other than after-acquired evidence. *See* ECF No. 286 at 4 (“It is not after-acquired evidence, it is evidence of Plaintiff’s mitigation of damages and evidence related to her employability following her separation from Southeastern.”). But that holding is in tension with the reinstatement order, which treats the Collin materials as after-acquired evidence barring reinstatement (ECF No. 275 at 3–4).

⁷ *See Exhibit 1* (collecting sampling of application submissions and denials and between close of discovery and present, none of which have resulted in a job offer; also collecting sampling of Tudor correspondence with Southeastern recommenders Dr. Dan Althoff and Dr. John Mischo during same period). Given the foregoing, substantial front pay should be awarded. *Cox*, 194 Fed.Appx. at 276–77 (approving substantial front pay for a non-reinstated professor where reinstatement denied).

The reinstatement order makes crystal clear that Defendants sought to use and the order treated the Collin materials as after-acquired evidence and, on that basis, reinstatement was denied. As with any other after-acquired evidence proffer, Defendants pointed to the Collin materials (see, e.g., ECF No. 270 at 16–17), which are evidence of Tudor’s post-termination activities.⁸ Defendants then claimed the Collin materials reveal a deficiency concerning Tudor’s current qualifications to teach at Southeastern (*id.*). Defendants threaded the after-acquired evidence needle by arguing that, based on the Collin materials, Tudor should never have been given tenure at Southeastern in the first place because they purportedly prove Tudor did not meet their old qualifications⁹ (*id.* at 18–19) and thus she should not be reinstated.

The undergirding logic of Defendants’ reliance on the Collin materials to oppose Tudor’s reinstatement is that if Defendants would not, based on what they now know of Tudor’s post-termination activities at Collin College, give her tenure today, reinstatement is futile and should be denied. The reinstatement order relied on Defendants’ proffer. *See* ECF No. 275 at 3

⁸ The Tenth Circuit recognizes that an employer’s invocation of an employee’s post-termination conduct, supposedly showing non-illicit grounds to terminate today, when cited to resist reinstatement, is a form of after-acquired evidence. *Medlock v. Ortho Biotech, Inc.*, 164 F.3d 545, 555 (10th Cir. 1999); *Zisumbo v. Ogden Reg’l Med. Ctr.*, 801 F.3d 1185, 1205–06 (10th Cir. 2015).

⁹ This move is critical because reinstatement cannot, absent after-acquired evidence, be denied on the premise that the employee does not meet the employer’s current qualifications for the job wrongfully denied. *See Blangsted v. Snowmass-Wildcat Fire Protection Dist.*, 642 F.Supp.2d 1250, 1266–67 (D.Colo. 2009) (cannot deny reinstatement on premise that employer’s new qualifications not required at time of adverse action would preclude hire of wronged employee today; reinstatement should place wronged employee in same position she was in but for violation).

(“Defendants have offered substantial competent evidence demonstrating that they are convinced that Plaintiff’s teaching abilities and academic pursuits do not rise to the level which would warrant a tenured professorship at Southeastern.”). And, based on that proffer, reinstatement was denied. *Id.* at 4. Construal of post-termination evidence in this manner is, by definition, treating the Collin materials as after-acquired evidence.¹⁰

The problem with Defendants’ invocation of the Collin materials at reinstatement is cast in stark relief by the front pay order, which recognizes “Defendants stipulated they would not rely on after-acquired evidence” (ECF No. 286 at 4). For the reinstatement denial to be sustained based on the Collin materials, there must be some “other purpose” for which they may be used. But there is none.

As the front pay order recognizes, the only “other purposes” of the Collin materials are to evidence Tudor’s employability or mitigation (ECF No. 286 at 4). But neither is relevant to reinstatement. For obvious reasons, Tudor’s prospects of employment elsewhere have no relevance to whether she has a right return to Southeastern. And, it is well-settled that evidence of mitigation efforts is irrelevant to reinstatement. *Dilley v. SuperValue, Inc.*,

¹⁰ See *McKennon v. Nashville Banner Pub. Co.*, 513 U.S. 352, 361 (1995) (after-acquired allows “account of the lawful prerogatives of the employer in the usual course of its business and the corresponding equities that it has arising from the employee’s wrongdoing”); *id.* at 362 (after-acquired evidence narrowly permitted after liability is proven at the remedial stage, reasoning that “It would be both inequitable and pointless to order the reinstatement of someone the employer would have terminated, and will terminate, in any event and upon lawful grounds.”).

