



**State of Arkansas**  
**Bureau of**  
**Legislative Research**

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 for Fiscal Services  
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## State Agency Litigation Notification Form

**Dear Agency Director:**

**Arkansas Code § 10-3-312 requires that any agency or institution that is not represented by the Attorney General shall notify the Director of the Bureau of Legislative Research of pending litigation so that the appropriate legislative committee may "determine the action that may be deemed necessary to protect the interests of the General Assembly and the State of Arkansas in that matter."**

**In order to submit a report regarding pending litigation pursuant to Arkansas Code § 10-3-312, please complete the following form for each pending lawsuit, along with a cover letter to the Director of the Bureau of Legislative Research, and submit to [desikans@blr.arkansas.gov](mailto:desikans@blr.arkansas.gov).**

| DATE REPORTING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                         |          |              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------|--------------|
| Agency:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Board of Trustees of the University of Arkansas                                                         | Phone:   | 479-575-5401 |
| E-mail:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | joecordi@uark.edu                                                                                       | Contact: | Joe Cordi    |
| 1. STYLE OF THE CASE BEING LITIGATED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                         |          |              |
| Baptist v. Board of Trustees of the University of Arkansas, et al., 5:26-cv-05077-DCF (W.D. Ark.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |          |              |
| 2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                         |          |              |
| United States District Court for the Western District of Arkansas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |          |              |
| 3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                         |          |              |
| <p>Plaintiff Najja Baptist is employed on the faculty of the University of Arkansas, Fayetteville. He alleges race discrimination, a hostile work environment, and retaliation under Title VII, and race discrimination and a lack of procedural due process under Section 1983 in connection with an audit and termination proceedings. A copy of his complaint is enclosed. The Board and the other defendants have filed an answer denying Dr. Baptist's allegations. A copy of their answer is enclosed. The answer includes counterclaims by the Board of Trustees alleging that Dr. Baptist breached his fiduciary duty of public trust, converted public funds for his own use, unjustly enriched himself at the University's expense, and defrauded the University.</p> |                                                                                                         |          |              |
| 3A. OTHER DESCRIPTION INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |          |              |
| Docket Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5:26-cv-05077-DCF                                                                                       |          |              |
| Date Filed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | April 13, 2026                                                                                          |          |              |
| Defendant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | UofA Board of Trustees, Charles Robinson, Indrajeet Chaubey, Brian Raines, and Cale Fessler             |          |              |
| Defendant Attorney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | University of Arkansas Office of the General Counsel                                                    |          |              |
| Plaintiff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Najja K. Baptist                                                                                        |          |              |
| Plaintiff Attorney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | John Jerome "JJ" Thompson Sr.                                                                           |          |              |
| 4. ANY OTHER RELEVANT INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |          |              |
| Please see the enclosed copies of the pleadings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |          |              |
| 4A. OTHER RELEVANT INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                         |          |              |
| Case History                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Answer with counterclaims filed May 7, 2026.                                                            |          |              |
| Relief Sought                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Dr. Baptist seeks injunctive and monetary relief. The Board of Trustees seeks monetary relief.          |          |              |
| Current Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The matter is still in the pleading stage. Dr. Baptist is expected to answer the Board's counterclaims. |          |              |

## A.C.A. § 10-3-312

Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

- Arkansas Code Annotated
- Title 10 General Assembly
- Chapter 3 Committees
- Subchapter 3-- Legislative Council

### 10-3-312. NOTIFICATION OF LAWSUITS AFFECTING STATE.

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- (a) In order that the General Assembly may take whatever steps it deems necessary concerning lawsuits which may affect the State of Arkansas, its officials, or its financial resources:
  - (1) The Attorney General shall notify the Director of the Bureau of Legislative Research who is the Executive Secretary to the Legislative Council as soon as possible after the Attorney General becomes involved in such litigation;
  - (2) **When any state agency or any entity which receives an appropriation of funds from the General Assembly becomes involved in litigation without representation by the Attorney General, the director or administrative head of the agency shall notify the Director of the Bureau of Legislative Research as soon as possible.**
- (b) The notice given by the Attorney General or by the director or administrative head of a state agency to the Director of the Bureau of Legislative Research shall include the style of the case being litigated, the identity of the tribunal before which the matter has been filed, a brief description of the issues involved, and other information that will enable the Legislative Council or the Joint Budget Committee to determine the action that may be deemed necessary to protect the interests of the General Assembly and the State of Arkansas in that matter.
- (c) Upon receipt of the notice, the Director of the Bureau of Legislative Research shall during the interim between legislative sessions transmit a copy of the notice to the cochairmen of the Legislative Council and to the cochairmen of the Joint Budget Committee during legislative sessions in order that those committees may schedule that matter upon their respective agendas at the earliest possible date.
- (d) During the interim between legislative sessions, the Legislative Council shall determine, and during legislative sessions the Joint Budget Committee shall determine, whether the General Assembly has an interest in the litigation and, if so, take whatever action deemed necessary to protect the General Assembly's and the state's interest in that matter.

### HISTORY

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Acts 1987, No. 798, §§ 1, 2.

Arkansas Code of 1987 Annotated Official Edition  
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A.C.A. § 10-3-312 (Lexis Advance through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission)

WESTERN DISTRICT OF ARKANSAS  
FILED

APR 13 2026

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISIONBy Ronald E. Dowling  
Deputy Clerk

DR. NAJJA K. BAPTIST )

PLAINTIFF, )

v. )

CASE NO. 26-5077

BOARD OF TRUSTEES OF THE )

UNIVERSITY OF ARKANSAS, acting for )

and on behalf of the University of )

Arkansas, Fayetteville; )

BRIAN RAINES; )

CHARLES ROBINSON, in his )

official capacity only; )

INDRAJEET CHAUBEY, in his )

official capacity only; )

CALE FESSLER, in his official capacity only )

DEFENDANTS. )

**JURY TRIAL DEMANDED****COMPLAINT FOR DAMAGES, DECLARATORY RELIEF,  
AND INJUNCTIVE RELIEF**

Plaintiff Dr. Najja K. Baptist, by and through counsel, for his Complaint against Defendants, states as follows:

**NATURE OF THE ACTION**

1. This case arises from the events that took place after a Black tenured professor and program director reported his new dean for making a racially charged comment regarding Black professionals during a January 2025 virtual meeting.
2. The University of Arkansas did not protect Dr. Najja K. Baptist. It minimized his complaint, softened the witness account, and adopted Dean Brian Raines's version of events.

3. What followed this report not a neutral employment review by an impartial administrator. It was escalating, and retaliatory, scrutiny: travel and funding restrictions, suspension of Plaintiff's travel card, an audit built on inference rather than neutral fact development, removal of Plaintiff's directorship, formal dismissal proceedings for cause, and a present effort to treat contested accusations as an administrative debt.
4. Defendants' narrative repeatedly treated overlap between Black religious and civic life and Plaintiff's Black-politics fieldwork as presumptively suspicious. They matched public events to travel dates, overread ambiguous facts, and used cultural unfamiliarity as a substitute for proof.
5. Defendants also attacked Plaintiff's research materials through non-expert pattern spotting—metadata, repeated phrasing, spelling variations, holidays, and “batch creation”—even though no completed research-misconduct finding existed.
6. Plaintiff seeks damages, declaratory relief, and immediate equitable relief. He asks this Court to stop unlawful race discrimination and retaliation, to prevent further deprivation of his tenured employment and present wages without due process, and to preserve the status quo while the University attempts to convert a hotly disputed accusation into collection, withholding, offset, or payroll recoupment.

#### **PARTIES**

7. Plaintiff Dr. Najja Baptist is an adult citizen and resident of Arkansas. At all relevant times, he was employed by the University of Arkansas in Fayetteville, Arkansas as a tenured faculty member in the Department of Political Science and served as Director of African and African American Studies (“AAST”). Additionally, Plaintiff is a Black man.

8. Defendant Board of Trustees of the University of Arkansas governs the University of Arkansas, Fayetteville, which is a public institution of higher education located in Fayetteville, Arkansas. It was Plaintiff's employer and is an "employer" within the meaning of Title VII, 42 U.S.C. § 2000e(b).
9. Defendant Brian Raines was, at all relevant times, Dean of the Fulbright College of Arts and Sciences. He is sued in his individual capacity only for damages under 42 U.S.C. § 1983.
10. Defendant Charles Robinson was, at all relevant times, Chancellor of the University of Arkansas, Fayetteville. He is sued in his official capacity only for prospective declaratory and injunctive relief.
11. Defendant Indrajeet Chaubey was, at all relevant times, Provost and Executive Vice Chancellor for Academic Affairs. He is sued in his official capacity only for prospective declaratory and injunctive relief.
12. Defendant Cale Fessler was, at all relevant times, Associate Vice Chancellor for Financial Affairs. He is sued in his official capacity only for prospective declaratory and injunctive relief.

#### **JURISDICTION, VENUE AND EXHAUSTION**

13. This action arises under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., and 42 U.S.C. § 1983 for violations of the Fourteenth Amendment to the United States Constitution.
14. This Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1343.
15. This Court has authority to award declaratory and injunctive relief under 28 U.S.C. §§ 2201 and 2202 and Federal Rule of Civil Procedure 65.

16. Venue is proper in this District and Division under 28 U.S.C. § 1391(b) and 42 U.S.C. § 2000e-5(f)(3) because the unlawful employment practices and constitutional deprivations alleged herein occurred in the Western District of Arkansas, and Defendants reside and operate here.
17. Plaintiff timely filed EEOC Charge No. 493-2025-02619 against the University of Arkansas.
18. On January 13, 2026, the EEOC issued a Dismissal and Notice of Rights. A true and correct copy is attached as **Exhibit 1**.
19. Plaintiff received the notice on or about January 13, 2026, and this action is filed within ninety days of receipt.
20. All conditions precedent to Plaintiff's Title VII claims have been satisfied, performed, or have occurred.
21. To the extent some retaliatory acts alleged herein occurred after the filing of Plaintiff's EEOC charge or after issuance of the right-to-sue notice, those acts are part of the same retaliatory course of conduct, are pleaded as ongoing and post-charge retaliation and present injunctive harm, and Plaintiff reserves the right to supplement or amend as necessary.

### **FACTUAL ALLEGATIONS**

#### *A. Plaintiff's Position, Scholarship, and Early Complaints*

22. Plaintiff is a scholar of Black political participation and Black public life. His work includes qualitative, community-based field research in Black churches, Black civic institutions, and other spaces where political attitudes, organization, and participation are formed and expressed.

23. At all relevant times, Plaintiff held a tenured faculty appointment at the University and served as Director of AAST.
24. In late 2024 and early 2025, Plaintiff's relationship with Raines and administrators in the dean's office deteriorated in connection with disputes involving a program assistant and the handling of Plaintiff's concerns.
25. Plaintiff complained that Donna Johnson's notetaking and recordkeeping in meetings were biased, incomplete, and unreliable. Those concerns mattered because University officials later relied on Johnson's notes to validate Raines's version of disputed events.
26. During this same general period, the workplace environment was causing Plaintiff serious stress. Plaintiff submitted an ADA-related complaint in Fall 2024 concerning the health effects of the hostile and toxic work environment, including elevated blood pressure and related health concerns.
27. The University was therefore on notice, before the main events of 2025 unfolded, that Plaintiff believed he was being treated unfairly and that the environment was affecting his health.

*B. The January 2025 Puerto Rico Incident and Plaintiff's Complaint*

28. On or about January 6, 2025, while attending the Southern Political Science Association conference in Puerto Rico, Plaintiff participated in a virtual meeting involving Raines and other University personnel.
29. During that call, Plaintiff understood Raines to make a race-based leadership remark directed at him, in substance disparaging Black leadership and suggesting that Black faculty or Black managers did not know how to handle stress or could not be trusted with leadership.

30. Plaintiff immediately understood the remark as race-based and as directed at him as a Black faculty member and Black academic leader.
31. Dr. Periloux Peay, a research collaborator and faculty member at the University of Maryland, was seated nearby during the Puerto Rico conference and later told University investigators that he overheard a “problematic” comment made by Raines. Peay said he did not recall the exact words, but remembered something like, “This is why people can’t be trusted with leadership,” and understood the comment as directed at Plaintiff’s leadership abilities. Whatever the exact phrasing, multiple listeners interpreted the comment to be a veiled, disparaging comment towards professionals in the Black community.
32. The University’s own October 28, 2025, OEOC memorandum later recorded Peay as recalling something like “This is why people can’t be trusted with leadership”—a formulation that, from Plaintiff’s perspective, softened and incompletely captured what had been said.
33. On January 17, 2025, Plaintiff reported the incident to Chancellor Robinson by email. In the University’s later written determination, the University acknowledged that Plaintiff wrote it was “particularly troubling” that Dean Raines had made disparaging statements suggesting that Black faculty did not know to handle stress.
34. Plaintiff also complained through the University’s equal-opportunity/compliance channels about Raines’s conduct.
35. On or about January 22, 2025, at an in-person meeting attended by Dr. Valandra, Raines used a tone that Valandra later described to University investigators as “very patronizing” and “like father knows best.” From Plaintiff and Dr. Valandra’s perspective, this was part

of the same pattern of racialized and discriminatory treatment Raines exhibited when he treated Baptist, a Black academic leader, as someone who did not belong in a position of authority.

36. Plaintiff experienced this conduct as racially hostile, demeaning, and threatening to his position.

*C. June and July 2025: Escalating Scrutiny and Immediate Adverse Action*

37. Upon information and belief, certain travel-related charges were identified by Department Chair Bill Schreckhise and reported to Associate Dean Stephanie Schulte on or about June 23, 2025.
38. Upon information and belief, Dean Raines and others in the Fulbright dean's office were either contemporaneously aware of this report, or were made aware at this time.
39. Following consultation with legal counsel, a report was submitted on June 30, 2025, under Ark. Code Ann. § 25-1-124 based on an asserted need to report an apparent loss of public funds within five business days.
40. On July 3, 2025, Plaintiff was called into a meeting with Raines and other University officials concerning his travel, research, and expenditures.
41. In that meeting, Raines presented accusations of financial wrongdoing or misuse tied to Plaintiff's June 7, 2025, Columbia, South Carolina event, related Pawley's Island travel, IRB issues, and other matters.
42. During the same period, Defendants suspended Plaintiff's University travel, suspended his University travel card, and cut off or froze access to travel and support funding.

