

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

DR. SHERI L. KLOUDA)
)
)
versus) CIVIL ACTION NO. 4-07CV-161-A
)
SOUTHWESTERN BAPTIST)
THEOLOGICAL SEMINARY,))
and LEIGHTON PAIGE)
PATTERSON)

ORAL AND VIDEOTAPED DEPOSITION

LEIGHTON PAIGE PATTERSON

FEBRUARY 25, 2008

ANSWERS AND VIDEOTAPED ORAL DEPOSITION OF
LEIGHTON PAIGE PATTERSON, a witness produced at the
instance of the Plaintiff, was taken in the
above-styled and numbered cause on the 25TH day of
FEBRUARY 2008, from 9:55 a.m. to 4:55 p.m., before
VANESSA S. ROBERTSON, CSR in and for the State of
Texas, reported by machine shorthand, at the offices
of Harris, Finley & Bogle, P.C., 777 Main Street,
Suite 3600, Fort Worth , Texas, pursuant to the Texas
Federal Rules of Civil Procedure.

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MS. DOROTHY PATTERSON
MR. JASON DUESING
DR. SHERI KLOUDA

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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: This is the
3 videotaped deposition of Leighton Patterson. Today's
4 date is Monday, February 25th, 2008. The time is 9:55
5 a.m. We are on the record.

6 LEIGHTON PAIGE PATTERSON,
7 having being first duly sworn, testified as follows:

8 * * * E X A M I N A T I O N * * *

9 BY MR. RICHARDSON:

10 Q State your name for the record, please.

11 A My name is Paige Patterson.

12 Q And, Dr. Patterson, I'm Gary Richardson,
13 we've met a couple of times before, but --

14 A Uh-huh.

15 Q -- never discussed this case to my knowledge,
16 have we?

17 A I don't recall it.

18 Q Okay. And where do you currently live?

19 A I live on the campus of Southwestern Baptist
20 Theological Seminary in Fort Worth, Texas.

21 Q Okay. And have you ever given your
22 deposition before?

23 A Negative, I have not.

24 Q I suppose that you know from visiting with
25 your attorney that this is under oath, of course?

1 A I've indicated that I will tell the truth and
2 nothing but the truth, that is correct.

3 Q My point is, it's under oath, you're aware of
4 that?

5 A My point is that I will tell the truth and
6 nothing but the truth.

7 Q So you don't know if it's under oath or
8 not?

9 A I'm sorry?

10 Q So you don't know if it's under oath or not,
11 is that the point?

12 A I understood what was said. I have some
13 problem biblically with the question of oaths, sir.

14 Q Okay. Are you on any kind of medication
15 today that would in any way inhibit you in
16 understanding questions and being able to give answers
17 that you believe that are true and accurate?

18 A No, sir.

19 Q You understand, I take it, that you're also
20 being videoed; is that correct?

21 A Yes, I understand that.

22 Q And that the video and/or the transcript can
23 be used with the jury in case we ever go before a jury
24 in a trial in this case?

25 A I understand that.

1 Q Briefly, if you would please, give me your
2 background, professional-wise.

3 A When I was nine years old, I repented of my
4 sin, placed my faith in the Lord Jesus Christ as my
5 Savior. And as a result of that experience, a very
6 real conversion, I was already considering whether or
7 not God would have me go into the ministry. But by
8 that time, not understanding at that time that
9 professional football did not want slow, fat
10 quarterbacks, I had anticipated a career as a pro
11 football quarterback.

12 Q At nine years old?

13 A At nine years old. I was very interested in
14 football. However, it became apparent to me that God
15 was calling me to the ministry. And so very shortly
16 after my conversion to Christ, I also made a public
17 commitment to enter the ministry. At age 15, my first
18 opportunity to be a minister of the gospel of such
19 presented itself and preaching quite frequently at the
20 home for -- at the Rescue Mission Home for homeless
21 men, and that launched my ministry which continued
22 across all of these years.