296 F.3d 958, 967–68 (10th Cir. 2002) (failure to mitigate defense not applicable to reinstatement demand).

The Collin materials were treated as after-acquired evidence in the reinstatement order (ECF No. 275), but they should not have been considered because they cannot be used as such (ECF No. 286 at 3) and, for that reason, the decision to deny reinstatement should be reconsidered.

C. Irreconcilable holdings work an injustice.

As a matter of logic, Tudor cannot both be unqualified to be a tenured professor at Southeastern and simultaneously qualified for an equivalent tenured professorship elsewhere. Yet, the reinstatement order denies Tudor reinstatement on the finding that she is currently *unqualified* for a Southeastern professorship (ECF No. 275 at 4–5). And the front pay order finds Tudor should not get substantial front pay because she is *qualified* to obtain an equivalent life tenure professorship elsewhere. *See* ECF No. 286 at 3 (rejecting Tudor’s proffer that she cannot obtain comparable employment absent reinstatement). The holdings of these two orders are irreconcilable. Tudor is either qualified to be a tenured professor—as the jury so implicitly found—or not.

The reinstatement and front pay orders also work an injustice. As a matter of equity, Tudor should be given the relief necessary to be made whole based on what the record shows is necessary to close the gap between the life

earning trajectory she would have been on but for Defendants' illicit actions and the trajectory she has been relegated to because of the Title VII violations. Denying Tudor both reinstatement and substantial front pay falls short of the making Tudor whole.

CONCLUSION

For all of the foregoing reasons, Dr. Tudor respectfully requests that the Court reconsider the front pay order (ECF No. 286) in light of the issues presented above and otherwise reconcile the findings made therein with the earlier issued order denying reinstatement (ECF No. 275).

Dated: May 2, 2018

/s/ Ezra Young
Ezra Young (NY Bar No. 5283114)
Law Office of Ezra Young
30 Devoe, 1a
Brooklyn, NY 11211
P: 949-291-3185
F: 917-398-1849
ezraiyoung@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2018, I electronically filed a copy of the foregoing with the Clerk of Court by using the CM/ECF system, which will automatically serve all counsel of record.

/s/ Ezra Young
Ezra Young (NY Bar No. 5283114)

Exhibit 1

From: "employment@gettysburg.edu" <employment@gettysburg.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, September 26, 2017, 11:26:15 AM CDT
Subject: Your application with Gettysburg College

Dear Rachel Tudor

Thank you for your interest in employment with Gettysburg College! We appreciate your submission of application materials for the position of Assistant Professor of English (Tenure-Track Appointment). Our search committee will soon begin its review of the materials and will be in touch should we need additional information.

On a final note, federal legislation requires institutions of higher education to inform prospective members of our community about its most recent crime/incident statistics, crime prevention and security programs and activities, policies concerning the reporting of crime, and related information in accordance with the Campus Security Act, commonly referred to as the Clery Act. You can obtain this information by contacting the Department of Public Safety, Gettysburg College, 300 North Washington St., Gettysburg, PA 17325 or call (717)337-6912. This information is also available via the [Internet](#).

Thank you for your interest in Gettysburg College. We send our best wishes.

Gettysburg College

From: "hrs@sou.edu" <hrs@sou.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, September 26, 2017, 2:32:31 PM CDT
Subject: Southern Oregon University – Application Confirmation

Dear Rachel Tudor,

Thank you for submitting your application for Assistant (or Associate) Professor of Native American Studies, Ashland (15 A). We received your materials 09/26/2017 12:32 PM and will contact you if more information is needed.

Your application id is CN000028992.