43. Plaintiff was pressed to produce supporting materials and publishable research on an unrealistic timetable. He responded immediately with what was then available, including field notes and witness information.
44. On July 3, 2025, Plaintiff identified Dr. Joe Grant as a South Carolina coordinator and corroborating witness who, according to Plaintiff, had helped facilitate Plaintiff's May and June fieldwork and could also help explain any mistaken charges associated with the travel.
45. On July 11, 2025, University officials held a follow-up meeting. Plaintiff again denied wrongdoing and explained that participant confidentiality, qualitative methods, and the form of his field materials were all relevant factors constraining how quickly and in what form he could provide supporting documentation.
46. Plaintiff further maintains that Raines and other decisionmakers repeatedly treated Black churches, Black community spaces, and overlap between Black religious life and Black-politics fieldwork as inherently suspicious.
47. The stress of the July 2025 escalation became acute enough that Plaintiff sought hospital care for stress-related abdominal pain.
48. These July 2025 meetings were materially adverse and punitive. They branded Plaintiff's work suspect, stripped him of travel and funding support, and set in motion the campaign that culminated in his removal from leadership, proposed dismissal, and threatened recoupment.
49. By Summer 2025, area-studies programs, including AAST, were already under administrative pressure, and Plaintiff and other directors were raising concerns about unilateral changes, lack of consultation, and marginalization.

50. On October 28, 2025, the University's Equal Opportunity, Compliance, and Title IX office issued a written memorandum of determination concluding that Raines had not violated the University's discrimination policy, based only on recollections and meeting notes by Raines and Donna Johnson and a misrepresentation of testimony by Dr. Periloux Peay. A true and correct copy is attached as **Exhibit 2**.
51. That memorandum adopted Johnson's note-based narrative, minimized or reframed witness accounts, and concluded that Plaintiff's race-discrimination and retaliation allegations were unfounded.
52. The memorandum further recommended that Plaintiff be reminded of the University's ethical-reporting expectations, thus repositioning Plaintiff, rather than Raines, as the person whose conduct needed correction.
53. By ratifying the Dean's version and discounting Plaintiff's report the University helped create the conditions for the retaliatory escalation that followed.

*D. The Gala-Wedding Issue was Contested, and the University's Own Materials Reflect a Mixed Record*

54. The University's July 31, 2025, Summary of Information for Referral to Internal Audit identified South Carolina-related concerns totaling approximately \$30,135.84 and expressly framed them as matters meriting further review. A true and correct copy is attached as **Exhibit 3**.
55. By March 2026, the University had increased the asserted apparent loss to \$48,344.26.
56. The University's own materials reflected that Plaintiff had described the June 7 event in official University paperwork as a focus group or community meeting connected to his research and had estimated approximately 75 participants.

57. Specifically, the referral summary reflected that Plaintiff's spend authorization and expense material stated that he would be traveling to conduct research for the Blair Center, and that his official function form described the Gala Event Center event as a focus group and community meeting designed to facilitate productive discussions and gather input from research subjects.
58. The same materials reflected Plaintiff's position that participants were contacted individually rather than through broad invitations or public advertising because of confidentiality concerns.
59. The referral materials also reflected that Plaintiff identified a participant email consistent with research activity and provided or referenced corroborating material from Dr. Grant, who described himself as Plaintiff's local coordinator for recruiting subjects for focus groups in South Carolina.
60. The referral materials further reflect Plaintiff's position that a single charge had been made separately and by mistake.
61. In addition, the same file referenced a participant email and a Dr. Grant email that were consistent with research activity having occurred.
62. Yet rather than investigate those avenues fairly, Defendants relied heavily on overlap between wedding plans and research travel, social-media imagery, venue décor, public event matching, server recollections and adverse inferences.
63. That approach converted a disputed and fact-specific event into a predetermined narrative of personal misuse and dishonesty.
64. Plaintiff does not concede fraud, theft, or intentional misuse of funds. He alleges that the University's version of the June 7 event is selective and incomplete, that corroborating

witnesses existed, and that the University repeatedly overread ambiguous facts to support a disciplinary result it had already begun to embrace.

65. Even the University's own referral materials recognized that a spouse's presence in shared lodging, at no additional expense to the University, is not by itself prohibited in otherwise bona fide University travel.

*E. Black Religious and Community Overlap Was Treated as Suspicious*

66. A substantial part of the University's accusation rested on travel connected to United House of Prayer ("UHOP") and other Black religious or civic spaces that the University never actually proved were improper.
67. Instead, Defendants matched church or community events to travel dates and locations and inferred that Plaintiff must have been traveling in a personal or private capacity rather than a research capacity.
68. For Plaintiff's scholarship, Black churches and related civic institutions are not incidental. They are among the very spaces where Black political behavior, organization, and attitudes are formed, expressed, and studied.
69. The University's response to that explanation was not to neutrally test it through qualified methods, witnesses, or trip specific factual development. The response was to treat "UHOP" and other Black religious/community overlap as red flags.
70. The record assembled by Defendants does not show that Plaintiff held compensated outside employment through UHOP, personally profited from the trips at issue, or corrupted any University decision through a private financial interest.
71. To the extent Defendants sought to use Plaintiff's ministerial or religious affiliation against him, that affiliation was not a paid outside job.

72. Attendance at worship, ministry, or Black community events while traveling does not, standing alone, convert research travel into theft, fraud, or dismissal-level misconduct.
73. Plaintiff alleges that Defendants' repeated treatment of Black church and Black community overlap as inherently suspicious was part of the same race-based stereotyping that had already surfaced in the January 2025 leadership remark.

*F. The IRB Record Was More Complicated Than Defendants Claimed*

74. Defendants also tried to use Institutional Review Board, or IRB, issues as if they conclusively proved bad faith.
75. But the University's own referral materials reflected that, on July 15, 2025, the IRB coordinator found a single instance of non-compliance with institutional policy that was neither serious nor continuing, that no regulations had been violated, and that no sanctions were recommended.
76. The same materials reflected that the lead institution on a multi-institution project had an exempt determination in place during the relevant period, and that a University of Arkansas reliance agreement recognizing that determination was pending.
77. Even on the University's own paperwork, the IRB issue was administratively messy and contested, not clean proof of fraud, fabrication, or intentional misuse of funds.
78. Defendants nevertheless continued to wield IRB rhetoric as if it resolved the larger misconduct dispute against Plaintiff.

*G. The University Later Formalized Its Support for Raines*

79. The October 28, 2025, the University's Equal Opportunity, Compliance, and Title IX Office Memorandum of Determination concluded that Raines had not violated the University's discrimination policy.

80. That memorandum reframed the January 2025 incident as a dispute over stress-management language, relied on Johnson's notes as validation of Raines's account and treated Plaintiff's race complaint as having "evolved."
81. By rejecting Plaintiff's complaint and adopting Raines's narrative, the University ratified the very official whose conduct Plaintiff had reported and helped clear the path for the later audit, disciplinary escalation, and dismissal process.

*H. Plaintiff Submitted Materials in Good Faith, and the University Immediately Circulated Them Internally*

82. On October 1, 2025, Internal Audit provided Plaintiff with a detailed spreadsheet of questioned travel and invited him to respond.
83. Plaintiff responded on October 15, 2025.
84. In early December 2025, Internal Audit informed Plaintiff's counsel that they were preparing to conclude the investigation against Dr. Baptist, again requested that Plaintiff provide supporting materials, and represented that his supplemental submission would be reviewed before the report was finalized.
85. Internal Audit further represented that if Plaintiff provided supporting materials, University management would review them and any changes deemed necessary would be reflected in the draft internal audit report.
86. On December 15, 2025, Plaintiff, through counsel, submitted a substantial file of research-related materials in good faith, including anonymized and aggregate documentation and contextual material designed to respect participant privacy and research-ethics constraints. A true correct copy of Plaintiff's submission is attached as **Exhibit 4**.

87. That same day, Chris Walker, the University of Arkansas System's Internal Audit Director, forwarded Plaintiff's submission internally to Raines, Schulte, Schreckhise, Bill Kincaid and others for review. A true and correct copy of that December 15, 2025, transmittal email chain is attached as **Exhibit 5**.

88. The University cannot characterize Plaintiff as someone who ignored the process or refused to respond.

89. Plaintiff's position throughout the process was that he was attempting to comply in good faith while also respecting confidentiality and the realities of qualitative field research.

90. Even so, Defendants later behaved as though the audit had effectively been settled long before Plaintiff's December submission was neutrally absorbed and evaluated.

*I. The University's Research Attack Relied on Non-Expert Pattern Spotting, not a Completed Misconduct Finding*

91. In March 2026, the University's Art and Sciences review attacked Plaintiff's December 2025 submission using a multi-office assessment emphasizing repeated content, polished phrasing, spelling variations, holiday input dates, metadata, and "batch creation."

92. Those observations were then used to support the conclusion that the documents were not valid evidence of research purpose.

93. No completed research-misconduct finding existed, however. No neutral expert panel had concluded that Plaintiff fabricated data, and no plagiarism finding or finding of formal research misconduct of any kind had been made.

94. Defendants nevertheless treated administrative pattern spotting as if it conclusively established dishonesty and as if the separate research-misconduct process had already been decided against Plaintiff.

95. That was not a neutral or expert-led adjudication. It was an administrative effort to convert suspicion into certainty.
96. Defendants also failed to meaningfully resolve obvious corroborating paths before escalating to dismissal and recoupment.
97. Defendants also failed to meaningfully test obvious exculpatory and corroborating avenues. They did not interview Dr. Grant. They did not seek methods testimony from Dr. Peay or other ethnographers. They did not neutrally test Plaintiff's account that the Gala space had been used for research-related activity after the ceremony. They instead treated adverse inferences as findings.

*J. The March-April 2026 Audit, Directorship Removal, and Dismissal Escalation*

98. On March 12, 2026, Raines sent a transmittal recommendation to Robinson and Chaubey recommending Plaintiff's dismissal for cause. A true and correct copy is attached as **Exhibit 6**.
99. Also on March 12, 2026, Raines sent Plaintiff a detailed grounds letter invoking theft, intentional misuse of property, University policy violations, professional dishonesty or plagiarism, unethical conduct, and a detrimental pattern of conduct. A true and correct copy is attached as **Exhibit 7**.
100. The March 12 grounds letter stated that Plaintiff was not being suspended from faculty employment at that moment, but it kept the July 2025 travel, travel-card, and funding restrictions in place and required him to continue performing his faculty duties while the matter remained pending.

101. The same March 12 letter ended Plaintiff's services as AAST Director effective immediately, returned him to a nine-month academic appointment, removed his administrative stipend, and shifted his workload.
102. On March 16, 2026, Robinson wrote that he agreed with Raines's recommendation and was initiating formal proceedings to consider dismissal for cause. A true and correct copy is attached as **Exhibit 8**.
103. The March 16 letter required Plaintiff to request a hearing and submit a written answer within two weeks of mailing.
104. On March 25, 2026, Plaintiff, through counsel, submitted written requests seeking review and a stay of related adverse actions, including a formal request that disciplinary actions affecting compensation and workload be stayed pending meaningful review.
105. In subsequent correspondence dated April 1, 2026, Robinson asserted that Plaintiff had not yet provided an adequate written answer under Board Policy 405.1, but also acknowledged that the separate research-misconduct referral remained under review and no action had yet been taken on it.
106. That same correspondence nevertheless asserted that the audit findings were final and had been accepted by the Board of Trustees.
107. Robinson further states that if he did not receive a written answer by 5:00 p.m. on Monday, April 6, 2026, the matter would be concluded and Plaintiff's last day of employment would be Monday, April 6, 2026.
108. On April 6, 2026, Plaintiff submitted a detailed written answer and renewed his request for a formal hearing. A true and correct copy is attached as **Exhibit 9**.

109. In that written answer, Plaintiff denied that cause existed, denied that the University had proved theft, dishonesty, or dismissal-level misconduct, and explained why the record was incomplete, selective, and inference-driven.
110. The University's own correspondence thus simultaneously maintained that the research-misconduct referral was unresolved while treating the audit and dismissal narrative as effectively settled. A true and correct copy is attached as **Exhibit 10**.
111. Plaintiff has continued to contest the allegations and to seek meaningful neutral process. Defendants have continued to maintain the challenged restrictions, compensation consequences, and threat of additional deprivation while that process remains unsettled.
- K. The Recoupment Threat is Live and Supports Immediate Relief*
112. On March 9, 2026, Internal Audit issued its report regarding Plaintiff's travel and related expenditures. According to the University's later correspondence, the report had been accepted by the Board of Trustees. A true and correct copy is attached as **Exhibit 11**.
113. The audit quantified an asserted apparent loss of \$48,344.26, recommended that the Dean seek reimbursement, and set March 31, 2026, as the target date for reimbursement and invoicing.
114. Before any neutral faculty hearing had occurred, the University was thus treating a hotly contested accusation as a presently quantifiable debt.
115. The University's later correspondence also repeatedly treated the audit findings as "final" and "accepted," reinforcing that Defendants were moving the dispute from allegation to collection posture.
116. Upon information and belief, Defendants have moved or are moving toward reimbursement demands, invoicing, offset, withholding, payroll deduction, or related

collection activity based on that disputed audit amount. A true and correct copy of the Treasurer's Office correspondence is attached as **Exhibit 12**.

117. The amount defendants seek to collect is not an admitted debt and is not a liquidated amount established through a fair, neutral adjudication. It remains disputed at every material level.
118. Defendants cannot constitutionally transform a hotly disputed, procedurally tainted, inference-driven accusation into a present property deprivation and begin taking or threatening to take Plaintiff's wages while the underlying misconduct allegations remain contested.
119. The recoupment threat is therefore live and imminent, and it supports immediate equitable relief.
120. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered and continues to suffer loss of professional standing, loss of leadership status and compensation, interference with research and travel, emotional distress, financial uncertainty, and stress-related physical symptoms.

### **COUNT I**

#### **Title VII Race Discrimination**

**(Against Defendant Board of Trustees of the University of Arkansas)**

121. Plaintiff realleges and incorporates by reference Paragraphs 1 through 121 as though fully set forth herein.
122. Plaintiff was qualified for his position and at all relevant times held a tenured faculty appointment.
123. The University subjected Plaintiff to adverse employment actions, including suspension of University travel, suspension of his travel card, restriction of funding and support, removal

from the AAST directorship, initiation of for-cause dismissal proceedings, continuation of punitive restrictions while he was expected to keep working, and the use of the audit as a basis for reimbursement and collection efforts.

