

June 9, 2019

CONTACT: Kellee Reinhart
[kreinhart@uasystem.edu](mailto:kreinhardt@uasystem.edu)

STATEMENT

Our decision was never about the issue of abortion. It was always about ending the continued outside interference by the donor in the operations of The University of Alabama School of Law. As the attached emails factually establish, the donor attempted to influence:

1. Student admissions;
2. Scholarship awards;
3. The hiring and firing of faculty; and
4. The employment status of the law school dean.

The donor even sought to shield these emails from public view for reasons that are now obvious.

These emails also clearly establish that Chancellor St. John's recommendation to refund all monies and rename the law school came on May 25 – 4 days prior to any public comment by the donor about abortion. The donor's continuing effort to rewrite history by injecting one of society's most emotional, divisive issues into this decision is especially distasteful. These facts should finally set the record straight.

REFERENCE KEY

- Fess St. John Chancellor, The University of Alabama System (“UAS”)
- Ronald Gray Pro Tem (presiding member), UAS Board of Trustees
- Joe Espy Chair, Legal Committee of UAS Board of Trustees
- Sid Trant General Counsel, UAS
- Stuart Bell President, The University of Alabama (“UA”)
- Mark Brandon Dean, UA School of Law
- Chad Tindol Chief Administrative Officer, UA
- Larry Kellogg Attorney for Hugh F. Culverhouse, Jr.

Begin forwarded message:

From: "Chancellor," <chancellor@uasystem.edu>
Date: May 25, 2019 at 3:32:05 PM CDT
To: Joe Espy <JEspy@mewlegal.com>
Cc: "Trant, Sid" <sjtrant@uasystem.edu>, Gray Ronald W. <rwgray41@gmail.com>
Subject: **Re: Return of \$10,000,000 paid in advance**

I agree as well. We need to do this immediately because it will only get worse.

Sent from my iPhone

On May 25, 2019, at 3:49 PM, Joe Espy <JEspy@mewlegal.com> wrote:

Sid – when you return to the office on Tuesday please prepare for me an outline of what needs to be done to accomplish the return of the \$10 million; the return of the \$1.5 million; return of any other money that he is donated; and what needs to be done in regard to renaming the law school and canceling the constitutional law professorship. If any resolutions are needed in connection with your outline please prepare same. What he has said to our president and about our president and Dean are absolutely unacceptable.

Sent from my iPhone

Bell, Stuart

From: Mark Brandon <mbrandon@law.ua.edu>
Sent: Saturday, May 25, 2019 8:18 AM
To: Tindol, Chad
Cc: Bell, Stuart
Subject: Fwd: Conversation about the Chair

Chad,

Just keeping you in the loop.

- Mark

Begin forwarded message:

From: "Hugh Culverhouse (CULVERHOUSE LIMITED)" <culverhouse@bloomberg.net>
Date: May 25, 2019 at 6:40:07 AM CDT
To: <mbrandon@law.ua.edu>
Subject: **Re:Conversation about the Chair**
Reply-To: Hugh Culverhouse <culverhouse@bloomberg.net>

Mark-at this point conversations are not worth the time.

Hugh F. Culverhouse
cell:(305)710-3772/office(305)774-7216/fax(305)774-7266
Palmer Ranch Holdings Ltd
121 Alhambra Plaza
Suite 1510
Coral Gables, Florida 33134

From: mbrandon@law.ua.edu At: 05/24/19 18:02:25
To: [Hugh Culverhouse \(CULVERHOUSE LIMITED\)](mailto:Hugh.Culverhouse@CULVERHOUSE.LIMITED)
Cc: stuart.bell@ua.edu
Subject: Conversation about the Chair

Hugh,

I want again to apologize for anything that I've done to make you angry.

To take you up on one item in your message, I look forward to discussing next week the candidates for the Culverhouse Chair – and any other things you might wish to discuss.

If you are free, I have the following opportunities next week:

- Tuesday: midday or late afternoon
- Wednesday: midday
- Thursday: mid-to-late afternoon
- Friday: early morning

I hope that one of those windows works for you.