23 I then went to Hardin-Simmons
24 University in Abilene, Texas where I graduated with my
25 baccalaureate degree. On to New Orleans Baptist

1 Theological Seminary in New Orleans where I finished
2 both master's and Ph.D in systematic theology. In the
3 process of all of that time, I served as pastor of
4 four different churches in Texas and in Arkansas and
5 in Louisiana.

6 At that particular point in time, I
7 was called to be the president of the Criswell College
8 in Dallas, Texas, which was a college operated by the
9 First Baptist Church of Dallas, Texas, and was in its
10 infancy at that time. I spent 17 years of my life as
11 president there. Was then called to be president of
12 Southeastern Baptist Theological Seminary in Wake
13 Forest, North Carolina, spent 11 years there. And
14 then five years ago became president of Southwestern
15 Baptist Theological Seminary in Fort Worth, Texas,
16 which was back home because I was born in Fort
17 Worth.

18 Q Okay. One of the things I need you to do is
19 listen closely to my questions so you can answer my
20 questions instead of giving your answers as such. I
21 asked what your professional career was, and then I
22 was going to go into your educational career. It's no
23 big deal right now, but later on it could become a big
24 deal. So if you'd just listen to my questions and
25 answer what I ask, please?

1 A I'll do my very best.

2 Q Okay. I think that will help us. By the
3 way, what is the problem you have with the oath that
4 you...

5 A Well, Jesus says that we're not to swear
6 under any circumstances. And I do my very best to be
7 a thoroughly biblical christian. And man's either is
8 going to tell the truth or he's not. And that seems
9 to be the point that Jesus was making.

10 Q Do you see it as a spiritual issue not to
11 swear to tell the truth?

12 A Would you repeat that question?

13 Q Do you see it as a spiritual issue not to
14 swear to tell the truth?

15 A I see it as a spiritual issue not to swear.

16 Q To tell the truth?

17 A I tell the truth always to the best of my
18 ability.

19 Q Now, when you left Criswell College, I've
20 read Joel Gregory's book?

21 A Uh-huh.

22 Q You know who Joel Gregory is, of course?

23 A I do.

24 Q He was the pastor at one time of First
25 Baptist. His book, "Too Great a Temptation," and he

1 says in his book that you were actually terminated at
2 Criswell College, and then that was withdrawn and you
3 were given the opportunity to go to Southeast [sic];
4 would that be correct?

5 A Not entirely, no.

6 Q And how would it not be entirely correct?

7 A The trustees actually offered me a second
8 position as vice chancellor or assistant chancellor, I
9 do not recall the exact terminology they used. And
10 asked me to accept that position, which I declined.
11 And after that, they re-extended me the opportunity to
12 continue as president, but Southeastern made the offer
13 and I went there.

14 Q And as I understand it, a group of ministers,
15 a number of them being former convention presidents,
16 flew in for a meeting to talk to the trustees into
17 withdrawing their termination of you and giving them
18 an opportunity to find you a place somewhere else;
19 would that be correct?

20 A I can affirm the fact that they came in and
21 met with the trustees, I have no idea what went on in
22 the meeting, I was not in it.

23 Q No one ever told you what went on?

24 A Not a great deal frankly.

25 Q Well, when you say you had no idea and yet

1 you're saying you tell the truth, the whole truth and
2 nothing but the truth --

3 A Uh-huh.

4 Q -- that causes me some problems.

5 A Uh-huh.

6 Q What do you know about what went on?

7 A I know that they expressed to the trustees
8 the general dissatisfaction that they experienced over
9 what was transpiring, they felt that it was unfair and
10 unjust, but I was never made party to any of the
11 discussion itself as such beyond that. And all I know
12 is that apparently they did ask them to reconsider,
13 and apparently they did reconsider obviously.

14 Q Tell me briefly what you and -- how you would
15 describe the Baptist Faith & Message and how it works
16 as far as a document is concerned and its purpose?