124. Plaintiff's race was a motivating factor in those actions and a but-for cause of at least some of them.
125. The January 2025 race-based leadership remark, Plaintiff's contemporaneous report to the Chancellor about disparaging statements suggesting Black faculty did not know how to handle stress, and Peay's corroborating recollection support discriminatory motive.
126. The University's asserted reasons were also pretextual. It ignored or downplayed corroborating evidence, softened witness accounts unfavorable to Raines, repeatedly treated Black churches and Black community spaces as inherently suspicious, and converted ambiguous and disputed facts into a predetermined narrative of misconduct.
127. As a direct and proximate result, Plaintiff has suffered damages.

## **COUNT II**

### Title VII Hostile Work Environment

128. Plaintiff realleges and incorporates by reference Paragraphs 1 through 128 as though fully set forth herein.
129. Plaintiff was subjected to unwelcome race-based conduct, including the January 2025 leadership remark, repeated race-coded criticisms suggesting Black faculty or Black managers could not handle stress or leadership, and subsequent patronizing and demeaning treatment by Raines in the wake of Plaintiff's complaint.
130. The hostile environment was compounded when Defendants later treated Plaintiff's Black-centered fieldwork and overlap with Black church and community spaces as inherently suspect rather than engaging with them neutrally.

131. Taken together, and especially given Raines's position as Plaintiff's dean and the employment consequences that followed, the conduct was sufficiently severe or pervasive to alter the terms and conditions of Plaintiff's employment and created an objectively and subjectively hostile work environment.
132. The University knew about the conduct because Plaintiff reported it to the Chancellor and through University compliance channels.
133. The University did not take prompt and appropriate remedial action. Instead, it adopted Raines's version of events and reinforced the hostile environment.
134. As a direct and proximate result, Plaintiff has suffered damages.

**COUNT III**  
Title VII Retaliation

135. Plaintiff realleges and incorporates by reference Paragraphs 1 through 135 as though fully set forth herein.
136. Plaintiff engaged in protected activity when he complained about Raines's race-based conduct to the Chancellor and through the University's equal-opportunity/compliance channels, and later when he pursued EEOC relief.
137. The University was aware of Plaintiff's protected activity.
138. After that protected activity, the University subjected Plaintiff to materially adverse actions, including escalating scrutiny, the July 2025 hostile investigative meetings, suspension of travel, suspension of his travel card, restriction of funding and support, the audit escalation, removal from the AAST directorship, reduction in compensation, initiation of for-cause dismissal proceedings, the demand for an accelerated written answer under threat of immediate separation, and use of a disputed audit as the basis for reimbursement and collection.

- 139. Those actions would dissuade a reasonable employee from reporting discrimination.
- 140. The timing, sequence, and character of the University's response support causation. So does the University's choice to turn Plaintiff's complaint into an apparent credibility issue while embracing Raines's narrative.
- 141. Even if financial concerns furnished Defendants with a pretextual opening, retaliation helped drive the scope, severity, and outcomes of what followed.
- 142. As a direct and proximate result, Plaintiff has suffered damages.

#### **COUNT IV**

42 U.S.C. § 1983 – Equal Protection (Racial Discrimination)

(Against Defendant Board of Trustees of the University of Arkansas, acting for and on behalf of the University of Arkansas, Fayetteville, and Defendant Brian Raines in his Individual Capacity and Defendants Charles Robinson and Indrajeet Chaubey in their Official Capacities for Prospective Declaratory and Injunctive Relief Only)

- 143. Plaintiff realleges and incorporates by reference Paragraphs 1 through 143 as though fully set forth herein.
- 144. At all relevant times, Raines acted under color of state law.
- 145. Plaintiff is a member of a protected racial class.
- 146. Raines intentionally discriminated against Plaintiff because of race, including by making the January 2025 leadership remark, targeting Plaintiff after he complained, and helping drive a course of adverse action that treated Plaintiff's Black leadership and Black-centered fieldwork as suspect.
- 147. The discriminatory treatment described herein was purposeful, not accidental or merely negligent.
- 148. Robinson and Chaubey are proper official-capacity defendants for prospective declaratory and injunctive relief because they are responsible for implementing, carrying forward, or

refusing to halt the ongoing effects of the discriminatory campaign, including the dismissal process and related employment restrictions.

149. As a direct and proximate result of the equal-protection violation, Plaintiff has suffered damages and continues to face irreparable injury.
150. Plaintiff is entitled to damages against Raines in his individual capacity and to prospective declaratory and injunctive relief against Robinson and Chaubey in their official capacities.

#### **COUNT V**

42 U.S.C. § 1983 – Procedural Due Process

(Against Defendant Board of Trustees of the University of Arkansas, acting for and on behalf of the University of Arkansas, Fayetteville, and Defendant Brian Raines in his Individual Capacity and Defendants Charles Robinson and Indrajeet Chaubey in their Official Capacities for Prospective Declaratory and Injunctive Relief Only)

151. Plaintiff realleges and incorporates by reference Paragraphs 1 through 151 as though fully set forth herein.
152. Under the University's tenure-related policies, including the policies Defendants themselves invoked, Plaintiff had and has a protected property interest in his tenured faculty appointment and continued employment absent dismissal for cause through constitutionally adequate procedures.
153. Plaintiff also has a protected property interest in his wages, salary, and compensation, which cannot be involuntarily deducted, withheld, or offset on the basis of a disputed accusation without constitutionally adequate process.
154. Defendants deprived Plaintiff, or threatened to deprive him, of those interests without constitutionally adequate process.
155. Among other things, Defendants:

- a. treated the audit as final and accepted before any neutral hearing tested the disputed allegations;
  - b. removed Plaintiff from his directorship and reduced him compensation while the matter remained contested;
  - c. maintained travel, travel-card, and funding restrictions as punitive pressure;
  - d. attempted to force an accelerated written-answer process under threat of immediate separation;
  - e. used unresolved research and IRB issues as if they had already been conclusively adjudicated against Plaintiff; and
  - f. moved to treat a disputed accusation as a presently quantifiable debt subject to reimbursement, invoicing, withholding, offset, payroll deduction, or related collection.
156. Due process does not permit state officials to convert a disputed, inference-driven accusation into a presently due liquidated debt and to initiate collection from a tenured professor's wages before a meaningful opportunity to be heard before a neutral decisionmaker.
157. Raines personally set this deprivation in motion and helped structure the tainted record on which it rests.
158. Robinson and Chaubey are proper official-capacity defendants because they are responsible for the ongoing dismissal process and for preserving or withholding the status quo while Plaintiff seeks meaningful process.

159. Fessler is a proper official-capacity defendant because, on information and belief, he has responsibility for or authority over the collection, withholding, offset, or payroll-deduction machinery that threatened Plaintiff's wages.
160. Plaintiff is entitled to declaratory and injunctive relief preventing further deprivation of his employment and wages without due process, and to damages against Raines in his individual capacity.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor and grant the following relief.

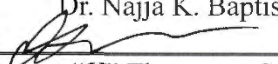
- A. Declare that Defendant Board of Trustees of the University of Arkansas violated Title VII by discriminating against Plaintiff because of race, retaliating against him, and subjecting him to a racially hostile work environment;
- B. Declare that Defendant Raines violated Plaintiff's rights under the Equal Protection and Due Process Clauses of the Fourteenth Amendment;
- C. Enter temporary, preliminary, and permanent injunctive relief preserving the status quo and prohibiting Defendants, and those acting in concert with them, from initiating or continuing any recoupment, withholding, offset, payroll deduction, invoicing, or other collection activity against Plaintiff based on the disputed audit amount unless and until lawful process occurs;
- D. Enter temporary, preliminary, and permanent injunctive relief prohibiting Defendants from finalizing Plaintiff's dismissal, or imposing further punitive employment action based on the challenged audit and dismissal record, unless and until Plaintiff receives constitutionally adequate process;

- E. Order equitable relief restoring or preserving Plaintiff's compensation, benefits, workload, research and travel support, and, to the extent lawful and appropriate, his leadership status or comparable equitable relief pending lawful resolution of the dispute;
- F. Award Plaintiff back pay, lost benefits, lost compensation, and all other pecuniary losses;
- G. Award compensatory damages in an amount to be determined by the jury;
- H. Award punitive damages against Defendant Brian Raines in his individual capacity;
- I. Award nominal damages as appropriate on Plaintiff's constitutional claims;
- J. Award prejudgment interest, post-judgment interest, attorney's fees, litigation expenses, and costs under all applicable statutes, including 42 U.S.C. § 2000e-5(k) and 42 U.S.C. 1988; and
- K. Award such other and further relief as the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: April 13, 2026

Respectfully submitted,  
Dr. Najja K. Baptist  
BY: /s/   
John Jerome "JJ" Thompson Sr.  
Bar No: 2024182  
Thompson DeSonier Law Firm  
294 N. Main St.  
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JJ@tdfirm.law  
Attorney for Plaintiff

|                                            |   |                                   |
|--------------------------------------------|---|-----------------------------------|
| <b>DR. NAJJA K. BAPTIST</b>                | ) |                                   |
|                                            | ) |                                   |
| <b>PLAINTIFF-</b>                          | ) |                                   |
| <b>COUNTERCLAIM</b>                        | ) |                                   |
| <b>DEFENDANT</b>                           | ) | <b>CASE NO. 5:26-cv-05077-DCF</b> |
|                                            | ) |                                   |
| <b>v.</b>                                  | ) |                                   |
|                                            | ) |                                   |
| <b>BOARD OF TRUSTEES OF THE</b>            | ) | <b>JURY TRIAL DEMANDED</b>        |
| <b>UNIVERSITY OF ARKANSAS, acting</b>      | ) |                                   |
| <b>for and on behalf of the University</b> | ) |                                   |
| <b>of Arkansas, Fayetteville</b>           | ) |                                   |
|                                            | ) |                                   |
| <b>DEFENDANT-</b>                          | ) |                                   |
| <b>COUNTERCLAIM</b>                        | ) |                                   |
| <b>PLAINTIFF</b>                           | ) |                                   |
|                                            | ) |                                   |
| <b>BRIAN RAINES; CHARLES</b>               | ) |                                   |
| <b>ROBINSON, in his official capacity</b>  | ) |                                   |
| <b>only; INDRAJEET CHAUBEY, in</b>         | ) |                                   |
| <b>his official capacity only; CALE</b>    | ) |                                   |
| <b>FESSLER, in his official capacity</b>   | ) |                                   |
| <b>only</b>                                | ) |                                   |
|                                            | ) |                                   |
| <b>DEFENDANTS</b>                          | ) |                                   |

## DEFENDANTS' ANSWER

28

Defendants Brian Raines (“Dean Raines”), Charles Robinson (“Chancellor Robinson”), Indrajeet Chaubey (“Provost Chaubey”), and Cale Fessler (“Dr. Fessler”)<sup>1</sup> state:

1. The Defendants deny Paragraph 1.
2. The Defendants deny Paragraph 2 and state that Dean Raines’s “version of events” was (and is) truthful. The Defendants further state that when Plaintiff filed a complaint an internal investigation was conducted and found that claims of discrimination and harassment against Dean Raines by Plaintiff were false.
3. The Defendants deny Paragraph 3 and state that Dr. Baptist owes the Board a debt, that Dr. Baptist should be held liable to the Board for breach of his fiduciary duty of public trust, conversion of public funds, unjust enrichment, and fraud, that a judgment should be entered against Dr. Baptist and in favor of the Board that exceeds the amount required for diversity-of-citizenship jurisdiction in federal court for compensatory damages, punitive damages, prejudgment interest and post-judgment interest, and that also awards the Board all other further relief as the Court deems just and proper.
4. The Defendants deny Paragraph 4.
5. The Defendants deny Paragraph 5 and state that Dr. Baptist submitted insufficient and/or fabricated research materials as proposed documentation of research activity.
6. With regard to Paragraph 6, the Defendants admit that Dr. Baptist seeks damages, declaratory, and injunctive relief and deny the remainder of the Paragraph. The Defendants deny all of Dr. Baptist’s purported claims and state that Dr. Baptist is not entitled to any relief.

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<sup>1</sup>The Board, Dean Raines, Chancellor Robinson, Provost Chaubey, and Dr. Fessler are collectively referred to as “the Defendants.”

7. With regard to Paragraph 7, the Defendants admit that Dr. Baptist is an adult citizen and resident of the State of Arkansas, that he has been employed by the University of Arkansas in Fayetteville Arkansas since on or about August 19, 2019, that he is—as of this writing—a tenured faculty member in the Department of Political Science at the University of Arkansas, Fayetteville, that he was previously the Director of the African and African American Studies Program (“AAST”) at the University of Arkansas, Fayetteville, and that he is a Black man. The Defendants deny any allegations in the paragraph that are not specifically admitted.

8. With regard to Paragraph 8, the Defendants admit that the University of Arkansas is a public institution of higher education created, organized, funded, and governed by and under the Constitution and laws of the State of Arkansas, including Ark. Code Ann. § 6-64-202. The University of Arkansas, Fayetteville, is a campus of the University of Arkansas that is located in Fayetteville, Arkansas. The University of Arkansas is governed by the Board, which has delegated certain governance authority to the campuses that make up the university system. The Defendants admit that, at the time of this writing, the University of Arkansas is Dr. Baptist’s employer and state that he is required to perform various job duties at the University of Arkansas, Fayetteville. The Defendants deny any allegations in the paragraph that are not specifically admitted.

9. With regard to Paragraph 9, the Defendants admit that Dean Raines has been the Dean of the Fulbright College of Arts and Sciences at the University of Arkansas, Fayetteville since on or about June 30, 2024. The Defendants admit that Dr. Baptist is suing Dean Raines in his individual capacity only for damages under 42 U.S.C. § 1983. The Defendants, including Dean Raines, deny all of Dr. Baptist’s purported claims and also deny any allegations in the paragraph that are not specifically admitted.

10. With regard to Paragraph 10, the Defendants admit that Chancellor Robinson has served as Chancellor of the University of Arkansas, Fayetteville since on or about November 16, 2022. He served as Interim Chancellor from on or about August 9, 2021, until he was named Chancellor. The Defendants admit that Chancellor Robinson is sued in his official capacity only for prospective declaratory and injunctive relief. The Defendants, including Chancellor Robinson, deny all of Dr. Baptist's purported claims and also deny any allegations in the paragraph that are not specifically admitted.

11. With regard to Paragraph 11, the Defendants admit that Provost Chaubey has served as Provost and Executive Vice Chancellor for Academic Affairs of the University of Arkansas, Fayetteville, since on or about July 1, 2025. The Defendants admit that Provost Chaubey is sued in his official capacity only for prospective declaratory and injunctive relief. The Defendants, including Provost Chaubey, deny all of Dr. Baptist's purported claims and also deny any allegations in the paragraph that are not specifically admitted.

