

Judge dismisses Richardson lawsuit vs. Univ. of Arkansas

LITTLE ROCK, Ark. (AP) - A federal judge Thursday dismissed Nolan Richardson's \$8 million race discrimination lawsuit against the University of Arkansas, but said he understood why the fired basketball coach felt the way he did. "This lawsuit is not about money in the pejorative sense," U.S. District Judge William R. Wilson wrote. "It is primarily about wounded pride — wounded pride in a man who started way behind, but climbed to the top by hard work, savvy, and most of all, perseverance."

Wilson ruled that Richardson was fired because of comments he made after a February 2002 loss at Kentucky that the university could buy out his contract, not because of his race or comments the ex-coach made about race.

University lawyer Phil Kaplan said the ruling was a "fine conclusion to an unfortunate episode we now hope will all be behind us."

"We are pleased, obviously, with the judge's conclusion that there was no discrimination based on race. We are pleased to find that there was no First Amendment violation," Kaplan said. "It was a thoughtful, well-reasoned opinion, one that would clearly hold up on appeal."

When told of the judge's ruling Richardson said: "Just getting to court was a victory. People know Nolan Richardson, know he will fight... to the end."

Richardson's lawyer, John Walker, said he was pondering an appeal.

"We're disappointed in that we believe that Mr. Richardson presented an extremely credible case," Walker said. "We're studying it and considering all options at our disposal."

Richardson was fired March 1, 2002, after he said he would leave the university if it would buy out the remainder of his seven-year, \$7.21 million contract. Arkansas administrators say the remark indicated Richardson had lost faith in his program.

He filed suit claiming he was fired because he is Black and that his free-speech rights were violated. The university contended it fired Richardson because his public comments damaged the basketball program.

Richardson, whose Razorbacks won the 1994 NCAA championship and were runners-up the next year, said the decision to fire him after 17 years at Arkansas came later, after he made racially

charged comments.

Wilson dismissed the case and said both sides would pay their own attorneys' fees. The judge said Richardson cannot file the suit again.

Richardson sought a total of \$8.86 million, which would cover back pay, other lost compensation and \$2 million in damages. He also had wanted his job back but later said he didn't want to displace his replacement,

Stan Heath, and couldn't work under Broyles and university Chancellor John White.

The Razorback Foundation, a fund-raising vehicle for the Arkansas athletic department, already is paying Richardson \$500,000 a year until 2008 to buy out his contract.

"I am satisfied... that Coach Richardson believes without any doubt in his mind

that he was fired because of his race and because he spoke out on that subject," the judge's 47-page decision said. "Although I found against him on those points, his belief was clearly not unreasonable."

He said there was not enough evidence of racial bias or violation of free speech, but "the record is a long way from devoid of incidents which could cause him to hold

these beliefs."

Wilson's much-anticipated ruling Thursday was released nearly an hour after the 11:45 a.m. deadline he had set. Television satellite trucks were lined up outside the federal courthouse and nearly two dozen reporters anxiously milled in and around the fourth-floor court clerk's office until personnel finally handed out copies about 12:40 p.m.

The trial began May 5. Wilson heard 18 days of testimony from 44 witnesses in May and early June, resulting in more than 4,000 pages of testimony and 300 exhibits. Witnesses and deposition testimony comprised a virtual Who's Who of Arkansas sports figures, including Richardson, Broyles, Arkansas head football coach Houston Nutt, and broadcasters Paul Eells and Mike Nail.



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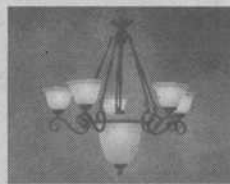
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