Thank you for your interest. We look forward to reviewing your application.

From: "jobs@tccd.edu" <jobs@tccd.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, September 26, 2017, 1:47:30 PM CDT
Subject: A Message from the Office of Human Resources - Tarrant County College

Dear Rachel Tudor,

Thank you for your interest in Tarrant County College for the position of Instructor - English, posting number F002447.

If you are selected for an interview or if additional information is needed, you will be contacted by the hiring supervisor or a member of the interview committee.

Feel free to log in to your account to check the status of your application at any time.

Your application ID is CN000463168.

We wish you much success in your career endeavors.

Sincerely,

Office of Human Resources - Recruitment
Tarrant County College
jobs.tccd.edu
jobs@tccd.edu

From: hr@uncp.edu <hr@uncp.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, September 26, 2017, 3:04:45 PM CDT
Subject: Application has been Submitted

Dear Rachel Tudor,

This is to inform you that we received your application for the Assistant Professor of English - Native American (EPA00226) position at the University of North Carolina-Pembroke. Please be informed that based on the number of applicants for this position, the hiring process may take an extended period of time. During this process, your application status will reflect as "In Progress". You may monitor your status anytime by logging in to UNC Pembroke Jobs online employment system at <https://jobs.uncp.edu> and clicking on "Your Applications".

Thank you for your interest in employment with UNC Pembroke.

From: "oeo@colostate.edu" <oeo@colostate.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Thursday, September 28, 2017, 12:51:01 PM CDT
Subject: Your application has been received



Colorado State University

09/28/2017 11:50 AM

Dear Rachel Tudor,

Thank you for your application for the position of Assistant Professor in Native American Studies in Ethnic Studies at Colorado State University. Your application has been received.

The Search Committee will be reviewing materials and will make decisions about interviews and campus visits in the upcoming weeks. We will notify you if there are changes in the status of your application as the search proceeds.

We invite you to learn more about Colorado State University by visiting our website at <http://www.colostate.edu>. Should you have questions about this search or your candidacy, please contact:Roe.Bubar@Colostate.edu.

Thank you for your interest in Colorado State University.

Sincerely,

Office of Equal Opportunity

oeo@colostate.edu

970-491-5836

Colorado State University is committed to providing an environment that is free from discrimination and harassment based on race, age, creed, color, religion, national origin or ancestry, sex, gender, disability, veteran status, genetic information, sexual orientation, gender identity or expression, or pregnancy and will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. Colorado State University is an equal opportunity/equal access/affirmative

action employer fully committed to achieving a diverse workforce and complies with all Federal and Colorado State laws, regulations, and executive orders regarding non-discrimination and affirmative action. The Office of Equal Opportunity is located in 101 Student Services.

The Title IX Coordinator is the Executive Director of the Office of Support and Safety Assessment, 123 Student Services Building, Fort Collins, CO 80523 -2026, (970) 491-7407.

The Section 504 and ADA Coordinator is the Associate Vice President for Human Capital, Office of Equal Opportunity, 101 Student Services Building, Fort Collins, CO 80523-0160, (970) 491-5836.

From: John Mischo <JMischo@se.edu>
To: rachel <rachel.tudor@yahoo.com>
Sent: Saturday, September 30, 2017, 3:42:56 PM CDT
Subject: Re: reference letter

Rachel,

Done, for Colorado SU and Gettysburg.

Very best wishes,

John

Dr. John Mischo
Professor
English, Humanities, & Languages
Morrison Hall 316

Fall 2017 Office Hours
TTh 9:00-9:30; 11:00-12:30; 1:45-2:30

From: rachel <rachel.tudor@yahoo.com>
Sent: Wednesday, September 27, 2017 11:39 AM
To: John Mischo
Subject: Re: reference letter

Thanks!

On Wednesday, September 27, 2017 11:36 AM, John Mischo <JMischo@se.edu> wrote:

Will do Rachel, will submit sometime this weekend.