17 A In Baptist work, a confession of faith is a
18 distillation of those things that are held by most
19 Baptists. Unlike any other denominational situation
20 with which I am familiar, the confession of faith does
21 not constitute a creedal statement. The reason for
22 that is that Baptists have always said that they have
23 no creed but the Bible. Ultimately, the bible is the
24 standard. But so that others may stand -- may
25 understand what our general position is, we adopt a

1 confession of faith, that's been true of Baptists all
2 the way back to British Baptist and to the Anabaptists
3 of the reformation period.

4 Q Are you familiar with the Nazarene
5 denomination?

6 A Well, yes, I'm familiar with it.

7 Q They have what they call a manual.

8 A Uh-huh.

9 Q I used to be a Nazarene.

10 A Uh-huh.

11 Q And I gather from the description you gave,
12 that's similar to what they would call a manual? If
13 you know, you may not know.

14 A No, I'm not familiar with that. I do know
15 that free church traditions tend to be confessional as
16 opposed to creedal.

17 Q When you say "positions held," if I
18 understood you correctly, by most Baptists?

19 A Uh-huh.

20 Q How is it determined that the confession of
21 faith that goes into the Baptist Faith and Messenger
22 [sic] is held by most Baptists?

23 A That is determined by a vote of the
24 convention, the last of which occurred in the year
25 2000, as I'm sure you're aware. And the -- in turn,

1 the various institutions and agencies that are
2 operated by that institution may also vote to adopt
3 that, as may individual churches.

4 Q Of course, in the Baptist faith, the -- the
5 individual churches are autonomous?

6 A That is correct.

7 Q So as, I think you just said, they decide
8 whether or not they want to follow the Baptist Faith
9 and Messenger or not?

10 A That is correct.

11 Q Tell me if you would agree with this
12 statement or disagree: The Baptist Faith and
13 Messenger is the sole doctrine of standard by which
14 seminary faculty will be judged or regarded as
15 compliance with the seminary's mission?

16 A Would you repeat the question --

17 Q Sure.

18 A -- one more time, please?

19 Q The Baptist Faith and Messenger is the sole
20 doctrine of standard by which seminary faculty will be
21 judged or regarded as compliance with the seminary's
22 mission?

23 MR. JOHNSON: Objection; form. You
24 can answer the question. We just -- throughout the
25 day we may have objection and we just put it on the

1 record, and usually you will go ahead and answer the
2 question.

3 A You wish me to answer?

4 Q (By Mr. Richardson) Sure.

5 A First of all, it is not the Baptist Faith and
6 Messenger, it's the Baptist Faith and Message.

7 Q Okay. Replace the word "messenger" that I
8 just put in my question and use the word "message."

9 A Uh-huh. And it is correct that it is the
10 most vital single document, but it certainly is not
11 the only question that is raised concerning any
12 faculty member.

13 Q What other question is raised?

14 A Could be anything.

15 Q When it comes to a faculty member, what other
16 authority or document is it that would be used other
17 than the Baptist Faith and Message as a standard?

18 A Almost the first statement in the Baptist
19 Faith and Message itself is that the Baptist Faith and
20 Message is itself subject to the Bible. And so the
21 Bible alone and the Bible in its completeness is the
22 standard by which all hiring is done.

23 Q But, Dr. Patterson, wouldn't that simply mean
24 that the Baptist Faith and Message has been subject to
25 the scriptures to the Bible and the creating of the

1 Baptist Faith and Message -- Message; isn't that what
2 that would mean?

3 A Would you repeat that one more time, I'm
4 going --

5 Q Yeah.

6 MR. RICHARDSON: Would you read that
7 back to me, please.

8 (Requested portion read back.)

9 A I probably need to get you to restate the
10 question, if you would --

11 Q (By Mr. Richardson) Okay.

12 A -- because I'm not sure how to answer what
13 you're -- I'm not sure I've got a grasp of what it is
14 you want to know.

