

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202</p> <hr/> <p>Plaintiff:</p> <p>WARD CHURCHILL, an individual</p> <p>Defendants:</p> <p>UNIVERSITY OF COLORADO; THE REGENTS OF THE UNIVERSITY OF COLORADO, a body corporate;</p> <p>Patrick T. O'Rourke, #26195 Office of University Counsel 1800 Grant Street, Suite 700 Denver, Colorado 80203 (303) 860-5691 Patrick.orourke@cu.edu</p>	<hr/> <p>Case Number:</p> <p>2006 CV 11473</p> <p>Division 6</p>
<p style="text-align: center;">AFFIDAVIT OF ELIZABETH COOKLYNN</p>	

The Affiant, Elizabeth Cook-Lynn, deposes and states:

1. I am over 18 years of age and understand the obligations of oath when I provide a sworn affidavit.

2. I have personal knowledge of the matters I will describe in this affidavit. Patrick T. O'Rourke of the Office of University Counsel assisted me in preparing the form of the affidavit, but it expresses my opinions, not the University of Colorado's opinions. I have not been compensated in any way for providing my affidavit.

3. I am a Professor Emerita in Native Studies/English at the Eastern Washington University. I am personally familiar with the field of Native American Studies, have taught in the field, and have published in the field. I was the co-founder of the *Wicazo Sa Review*, an academic journal for the development of Native American Studies. My publications have addressed the rights of indigenous people and I am deeply motivated to maintain the integrity of scholarship related to indigenous people.

4. In my experience of 30 years as a university faculty member in the discipline of Indian Studies, I have never encountered a man who has done more to discredit the discipline than Ward Churchill. Thus, I write this letter in opposition to his reinstatement as a faculty member in Ethnic Studies at the University of Colorado. CU.

5. I have known Ward Churchill for decades as a fraud, a disruptive influence in the community of scholars, a plagiarizer whose work has been published for the purpose of self interest.

6. Professor Churchill's research methodology is wrong. I have never used his work in the courses I teach in Native American Studies (law and society, contemporary Indian issues, literature, Federal Indian policy courses and history) because it is unreliable. While he claims to contest the colonial power that keeps natives as under-class citizens in America, he reinforces the stereotypes and the hold of colonial power through his use of distorted interpretations. He even has been known to write documents which support his point of view, publish them under another person's name, then cite it in his separate bibliographies. This is an appalling abuse of his position.

7. His perverted logic concerning the Allotment Act (that it stated the "blood quantum" identity requirement), is one of his earliest distortions which made it impossible for some of us to use his work. Such an interpretation perverts the Sovereign Rights of Native Nations to say who their citizens are. This perverts the relationship between the Tribes and the Federal Government, all the while pretending to defend the rights of oppressed peoples.

8. Much of Churchill's work is fabricated and intentionally divisive. No one in Native American Studies is opposing the right to free speech in the academy. Indeed, it is essential to good scholarship and research. No one in Native American

Studies is opposed to outrageous, provocative, passionate views on the part of scholars, or even the right to be wrong on a given issue from time to time! What we oppose is outright lies, deliberate distortions, repeated and violent confrontations with those who disagree, plagiarism, research that insults history, and identity theft for the purpose of self-interest.

9. This means, for many of us, that Ward Churchill does not deserve the privilege of being a part of a community of scholars who have struggled for thirty years for authenticity and respect in a field that is often viewed by some in the academy as marginal and the last frontier. We in Native American Studies have a lot of work to do, and Churchill's long career has been exploitive as well as hypocritical. Understandably, we need to intervene so that the example of this faithless academic does not continue to plague us with academic crimes. Reinstating Ward Churchill will harm the field of Native American Studies and tarnish the work of legitimate scholars by association.