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Wesley Wilkerson

May 18, 2009

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Conclusion

Even with the limited information available about the Board's deliberations to date, it is apparent that the Board made no finding that Dr. Richburg failed to faithfully and diligently perform his duties. Rather, it is apparent that certain of the Board members – less than a majority of the full Board voted to terminate the Contract – subjectively came to the conclusion that they had personally “lost faith” in Dr. Richburg's leadership and believed that it was time to go in a new direction to remove a perceived “cloud” over NWFSC. Such a determination, however, is not “good cause” as required by the Contract.

Therefore, Dr. Richburg, by this Petition, seeks an evidentiary hearing before the appropriate Administrative Law Judge as appointed by the Division of Administrative Hearings to award the relief requested above. In particular, the Board, without proper notice or hearing, applied an incorrect, and inherently subjective standard, in determining that it would terminate the Contract. The Board's consideration was not based upon an assessment of whether Dr. Richburg “has, without good cause, failed or refused to faithfully perform or diligently execute the duties of his employment” as provided in the Contract.

Please feel free to contact me regarding any aspect of this matter.

Sincerely,



Christopher M. Kise

cc: Joseph D. Lorenz (via email only to law@jdlornz.com)
Jill White, Ed.D, Interim President
James R. Richburg

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