UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

C. MARTIN GASKELL,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO. 09-244-KSF
vs.	)	
	)	
UNIVERSITY OF KENTUCKY,	)	
	)	
Defendant.	)	
	)	

PLAINTIFF'S FIRST AMENDED WITNESS LIST

Pursuant to the Court's Amended Scheduling Order [DE #17] and Rule 26(a)(3)(A), Plaintiff C. Martin Gaskell, by and through undersigned counsel, expects to call the following as witnesses at the trial of this matter:

1. Plaintiff Martin Gaskell

Gaskell is expected to testify about the circumstances surrounding his application for the position of Observatory Director at the University of Kentucky in 2007. He will discuss the job requirements, the application process, his qualifications, his background and experience. He will further testify about the interview process and his interactions, both verbal and written, with various agents and employees of UK. He will discuss his religious beliefs, various scientific views he holds and his views of the relationship between science and religion. Finally, he will testify about UK's rejection of his application and the damages, financial and otherwise, that said rejection has caused.

2. Thomas Troland

Troland is an astronomer employed as a Professor by the Defendant. He is expected to testify about the search process for the position of Observatory Director at the University of

Kentucky in 2007 and his role as Chair of the Search Committee. He is further expected to identify and authenticate numerous emails and other written documentary exhibits generated during and after the search process by agents and employees of UK who were involved in the process.

3. Michael Kovash

Kovash is employed as a Professor of Physics at the University of Kentucky. He is expected to testify about his involvement in the interview process, his knowledge of the search committee's discussions, his complaint to the UK Equal Opportunity Office and that office's resolution of his complaint. He is also expected to testify about his knowledge of one member of the search committee's views regarding religion.

In addition, plaintiff will present testimony of the following witnesses via depositions:

1. Michael Cavagnero

Cavagnero is the Chair of the Physics & Astronomy Department at UK. Plaintiff intends to read to the jury the following excerpts from his deposition in this case:

Pg. 200: 1 - 8.

2. Keith MacAdam

MacAdam is a retired Professor of Physics at UK. Plaintiff intends to read to the jury the following excerpts from his deposition in this case:

Pg. 16: 14 – 21

Pg. 17: 18 – 23

Pg. 19: 6 – 24

Pg. 20: 19 – 24

3. Steve Ellis

Ellis is employed as an Instructor in the UK Physics Department. Plaintiff expects to read to the jury the following excerpts from his deposition in this case:

Pg. 36: 17 to Pg. 37: 13

4. Jeffrey Osborn

Osborn is employed as a Professor of Biology at UK. Plaintiff intends to read to the jury the following excerpts from his deposition in this case:

Pg. 39: 4 – 9

Pg. 40: 10 -18

Pg. 41: 13 – 20

Pg. 42: 3 – 10

Pg. 54: 3 to 55: 18

Pg. 56: 18 to 57:1

5. Timothy Knauer

Knauer is the current Director of the MacAdam Student Observatory at UK. Plaintiff may, if needed, in his case in chief or in rebuttal, read to the jury the following excerpts from his deposition in this case:

Pg. 36: 11 – 20

Pg. 39: 13 – 19

Pg. 40: 12 – 18

Pg. 41: 4 – 15

Pg. 11: 23 to Pg. 12:5

6. James Krupa

Krupa is employed as Associate Professor of Biology at UK. Plaintiff may read to the jury the following excerpts from his deposition:

Pg. 28: 11 – 13

7. Steve Hoch

Hoch, at all relevant times, was the Dean of the College of Arts and Sciences at UK. Plaintiff intends to read to the jury the following excerpts from his deposition in this case:

Pg. 22: 3 to 23: 5

Respectfully submitted,

/s/ Francis J. Manion
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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2010, I electronically filed the foregoing Plaintiff's First Amended Witness List, with the Clerk of Court using the CM/ECF filing system, which will send notification of such filing to the following:

Barbara A. Kriz
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/s/ Francis J. Manion