In the meantime, I wish you only the best.

- Mark

Bell, Stuart

From: Hugh Culverhouse (CULVERHOUSE LIMITED) <culverhouse@bloomberg.net>
Sent: Saturday, May 25, 2019 6:37 AM
To: Bell, Stuart
Subject: RE: Return of \$10,000,000 paid in advance

Stuart: We had a good conversation. But the same issues with Mark remain. They are amplified when I read the candidates for the endowed chair in constitutional law. Four weeks ago, I asked Mark what was the status of the search. He casually replied that he had three or four that he was looking into. Well. That was not true. He had done extensive work, and had already spoken with all FIVE. After our conversation, you forced him to send to me the resumes on all five. He would not do it without you ordering him. Had I been part of the process, I would have gone to what I said in my speech and what I told you and him. I wanted a renowned Constitutional law professor. Someone to make academic waves... These are nice additions to a 3880 faculty with an insecure dean-but they are hardly nationally stature constitutional law figures. I believe Mark, you and I come from different concepts. I want the best law school, not a mediocre law school, whose ranking is a simple mathematical manipulation. I also know you have never dealt with a gift of my size-either for endowed professor or for a something as large as to change the name of the law school. You are unprepared. Mark will always be a small town, insecure dean. The outside world frightens him. I do not like any of these candidates for an endowed professorship-they are not the caliber or known ..as I specified and Mark agreed. So please do not associate my name with any of the people, if they are hired. This could have been avoided if Mark was secure. If you would look at this objectively-look at what you have forced Mark to do, whether with switching from decreasing to increasing school size to choosing my endowed professorship with no discussion with me-you would come to my conclusion. You seem to think the quid pro quo is I give you the largest sum and commitment in the school's history and you have no return consideration as your end of the transaction. "Thanks for the money--Good-Bye." You just were not prepared. So process the return of the payments (\$10MM) made in advance. And , if you want to tell the board of regents for the state, fine. Hugh

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From: stuart.bell@ua.edu At: 05/24/19 18:53:25
To: Hugh Culverhouse (CULVERHOUSE LIMITED)
Cc: lak@lklaw.com
Subject: RE: Return of \$10,000,000 paid in advance

Hugh, I believed we had a good conversation yesterday and a good plan to move forward, and was surprised by your request. We have a great law school and such a bright future as we move forward. Because your generous gift has been deposited in the System-wide permanent endowment, we will need to consider this request and any associated logistics. As you have copied Mr. Kellogg, I will ask our folks to contact him. Thank you Hugh, Stuart

Stuart R. Bell
The University of Alabama
Box 870100, Tuscaloosa, AL 35487
office 205-348-5100
stuart.bell@ua.edu

From: Hugh Culverhouse (CULVERHOUSE LIMITED) [mailto:culverhouse@bloomberg.net]
Sent: Friday, May 24, 2019 1:14 PM
To: Bell, Stuart <stuart.bell@ua.edu>
Cc: lak@lklaw.com
Subject: Return of \$10,000,000 paid in advance

Stuart:This year I paid the University \$10,000,000 well in advance of the scheduled payment date.I would like those funds returned.You can send a check or wire transfer.Thank you.Hugh Culverhouse

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Bell, Stuart

From: Hugh Culverhouse (CULVERHOUSE LIMITED) <culverhouse@bloomberg.net>
Sent: Friday, May 24, 2019 8:04 PM
To: Bell, Stuart
Subject: RE: Return of \$10,000,000 paid in advance

Great-let's plan on sending back my advance payments. Also, you may want to look at the people Brandon wants to be the constitutional law professor with my name attached. It is a joke. Use another name. This is on your watch.

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Cc: lak@lkllaw.com
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Bell, Stuart

From: Mark Brandon <mbrandon@law.ua.edu>
Sent: Sunday, May 19, 2019 12:18 PM
To: Bell, Stuart; Tindol, Chad
Subject: CONFIDENTIAL FW: help for recruiting trips,misc issues

Dr. Bell, Chad,

I'm forwarding another missive from Hugh, which I received yesterday.