12. With regard to Paragraph 12, the Defendants admit that Dr. Fessler served as Associate Vice Chancellor of Financial Affairs at the University of Arkansas, Fayetteville, from on or about February 18, 2019, until he was promoted to Chief Financial Officer and Senior Associate Vice Chancellor of Financial Affairs on or about July 1, 2024. Dr. Fessler still serves in this role. The Defendants admit that Dr. Fessler is sued in his official capacity only for prospective declaratory and injunctive relief. The Defendants, including Dr. Fessler, deny all of Dr. Baptist's purported claims and also deny any allegations in the paragraph that are not specifically admitted.

13. The Defendants deny Paragraph 13.

14. The Defendants admit Paragraph 14.

15. With regard to Paragraph 15, the Defendants admit that the Court has authority to award declaratory and injunctive relief, deny that Dr. Baptist is entitled to any relief, and deny any allegations in the paragraph that are not specifically admitted.

16. With regard to Paragraph 16, the Defendants admit that venue is proper in the Western District of Arkansas and deny any allegations in the paragraph that are not specifically admitted.

17. With regard to Paragraph 17, the Defendants admit that Plaintiff filed an EEOC Charge against the University. The Defendants lack sufficient knowledge or information to form a belief about the truth of the remaining allegations in Paragraph 17 and therefore deny them.

18. With regard to Paragraph 18, the Defendants admit that the EEOC issued a Determination and Notice of Rights on January 13, 2026, and that an authentic copy has been filed in this action as ECF No. 2-1. The Defendants deny any allegations in the paragraph that are not specifically admitted.

19. The Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 19 and therefore deny them.

20. The Defendants deny Paragraph 20.

21. The Defendants deny Paragraph 21.

22. The Defendants admit Paragraph 22.

23. With regard to Paragraph 23, the Defendants admit the Board hired Dr. Baptist to a faculty position in the Department of Political Science at the University of Arkansas, Fayetteville effective on or about August 19, 2019, admit that Dr. Baptist's initial faculty position was instructor, admit that the Board promoted Dr. Baptist to assistant professor effective on or about August 17, 2020, admit that the Board appointed Dr. Baptist Director of AAST effective on

or about February 1, 2024, admit that the Board promoted Dr. Baptist to associate professor effective on or about August 11, 2025, admit that Dr. Baptist was removed as Director of AAST on or about March 12, 2026, and admit that Dr. Baptist has received tenure which became effective on or about August 11, 2025.

24. The Defendants deny Paragraph 24.

25. The Defendants deny Paragraph 25.

26. With regard to Paragraph 26, the Defendants admit that Dr. Baptist submitted a request for accommodations under the ADA pertaining to stress in dealing with an employee that he supervised, which he later withdrew. The Defendants deny any allegations in the paragraph that are not specifically admitted.

27. The Defendants deny Paragraph 27.

28. Defendants admit Paragraph 28.

29. The Defendants deny Paragraph 29. The Defendants state that in the virtual meeting Dean Raines told Dr. Baptist that people in leadership or management in the college must manage stressful situations well and need to be the calmest people in the room.

30. The Defendants deny Paragraph 30. The Defendants state that whether the plaintiff may have “understood” the remark as race-based is not the same as whether Dean Raines in fact made a discriminatory statement, which he did not.

31. With regard to Paragraph 31, the Defendants admit that CJ Moseby, EO & Title IX investigator for the University of Arkansas, Fayetteville, interviewed Dr. Periloux Peay. The Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations that Dr. Peay is a research collaborator and faculty member at the University of Maryland and therefore deny them. The Defendants admit that Dr. Peay told Ms. Moseby that he

attended the Southern Political Science Association conference in Puerto Rico in January 2025. The Defendants admit that Dr. Peay told Ms. Moseby that he was seated about 10 feet from Dr. Baptist at a different table and saw Dr. Baptist in a virtual call with several University of Arkansas, Fayetteville faculty, including Dean Raines, but he did not recognize the others. The Defendants admit that Dr. Peay told Ms. Moseby that he did not know Dean Raines and had never met or spoken to him and only learned that it was Dean Raines on the call after Dr. Baptist told him once the meeting concluded. The Defendants admit that Dr. Peay told Ms. Moseby that he overheard what he described as a “problematic” comment made by Dean Raines during the call. The Defendants admit that Dr. Peay told Ms. Moseby that he did not recall the exact words. The Defendants admit that Dr. Peay told Ms. Moseby that he remembered it as something like “This is why people can’t be trusted with leadership.” The Defendants admit that Dr. Peay told Ms. Moseby that he interpreted Dean Raines’s comment as being aimed at Dr. Baptist’s leadership abilities. The Defendants state that Dr. Peay acknowledged that he had not heard the full context of the comment or the conversation. The Defendants deny the remainder of the paragraph.

32. With regard to Paragraph 32, the Defendants admit that a memorandum from Ms. Moseby to Provost Chaubey dated October 28, 2025, states: “Though [Dr. Peay] didn’t recall the exact words, he remembered it as something like ‘This is why people can’t be trusted with leadership’.” The Defendants deny the remainder of the paragraph.

33. With regard to Paragraph 33, the Defendants admit that on January 17, 2025, Dr. Baptist sent an email to Chancellor Robinson in which Dr. Baptist mentioned Dean Raines’s alleged comment on the video call that Dr. Peay told Ms. Moseby that he had overheard. The Defendants also admit that, in his email to Chancellor Robinson, Dr. Baptist wrote, in part: “It is

particularly troubling to note that the Dean has made disparaging statements suggesting that Black faculty ‘did not know how to handle stress[.]’” This written statement by Dr. Baptist is misleading because Dean Raines did not suggest that Black faculty do not know how to handle stress. Dean Raines told Dr. Baptist that people in leadership or management in the college must manage stressful situations well and need to be the calmest people in the room.

34. With regard to Paragraph 34, the Defendants admit that at 4:01 pm on July 11, 2025—which was after Dean Raines had met with Dr. Baptist earlier that day, as well as on July 3, 2025, to address whether Dr. Baptist had incurred University travel expenses without a sufficient business justification, through using a credit card that the University of Arkansas, Fayetteville, had issued to him under the Board’s authority to use only for official business—Dr. Baptist submitted a report to the University of Arkansas, Fayetteville’s Office of Equal Opportunity, Compliance, and Title IX alleging that Dean Raines had discriminated and retaliated against him. The Defendants state that Dr. Baptist’s allegations against Dean Raines are false and deny any allegations in the paragraph that are not specifically admitted.

35. With regard to Paragraph 35, the Defendants admit that Drs. Baptist and Valanda met in-person with Dean Raines around January 22, 2025. The Defendants deny that Dean Raines used a patronizing or “father knows best” tone. The Defendants deny the remainder of the paragraph. The Defendants state that on December 9, 2024, Dean Raines recommended Dr. Baptist for promotion to Associate Professor with Tenure, and on March 11, 2025, Dean Raines appointed Dr. Baptist to the Sylvia G. Swartz Chair in Political Science from July 1, 2025, through July 1, 2026. The Defendants further state that on March 6, 2025, Dr. Baptist emailed then-current Provost Terry Martin, Dean Raines, and others, expressing thanks to the Dean’s

Office and the Provost's office for support received by Dr. Baptist in addressing certain personnel matters.

36. The Defendants deny Paragraph 36. The Defendants state that whether the plaintiff "experienced" conduct in a particular manner is not the same as whether such conduct was in fact "racially hostile, demeaning, and threatening to his position."

37. The Defendants admit Paragraph 37.

38. With regard to Paragraph 38, the Defendants admit that Dean Raines and others who worked in the Dean's office learned of Dr. Schreckhise's report to Associate Dean Schulte. The Defendants deny any allegations in the paragraph that are not specifically admitted.

39. With regard to Paragraph 39, the Defendants admit that, following consultation with legal counsel, the University notified Arkansas Legislative Audit on June 30, 2025, of an apparent loss of public funds of \$1,000 or more related to potential fraudulent charges on a payment card which was a travel card (T-Card) associated with Fulbright College within five business days of learning of the apparent loss as required by Ark. Code Ann. § 25-1-124. The Defendants deny any allegations in the paragraph that are not specifically admitted.

40. With regard to Paragraph 40, the Defendants admit that Dr. Baptist was invited to and attended a video meeting held via Teams on July 3, 2025, with Dean Raines; Dr. William ("Bill") Schreckhise, who serves as Chair of the Department of Political Science; Associate Dean Stephanie Schulte; and Assistant Dean Donna Johnson. The Defendants admit that, during this meeting, Dean Raines notified Dr. Baptist of concerns about his travel-related expenses and reimbursements, his research activity and IRB approvals, and other matters. The Defendants deny any allegations in the paragraph that are not specifically admitted.

41. With regard to Paragraph 41, the Defendants again admit that, during the July 3, 2025, meeting, Dean Raines notified Dr. Baptist of concerns about his travel-related expenses and reimbursements, his research activity and IRB approvals, and other matters. The Defendants admit that some of these concerns were related to Dr. Baptist's June 7, 2025, wedding in Columbia, South Carolina and his honeymoon in Pawleys Island, South Carolina. The Defendants state that Dean Raines gave Dr. Baptist an opportunity to respond to these concerns, in the meeting and through follow-up communications. The Defendants deny any allegations in the paragraph that are not specifically admitted.

42. With regard to Paragraph 42, the Defendants admit that—after Dr. Baptist was given an opportunity to respond to the concerns raised in the meeting of July 3, 2025—the University prohibited him from travelling on University business and from incurring charges on any University account except for appropriate and normal expenses related to student support in Fayetteville in his role as director of AAST that had been approved by Associate Dean Chris Schulte. The Defendants deny any allegations in the paragraph that are not specifically admitted.

43. The Defendants deny Paragraph 43. Defendants state that Dr. Baptist was asked to provide contemporaneous documentation of research activity for the period of travel leading up to and including the date of the June 7, 2025, event at the Gala Center that occurred on the date of Dr. Baptist's wedding, and during Dr. Baptist's stay at a VRBO in Pawleys Island, South Carolina, June 7-10, 2025. The Gala Center event occurred on the afternoon of June 7th, following the wedding and cost over \$6,000, including facility rental and catering charges. Defendants state that, in response to those requests, Dr. Baptist produced four pages of handwritten notes on hotel stationery as the sole documentation. Dean Raines declined to receive newly prepared documentation that was not in existence or created at the time of the events in

question. Defendants further state that Dean Raines wrote Dr. Baptist on July 3, 2025, stating “You provided photos of four pages of handwritten notes that you indicate were from June 7-10. Are there any additional records documenting the focus group, community meeting, or interview activity from June 7 and from the other days? If so, please provide those records.” No additional contemporaneous records documenting research activity were provided by Dr. Baptist in July in response to the requests for records.

44. With regard to Paragraph 44, the Defendants admit that Plaintiff identified Dr. Joe Grant as a South Carolina Coordinator for recruiting focus group participants and that Dr. Grant had explained that a floral wall had been taken out and used by mistake. Dr. Baptist provided an email from Dr. Grant on July 4, 2025, which, among other things, addressed a supposed “emergency meeting” with Dr. Baptist in May to plan for the “June studies” and stating that a study at the Gala Center in Columbia was “unknown to me but will certainly be used in the future.” The Defendants state that on July 3 Dean Raines had asked Dr. Baptist to explain why an “emergency meeting” had to be conducted in-person, in Columbia, South Carolina, approximately one month before Dr. Baptist’s wedding in the same city, rather than by electronic means. The Defendants deny any allegations in the paragraph that are not specifically admitted.

45. With regard to Paragraph 45, the Defendants admit that Dean Raines led a follow-up meeting on July 11, 2025, with Dr. Baptist that was also attended by Associate Dean David McNabb, and Assistant Dean Donna Johnson. The Defendants admit that Dr. Baptist denied wrongdoing. The Defendants further state that Dr. Baptist asserted that the handwritten notes were sufficient documentation, and that he couldn’t conduct a focus group because participants would not give him consent. The Defendants deny the remainder of the paragraph.

46. The Defendants deny Paragraph 46.

47. The Defendants deny Paragraph 47.

48. With regard to Paragraph 48, the Defendants admit that—after Dr. Baptist was given an opportunity to respond to the concerns raised in the meeting of July 3, 2025—the University prohibited him from travelling on University business and from incurring additional charges on any University account except for appropriate and normal expenses related to student support in Fayetteville in his role as director of AAST that had been approved by Associate Dean Chris Schulte. The Defendants deny the remainder of the paragraph.

49. With regard to Paragraph 49, the Defendants state that Dean Raines instituted changes to adjust the reporting lines and bring more consistency to compensation arrangements for area studies directors. The Defendants deny any allegations in the paragraph that are not specifically admitted.

50. With regard to Paragraph 50, the Defendants admit that on October 28, 2025, following a detailed internal investigation, the University's Office of Equal Opportunity, Compliance, and Title IX issued a written Memorandum of Determination concluding that Dean Raines had not violated the University's policy prohibiting discrimination (including discriminatory harassment) in employment, education, programs, and services, which is known as Fayetteville Policies and Procedures 214.1. The Defendants admit an authentic copy of the October 28, 2025, Memorandum of Determination has been filed in this action at ECF No. 2-2. The Defendants deny the remainder of the paragraph.

51. With regard to Paragraph 51, the Defendants admit that EO & TIX Investigator CJ Moseby concluded that Dr. Baptist's race-discrimination and retaliation allegations were unfounded and admit that Investigator Moseby issued the October 28, 2025, Memorandum of

Determination in which she explained the reasons for her conclusion. The Defendants deny the remainder of the paragraph.

52. With regard to Paragraph 52, the Defendants admit that in the October 28, 2025, Memorandum of Determination Investigator Moseby recommended that Dr. Baptist be reminded of the University's ethical-reporting obligations, admit that Dr. Baptist's conduct needed correction, and deny that Dean Raines's conduct needed correction. The Defendants deny any allegations in the paragraph that are not specifically admitted.