Best wishes,
John

Dr. John Mischo
Professor
English, Humanities, & Languages
Morrison Hall 316

Fall 2017 Office Hours
TTh 9:00-9:30; 11:00-12:30; 1:45-2:30

From: rachel <rachel.tudor@yahoo.com>
Sent: Tuesday, September 26, 2017 1:12 PM
To: John Mischo
Subject: reference letter

Dear John Mischo,

I'm updating my job portfolio for the current year's market. I was wondering if you could be kind enough to provide a current reference letter for me. I've attached copies of your original letter, Meg's current letter (December 2016) of reference, and Dan's peer review to help. I'd really appreciate your assistance. Thanks!

Best regards,

Rachel Tudor

From: "oeo@colostate.edu" <oeo@colostate.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Monday, October 2, 2017, 4:41:26 PM CDT
Subject: Your Recommendation has been Received



Colorado State University

Dear Rachel,

This is to inform you that we have received a response from one of your references for your application to the Assistant Professor in Native American Studies position with Colorado State University. The search committee is in the process of reviewing applicants and you will be notified if selected for further consideration.

To check on the status of your references, please see the help guide located here:
<https://oeo.colostate.edu/media/sites/144/2017/05/CSU-How-to-check-the-status-of-your-recommendation-letters.pdf>

If you have any questions or concerns regarding your references/application please contact the Search Contact: Roe.Bubar@Colostate.edu.

Thank you,

Office of Equal Opportunity
oeo@colostate.edu
970-491-5836

If you have an issue or questions please see our training website at <http://oeo.colostate.edu/talent-management-system-tms> or email OEO at oeo@colostate.edu

From: Oklahoma City University <no-reply@silkroad.com>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Wednesday, October 4, 2017, 1:49:15 PM CDT
Subject: Online résumé/CV Submission for Assistant Professor of English/Comparative Literature – Generalist 1781

Thank you for your interest in a faculty position with Oklahoma City University. The screening and selection process is currently underway and will continue until a successful candidate is chosen. Should review of your qualifications result in a decision to pursue your candidacy, you will be contacted.

From: "uvu.jobs@uvu.edu" <uvu.jobs@uvu.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Monday, October 9, 2017, 1:03:45 PM CDT
Subject: Utah Valley University – Application Confirmation

Dear Rachel Tudor,

Thank you for submitting your application for Faculty - Assistant Professor - Western American Literature and Culture/Native American/Folklore Studies, in the department of English/Literature. We received your materials 10/09/2017 12:03 PM and will contact you if more information is needed.

Your application id is CN000029611.

Thank you for your interest. We look forward to reviewing your application.

Sincerely,

Utah Valley University

Support for Applicants

How do I know my submitted application has been received?

This acknowledgment e-mail contains your confirmation number.

Where can I review my submitted application materials?

1. Login using your username and password.
2. Select **Your Applications**.
3. Applications are listed under the **Completed Applications** heading.

*** This is an automatically generated email, please do not reply.***

From: "hr@sjcd.edu" <hr@sjcd.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Friday, October 13, 2017, 9:53:28 AM CDT
Subject: Status Update: San Jacinto College - Professor, English

rachel tudor,

Thank you for applying to the position of **Professor, English** - req418 at **San Jacinto College**. We wish to inform you that you have not been selected to move forward in the hiring process for this position. We appreciate your interest in employment with San Jacinto College. Please stay apprised of other positions that may become available by visiting careers.sanjac.edu.

San Jacinto College
Human Resources
4620 Fairmont Parkway | Pasadena, TX 77504
Direct: (281) 998-6115 | Fax: (281) 998-6165
www.sanjac.edu/human-resources

San Jacinto College is an equal opportunity institution.

CSOD SYSTEM ID: 107388

From: rachel <rachel.tudor@yahoo.com>
To: Dr. Daniel Althoff <fdalthoff@gmail.com>
Sent: Wednesday, October 18, 2017, 6:19:49 PM CDT
Subject: Re: Recommendation attached

Thank you!

I also want to thank you for helping Ezra. Much appreciated.

Best.