I am inclining toward responding tomorrow with something like the suggested message below. I should mention a couple of things to which I don't propose to respond.

One is his offer of ██████████ as a coordinator for prospective students. Our Admissions Office does well on that front. I do not believe ██████████ would be the best person to step into that role. But even if she were, I would not want a person in the house whose institutional loyalty might be suspect. I won't say these things (except maybe the first) in a message to Hugh.

Another is his desire to have free rein to wander into classrooms. I don't want to be unduly constraining, but I would not want him sitting in on classes without the professor's prior express consent. This is for reasons of academic freedom, given the special place of the classroom in the academy. It is also in candid recognition of Hugh's professed desire to fire ten professors. I do not want my faculty subjected to the scrutiny of someone who may be motivated by a desire to get rid of them.

I'd be grateful for your thoughts.

Best, - Mark

Thank you for the message.

The project for the Library is speculative at present. There are no bids and no architectural plans at present. Under standard UA processes, we can't solicit plans for a project – much less bids – until the money is in place (or at least predictably secure). We're not at that stage yet.

We will, of course, welcome you in November. I'm sorry to hear that you feel you've been controlled in your visits here. Our guiding motives have always been to respond to your preferences and to provide meaningful opportunities for interaction, subject to the superior coordinating authority of Central Administration and to the effective operation of the School of Law.

We run a fiscally prudent shop, and we coordinate transparently with OAA. As I mentioned in my previous message, I believe we can grow. But we need to do so intelligently and consistent with the best interest of the School of Law.

Respectfully,

From: Hugh Culverhouse (CULVERHOUSE LIMITED) <culverhouse@bloomberg.net>

Sent: Saturday, May 18, 2019 11:38 AM

To: Mark Brandon <mbrandon@law.ua.edu>

Subject: help for recruiting trips,misc issues

I know you have a lot more recruiting trips out-of-state.You may want to consider [REDACTED] to take a burden off of you...She has done the advance work,set up,and follow through with students you want to see the campus and law school.President Bell's office can put you in touch with her.Second,send me what you want to do at the library,what is the process for bidding,and your estimate of costs,broken down by categories.Finally,when I come to campus in November for selection of scholars at the business school and to work with the Arts and Science school about displaying my Japanese art(will be donated on death),I wanted to come by the school and just wonder about.I would like to pick a class and sit in the back.I don't need anyone to accompany me,guide me,and certainly not to restrict me(unless there is a test).I do not like restrictions and have never met them on campus,except at the law school.I don't need attention.That period is over...and I don't need to come to meetings as an excuse for getting good seats to a football game.I am very proud with the progress we have made at the business school ,and with making the women's golf team independent of football TV revenue.I want the law school to be the best,but also financially responsible.....You get 1500 applicants...you can have a fine law school with 500-600 students .Hugh

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Bell, Stuart

From: Mark Brandon <mbrandon@law.ua.edu>
Sent: Friday, May 17, 2019 9:30 AM
To: Bell, Stuart
Cc: Tindol, Chad
Subject: CONFIDENTIAL FW: Re:Developments in Culverhouse Law

Second message....

Frankly, I think his assumptions and analysis are flawed. I also think he misunderstands the mission and fiscal logic of a university, the environment in which the Law School operates, the nature of decision making in a public academic institution, and relationship between the School of Law and the University.

I worry, too, that his logic will convert the Endowment for Excellence into a recipe for mediocrity. And it may well blow up the Law School. If one wanted to see Florida or Georgia leapfrog Alabama, this would be one way to do it.

As for balance sheets, we are completely transparent. I've shared our monthly fiscal reports with Kevin and Matt. I feel confident in our numbers. We do get help from UA on scholarships, for which we're enormously grateful. The rest of the books should be in balance. I can bring my Director of Finance for a conversation, if useful.

As for the search for a chair-holder, I'm happy to involve him, solicit advice, and get recommendations and preferences. But we'll be in trouble with accrediting bodies – and vulnerable in the various courts of public opinion – if we are ceding responsibility for choosing chair-holders (or any tenure-line faculty) to non-academics.