53. The Defendants deny Paragraph 53 and state that no retaliation occurred.

54. With regard to Paragraph 54, the Defendants admit that the University's July 31, 2025, Summary of Information for Referral to Internal Audit identified concerns about Dr. Baptist's completed and proposed expenditures of \$30,135.84 related to his travel to and activities in South Carolina. The Defendants admit that the University's July 31, 2025, Summary of Information for Referral to Internal Audit stated, "Our initial inquiry suggests these expenses merit further review[.]" The Defendants admit that an authentic copy of the University's July 31, 2025, Summary of Information for Referral to Internal Audit has been filed in this action at ECF No. 2-3. Defendants further state that in his referral of the matter to Internal Audit dated August 1, 2025, Dean Raines stated:

[W]e are requesting Internal Audit to review the use of University funds by Dr. Najja Baptist for travel during Fiscal Year 2025 and the beginning of Fiscal Year 2026, including, but not limited to, in connection with any events and activities surrounding his wedding on June 7, 2025, in Columbia, South Carolina.

The Defendants deny any allegations in the paragraph that are not specifically admitted.

55. With regard to Paragraph 55, the Defendants admit that the internal audit report dated March 9, 2026, reported an apparent loss of \$48,344.26 to the University. The Defendants deny any allegations in the paragraph that are not specifically admitted.

56. With regard to Paragraph 56, the Defendants admit:

a) In an email dated May 29, 2025, Dr. Baptist asked Grace Gierach, who is employed as a business services/program specialist at the University of Arkansas, Fayetteville, to fill out an Official Function Form on his behalf;

b) A true and correct copy of Dr. Baptist's May 29, 2025, email to Ms. Gierach is attached as Defendants' Exhibit 5;

c) In his May 29, 2025, email to Ms. Gierach, Dr. Baptist stated:

Also, smart carte does not give receipts for carts. Please fill out the form on my behalf.

#### Justification for Event Expenses

The expenditures of \$1,600 covers the rental of the Gala Event Center as the venue and \$500 for catering services provided by Tupelo Honey Kitchen for an upcoming focus group and community meeting. The Gala Event Center was selected due to its accessible location, appropriate capacity, and necessary amenities to facilitate productive discussions and community engagement. Tupelo Honey Kitchen was chosen for their quality catering, which will ensure attendees are comfortably nourished and engaged throughout the event. These purchases are essential to creating a professional, welcoming environment that encourages meaningful participation and gathers valuable input from research subjects who are community members.

Defendants' Exhibit 5;

d) Ms. Gierach filled out the Official Function Form on Dr. Baptist's behalf;

e) A true and correct copy of the Official Function Form is attached as Defendants' Exhibit 6;

- f) Ms. Gierach used information provided by Dr. Baptist to fill out the Official Function Form;
- g) Dr. Baptist signed the Official Function Form after Ms. Gierach filled it out;
- h) The Official Function Form stated:

Dr. Baptist will host an upcoming focus group and community meeting for his work in the Blair Center. The Gala Event Center was selected due to its accessible location, capacity, and amenities to facilitate productive discussions and community engagement. This event will create a professional, welcoming environment that encourages meaningful participation and gathers valuable input from research subjects.

Defendants' Exhibit 6;

- i) The Official Function Form indicated that attendees at the focus group and community meeting would include Dr. Baptist and approximately 75 research participants, Defendants' Exhibit 6;
- j) The Official Function Form has a blank for "Dates of Event" that was filled in with "6/7/25", Defendants' Exhibit 6;

The Defendants deny any allegations in the paragraph that are not specifically admitted. The Defendants state that these actions by Dr. Baptist constitute breaches of his fiduciary duty of public trust, unjust enrichment, conversion of public funds for Dr. Baptist's personal use, and fraud.

57. With regard to Paragraph 57, the Defendants admit that an authentic copy of the University's July 31, 2025, Summary of Information for Referral to Internal Audit has been filed in this action at ECF No. 2-3. The Defendants admit that Dr. Baptist represented that he would be

traveling to conduct research for the Blair Center, and admit that the Official Function Form signed by Dr. Baptist stated:

Dr. Baptist will host an upcoming focus group and community meeting for his work in the Blair Center. The Gala Event Center was selected due to its accessible location, capacity, and amenities to facilitate productive discussions and community engagement. This event will create a professional, welcoming environment that encourages meaningful participation and gathers valuable input from research subjects.

Defendants' Exhibit 6. The Defendants deny any allegations in the paragraph that are not specifically admitted.

58. With regard to Paragraph 58, the Defendants state that during the July 3, 2025, meeting Dr. Baptist confirmed that there had been an actual focus group (and community meeting) held, and state that during the July 11, 2025, meeting Dr. Baptist once again confirmed that there had been a focus group. The Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, correctly indicated that during the July 11, 2025, meeting, Dr. Baptist—in contradiction to his earlier statements—said this was not focus group but a group of older people concerned about the political environment who did not want to be identified. The Defendants deny any allegations in the paragraph that are not specifically admitted.

59. With regard to Paragraph 59, the Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, indicated that Dr. Baptist identified an email from a purported research participant and an email from an individual who identified himself as “Joseph M. Grant, PhD,” who—among other things—wrote that he “was pleased to serve as the South Carolina coordinator for recruiting subjects to participate in the

focus groups” and “Our study, at the Gala Event Center, was unknown to me but will certainly be used in the future.” The Defendants deny the remainder of the paragraph.

60. With regard to Paragraph 60, the Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, indicated that Dr. Baptist sent an email to Dean Raines dated July 3, 2025, in which Dr. Baptist stated that a floral wall was taken out by mistake and there was a charge for it after the event. The Defendants deny any allegations in the paragraph that are not specifically admitted.

61. With regard to Paragraph 61, the Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, indicated that Dr. Baptist identified an email from a purported research participant and an email from an individual who identified himself as “Joseph M. Grant, PhD.” The Defendants deny the remainder of the paragraph.

62. The Defendants deny Paragraph 62. The Defendants state that Internal Audit’s investigation findings were reached through detailed document examination, email review, an interview and follow-up exchanges with Dr. Baptist and his counsel, site visits in South Carolina, third-party confirmation, and consultation with University units with relevant expertise.

63. The Defendants deny Paragraph 63. The Defendants state that Dr. Baptist been given numerous opportunities to explain, clarify, and substantiate his activities, including a number of meetings with the Dean and Internal Audit.

64. With regard to Paragraph 64, the Defendants admit that Dr. Baptist does not concede his fraud, theft, or intentional misuse of funds. The Defendants state that Dr. Baptist’s allegations are false and deny them. The Defendants deny any allegations in the paragraph that are not specifically admitted.

65. With regard to Paragraph 65, the Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, states, “Note: Having an employee’s guest (such as a spouse) share lodging, at no additional expense to the University, for bona fide travel conducted on behalf of the University for purposes of official business, is not in and of itself prohibited.” Defendants further state that this principle does not extend to additional costs beyond lodging, such as meals for guests. The Defendants deny any allegations in the paragraph that are not specifically admitted.

66. The Defendants deny Paragraph 66. The Defendants state that records demonstrate that Dr. Baptist engaged in extensive efforts, using his University email, to arrange and troubleshoot housing arrangements for a 2024 UHOP event in Memphis, Tennessee, while stating in his signature block the title:

Local Hotel Coordinator  
United House of Prayer

Defendants’ Exhibits, 47; 48, p. 3; 49. Defendants further state that Dr. Baptist’s travel to the event was paid for with research funds.

67. With regard to Paragraph 67, the Defendants admit that dates and locations of certain church or community events match dates and locations of some of Dr. Baptist’s travel and state that those matches are evidence that Dr. Baptist was traveling in a personal or private capacity and expended or caused the expenditure of University funds for personal reasons in violation of University policy. The Defendants deny any allegations in the paragraph that are not specifically admitted.

68. The Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 68 and therefore deny them.

69. With regard to Paragraph 69, the Defendants admit that dates and locations of certain church or community events match dates and locations of some of Dr. Baptist's travel and state that those matches are evidence that Dr. Baptist was traveling in a personal or private capacity and expended or caused the expenditure of University funds for personal reasons in violation of University policy. Defendants admit that Dr. Baptist failed to make conflict of interest disclosures that would put his supervisory chain on notice of his leadership roles within UHOP and his intent to use University funds to pay for UHOP-related travel and failed to establish any conflict of interest management plan to address the issue. The Defendants deny the remainder of the paragraph.

70. With regard to Paragraph 70, the Defendants admit that University records do not show that Dr. Baptist held compensated outside employment through UHOP. The Defendants deny the remainder of the paragraph.

71. With regard to Paragraph 71, the Defendants lack sufficient knowledge or information to form a belief about the truth of the allegation that any ministerial or religious affiliation that Dr. Baptist may have is not a paid outside job and therefore deny that allegation. The Defendants state that paying for personal travel undertaken for any purpose—including without limitation compensated or uncompensated ministerial or religious purposes—with University funds is prohibited. The Defendants deny any allegations in the paragraph that are not specifically admitted.

72. The Defendants admit Paragraph 72 and state that paying for personal travel with University funds is prohibited, regardless of whether the travel involves "[a]ttendance at worship, ministry, or Black community events[.]"

73. With regard to Paragraph 73, the Defendants state that Dr. Baptist's allegations are false and deny them. The Defendants deny any allegations in the paragraph that are not specifically admitted.

74. With regard to Paragraph 74, the Defendants admit that it is the responsibility of the researcher to ensure proper IRB arrangements are in place before engaging in human subjects research. The Defendants state that in considering whether an adequate research basis existed for Dr. Baptist's travel expenditures, Defendants also reviewed whether approved protocols or exempt determinations existed for any research activities to be conducted. The Defendants deny any allegations in the paragraph that are not specifically admitted.

75. With regard to Paragraph 75, the Defendants admit that IRB Coordinator Ro Windwalker sent Dr. Baptist a memorandum in which she stated, in part:

Your protocol was reviewed by a Non-Compliance Subcommittee of the IRB in the meeting on 07/11/2025. Having reviewed the protocol which was approved, and determining that approval was allowed to lapse on 4/20/2024 while grant activities connected with the study continue and the intention for the research is to continue, the finding of non-compliance is sustained. As the procedures which were conducted by the local investigator met regulatory requirements for exempt determination, and no regulations were violated, this was determined to be a single instance of non-compliance with institutional policy which was neither serious nor continuing, and no sanctions are recommended.

The Defendants deny any allegations in the paragraph that are not specifically admitted.

76. With regard to Paragraph 76, the Defendants admit that the Summary of Information for Referral to Internal Audit dated July 31, 2025, states, in part:

Per the UA Office of Research Integrity and Compliance, an exemption for a multi institution research project in which Dr. Baptist is a participant has been approved by Georgia State, which is the lead institution on the project. The exempt determination was in place during the relevant period. A reliance agreement between UA and Georgia State that would recognize Georgia State's

determination as applicable to Dr. Baptist, as a UA researcher was previously not in place but is now pending.

The Defendants deny any allegations in the paragraph that are not specifically admitted.

77. The Defendants deny Paragraph 77.

78. With regard to Paragraph 78, the Defendants admit that Dr. Baptist's failure to have an approved protocol, reliance agreement, or exempt determination in place for human-subject research during the period of the audit runs counter to the notion that his travel was supported by adequate research purpose. The Defendants deny any allegations in the paragraph that are not specifically admitted.

79. The Defendants admit Paragraph 79.

80. With regard to Paragraph 80, the Defendants admit that EO & TIX Investigator CJ Moseby concluded that Dr. Baptist's race-discrimination and retaliation allegations are unfounded and admit that Investigator Moseby issued the October 28, 2025, Memorandum of Determination in which she explained the reasons for her conclusion. The Defendants admit that Investigator Mosbey's conclusion relies, in part, on notes taken by Assistant Dean Donna Johnson. The Defendants admit that Investigator Mosbey described evidence that "supports Raines' claim that Baptist's account of what Raines said at the early January virtual meeting has evolved over time, and that the assertion Baptist is now making that Raines made a racially disparaging statement about Black people (or Black faculty) is false." The Defendants deny any allegations in the paragraph that are not specifically admitted.

81. The Defendants deny Paragraph 81.

82. The Defendants admit Paragraph 82.

83. The Defendants admit Paragraph 83.

84. The Defendants admit Paragraph 84.

85. The Defendants admit Paragraph 85.

86. With regard to Paragraph 86, the Defendants admit that on December 15, 2025, Dr. Baptist, through his attorney, electronically submitted a zip file containing 108 Word documents to Chris Walker, who serves as the University of Arkansas System's Internal Audit Director. The Defendants deny the remainder of the paragraph. Defendants admit that the documents submitted are represented to be anonymized. The Defendants state that the 108 Word documents contain numerous anomalies (which were noted by both Internal Audit and Fulbright College, in consultation with other University units) including but not limited to replication of identical responses, lack of reported interaction between participants, presence of unusually formal and polished language (that lacks filler words, fragments, contractions and false starts), variance in British and American spellings, unusual data collection dates that occurred on major holidays, lack of summary participant data, and metadata indicating batch creation. As an example of these anomalies, the records of the purported Gala Center session indicate that as they began their answer to question two (about if politicians are actively working against people), the second participant at nearly every table said a version of, "I'd say partially[:]" and the third participant at nearly every table said precisely, "For me it's a yes." As another example of these anomalies, the records of the purported Gala Center session indicate that as they began their answer to question three (about the policy that they believed was most threatened), the first participant on nearly every panel cited health concerns; the second participant on nearly every panel cited small businesses; the third participant on nearly every panel cited civil rights; and the fourth participant on nearly every panel cited the environment. Defendants further state, upon information and belief, that the 10 Word documents appearing to depict detailed focus group/interview table discussions among more than 50 individuals conducted on June 7, 2025, at

the Gala Center were constructed on the basis of two pages of handwritten notes from June and the recollections of Dr. Baptist. Each document indicates that each participant provided verbal consent to participate in the discussion.

87. With regard to Paragraph 87, the Defendants admit that on December 15, 2025, Mr. Walker forwarded the 108 Word documents submitted by Dr. Baptist to Dean Raines, Associate Dean Schulte, Dr. Schreckhise, and Managing Associate General Counsel Bill Kincaid, and others for review. The Defendants admit that an authentic copy of Mr. Walker's transmittal email is included in ECF No. 2-5. The Defendants state that Dr. Baptist's attorney may have sent the 108 Word Documents to Mr. Walker twice on December 15, 2025; the first time at 7:51 am, and the second time at 7:55 am. The Defendants deny any allegations in the paragraph that are not specifically admitted.

88. With regard to Paragraph 88, the Defendants admit that Dr. Baptist participated in meetings and furnished information but initially refused to provide documentation other than four pages of handwritten notes. The Defendants deny any allegations in the paragraph that are not specifically admitted.