On Tuesday, October 17, 2017 11:29 AM, Dr. Daniel Althoff <fdalthoff@gmail.com> wrote:

Hello, Rachel,

After too long a delay (sorry), here is the recommendation I promised you, in two separate files. The stationery template in the first letter prevented me from easily adding the original narrative to create one file. I couldn't figure out a work-around for that; maybe you can.

I hope this finds you well.

Best,
Dan

From: "oeo@colostate.edu" <oeo@colostate.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Wednesday, November 1, 2017, 9:05:55 AM CDT
Subject: Your Recommendation has been Received



Colorado State University

Dear Rachel,

This is to inform you that we have received a response from one of your references for your application to the Assistant Professor in Native American Studies position with Colorado State University. The search committee is in the process of reviewing applicants and you will be notified if selected for further consideration.

To check on the status of your references, please see the help guide located here:
<https://oeo.colostate.edu/media/sites/144/2017/05/CSU-How-to-check-the-status-of-your-recommendation-letters.pdf>

If you have any questions or concerns regarding your references/application please contact the Search Contact: Roe.Bubar@Colostate.edu.

Thank you,

Office of Equal Opportunity
oeo@colostate.edu
970-491-5836

If you have an issue or questions please see our training website at <http://oeo.colostate.edu/talent-management-system-tms> or email OEO at oeo@colostate.edu

From: "hrs@sou.edu" <hrs@sou.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Thursday, December 21, 2017, 8:14:25 PM CST
Subject: Your recent application to SOU

Dear Applicant:

The Assistant (or Associate) Professor of Native American Studies Search Committee at Southern Oregon University has concluded our current review process. We have been honored by the caliber of candidates that have applied for this position, and we have given each application careful consideration.

Regretfully, your application is one we must set aside. The decision is not based on any single aspect but a combination of relevant experience, department requirements, and the other pool of candidates available for the position.

On behalf of the search committee and my colleagues in the Native American Studies department, I thank you for your interest in the position and wish you the best of luck in your future career endeavors. We encourage you to apply with us again when the opportunity arises.

Respectfully,

Search Committee Contact

From: "melanie.sponaugle@dixie.edu" <melanie.sponaugle@dixie.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, January 23, 2018, 12:13:53 PM CST
Subject: Assistant Professor of Humanities

January 23, 2018

Dear Rachel:

Thank you for submitting your application to Dixie State University for the Assistant Professor of Humanities position. Your application has been carefully considered; unfortunately, you will not be advancing to the next phase in the hiring process.

Please know that we appreciate your interest in a career with Dixie State University. You can find our current postings and sign up to receive email notifications when new positions are posted at <https://www.governmentjobs.com/careers/dixie>.

We look forward to hearing from you in the future.

Melanie Sponaugle
Dixie State University Human Resources Department

On Tuesday, January 30, 2018, 3:07:13 PM CST, <hrautoresponse@delmar.edu> wrote:

Rachel Tudor,

Thank you for your interest in applying with Del Mar College. Your application for the INSTRUCTOR or ASSISTANT PROFESSOR, ENGLISH position has been received. Please review your application and ensure all of the documents required for the position have been submitted successfully. You may also check the status of your application at any time by logging in to your account [here](#) at DMC Jobs.

If your application and all supporting documents are accurate and complete, your packet will be submitted for review. Should the examination of your qualifications result in a decision to pursue your candidacy, you will then be contacted.

Thank you,

Human Resources Office

Del Mar College

From: Oklahoma City University <openhire_generated@silkroadtech.com>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Monday, February 19, 2018, 11:14:28 AM CST
Subject: Position Status

Dear Rachel Tudor,

Thank you for your interest in teaching at Oklahoma City University and for your application for Assistant Professor of English/Comparative Literature – Generalist (1781). We have completed the search process and the position has now been filled.

My best wishes to you in your future professional endeavors and I sincerely thank you for your consideration of Oklahoma City University.

Regards,

*Karen Schiler
Search Committee Chair
Oklahoma City University*

From: "tamus@myworkday.com" <tamus@myworkday.com>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Friday, March 16, 2018, 3:49:33 PM CDT
Subject: Texas A&M University - Texarkana - Application Confirmation

Dear Rachel Tudor,

Thank you for submitting your application for the following position.