15 Q As I understood what you said, you said that
16 the Baptist Faith and Message in the first paragraph,
17 recognizes the biblical scriptures as the, let's say,
18 final authority?

19 A Uh-huh.

20 Q Am I correct?

21 A That is correct.

22 Q My question then to you is: Is it not
23 correct to say that the Baptist Faith and Message in
24 saying that, is saying that those whose put together
25 the Baptist Faith and Message relied on and used the

1 scriptures to do so?

2 A Well, yes, but I think you need to understand
3 that all Baptists recognize the Baptist Faith and
4 Message as a document written by humans doing their
5 best to ascertain biblical truth, only the Bible
6 remains the infallible and inerrant word of God.

7 Q I understand that. And I don't have any
8 problem with that, just so you'll know. Let me go
9 back to the question I started with. When it comes to
10 the running of a seminary?

11 A Uh-huh.

12 Q Such as you as president of Southwestern,
13 what other authoritative document are you -- do you
14 see yourself as being free to use in making the
15 decisions in running the seminary, other than the
16 Baptist Faith and Message? And I'm talking about
17 things that the Baptist Faith and Message addresses.
18 Do you feel free to -- to use some other document to
19 make your own interpretation of, even if it might
20 violate that set forth in the Baptist Faith and
21 Message?

22 A No, if it violates what's set forth in the
23 Baptist Faith and Message, I'm not at liberty to do
24 that.

25 Q What if you had an interpretation personally

1 of a scripture that conflicted, shall we say, with
2 that set forth in the Baptist Faith and Message?
3 Would you still feel compelled as the president of --
4 of the seminary to follow the dictates of the Baptist
5 Faith and Message?

6 A To my knowledge, I have no difference with
7 the Baptist Faith and Message.

8 Q My question is: What if you did?

9 A I must follow the Baptist Faith and
10 Message.

11 Q Give me, if you would please, your definition
12 of pastor.

13 A My definition of a pastor?

14 Q The office of pastor?

15 A Would be a God-called man who was chosen by a
16 congregation to be its principal shepherd, teacher,
17 and overseer.

18 Q And when it is defined in the Baptist Faith
19 and Message, would you find your definition to be
20 somewhat consistent with what you understand --

21 A Yes.

22 Q -- that document to say?

23 Of course, you're aware that we're
24 here today as a result of a lawsuit that has been
25 filed on behalf of Dr. Sheri Klouda, correct?

1 A Yes.

2 Q And who is Richard Land?

3 A Dr. Richard Land is the executive director, I
4 think president is his title now, of The Ethics and
5 Religious Liberty Commission of the Southern Baptist
6 Convention.

7 Q I take it, Dr. Patterson, that it is your
8 position that women are not qualified to teach certain
9 classes in the Southwestern Seminary; is that
10 correct?

11 A That's the biblical position and it's my
12 position.

13 Q And is it the Baptist Faith and Message
14 position, in your opinion?

15 A Baptist Faith and Message does not speak with
16 specificity on that, but it makes it clear that the
17 pastor is to be a man.

18 Q Well, I notice a while ago when you gave your
19 definition of a pastor, it didn't sound to me like it
20 would be that of a professor, in that you used words
21 such as "chosen by a congregation to be its principal
22 shepherd, teacher and overseer," and I was intrigued
23 that you didn't, in your definition, give wording that
24 would, in my opinion, describe a professor?

25 A Well, Counselor, you didn't ask that exact

1 question. I'm happy to amplify and say that I do not
2 believe that people should be preparing pastors in
3 theological and biblical studies who are not
4 pastorally qualified individuals.

5 Q So it's okay to stand with your definition as
6 pastor that you gave me earlier, correct?

7 A Yes.

8 Q Okay. Are you familiar with the Dallas
9 Morning News article in -- on May 19th, 2000 where
10 Dr. Land made a statement about his position and
11 belief on this issue?