89. The Defendants deny Paragraph 89.

90. The Defendants deny Paragraph 90.

91. With regard to Paragraph 91, the Defendants admit that on December 15, 2025, Dr. Baptist, through his attorney, electronically submitted a zip file containing 108 Word documents to Chris Walker, who serves as the University of Arkansas System's Internal Audit Director. The Defendants state that the 108 Word documents contain numerous anomalies (which were noted by both Internal Audit and Fulbright College, in consultation with other University units) including but not limited to replication of identical responses, lack of reported interaction

between participants, presence of unusually formal and polished language (that lacks filler words, fragments, contractions and false starts), variance in British and American spellings, unusual data collection dates that occurred on major holidays, lack of summary participant data, and metadata indicating batch creation. As an example of these anomalies, the records of the purported Gala Center session indicate that as they began their answer to question two (about if politicians are actively working against people), the second participant at nearly every table said a version of, “I’d say partially[;]” and the third participant at nearly every table said precisely, “For me it’s a yes.” As another example of these anomalies, the records of the purported Gala Center session indicate that as they began their answer to question three (about the policy that they believed was most threatened), the first participant on nearly every panel cited health concerns; the second participant on nearly every panel cited small businesses; the third participant on nearly every panel cited civil rights; and the fourth participant on nearly every panel cited the environment. The Defendants admit that Dean Raines met with Dr. Baptist to discuss the findings of the Audit, including the extensive anomalies identified with the data. Defendants further admit that Dr. Baptist stated that he stood behind the data but provided no further explanation of the anomalies. The anomalies were also addressed in a letter to Dr. Baptist from Dean Raines dated March 12, 2026. That letter noted additional issues with the word documents, including, but not limited to, a set reflecting apparent focus group transcripts stated to have occurred on dates when the researcher had to evacuate from Augusta, Georgia due to a hurricane. The Defendants deny any allegations in the paragraph that are not specifically admitted.

92. With regard to Paragraph 92, the Defendants admit that the numerous anomalies in the 108 Word documents support the conclusion that the documents are not valid evidence of

research purpose. The Defendants state that the anomalies are instead compelling evidence of not only legitimate, non-discriminatory, non-retaliatory, and constitutional reasons for employment action to be taken against Dr. Baptist, but also compelling evidence that Dr. Baptist breached his fiduciary duty of public trust, was unjustly enriched, converted public funds for his personal use, and committed fraud. The Defendants deny any allegations in the paragraph that are not specifically admitted.

93. The Defendants deny Paragraph 93. In addition, as the Defendants note above with respect to Paragraph 75, IRB Coordinator Ro Windwalker sent Dr. Baptist a memorandum in which she stated, in part:

Your protocol was reviewed by a Non-Compliance Subcommittee of the IRB in the meeting on 07/11/2025. Having reviewed the protocol which was approved, and determining that approval was allowed to lapse on 4/20/2024 while grant activities connected with the study continue and the intention for the research is to continue, the finding of non-compliance is sustained. As the procedures which were conducted by the local investigator met regulatory requirements for exempt determination, and no regulations were violated, this was determined to be a single instance of non-compliance with institutional policy which was neither serious nor continuing, and no sanctions are recommended.

94. With regard to Paragraph 94, the Defendants admit that the numerous anomalies in the 108 Word documents are compelling evidence that Dr. Baptist fabricated research. The Defendants deny the remainder of the paragraph and once again note that IRB Coordinator Ro Windwalker sent Dr. Baptist a memorandum in which she stated, in part:

Your protocol was reviewed by a Non-Compliance Subcommittee of the IRB in the meeting on 07/11/2025. Having reviewed the protocol which was approved, and determining that approval was allowed to lapse on 4/20/2024 while grant activities connected with the study continue and the intention for the research is to continue, the finding of non-compliance is sustained. As the procedures which were conducted by the local investigator met regulatory requirements for exempt determination, and no

regulations were violated, this was determined to be a single instance of non-compliance with institutional policy which was neither serious nor continuing, and no sanctions are recommended.

95. The Defendants deny Paragraph 95.

96. The Defendants deny Paragraph 96.

97. With respect to Paragraph 97, the Defendants admit that they did not interview Dr. Grant. The Defendants state that Dr. Baptist provided an email from an individual who identified himself as “Joseph M. Grant, PhD,” who—among other things—wrote that “Our study, at the Gala Event Center, was unknown to me but will certainly be used in the future.” The Defendants state that Dr. Baptist was free to provide additional information from Dr. Grant. The Defendants admit that Internal Audit twice emailed Dr. Peay to seek his participation in the investigation and he did not respond. The Defendants deny the remainder of the paragraph.

98. With regard to Paragraph 98, the Defendants admit that on March 12, 2026, Dean Raines sent a letter to Chancellor Robinson and Provost Chaubey recommending that Dr. Baptist be dismissed from employment for cause, and that an authentic copy of the letter has been filed in this action as ECF No. 2-6. The Defendants deny any allegations in the paragraph that are not specifically admitted.

99. With regard to Paragraph 99, the Defendants admit that on March 12, 2026, Dean Raines sent Dr. Baptist a detailed grounds letter invoking theft, intentional misuse of property, University policy violations, professional dishonesty or plagiarism, unethical conduct, and a detrimental pattern of misconduct, and that an authentic copy of the letter has been filed in this action as ECF No. 2-7. The Defendants deny any allegations in the paragraph that are not specifically admitted.

100. The Defendants admit Paragraph 100.

101. The Defendants admit Paragraph 101.

102. With regard to Paragraph 102, the Defendants admit that on March 16, 2026, Chancellor Robinson sent Dr. Baptist a letter stating that he agreed with Dean Raines's recommendation that Dr. Baptist be dismissed from employment for cause and was initiating formal proceedings to consider his dismissal from employment for cause. The Defendants admit that an authentic copy of Chancellor Robinson's letter has been filed in this action as ECF No. 2-8. The Defendants deny any allegations in the paragraph that are not specifically admitted.

103. The Defendants deny Paragraph 103 and state that the letter informed Dr. Baptist that he had until March 27, 2026, to inform Chancellor Robinson if he wished to have a formal hearing and to provide Chancellor Robinson with a written answer to the statement of grounds for dismissal.

104. With regard to Paragraph 104, the Defendants admit that Dr. Baptist, through counsel, sent two letters to Chancellor Robinson and Provost Chaubey dated March 25, 2026. The Defendants admit that, in one of the letters dated March 25, 2026, from his attorney, Dr. Baptist requested "that all disciplinary actions affecting his compensation and workload, as outlined in the University's and Dean Raines's March 12, 2026 correspondence, be immediately stayed pending resolution of this appeal." The Defendants, however, state that both letters referenced Fayetteville Policies and Procedures 206.9 ("Research and Scholarly Misconduct Policy"), which is not cited in Dean Raines letter to Dr. Baptist dated March 12, 2026, or in Dean Raines letter to Chancellor Robinson or Provost Chaubey dated March 12, 2026. The Defendants deny any allegations in the paragraph that are not specifically admitted.

105. With regard to Paragraph 105, the Defendants admit that on April 1, 2026, Chancellor Robinson wrote Dr. Baptist acknowledging that Dr. Baptist's response to the

Chancellor's dismissal notice was insufficient to trigger the review process under the applicable policies and that a referral had been made under the University's Research Misconduct Policy.

The Defendants deny any allegations in the paragraph that are not specifically admitted.

106. With regard to Paragraph 106, the Defendants admit that Chancellor Robinson's April 1, 2026, correspondence to Dr. Baptist stated, in part: "The audit findings are final and have been accepted by the Board of Trustees." The Defendants deny any allegations in the paragraph that are not specifically admitted.

107. With regard to Paragraph 107, the Defendants admit that Chancellor Robinson's April 1, 2026, correspondence to Dr. Baptist stated, in part:

If you wish to have a hearing, you must provide your written answer to the statement of grounds for dismissal. If I do not receive your written answer to the statement of grounds for dismissal by 5 pm on Monday, April 6, 2026, this matter will be concluded, and your last day of employment will be Monday, April 6, 2026."

The Defendants deny any allegations in the paragraph that are not specifically admitted.

108. With regard to Paragraph 108, the Defendants admit that Dr. Baptist submitted a letter to Chancellor Robinson dated April 6, 2026, which has a subject line that says, "Re: Dr. Najja Baptist—Request for Hearing and Written Answer to Statement of Grounds for Proposed Dismissal." The Defendants deny that this letter is attached as an exhibit to Dr. Baptist's Complaint for Damages, Declaratory Relief, and Injunctive Relief and deny the remainder of the paragraph.

109. With regard to Paragraph 109, the Defendants admit that Dr. Baptist denied that cause existed, and denied that the University had proved theft, dishonesty, or dismissal-level misconduct in his letter to Chancellor Robinson dated April 6, 2026, which has a subject line that says, "Re: Dr. Najja Baptist—Request for Hearing and Written Answer to Statement of Grounds

for Proposed Dismissal[.]” The Defendants deny the remainder of the paragraph and state that Dr. Baptist’s denials are unfounded.

110. With regard to Paragraph 110, the Defendants admit that ECF No. 2-10 is a true and correct copy of a letter dated April 7, 2026, from Chancellor Robinson to Dr. Baptist. The Defendants deny the remainder of the paragraph.

111. With regard to Paragraph 111, the Defendants admit that Dr. Baptist has contested the allegations against him and sought meaningful neutral process. The Defendants state that they have provided Dr. Baptist with meaningful neutral process. The Defendants state that, under University Policy and the terms of his appointment letter, Dr. Baptist served as Director of AAST at the pleasure of the Dean of Fulbright College, which is a position held by Dean Raines, and that Dr. Baptist’s removal as Director of AAST fully complied with the University policy and the appointment letter, and did not depend on any proceedings concerning whether Dr. Baptist will be terminated from employment. The Defendants deny any allegations in the paragraph that are not specifically admitted.

112. With regard to Paragraph 112, the Defendants admit that Internal Audit issued its report regarding Dr. Baptist’s travel and related expenditures on March 9, 2026, and that the Board accepted the report. The Defendants admit that an authentic copy of the report has been filed in this action as ECF No. 2-11, pgs. 5-19. The Defendants deny the remainder of the paragraph.

113. The Defendants admit Paragraph 113.

114. The Defendants deny Paragraph 114 and state that a faculty hearing is not part of the audit process and that Dr. Baptist had notice of the allegations against him and multiple opportunities to respond.

115. With regard to Paragraph 115, the paragraph does not identify the “later correspondence,” so the Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in the paragraph and therefore deny them.

116. With regard to Paragraph 116, the Defendants admit that the University is attempting to collect the debt owed by Dr. Baptist. The Defendants admit that an authentic copy of correspondence from the University of Arkansas, Fayetteville’s Treasurer’s Office has been filed in this action as ECF No. 2-12. The Defendants deny the remainder of the paragraph.

117. With regard to Paragraph 117, the Defendant’s admit that Dr. Baptist disputes his debt to the University and deny the remainder of the paragraph.

118. The Defendants deny Paragraph 118. The Defendants state that the paragraph assumes false facts. The Defendants further state that they have not violated Dr. Baptist’s constitutional rights.

119. With regard to Paragraph 119, the Defendants admit that the University is attempting to collect the debt owed by Dr. Baptist and deny the remainder of the paragraph.

120. The Defendants deny Paragraph 120.

121. With regard to Paragraph 121, the Defendants reallege and incorporate by reference the preceding paragraphs of this answer as though fully set forth herein.

122. The Defendants deny Paragraph 122.

123. The Defendants deny Paragraph 123.

124. The Defendants deny Paragraph 124.

125. The Defendants deny Paragraph 125.

126. The Defendants deny Paragraph 126.

127. The Defendants deny Paragraph 127.

128. With regard to Paragraph 128, the Defendants reallege and incorporate by reference the preceding paragraphs of this answer as though fully set forth herein.

129. The Defendants deny Paragraph 129.

130. The Defendants deny Paragraph 130.

131. The Defendants deny Paragraph 131.

132. The Defendants deny Paragraph 132.

133. The Defendants deny Paragraph 133.

134. The Defendants deny Paragraph 134.

135. With regard to Paragraph 135, the Defendants reallege and incorporate by reference the preceding paragraphs of this answer as though fully set forth herein.

136. The Defendants deny Paragraph 136.

137. The Defendants deny Paragraph 137.

138. The Defendants deny Paragraph 138.

139. The Defendants deny Paragraph 139.

140. The Defendants deny Paragraph 140.

141. The Defendants deny Paragraph 141.

142. The Defendants deny Paragraph 142.

143. With regard to Paragraph 143, the Defendants reallege and incorporate by reference the preceding paragraphs of this answer as though fully set forth herein.

144. The Defendants admit Paragraph 144.

145. The Defendants admit Paragraph 145.

146. The Defendants deny Paragraph 146.

147. The Defendants deny Paragraph 147.

148. With regard to Paragraph 148, the Defendants admit that Chancellor Robinson is the chief executive officer of the University of Arkansas, Fayetteville and deny the remainder of the paragraph.

149. The Defendants deny Paragraph 149.

150. The Defendants deny Paragraph 150.

151. With regard to Paragraph 151, the Defendants reallege and incorporate by reference the preceding paragraphs of this answer as though fully set forth herein.

152. The Defendants deny Paragraph 152.

153. The Defendants deny Paragraph 153.

154. The Defendants deny Paragraph 154.

155. The Defendants deny Paragraph 155, including all subparagraphs.

156. The Defendants deny Paragraph 156, state that the paragraph assumes false facts, and state that Dr. Baptist's right to due process has not been violated.

157. The Defendants deny Paragraph 157.

158. With regard to Paragraph 158, the Defendants admit that Chancellor Robinson is the chief executive officer of the University of Arkansas, Fayetteville, and deny the remainder of the paragraph.

159. With regard to Paragraph 159, the Defendants admit that Dr. Fessler is the Chief Financial Officer of the University of Arkansas, Fayetteville and deny the remainder of the paragraph.

160. The Defendants deny Paragraph 160.

161. The Defendants deny that Dr. Baptist is entitled to any of the relief requested in the complaint's "Prayer for Relief" and further state that Dr. Baptist is not entitled to any relief whatsoever.

162. The Defendants deny any allegation that is not specifically admitted.

163. Dr. Baptist's complaint fails to state a claim upon which relief can be granted.

164. Dr. Baptist cannot establish required elements of any claim.

165. The Defendants have not violated Title VII.

166. The Defendants have not violated Dr. Baptist's right to equal protection.

167. The Defendants have not violated Dr. Baptist's right to procedural due process.

168. The Defendants have not discriminated against Dr. Baptist.

169. The Defendants have not retaliated against Dr. Baptist.

170. The Defendants have not created or permitted a hostile work environment.

171. Dr. Baptist's Title VII claims must be dismissed because he has not met the procedural requirements for filing them.

