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SLOPE DAY 2008

Retiring Prof. Brian Earle '67 Leaves Mark on Cornell Univ.



MATT HINTSA / SUN SENIOR PHOTOGRAPHER

College ties | Prof. Brian Earle, communication, speaks to colleagues at a celebration of his retirement in Mann Library yesterday.

By **EMILY COHN**
Sun News Editor

A few years ago, Prof. Brian Earle '67, communication, awoke to a phone call in the middle of the night from a student. It was Senior Week and the young man, along with his fraternity brothers, had decided that they would visit every bar in Tompkins County. At a stop along their journey, one of the brothers remarked aloud that they had arrived at a true "red-neck bar." At once, the young men were escorted out of the bar and into the parking lot, where one of the bar's patrons poured beer in the students' gas tank.

The student called Earle, a senior lecturer, advisor and self-professed car connoisseur, to inquire if it would be safe to drive home on a tank full of beer. Such relationships with students, he said, have been the highlight of his almost forty year tenure at Cornell, which will end with his retirement at the end of the semester.

But when the last of Earle's toy cars,

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Alum Files \$10 Mil. Lawsuit Against C.U.

By **MICHAEL STRATFORD**
Sun Senior Writer

The alumnus who sued Cornell last year for defamation and libel has filed additional litigation against the University. In a \$10 million lawsuit filed April 8, Kevin Vanginderen '83 alleges that Cornell published libelous information, placed him in a false light, publicly disclosed private facts about him and intruded into his private affairs.

Some of Vanginderen's latest complaints relate to a 1983 Cornell Chronicle article — digitized and placed online last year by the University — that described his involvement with several thefts on campus. After finding the article online last year through Google, he sued the University for libel and defamation for the first time.

Most of Vanginderen's latest charges against Cornell, however, accuse the University and one of its attorneys, Bert Deixler, of misconduct since the original litigation was filed.

Vanginderen said that the University and its lawyers tried to bully him into dropping his original libel suit and threatened to publicize the case if he continued to pursue the legal action. He said that the University placed a wide range of records relating to his indictment of and confession to thefts in 1983 into the court record with the intent that the information would be published on the Internet.

Cornell filed these records in court last year in order to defend itself against Vanginderen's original libel charge. However, he wrote that the records "are inadmissible on grounds of privacy, attorney client privilege and lack of authenticity and/or relevance."

Vanginderen said the actions of the University and Deixler represent an intentional effort to destroy his reputation and business.

"[The University] has decided to go to war with me," he said. "They are trying to do as much as possible to embarrass me and smear my name on the Internet."

Deputy University Counsel Nelson Roth called Vanginderen's latest case "completely without merit" and "frivolous."

Roth said that he indicated to Vanginderen in September the University's desire to resolve the situ-

THE LAWSUIT

- **1983:** Cornell Chronicle reports that Vanginderen was arrested and charged with on-campus burglary.
- **2007:** C.U. Library digitizes Chronicle article and places it online.
- **OCTOBER 1, 2007:** Vanginderen sues Cornell for libel and defamation. The case is still pending.
- **APRIL 8, 2008:** Vanginderen files second suit against Cornell with four causes of action.

COMPILED BY MICHAEL STRATFORD

ation privately and without litigation.

"We will take all appropriate steps to defend the University," now that Vanginderen has brought two lawsuits against it that total \$11 million, Roth said.

"We are not going to write Mr. Vanginderen a check," he added.

While Vanginderen claims that Cornell deliberately intended for this case — and related police records — to appear online, namely on the legal website Justia.com, Roth said that the University did not issue a press release regarding

either of Vanginderen's lawsuits, nor is it trying to publicize the cases.

Vanginderen's original lawsuit last year raised legal questions about the digiti-

zation of historical records and garnered some attention from websites like LibraryJournal.com.

Written arguments in the first case from both Cornell and Vanginderen were submitted to Judge Barry Moskowitz in December, who has yet to render a decision on whether the case can proceed. Because Vanginderen's most recent lawsuit is related to the one he filed last year, Cornell is advocating for it to be reviewed by Judge Moskowitz as well. Cornell has yet to file an official response to Vanginderen's second complaint and the case is pending in United States District Court.

THE CORNELL SUN GUIDE TO SLOPE DAY DEBAUCHERY

It's everyone's favorite holiday, party and concert: Slope Day. As Cornell ushers in the event that has been a semester in the making, we bring you all the details you need.

SCHEDULE

11 a.m. — Everyone will be cleared off the slope

12 p.m. — Slope reopens for SlopeFest

1:30 p.m. — Ted Leo and the Pharmacists perform

2:40 p.m. — Hot Hot Heat perform

4:00 p.m. — Gym Class Heroes perform

Weather

The events will continue rain or shine, according to Liz Rapaport '09, chair of the Slope Day Programming Board. Though there is a chance of rain, artists will still be performing.

However, in the event of thunder or lightning, check cornellsun.com for updates. Despite rumors, Slope Day will not be moved to Barton Hall in case of rain.

Events

In addition to the music, numerous events will be happening as part of SlopeFest. Food will be served, along with beer for those over 21.

Highlights of SlopeFest include a raffle for an iPod and step show performed by MGLC.

Entrance

All Cornell students will be admitted into the gates by showing student IDs.

Guests go through a different line, and will need a Cornell student to vouch for them.

Alumni will also go through the line with guests, but do not need a current student to accompany them.

Emergency

Gannett — 607-255-5155 • Cornell EMS — 607-255-1111
Or dial 911 from any campus phone