

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| PHILLIP BEVERLY, et al., | ) |                                  |
|                          | ) |                                  |
| Plaintiffs,              | ) | Case No. 1:14-CV-04970           |
|                          | ) |                                  |
| v.                       | ) | Judge Joan B. Gottschall         |
|                          | ) |                                  |
| WAYNE D. WATSON, et al., | ) | Magistrate Judge Sheila Finnegan |
|                          | ) |                                  |
| Defendants.              | ) |                                  |

---

**SUPPLEMENTAL DECLARATION OF PHILLIP BEVERLY  
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

I, Phillip Beverly, declare as follows:

1. I am an associate professor of political science at Chicago State University (“CSU”), and a Plaintiff in the above-captioned action. I also serve as president of the CSU Faculty Senate. I provided a Declaration in Support of Plaintiffs’ Motion for Preliminary Junction in this case. This Supplemental Declaration provides further information regarding how speech on matters of public concern has been inhibited by fear of punishment by the Defendants under the policies challenged in the lawsuit, or by other means.

2. As noted in my original preliminary injunction Declaration, I am one of the founders of the *CSU Faculty Voice*, an internet blog (<http://csufacultyvoice.blogspot.com/>), which I started in March 2009 to expose continuing and impending corruption at the University. The blog launched, among other reasons, because of unsuccessful efforts by the University to censor the student newspaper for publishing articles critical of the administration.

3. Indeed, most *CSU Faculty Voice* articles are critical of the administration. In my original Declaration, I outlined steps taken by the administration of CSU President Wayne Watson to restrict speech on campus, including steps that I view as retaliation for criticizing the administration against me and others who contribute to the *CSU Faculty Voice*. These efforts

included adoption of a broad Computer Usage Policy, an aborted Communications Policy, and a Cyberbullying Policy. The CSU administration used some of these policies, as well as baseless trademark claims, in an attempt to silence the blog.

4. A blog is a contributive and collaborative medium dependent in significant part on the number and variety of persons willing to post information, as well as on those who offer comment on postings to make blogs like the *CSU Faculty Voice* a true forum. Accordingly, participation in the blog is open to other faculty members.

5. Since 2009, the *Voice* has maintained a stable of 10 individuals who regularly posted to the blog. However, since July 1, 2014, when the Complaint in this action brought public light to the retaliatory tactics of the Watson administration against the blog and speech critical of the administration, that number has been cut in half – meaning that aside from Professor Bionaz and me, we are down to three other contributors. And even among those remaining contributors, the pace and frequency of postings has slowed.

6. For example, Dr. Steven Rowe of CSU's History Department ("Professor Steve" on the blog) has not contributed since his last two posts in January 2015. Dr. Louis "Pancho" McFarland in the Sociology Department ("Professor Pancho" on the blog) has not posted since October 10, 2014. By comparison, Professor McFarland had previously contributed 22 separate posts from 2009 to July 1, 2014.

7. Even more marked is the drop-off from Dr. Ann Kuzdale, also of CSU's History Department ("Corday" on the blog). From 2009 through July 1, 2014, Dr. Kuzdale contributed 164 posts, an average of 35 posts a year. But during the nine months since the Complaint in this case was filed on July 1, 2014, she has authored only 17 posts on the *Voice*.

8. As a result of the above, from 2009 to July 1, 2014, 242 of 565 posts, nearly 43 percent, came from bloggers other than me and Professor Bionaz. Since July 1, 2014, only 30 of 179 blog entries – only 17 percent – have come from persons other than Professor Bionaz and me. And in 2015, that percentage has declined further, as only 10 of 66 posts, or 15.2 percent, were contributed by persons other than Professor Bionaz and me.

9. I believe that as the *CSU Faculty Voice* has noticeably attracted more and more adverse attention from the CSU administration, the more reluctant others are to contribute to the blog. Since its inception, approximately 750 posts have appeared on the *CSU Faculty Voice*. It is significant with respect to fear of retaliation that at least 10 of those were posted by authors wishing to remain anonymous. Moreover, since the administration's concerted effort to attack the blog in late 2013, secondary postings by individuals commenting on blog entries have dropped to 19.1 percent for 2014 and thus far in 2015 combined (58 out of 303 posts), compared to 214 out of 441 posts – or 48.5 percent – prior to 2014.

10. Despite the loss of contributors and secondary posters, and the drop in the frequency and number of posts, interest in the *CSU Faculty Voice* has surged. The *Voice* is able to access a dashboard at [www.blogger.com](http://www.blogger.com) that reports statistics on page views and traffic sources for the blog. The reports allow us to see, among other things, pageviews of the *Voice* by the hour, by the day, by the month, and over the history of the site, as well as the number of readers who are “followers” of the blog. There are also statistics provided on the number of posts that have appeared,

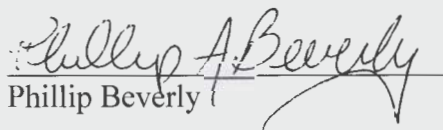
11. From 2010 through September 2013, the blog received an average of 3,545 page views per month. During that period, the *Voice* exceeded 10,000 page views in only one month

– the 20,398 hits it experienced in March 2013, when the CSU Board nearly fired President Watson.

12. However, beginning in October 2013, when the blog revealed misrepresentations on the resumes of various administrators closely associated with Defendant Watson, readership increased 630 percent, to more than 22,350 page views per month. Since then, blog readership consistently has continued to increase, and in 2015 has averaged 23,874 page views per month. Since October 2013, the blog has not dropped below the 13,809 hits recorded in December 2013, enjoying 18 consecutive months of more than 10,000 hits, with 11 of the 18 months exceeding 20,000 page views.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed April 21, 2015.

  
Phillip Beverly