



Brooker, (hereinafter T BROOKER) was also a Professor at ORU since August of 2001, where he was hired to coordinate the Government program. The Plaintiff, Dr. Paulita Brooker, (hereinafter P BROOKER) was an Adjunct Professor in the Department of History, Humanities and Government at ORU from August of 2004 until August of 2007. She became a full time employee in the School of Lifelong Education in February of 2006, after being lured to ORU from her previous position with The Siloam Springs Housing Authority which she had held for eleven years.

The Defendant, ORU, is an Oklahoma Corporation, that was incorporated in November of 1963, and is located and doing business at 7777 South Lewis Ave, Tulsa Oklahoma. The Defendant, Richard Roberts, (hereinafter ROBERTS) is the President of ORU and has served in that capacity for approximately 13 years. The Defendant, Mark Lewandowski, (hereinafter LEWANDOWSKI) is currently the Provost of ORU and has filled that position since May of 2007. The Defendant, Wendy Shirk, (hereinafter SHIRK) is the Dean of The College of Arts of ORU and has filled that position since May of 2007. The Defendant, Jeff Ogle, (hereinafter OGLE) is the Associate Provost and Former Vice President of Student Services at ORU, and has filled those positions for approximately a decade.

All causes of action arose in Tulsa, Oklahoma. This Court, therefore, has jurisdiction over the subject matter and Parties. Venue is also appropriate.

## II.

### FACTUAL ALLEGATIONS

Plaintiff, T BROOKER, with a background in the fields of Diplomacy, Public Policy and Administration, Campaign Management and Talk Radio, was hired by ORU in August of 2007 to

become the Coordinator of the Government Program of the Department of History, Humanities and Government Department, where he quickly gained national recognition in the area of Practical Politics to such extensive proportions that he was approached by the Republican National Committee, (hereinafter RNC) to be exclusively considered for a pilot program that the RNC hoped to implement. The RNC selected T BROOKER and ORU as the University to explore the development of this program in an effort to further Republican political efforts. T BROOKER, along with students from ORU, were involved in numerous political efforts during the next few years and experienced great success in these endeavors. However, all of this activity involved Political races outside the State of Oklahoma; and the costs and expenses involved were paid by the RNC, or individual campaign committees, in compliance with the requirements of state and federal laws, including Internal Revenue Code (hereinafter IRC) section 501 (c) (3) and in preservation of the tax exempt status which was enjoyed by ORU. This method of gaining service learning experience only outside of Oklahoma was a consistent and well-known position by T BROOKER. Every Government student knew Dr. Brooker's mantra: "We don't do local politics because it turns neighbors into enemies."

In December of 2005, T BROOKER was summoned to the Office of ORU President ROBERTS for a meeting with ROBERTS along with Stephanie Cantese, (hereinafter CANTESE) ROBERTS' sister-in-law and the Community and Governmental Liaison for the Oral Roberts Ministries. During this meeting, ROBERTS instructed T BROOKER that it was time to utilize the talent and resources of T BROOKER and his students in local political races. ROBERTS cited a Bible Scripture about "First Judea, then Samaria, and then to the uttermost parts of the Earth" as a rationalization for directing T BROOKER to become involved in a race in

his own hometown. ROBERTS then directed T BROOKER to become involved in the Republican Primary for the office of Mayor of the City of Tulsa on behalf of Randi Miller--whom ROBERTS and CANTESE had recruited and were supporting. At this point, T BROOKER resisted, explaining to ROBERTS the implicit improprieties and the clear boundaries required by state and federal law, including IRC section 501 (c) (3); as well as the great danger of "turning neighbors into enemies." However, ROBERTS, nonetheless, was undaunted by the applicable law and the offered counsel and persisted in the plan. Thereafter, during a subsequent meeting with ROBERTS, and accompanied by his immediate supervisors, Plaintiff SWAILS, Dean George Thyvelikakath, and former ORU Provost Ralph Fagin, T BROOKER again advised ROBERTS--and his supervisors--of the potential pitfalls and improprieties of ROBERTS' intended course of action. Unfortunately, ROBERTS remained adamant in his position and again directed T BROOKER to follow ROBERTS' directive. This edict from ROBERTS on behalf of ORU, as President of the Corporation, wherein university funds and resources would be used to favor a candidate in a contested partisan race, was a direct violation of state and federal law, which expressly prohibits a tax exempt organization, such as ORU, from becoming involved in partisan political campaigns. This involvement in a local campaign, as directed by ROBERTS, substantially differed from previous out of state efforts in that the expenses of T BROOKER and the ORU students were born by the RNC or other contracting campaign. Furthermore, ROBERTS' edict and directive was in direct violation of the Articles of Incorporation of ORU and the Faculty and Administrative Staff Handbook and Policy Statement of ORU.

In May of 2006, ORU was contacted by the United States Department of the Treasury and

Internal Revenue Service, concerning a complaint received about ORU's involvement in a local political endeavor in potential violation of the 501(c)(3) status that ORU enjoyed. In that directive, ORU was required to respond to a series of Interrogatories. The IRS was specifically interested in any involvement by ORU's administration--including ROBERTS--in the participation of ORU students in the Randi Miller Campaign. Therefore, Plaintiff, T BROOKER was tasked with developing a narrative whereby Plaintiff T BROOKER would "fall on the sword" and accept responsibility for all local political involvement; thereby covering up the directives of ROBERTS while accepting full and total blame and responsibility for the campaign participation he had opposed. T BROOKER constructed two draft narratives in an attempt to provide Provost Ralph Fagin, pursuant to his direct instruction, with a document which would explain student involvement without disclosing the central role of ROBERTS in the events. Only on the third version of the narrative did the three ORU Vice-Presidents, and ORU's Chief Legal Counsel, accept the verbiage. Provost Fagin then utilized his own sanitized and inaccurate narrative--replete with incomplete and inaccurate information--to construct a sworn affidavit in response to the IRS' questions--despite his full knowledge of ROBERTS' central role in ordering student involvement in the Randi Miller Campaign. Provost Fagin's sworn statement willfully and intentionally excluded the fact of ROBERTS' explicit instructions to T BROOKER. The result of this process was a complete coverup by ORU and its Officers of all violations of federal and state laws with regard to university support for the Randi Miller campaign. Defendants then accelerated their "cover-up" by initiating a series of punitive actions towards T BROOKER, in a transparent effort to insulate their own culpability, by disciplining T BROOKER for his involvement in the Tulsa Mayoral race--even though T BROOKER's involvement had been duly