Job Requisition ID: R-003598
Job Title: Tenured Professor, Assistant Professor of English
Department: College Of Arts, Sciences & Education

We received your materials and will contact you if more information is needed. If you no longer wish to be considered for this opening, please email hr@tamut.edu to withdraw your application.

Thank you,
Human Resources
Texas A&M University - Texarkana

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
(Formerly Student Right to Know and Campus Security Act of 1990)

In compliance with federal law, the following information is maintained and available through the University Police Campus Safety Reports webpage on the Texas A&M University – Texarkana website.

Campus Crime Statistics and Security Policies

An Annual Security Report is available that includes information on campus security policies and statistics. Security policies include: reporting crimes and emergencies, security resources, crime awareness and prevention, security of campus facilities and residence halls, alcohol, drug and weapon violations. The Annual Security Report for your specified campus is located under the “Safety & Security Notices” tab on the following hyperlink:

<http://www.tamut.edu/About/Administration/University-Police/Campus%20Safety%20Reports.html>.
For a paper copy, please contact Texas A&M University - Texarkana Police Department at (903) 334-6626.

Business Process: Job Application: Rachel Tudor - R-003598 Tenured Professor, Assistant Professor of English (C-100018387) on 03/16/2018
Subject: Rachel Tudor - R-003598 Tenured Professor, Assistant Professor of English (C-100018387)
[Click Here to view the notification details.](#)

From: "employment@gettysburg.edu" <employment@gettysburg.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Tuesday, April 3, 2018, 10:13:36 AM CDT
Subject: Your Application with Gettysburg College

Dear Rachel

Thank you for applying for the position of Assistant Professor of English (Tenure-Track Appointment) at Gettysburg College. We received an overwhelming number of applicants for the position opening which resulted in a very competitive search process.

Although your background and experience are impressive, another candidate was chosen for the position. If you are interested in applying for future openings at Gettysburg College, positions are posted on our website (<http://gettysburg.peopleadmin.com/>).

My colleagues and I thank you for your interest in Gettysburg College. I hope that you are successful in your job search and very happy with the results.

Sincerely,

English Search Committee Chair
Gettysburg College

From: "UACareers@email.arizona.edu" <UACareers@email.arizona.edu>
To: "rachel.tudor@yahoo.com" <rachel.tudor@yahoo.com>
Sent: Monday, April 30, 2018, 7:02:30 PM CDT
Subject: Thank you for your application

Dear Rachel,

Thank you for your recent application to the Assistant Professor - Trans*Studies in Education position. We appreciate your interest, and look forward to reviewing your application materials.

Your confirmation number is: CN000460010.

If you no longer wish to be considered for this opening, please login to the applicant portal and proceed to the "Your Application" area to withdraw your application.

Should you have questions about your application, please refer to the information below.

Support for Applicants

How do I know my submitted application has been received by the UACareers system?

This acknowledgement e-mail contains your confirmation number.

Where can I review my submitted application materials?

1. Login using your username and password.
2. Select Your Applications.

3. Applications are listed under the Completed Applications heading.

How do I make changes to my application once it has been certified and submitted?

Applications may not be edited once they are certified and submitted. To request a change, contact Human Resources (UACareers@email.arizona.edu). When making a request, specify what section you wish to edit, and attach any documents you wish to add or update. It may not always be possible to make changes to an application. If edits are possible, we may reactivate your application, in which case you will make the changes yourself and re-certify and submit your application; or we may make the requested changes on your behalf.

Examples of change requests:

1. Change/update reference provider e-mail address.
2. Update document.
3. Add document.

Please include your application confirmation number in all communications:
CN000460010

Sincerely,

— Division of Human Resources

Tel: (520)621-7704 Fax: (520)621-9089

UACareers@email.arizona.edu

www.uacareers.com

Committed to ensuring a positive, thoughtful experience for all our applicants, employees, and community partners.