

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DR. JOSEPH H. WILSON, Ph.D.,

Plaintiff,

15-cv-23 (CBA) (MMH)

-against-

TERRENCE CHENG, DR. PAISLEY CURRAH,
Ph.D., and MARCIA ISAACSON,

**DECLARATION OF
MICHAEL T. HEWITT IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Defendants.

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MICHAEL T. HEWITT, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I have worked at The City University of New York (“CUNY”) since 1994. I submit this declaration in support of Defendants’ motion for summary judgment dismissing Plaintiff’s remaining claims in this action set forth in Plaintiff’s Fourth Amended Complaint.

2. Since January 2018, I have held the position of University Executive Director for Labor Hearings and Appeals at CUNY. From May 2004 through December 2017, I was Assistant Vice President and Labor Designee at Brooklyn College (the “College”), one of the senior colleges in the CUNY system.

3. As reflected by an email Plaintiff sent me on May 5, 2014 (a copy of which is annexed hereto as Exhibit A), in early May 2014 Plaintiff contacted me about his request to move his personal property from the College’s Political Science Department to the offices of the Africana Studies Department that were located down the hall at James Hall. Plaintiff and I arranged for Plaintiff to arrive on May 8, 2014 “to move [his] things,” and, at Plaintiff’s request, I arranged for Plaintiff to be able to park in the faculty parking lot at the College that day.

4. On May 8, 2014, Plaintiff came to campus and informed me that he wished to move

the boxes of his materials from the Political Science Department on the 3rd floor of James Hall down the hall to an office in the Africana Studies Department. Accordingly, after speaking with Plaintiff and Professor George Cunningham, who was a professor in the Africana Studies Department, on May 8th I, along with another College employee, loaded Plaintiff's property that had been stored in a storage room off the Political Science Department lounge into carts and, in accordance with Plaintiff's request, pushed those carts down the hall and placed them in one of the offices in the Africana Studies Department suite of offices. Copies of my May 8, 2014 email to Karen Gould, who was then the President of the College, regarding the moving of Plaintiff's boxes to one of the offices in the Africana Studies Department, is annexed hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York, this 7th day of September, 2022.



MICHAEL T. HEWITT

EXHIBIT A

From: josephwilson@verizon.net
Sent: Tuesday, May 6, 2014 9:34 AM
To: Michael T. Hewitt
Subject: Re: Thursday reminder

Thanks, Michael!
Sent via BlackBerry by AT&T

-----Original Message-----

From: "Michael T. Hewitt" <MHewitt@brooklyn.cuny.edu>
Date: Tue, 06 May 2014 09:31:20
To: Joseph Wilson <josephwilson@verizon.net>
Cc: Brenda Hertzendorf <Brenda@brooklyn.cuny.edu>
Subject: Re: Thursday reminder

Joe,

I'm copying my assistant Brenda, who has been working on parking. I think it's covered. Brenda, is the parking OK? Thanks!

M

Sent from my iPad

On May 5, 2014, at 4:03 PM, "Joseph Wilson" <josephwilson@verizon.net> wrote:

>
> Hi Michael,
> I will arrive around 10am thursday to move my things.
>
> I hope you can arrange for me to park in the faculty parking.
>
> If you can get someone to help move boxes, that would be helpful.
>
> There is a wooden easel that belongs to me at 25 Broadway, and I will take that, if possible.
> Barbara, the political science secretary is aware.
> I can go past 25 Broadway if they bring it down to me.
> Also, I left an apple monitor that was mine, and will take that as well, if you can set that up.
>
> Lastly, I paid for a reception (around 423\$) in November 2011.
> This payment is not in dispute, and I would like my money back.
> All documentation was submitted including an event leaflet, an attendance list, and "Fresh Direct" receipt, using American Express. Deb Shanley was at the event. I asked her about this over a year ago, but she never replied.
>
> I will see you Thursday.
>

> Take care,
> Joe
>
>

EXHIBIT B

From: Michael T. Hewitt
Sent: Thursday, May 8, 2014 3:54 PM
To: Karen L. Gould
Cc: Pamela Pollack; Rachel.Nash@mail.cuny.edu
Subject: RE: Troubling incident

Paisley's account is overblown. Moreover, this date was worked out with Joe only about a week or so ago and I asked my assistant to arrange parking and to give the department a heads-up about Wilson's coming. If there was a miscommunication on the latter part, I will find out and address it--she is gone for the day.

Joe was never promised movers. I did try to see if I could get him help, but I told him that ultimately it was his responsibility to get his stuff moved. As it turned out, the young man who does the shredding, whom Pam very nicely made available (and whom I did not even know existed prior to this morning), and I loaded and pushed heavy carts several times to get Joe's stuff out of Political Science. It was all done in approximately 45 minutes and without incident. Of course, none of this would have been necessary had the chair not taken it upon himself, contrary to my counsel, to empty Joe Wilson's office in the first place.

And, yes, I told Paisley that I believed the presence of a security officer would only serve to escalate the situation.

Michael T. Hewitt
Assistant Vice President and Labor Designee Brooklyn College of The City University of New York
Voice: 718.951.5131
Fax: 718.951.4859
Email: MHewitt@brooklyn.cuny.edu

-----Original Message-----

From: Karen L. Gould
Sent: Thursday, May 08, 2014 3:18 PM
To: Paisley Currah; Pamela Pollack; Michael T. Hewitt
Cc: Rachel Nash; corey.robin@gmail.com; William Tramontano; Natalie Mason-Kinsey
Subject: RE: Troubling incident
Importance: High

Paisley,

I was unaware of Joe's visit until shortly before he arrived. I am sharing this information with others so that they will understand your concerns and follow up. I certainly regret that this was apparently such an uncomfortable situation. We will confirm the understanding regarding Joe's access to campus with you and Corey. [REDACTED]

Regards,

Karen