172. Dr. Baptist's Title VII claims must be dismissed because he has not exhausted them in an EEOC Charge.

173. Dr. Baptist's Title VII claims must be dismissed because his EEOC Charge is untimely.

174. Dr. Baptist's claims are barred by the applicable statute of limitations.

175. Dr. Baptist has failed to state a Title VII claim against Dean Raines, Chancellor Robinson, Provost Chaubey, or Dr. Fessler. In addition, punitive damages are not available against them in their official capacity because, in that capacity, they are government entities. Further, individual-capacity defendants are not subject to suit under Title VII.

176. Dr. Baptist has failed to state grounds upon which punitive damages may be awarded.

177. Punitive damages are not available under Title VII against the Board because it is a governmental entity.

178. Dr. Baptist's § 1983 claims against the Board are barred by sovereign immunity.

179. Dr. Baptist's claims against Dean Raines are barred by qualified immunity.

180. All employment decisions with regard to Dr. Baptist were based on legitimate non-discriminatory and non-retaliatory reasons and the business-judgment rule applies.

181. The Defendants did not cause any harm, injury, or damage to Dr. Baptist.

182. Any damages experienced by Dr. Baptist are due in whole or in part to his own actions.

183. The Defendants acted in good faith at all times relevant to the alleged facts set forth in Dr. Baptist's complaint.

184. Dr. Baptist is not entitled to damages.

185. Dr. Baptist is not entitled to any relief.

WHEREFORE, the Defendants respectfully request that the Court dismiss Dr. Baptist's complaint with prejudice.

**DEFENDANT-COUNTERCLAIM PLAINTIFF BOARD OF TRUSTEES'  
COUNTERCLAIMS**

For its Counterclaims against Dr. Baptist, the Board of Trustees of the University of Arkansas states:

186. The preceding paragraphs are incorporated herein by reference.

### **Jurisdiction and Venue**

187. The Board's counterclaims arise under Arkansas law.

188. The Board's counterclaims are so related to Dr. Baptist's claims that they form part of the same case or controversy under Article III of the United States Constitution.

189. The Court has subject-matter jurisdiction under 28 U.S.C. § 1367(a).

190. Venue is proper in the Western District of Arkansas under 28 U.S.C. § 1391(b)(1) because Dr. Baptist resides in the District, and under 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to the counterclaims occurred in the District.

### **The Board**

191. Under Arkansas law, "The Board of Trustees of the University of Arkansas is made a body politic and corporate and shall have all the powers of a corporate body, subject to the Arkansas Constitution and laws of the State of Arkansas, and the board possesses all the power and authority possessed by the board of trustees of the university under laws existing on March 30, 1887." Ark. Code Ann. § 6-64-202.

192. Arkansas law also states, "The Board of Trustees of the University of Arkansas shall have power to prescribe all rules for the government and discipline of the University of Arkansas, subject to the provisions of this subchapter and such other acts of the General Assembly as may be prescribed." Ark. Code Ann. § 6-64-203.

193. Further, "The General Assembly, in appropriating moneys for the benefit of the University of Arkansas, shall specify the precise amount that it intends to appropriate for each and every purpose, and the Board of Trustees of the University of Arkansas shall apply each sum as thus directed, and in no other way." Ark. Code Ann. § 6-64-1002.

**Dr. Baptist's T-Card Requests and University Policy**

194. On or about February 3, 2025, Dr. Baptist submitted a Credit Card Request for a Travel Card with a \$10,000 monthly spending limit. A true and correct redacted copy of the Credit Card Request is attached as Defendant's Exhibit 1 (material that Dr. Baptist might consider confidential has been redacted).

195. In the Credit Card Request, Dr. Baptist agreed to complete all required training. Defendant's Exhibit 1.

196. In the Credit Card Request, Dr. Baptist agreed "follow all policies and procedures established for use of the Travel Card." Defendant's Exhibit 1, p. 1.

197. In the Credit Card Request, Dr. Baptist agreed that he would "not use the credit card for non-Institution related business, unauthorized purchases, or personal purchases." Defendant's Exhibit 1, p. 1.

198. Based on these and other representations by Dr. Baptist in the Credit Card Request, the Board issued a Bank of America Credit Card, known as a Travel Card or "T-Card," with a single transaction limit and a monthly credit limit of \$10,000 to Dr. Baptist.

199. On or about March 17, 2025, Dr. Baptist submitted a Request update to Credit Card Information in which he requested that the monthly spending limit of the Travel Card issued to him be increased to \$15,000. A true and correct copy of the Request update to Credit Card Information is attached as Defendants' Exhibit 2.

200. In the Request update to Credit Card Information, Dr. Baptist stated that he had "completed all required training[.]" Defendants' Exhibit 2, p. 1.

201. In the Request update to Credit Card Information, Dr. Baptist agreed "to follow all policies and procedures established for use of the Travel Card." Defendants' Exhibit 2, p. 1.

202. In the Request update to Credit Card Information, Dr. Baptist agreed that he would “not use the credit card for non-Institution related business, unauthorized purchases, or personal purchases.” Defendants’ Exhibit 2, p. 2.

203. Based on these and other representations by Dr. Baptist in the Request update to Credit Card Information, the Board increased the monthly spending limit of the Travel Card issued to him to \$15,000. Defendants’ Exhibit 2.

204. The policies and procedures established for use of the Travel Card issued to Dr. Baptist include the University of Arkansas, Fayetteville’s policy titled “Policy – TCard.” A true and correct copy of this policy (“the campus T-Card policy”) is attached as Defendants’ Exhibit 3.

205. The campus T-Card Policy states, in part: “**PERSONAL CHARGES NOT RELATED TO A BUSINESS TRIP ARE STRICTLY FORBIDDEN.**” Defendants’ Exhibit 3, p. 2 (emphasis in original).

206. The campus T-Card Policy states, in part: “Cardholders are responsible for the following: ... “3. **ONLY USING THE TRAVEL CARD FOR UNIVERSITY BUSINESS.**” Defendants’ Exhibit 3, p. 6. (emphasis in original).

207. Policies and procedures that govern travel by University employees include the University of Arkansas Fayetteville’s policy titled “Travel Policy.”

208. In a section titled “Expenses Not Allowed/Restrictions,” the Travel Policy lists expenses for which University funds may not be used. A true and correct copy of this section is attached as Defendants’ Exhibit 4.

209. Among the expenses for which University funds may not be used are: “Personal entertainment, clothing, valet services (unless that is the only parking available at the hotel),

flowers, alcoholic beverages, personal telephone calls, traveler's check service charges, laundry or cleaning, printing items, **or any other items not considered to be official business expenses** unless specifically authorized by the Travel Office in writing.” Defendants’ Exhibit 4, p. 1. (emphasis in original).

210. Notwithstanding his agreements and University policy, Dr. Baptist used the T-Card issued to him to pay for, caused an Administrative T-Card used by a unit of the University to be used to pay for, or requested and received reimbursement for non-Institution related business, unauthorized purchases, and personal purchases for travel to various destinations.

211. Among University funds caused to be wrongfully expended by Dr. Baptist were funds derived from National Science Foundation funds and private endowment funds.

212. Broadly speaking, University policy prohibits expenditure of university funds and card use for any expenses that are not official business expenses. This Includes circumstances where the employee is impermissibly blending personal activities with official activities without full disclosure and an approved conflict management plan.

**Columbia, South Carolina  
Pawleys Island, South Carolina  
June 4, 2025, to July 13, 2025**

213. From on or about June 4, 2025, to on or about July 13, 2025, Dr. Baptist traveled to Columbia, South Carolina, and Pawleys Island, South Carolina, for personal reasons.

214. Grace Gierach is employed as a business services/program specialist at the University of Arkansas, Fayetteville.

215. In an email dated May 29, 2025, Dr. Baptist asked Ms. Gierach to fill out an Official Function Form on his behalf. Defendants’ Exhibit 5.

216. A true and correct copy of Dr. Baptist's May 29, 2025, email to Ms. Gierach is attached as Defendants' Exhibit 5.

217. In his May 29, 2025, email to Ms. Gierach, Dr. Baptist stated:

Also, smart carte does not give receipts for carts. Please fill out the form on my behalf.

Justification for Event Expenses

The expenditures of \$1,600 covers the rental of the Gala Event Center as the venue and \$500 for catering services provided by Tupelo Honey Kitchen for an upcoming focus group and community meeting. The Gala Event Center was selected due to its accessible location, appropriate capacity, and necessary amenities to facilitate productive discussions and community engagement. Tupelo Honey Kitchen was chosen for their quality catering, which will ensure attendees are comfortably nourished and engaged throughout the event. These purchases are essential to creating a professional, welcoming environment that encourages meaningful participation and gathers valuable input from research subjects who are community members.

Defendants' Exhibit 5.

218. Ms. Gierach filled out the Official Function Form on Dr. Baptist's behalf.

Defendants' Exhibit 6.

219. A true and correct copy of the Official Function Form is attached as Defendants' Exhibit 6.

220. Ms. Gierach used information provided by Dr. Baptist to fill out the Official Function Form. Defendants' Exhibit 6.

221. Dr. Baptist signed the Official Function Form after Ms. Gierach filled it out. Defendants' Exhibit 6.

222. The Official Function Form stated:

Dr. Baptist will host an upcoming focus group and community meeting for his work in the Blair Center. The Gala Event Center

was selected due to its accessible location, capacity, and amenities to facilitate productive discussions and community engagement. This event will create a professional, welcoming environment that encourages meaningful participation and gathers valuable input from research subjects.

Defendants' Exhibit 6.

223. The Official Function Form indicated that attendees at the focus group and community meeting would include Dr. Baptist and approximately 75 research participants.

Defendants' Exhibit 6.

224. The Official Function Form stated, "Identities of research participants must remain confidential". Defendants' Exhibit 6.

225. The Official Function Form has a blank for "Dates of Event" that was filled in with "6/7/25". Defendants' Exhibit 6.

226. The Official Function Form contains an estimate of \$1620 of expenses for the focus group and community meeting's "Meeting Room/Rental Charges". Defendants' Exhibit 6.

227. The Official Function Form contains an estimate of \$2280 of expenses for the focus group and community meeting's "Food Expenses". Defendants' Exhibit 6.

228. The Official Function Form contains an estimate of \$4000 of total expenses for the focus group and community meeting. Defendants' Exhibit 6.

229. William Schreckhise ("Dr. Schreckhise") began serving as chair of the Department of Political Science in 2019.

230. Dr. Baptist submitted the Official Function Form to Dr. Schreckhise. Defendants' Exhibit 6.

231. Based on Dr. Baptist's representations in the Official Function Form, Dr. Schreckhise signed the form indicating his approval of the estimated expenditures for the focus group and community meeting. Defendants' Exhibit 6.

232. The Gala Event Center is located in Columbia, South Carolina.

233. Dr. Schreckhise received via text message an invitation from Dr. Baptist to attend his wedding at noon on June 7, 2025, in Columbia, South Carolina. Defendants' Exhibit 7.

234. A true and correct copy of the wedding invitation that Dr. Baptist sent via text message to Dr. Schreckhise is attached as Defendants' Exhibit 7.

235. The wedding invitation indicated that there would be a "Private Dinner Reception" at 3:30 pm on Saturday, June 7, 2025, at the Gala Event Center. Defendants' Exhibit 7, p. 3.

236. The wedding invitation stated, "This is a private dinner reserved for our close family and friends. It will occur at The Gala Event Center 1801 Bush River Road Columbia, SC 29210. In lieu of gifts, we ask for monetary donations towards our honeymoon." Defendants' Exhibit 7, p. 4 (underscore in original).

237. Dr. Baptist reserved lodging from June 7-10, 2025, at a VRBO "Pawleys Plantation Villa" at Pawleys Island, South Carolina, for three nights. Defendants' Exhibit 40, pgs. 2-9.

238. On June 2, 2025, shortly before his wedding, Dr. Baptist wrote a colleague declining a follow-up phone call and stated: "i will be on my honeymoon. Try the next week."

239. On Tuesday, June 3, Dr. Baptist wrote three colleagues and stated, "I'm available next Wednesday. Got a wedding and honeymoon this week."

240. On or about June 12, 2025, Dr. Baptist posted a statement on VRBO's webpage for "Pawleys Plantation Villa." Defendants' Exhibit 8.

241. A true and correct copy of Dr. Baptist's statement dated June 12, 2025, on VRBO's webpage for "Pawleys Plantation Villa" is attached as Defendants' Exhibit 8.

242. In his statement dated June 12, 2025, on VRBO's webpage for "Pawleys Plantation Villa," Dr. Baptist wrote, in part: "Some properties feel like hotels. This property feels like home. Tracie provided a spectacular stay for us newlyweds." Defendants' Exhibit 8.

243. The VRBO property where Dr. Baptist stayed is located in Pawleys Plantation Golf and Country Club.

244. Pawleys Plantation Golf and Country Club is gated and guarded.

245. Standard hotel accommodations such as Best Western and Hampton Inn are available in Pawley's Island.

246. Dr. Baptist submitted a receipt for a meal at a Pawley's Island dining establishment dated June 10, 2025. The receipt indicated there were two guests who ordered 2 waters, 2 more drinks, 3 appetizers, and 2 entrees, for a total bill paid of \$114.59. Dr. Baptist reported that Dr. Baptist told Dean Raines that he was the only guest and ate all of the food ordered and told Grace Gierach that "All meals were solo". However, Internal Audit confirmed with a waitress at the establishment that Dr. Baptist dined with a female guest on June 10, 2025, and that he did not consume all of the items listed on the receipt as stated. Internal Audit's report noted multiple meal receipts with two guests (one with three), two drinks, two appetizers, and two entrees charged to the University.

247. Dr. Baptist used \$11,229.02 of University funds to pay for his wedding reception and honeymoon.

248. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$10,697.59, caused an administrative T-Card issued under the Board's authority to be used to spend \$3774.15, and requested but was denied reimbursement of \$37.46, for purchases associated with travel to Memphis, Tennessee, from on or about May 31, 2025, to on or about June 4, 2025, and travel to Columbia, South Carolina, and Pawleys Island, South Carolina, from on or about June 4, 2025, to or about July 13, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 40, 41, 42, 43, 44, 45, and 46), were for University business, authorized purchases, and not for personal charges.