In response to his first message, I suggested to Hugh that we talk Friday next week. This will permit me to meet with Chad et al. on Thursday at 3:00, before a conversation with Hugh, if it happens. If you'd like to discuss before next Thursday, I'm happy to talk.

Just so you know, I've quietly consulted with [REDACTED] and [REDACTED] about what's going on with Hugh. They are treating the information with the utmost discretion and confidentiality. They are trusted and trustworthy advisors.

- Mark

From: Hugh Culverhouse (CULVERHOUSE LIMITED) [mailto:culverhouse@bloomberg.net]
Sent: Friday, May 17, 2019 8:52 AM
To: Mark Brandon
Subject: Re:Developments in Culverhouse Law

Let me explain the role I had in the business school when Kay Palin replaced Mike Harden. The search picked three candidates. They showed the three to me and asked which I liked. I chose Kay for a number of reasons, especially the diversity of her background. The school picked Kay. My input was a courtesy but it was an acknowledgement of my involvement and commitment. The school did not get \$16MM from my father's estate except when they agreed to my terms after 2 years of litigating. It culminated in a meeting in my home city with the President and he and I negotiated the closing. I separately have donated over \$6.5MM. I expect the

same protocol at the law school. I really don't care if the faculty likes, dislikes me. There are too many and you analyze the 60% grant scholarship numbers and your instate students pay effectively \$1,980. The school could drop 210 students and would have the same revenue as now. Mark, you are also the safe choice in applications. You have 1500 applicants, and extend acceptances to 30%-however only 6% accept. That means only 20% of applicants accepted chose Alabama...ergo--safe choice, see if better school accepts and that happens 24% out of 30. I can take you through the law school's finances, but you are losing a lot of money. You have a ratio of teacher/students that is ridiculous and you need to increase the student body or reduce teachers and support staff. I can take you through all. However, I would ask you to include me as I am the biggest donor and I have a certain set of skills that can help. To date, I have been feted, and kept in the dark. I could give a crap about newspaper articles or even the name on the law school. I want the school to operate the best and for now, you need to forget the ratings. Hugh

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From: mbrandon@law.ua.edu At: 05/17/19 09:03:30
To: [Hugh Culverhouse \(CULVERHOUSE LIMITED \)](#)
Subject: Developments in Culverhouse Law

Dear Hugh,

I look forward to our scheduled conversation in June. In the meantime, here are some items that I would enjoy discussing with you either then or sooner.

Culverhouse Chair in Constitutional Law and Program in Constitutional Studies:

We have passed the one-year mark for the Culverhouse Chair in Constitutional Law. (Endowment rules on prudent investing dictate that funds not be used for a year after receipt.) As I described by email last week, we have commenced the search for that Chair. Initial work of the search committee was comprehensive, and the committee has distilled a list of viable candidates. Once I receive that list, I'll share it with you to devise meaningful ways for you to participate. We will bring in candidates for workshops and meetings in the Fall.

Bell, Stuart

From: Mark Brandon <mbrandon@law.ua.edu>
Sent: Friday, May 24, 2019 7:55 AM
To: Hugh Culverhouse
Cc: Bell, Stuart
Subject: Re: CONFIDENTIAL: Chair Candidates

Hugh,

I am sorry that I've made you angry.

I want to respond to your message thoughtfully. I have an engagement off campus this morning. Instead of trying to reply on the fly, I will plan to circle back this afternoon.

Again, sincere apology for anything I've done to make you angry.