12 A No.

13 MR. RICHARDSON: Shelby, unless you
14 want to, I don't necessarily see any reason to mark
15 these as exhibits. I mean, we can if you want, but I
16 was just going to let him look at it to refresh his
17 memory.

18 MR. SHARPE: Well, depending on what
19 you do with it, that will determine whether we need to
20 mark it as an exhibit.

21 MR. RICHARDSON: Okay. I'll let you
22 decide.

23 MR. SHARPE: Okay.

24 Q (By Mr. Richardson) If you would, go to the
25 last page when you get through. Go ahead and take a

1 minute and look at it.

2 MR. JOHNSON: Do you have any copies
3 for us?

4 MS. MERICA: Sure.

5 Q (By Mr. Richardson) Let me go ahead and mark
6 that, Dr. Patterson.

7 A Uh-huh.

8 (Exhibit No. 1 was marked.)

9 Q (By Mr. Richardson) It will be Exhibit 1.
10 You've had an opportunity now to read the document I
11 just marked as Exhibit 1, which is the Dallas Morning
12 News article May 19, 2000 which says "Baptists draft
13 changes to statement of faith." And I specifically
14 wanted to -- wanted to direct your attention to the
15 last page of that article that says, The change --
16 before I do that, let me ask you this. You said that
17 Dr. Land is the president of Southern Baptist Ethics
18 and Religious Liberty Commission; is that correct?

19 A That's correct.

20 Q And has been since 1988, correct?

21 A I don't recall the date.

22 Q A long time?

23 A Yes, a long time.

24 Q And would you agree that it is obvious that
25 the Southwestern Baptists see Richard Land as a

1 brilliant, cultural and philosophical thinker, and as
2 well as seen thusly by trustees and administration at
3 Southwestern Seminary?

4 MR. SHARPE: Objection;
5 speculative.

6 Q (By Mr. Richardson) Go ahead.

7 A The first thing one learns in this life is
8 that you can't speak for Southern Baptists. So I
9 couldn't speak for Southern Baptists, I'm happy to
10 tell you that I certainly view him thusly.

11 Q Well, let me narrow it down then to the
12 trustees and administration at Southwestern Seminary
13 and say, would you agree that they view Richard Land
14 as a brilliant, cultural and philosophical thinker?

15 A I -- I'm unable to speak for my trustees,
16 I've got 40 of them.

17 Q Okay. And in the exhibit I just handed you,
18 number one, the last page, you have it there before
19 you, see if I read this correctly. The change in the
20 Faith and Message would not prohibit women from
21 serving as seminary professors or administrative
22 leaders Dr. Land said. Did I read that correctly?

23 A You read that correctly.

24 Q Do you agree with his statement?

25 A Yes, I do.

1 Q And how is that consistent then with your
2 position that women are not qualified to serve as
3 seminary professors or administrative leaders?

4 A Well, you did not state my position
5 correctly.

6 Q I -- I assume you're going to say certain
7 seminary classes, right?

8 A Certain areas of the seminary, that is
9 correct.

10 Q Okay. So you're saying then that Dr. Land,
11 in your opinion, is not taking into account all
12 positions in the seminary; is that correct?

13 A Sir, I can't speak for Dr. Land.

14 Q Have you ever discussed it with him?

15 A Not that I recall.

16 Q How often do you see Dr. Land?

17 A Minimally, three times a year.

18 Q And when's the last time you saw him?

19 A It would have been last week.

20 Q And did you tell him you were giving your
21 deposition this week?

22 A I don't think I mentioned it to him.

23 Q And you're testifying under oath today,
24 Dr. Patterson, that you have never, to your recall,
25 discussed with Dr. Land the issue of Dr. Klouda's

1 termination?

2 A I -- I don't recall it. It's not to say that
3 I have not.

4 Q Do you have any -- and I don't mean this to
5 be cute, but I need to ask you, do you have any
6 unusual disability with regards to being able to
7 recall?