249. Dr. Baptist also used the T-Card issued to him under the Board's authority for, caused an Administrative T-Card issued to a unit of the University under the Board's authority to be used for, and requested and received reimbursement from the University for additional non-Institution related business, unauthorized purchases, and personal purchases related to travel to various destinations.

**Augusta, Georgia**  
**September 22, 2024, to September 30, 2024**

250. Dr. Baptist caused an administrative T-Card issued under the Board's authority to spend \$3,286.47 and requested and received reimbursement of \$501.50 for purchases associated with travel to Augusta, Georgia, from on or about September 22, 2024, to on or about September 30, 2024. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms, which are sometimes called "Expense Reports" or "TR-1s," (see Defendants' Exhibits 9, 10, and 11) were for University business, authorized purchases, and not for personal charges.

**Charlotte, North Carolina  
October 3, 2024, to October 7, 2024**

251. Dr. Baptist caused an administrative T-Card issued under the Board's authority to be used to spend \$1,458.20 and requested and received reimbursement of \$1,339.05 for purchases associated with travel to Charlotte, North Carolina, from on or about October 3, 2024, to on or about October 7, 2024. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 12 and 13), were for University business, authorized purchases, and not for personal charges.

**New Orleans, Louisiana  
November 15, 2024, to November 17, 2024**

252. Dr. Baptist caused an administrative T-Card issued under the Board's authority to be used to spend \$1,272.13 and requested and received reimbursement of \$212.02 for purchases associated with travel to New Orleans, Louisiana, from on or about November 15, 2024, to on or about November 17, 2024. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 14 and 15), were for University business, authorized purchases, and not for personal charges.

**Memphis, Tennessee  
November 27, 2024, to December 1, 2024**

253. Dr. Baptist caused an administrative T-Card issued under the Board's authority to be used to spend \$2,659.72 and requested and received reimbursement of \$357.02 for purchases associated with travel to Memphis, Tennessee, from on or about November 27, 2024, to on or about December 1, 2024. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 16, 17, and 18), were for University business, authorized purchases, and not for personal charges.

**Charlotte, North Carolina  
Durham, North Carolina  
Columbia, South Carolina  
Savannah, Georgia  
Augusta, Georgia  
December 13, 2024, to January 7, 2025**

254. Dr. Baptist caused an administrative T-Card issued under the Board's authority to be used to spend \$3,944.29, and requested and received reimbursement of \$1,909.84, for purchases associated with travel to Charlotte, North Carolina; Durham, North Carolina; Columbia, South Carolina; Savannah, Georgia; and Augusta, Georgia, from on or about December 13, 2024, to on or about January 7, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 19, 20, 21, and 22), were for University business, authorized purchases, and not for personal charges.

**Chattanooga, Tennessee  
January 17, 2025, to January 19, 2025**

255. Dr. Baptist requested and received reimbursement of \$627.54 for purchases associated with travel to Chattanooga, Tennessee, from on or about January 17, 2025, to on or about January 19, 2025. Dr. Baptist represented that these purchases, which are listed in a Travel Expense Reimbursement & Reconciliation Form (see Defendants' Exhibit 23), were for University business, authorized purchases, and not for personal charges.

**Hattiesburg, Mississippi  
March 7, 2025, to March 9, 2025**

256. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$58.53, caused an administrative T-Card issued under the Board's authority to be used to spend \$1,530.35, and requested and received reimbursement of \$185.97 for purchases associated with travel to Hattiesburg, Mississippi, from on or about March 7, 2025, to on or about March 9,

2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 24, 25, and 26), were for University business, authorized purchases, and not for personal charges.

**New Orleans, Louisiana  
Miami, Florida  
March 22, 2025, to March 31, 2025**

257. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$660.14, caused an administrative T-Card issued under the Board's authority to be used to spend \$4,408.88, and requested and received reimbursement of \$1,021.43 for purchases associated with travel to New Orleans, Louisiana; and Miami, Florida, from on or about March 22, 2025, to on or about March 31, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 27 and 28), were for University business, authorized purchases, and not for personal charges.

**Columbia, South Carolina  
April 12, 2025, to April 21, 2025**

258. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$941.65, caused an administrative T-Card issued under the Board's authority to be used to spend \$1,011.68, and requested and received reimbursement of \$675.19 for purchases associated with travel to Columbia, South Carolina, from on or about April 12, 2025, to on or about April 21, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 29 and 30), were for University business, authorized purchases, and not for personal charges.

**Columbia, South Carolina  
May 8, 2025, to May 9, 2025**

259. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$498.18 and requested and received reimbursement of \$111.00 for purchases associated with travel to Columbia, South Carolina, from on or about May 8, 2025, to on or about May 9, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibit 31), were for University business, authorized purchases, and not for personal charges.

**Columbia, South Carolina  
May 17, 2025, to May 19, 2025**

260. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$335.01, caused an administrative T-Card issued under the Board's authority to be used to spend \$571.36, and requested and received reimbursement of \$27.65 for purchases associated with travel to Columbia, South Carolina, from on or about May 17, 2025, to on or about May 19, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 32, 33, 34, 35, and 36), were for University business, authorized purchases, and not for personal charges.

**Washington, D.C.  
May 21, 2025, to May 26, 2025**

261. Dr. Baptist used the T-Card that was issued to him under the Board's authority to spend \$664.11 and caused an administrative T-Card issued under the Board's authority to be used to spend \$2006.47, for purchases associated with travel to Washington, D.C., from on or about May 21, 2025, to on or about May 26, 2025. Dr. Baptist represented that these purchases, which are listed in Travel Expense Reimbursement & Reconciliation Forms (see Defendants' Exhibits 37, 38, and 39), were for University business, authorized purchases, and not for personal charges.

**Authenticity of Defendants' Expense-Report Exhibits and the Board's Damages**

262. Defendants' Exhibits 9 through 46, attached hereto, are true and correct copies of the Travel Expense Reimbursement & Reconciliation Forms referenced in Paragraphs \_\_\_\_ to \_\_\_\_ that include financial-support documentation, but not non-financial-support documentation concerning Dr. Baptist that he might consider confidential.

263. The purchases reported in Defendants' Exhibits 9 through 46 are for non-Institution related business, for unauthorized purchases, and for Dr. Baptist's personal purchases.

264. Dr. Baptist breached his fiduciary of public trust, converted public funds for his personal use, was unjustly enriched, and committed fraud by representing that these purchases were for institution-related business, authorized purchases, and not for personal purchases.

265. The Board's damages exceed the amount required for diversity-of-citizenship jurisdiction in federal court.

**Counterclaim Count I:  
Breach of Fiduciary Duty of Public Trust**

266. The preceding paragraphs are incorporated herein by reference.

267. It is "elementary that a public officer occupies a fiduciary position, and that in disbursing public funds, he must be as free from self-interest, direct or indirect, as any other trustee." *State ex rel. Attorney General v. Broadway*, 192 Ark. 634, 93 S.W.2d 1248, 1253 (1936).

268. The University entrusted Dr. Baptist with managing and administering public funds appropriated to the Board for the benefit of the University of Arkansas. Ark. Code Ann. § 6-64-1002. Dr. Baptist had a fiduciary duty to enter into transactions as an employee of the University that were "free from self-interest, direct or indirect." *Broadway*, 192 Ark. 634, 93 S.W.2d at 1253.

269. Dr. Baptist breached his fiduciary duty of public trust by using the T-Card that was issued to him under the Board's authority for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

270. Dr. Baptist breached his fiduciary duty of public trust by causing an administrative T-Card issued under the Board's authority to be used for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

271. Dr. Baptist breached his fiduciary duty of public trust by requesting and receiving reimbursement from University funds for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

272. The Board was damaged as a result of Dr. Baptist's breaches of his fiduciary duty of public trust when the University paid the charges that Dr. Baptist placed on the T-Card issued to him, when the University paid the charges that Dr. Baptist caused to be placed on an administrative T-Card, and when the University granted Dr. Baptist's requests for reimbursement and used University funds to reimburse him.

273. The Court should impose punitive damages because Dr. Baptist knew or ought to have known, in the light of the surrounding circumstances, that his conduct would naturally and probably result in damage to the Board and he continued such conduct with malice or in reckless disregard of the consequences from which malice may be inferred.

**Counterclaim Count II:  
Conversion of Public Funds**

274. The preceding paragraphs are incorporated herein by reference.

275. Conversion is the exercise of dominion over property in violation of the rights of the owner or person entitled to possession with intent to exercise dominion or control over the goods that is in fact inconsistent with the plaintiff's rights. *Grayson v. Bank of Little Rock*, 334 Ark. 180, 188, 971 S.W.2d 788, 792 (1998).

276. The Arkansas General Assembly has appropriated funds for the benefit of the University of Arkansas, and the Board has the right to those funds for that purpose. Ark. Code Ann. § 6-64-1002.

277. Dr. Baptist intentionally exercised dominion and control over funds the Arkansas General Assembly appropriated for the benefit of the University of Arkansas in a manner that is inconsistent with the Board's rights by using the T-Card that was issued to him under the Board's authority for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

278. Dr. Baptist intentionally exercised dominion and control over funds the Arkansas General Assembly appropriated for the benefit of the University of Arkansas in a manner that is inconsistent with the Board's rights by causing an administrative T-Card issued under the Board's authority to be used for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

279. Dr. Baptist intentionally exercised dominion and control over funds the Arkansas General Assembly appropriated for the benefit of the University of Arkansas in a manner that is inconsistent with the Board's rights by requesting and receiving reimbursement from University funds for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

280. The Board was damaged as result of Dr. Baptist's conversion of these funds when the University paid the charges that Dr. Baptist placed on the T-Card issued to him, when the University paid the charges that Dr. Baptist caused to be placed on the Administrative T-Card, and when the University granted Dr. Baptist's requests for reimbursement and used University funds to reimburse him.

281. The Court should impose punitive damages because Dr. Baptist knew or ought to have known, in the light of the surrounding circumstances, that his conduct would naturally and probably result in damage to the Board and he continued such conduct with malice or in reckless disregard of the consequences from which malice may be inferred.

**Counterclaim Count III:  
Unjust Enrichment**

282. The preceding paragraphs are incorporated herein by reference.

283. "To find unjust enrichment, a party must have received something of value, to which it is not entitled and which it must restore. An action based on unjust enrichment is maintainable where a person has received money or its equivalent in the context that, in equity and good conscience, he or she ought not to retain." *City of Fort Smith v. Merriott*, 2023 Ark. 51, 6, 660 S.W.3d 809, 813 (2023)(citations omitted).

284. Dr. Baptist was unjustly enriched at the University's expense when he used the T-Card that was issued to him under the Board's authority for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

285. Dr. Baptist was unjustly enriched at the University's expense when he caused an administrative T-Card issued under the Board's authority to be used for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

286. Dr. Baptist was unjustly enriched at the University's expense when he requested and received reimbursement from University funds for the non-Institution related business, the unauthorized purchases, and the personal purchases reported in Defendants' Exhibits 9 – 46.

287. The Board was damaged when Dr. Baptist was unjustly enriched at the University's expense.

288. The Court should impose punitive damages because Dr. Baptist knew or ought to have known, in the light of the surrounding circumstances, that his conduct would naturally and probably result in damage to the Board and he continued such conduct with malice or in reckless disregard of the consequences from which malice may be inferred.

**Counterclaim Count IV:  
Fraud**

289. The preceding paragraphs are incorporated herein by reference.

290. Under Arkansas law, a defendant is liable for civil fraud or deceit when he:

- (1) Makes a false representation;
- (2) Knows the representation is false or lacks a sufficient basis;
- (3) Intends for the plaintiff to rely on the false representation;
- (4) The plaintiff justifiably acts in reliance; and
- (5) The plaintiff is damaged as a result.

*Fidelity Mortgage Co. of Texas v. Cook*, 307 Ark. 496, 821 S.W.2d 39 (1991).

291. Each time Dr. Baptist used the T-Card that was issued to him under the Board's authority to make a purchase reported in Defendant's Exhibits 9 – 46, he made a false representation to the University that the purchase was for Institution-related business, for an authorized purchase, and not for a personal purchase.

292. Each time Dr. Baptist caused an administrative T-Card issued under the Board's authority to be used to make a purchase reported in Defendant's Exhibits 9 – 46, he made a false representation to the University that the purchase was for Institution-related business, for an authorized purchase, and not for a personal purchase.

293. Each time Dr. Baptist requested and received reimbursement for a purchase reported in Defendants' Exhibits 9 – 46, he made a false representation to the University that the expense was for Institution-related business, for an authorized purchase, and not for a personal purchase.

294. Dr. Baptist made these representations with knowledge they were false, and he intended for the University to rely on them.

295. The University justifiably relied on Dr. Baptist's false representations each time it paid the charges reported in Defendants' Exhibits 9 – 46 that Dr. Baptist placed on the T-Card issued to him, each time the University paid the charges reported in Defendants' Exhibits 9 – 46 that Dr. Baptist caused to be placed on the Administrative T-Card, and each time the University granted Dr. Baptist's requests for reimbursement for the charges reported in Defendants' Exhibits 9 – 46 and used University funds to reimburse him.

296. As a result, the Board was damaged each time the University paid the charges reported in Defendants' Exhibits 9 – 46 that Dr. Baptist placed on the T-Card issued to him, each time the University paid the charges reported in Defendants' Exhibits 9 – 46 that Dr. Baptist caused to be placed on the Administrative T-Card, and each time the University granted Dr. Baptist's requests for reimbursement for the charges reported in Defendants' Exhibits 9 – 46 and used University funds to reimburse him.

297. The Court should impose punitive damages because Dr. Baptist knew or ought to have known, in the light of the surrounding circumstances, that his conduct would naturally and probably result in damage to the Board and he continued such conduct with malice or in reckless disregard of the consequences from which malice may be inferred.

### **Jury Demand**

298. The Board respectfully demands a jury.

### **Prayer for Relief**

WHEREFORE, the Board of Trustees of the University of Arkansas respectfully requests that the Court enter judgment in its favor and grant the following relief:

- A. Award compensatory damages in an amount to be determined by the jury;
- B. Award punitive damages;
- C. Award prejudgment interest and post-judgment interest; and,
- D. Award such other and further relief as the Court deems just and proper.

WHEREFORE, the Board prays that the Court enter judgment against Dr. Baptist and order recovery of compensatory damages, punitive damages, prejudgment interest, post-judgment interest, all in an amount that exceeds the amount required for diversity jurisdiction, and award all other just and proper relief.

Respectfully submitted,  
University of Arkansas Office  
of the General Counsel

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/s/ C. Joseph Cordi, Jr.

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