Respectfully, - Mark

On May 24, 2019, at 6:19 AM, Hugh Culverhouse (CULVERHOUSE LIMITED)
<culverhouse@bloomberg.net> wrote:

Mark-my reaction is to be mad.I should have been involved and informed as this process proceeded.You and I come at goals differently.I can try to win,and yet be friends with my"opponents."However,I don't look at other deans,and professors as opponents.I see everyone having to dance to a singular tune:U.S. News Report Rankings."I was admitted to NYU Law School,but it was expensive-so I went to Gainesville,but that had nothing to do with a magazine's opinion.I know what many law schools are doing and planning to do over the next 5-10 years.I am 70.My life has been around lawyers-trial lawyers,businessmen,investors,land developers,etc.One of my best friends is ██████████,the lawyer who donated his father's charitable trust(\$25,000,000)to University of Florida.I know the ██████████,whom the school at Florida is named.They wouldn't give money when I started the match that raised \$14MM in the years I helped.They gave \$7MM.I know people at St Thomas Law School,and succeeded in getting one of their graduates(Puerto Rican female) elected ,by beating the incumbent,as a Circuit Court Judge in Sarasota/Manatee County.My friends are involved in the law schools at University of Miami,FSU,Harvard,etc,etc.They are my contemporaries.They are on the boards.I live in a large world.You live in an insular place.You do not trust others.Everything is a secret.The workings and plans of the school should be secret,but being friends with lawyers and staff and presidents from other schools is helpful.I want to talk next week and go over every candidate,but your actions have resulted in my not giving any further gifts to Alabama and yesterday,I removed Alabama as a beneficiary from my will/trust.That amount

makes a mockery of the sums I have given. It is gone. You have already cost University of Alabama Law School a fortune. We will see the next few months if you can change your relationship with me. You may also learn my approach is beneficial. I don't have friends in one place - then you only see one view.....and your old alumni are more interested in football tickets than the law school. You need 30-40-50 year olds. They are the alumni who will benefit the school. I expect to talk to you next week. If you want to continue treating me as a subversive spy, simply change the name of the professorship to 'The Richard Shelby Chair of Constitutional Law,' and we will think of a cover story. The same can be done with the law school, after a financial settlement is reached and accomplished. One of the terms of a settlement would be I will not give any money to any other law school or discuss anything about the Alabama Law School. Hugh Culverhouse

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From: mbrandon@law.ua.edu At: 05/23/19 23:02:36
To: [Hugh Culverhouse \(CULVERHOUSE LIMITED\)](mailto:Hugh.Culverhouse@CULVERHOUSE.LIMITED)
Subject: Re: CONFIDENTIAL: Chair Candidates

Thanks Hugh.

On May 23, 2019, at 4:38 PM, Hugh Culverhouse (CULVERHOUSE LIMITED) <culverhouse@bloomberg.net> wrote:

I intend to be there for the interviews

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From: mbrandon@law.ua.edu At: 05/23/19
16:01:06
To: Hugh Culverhouse (CULVERHOUSE LIMITED)
Subject: CONFIDENTIAL: Chair Candidates

Dear Hugh,

From: Hugh Culverhouse (CULVERHOUSE LIMITED) <culverhouse@bloomberg.net>

Sent: Monday, June 3, 2019 2:24 PM

To: Trant, Sid <sjtrant@uasystem.edu>

Cc: lak@lklaw.com

Subject: put a non-disclosure clause in whatever you plan to do

Sid:I am getting showered with media-many are requesting documents,including emails.The people I have dealt with at Alabama I consider friends....regardless of whether my political views are popular or not.However,you and Larry put language in whatever you plan to do that restricts any disclosure of documents sent or received relating to the law school or any personnel employed by the University,including Stuart Bell and his wife,Susan.That will make responding to questions simple.Thanks-Hugh

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Around noon today, I received the list of finalists for workshops and interviews for the Culverhouse Chair.

Confidentially, here are the names:

- (1) [REDACTED]
- (2) [REDACTED]
- (3) [REDACTED]
- (4) [REDACTED]
- (5) [REDACTED]

I'll forward to you bios and resumes when I receive them (which should be fairly promptly). But I wanted to send you the names as soon as I received them.

We are treating candidacy of each of these scholars in strict confidence. None of them wants to be "outed" to his/her home institution (or to one another). They will be coming to Tuscaloosa for workshops and "conversations" in the Fall.

I'll keep you posted as schedules unfold, though I wouldn't be surprised if those weren't finalized for another few weeks.

I hope you are well.

- Mark