8 A No, sir, I just don't recall. I live a
9 reasonably busy life and see a lot of people.

10 Q At Southwestern Seminary there is, what I
11 call a handbook, some call it a manual, what do you
12 call it?

13 A I think it's called -- if you're referring to
14 the faculty manual, it's called a faculty manual. Or
15 it may be called faculty handbook, I can't remember
16 for sure, but one of the two.

17 Q Of course, you weren't present at Southwest
18 [sic] when Dr. Klouda was hired as a professor; is
19 that correct?

20 A That is correct.

21 Q You came about a year later?

22 A As I remember, yes.

23 Q Were you in any way aware of the fact that
24 Dr. Klouda was being considered as a professor at
25 Southwestern before she was hired?

1 A Yes, I was.

2 Q And how was it that you were aware of that?

3 A I was contacted, to the best of my memory, by
4 two different Southwestern trustees.

5 Q And who would you say that they were that
6 contacted you?

7 A I don't recall offhand which two actually
8 contacted me. And I would follow up and say at least
9 two. I can't recall exactly how many contacts I did
10 have.

11 Q Do you recall the purpose as to why you say
12 at least two contacted you?

13 A Yes, as I remember, to the best of my
14 ability, again, to remember, they were concerned about
15 the theological implications of it and wanted to have
16 my persuasion.

17 Q And did you give it to them?

18 A Yes, sir.

19 Q And you -- as you sit here today, you don't
20 have any memory of who it may have been that contacted
21 you?

22 A Oh, I could think about it and consider it,
23 but off the top of my head, I do not remember who it
24 was and I don't want to use someone's name that turns
25 out not to have made the contact.

1 Q Now, at the time that you were contacted, you
2 were the president at Southeast, correct?

3 A That is correct.

4 Q I have their names here somewhere, I'm just
5 looking for them?

6 A Good.

7 Q Maybe I'll find them in a bit. How about
8 David Allen, did you have discussion with him?

9 A As I remember, my discussion with David Allen
10 was the last of the discussions that took place.

11 Q So the answer would be yes?

12 A Yes.

13 Q How about R.E. Royal Smith?

14 A That's the one I would have guessed.

15 Q How about Lollie Cogswell?

16 A Yes, I would have guessed Lollie.

17 Q And as I refresh your memory, do you now
18 remember that Lollie was one of them?

19 A Yes, I think Lollie and R.E. both contacted
20 me.

21 Q And anyone else that you can think of?

22 A Not that I remember, no.

23 Q Do you remember, as you sit here today under
24 oath, Dr. Patterson, any specific question that was
25 asked you? You've given me a general idea, do you

1 remember any specific question?

2 A I do not of the -- the only question that I
3 recall being asked was did I think this was an
4 appropriate move.

5 Q And why would it be that they would call you
6 to ask you that question; in your opinion?

7 MR. SHARPE: Objection; speculation.

8 A I think you would have to ask them that.

9 Q (By Mr. Richardson) You don't have any
10 opinion why they would be calling you?

11 A I would suppose that there are some people in
12 Southern Baptist Convention who value my theological
13 opinion.

14 Q And do you think that would have been the
15 reason they were calling you?

16 A I would suppose so.

17 Q What did you tell them?

18 A I told them that I did not feel that it was a
19 wise move to make.

20 Q Now, I assume that the conversations, ever
21 how many there were and by ever how many people there
22 were, that you had with those that called, that it
23 would have taken place over a period of days, maybe
24 weeks, who knows, could you tell me?

25 A Who knows is correct.

1 Q Okay. Do you have any kind of a thought as
2 far as an estimation of what it might have been, would
3 it -- it wouldn't have been years, we can probably
4 rest assured of that, right?

5 A No, I have no memory of it. As -- as to the
6 time.

7 Q And did you tell them all the same thing, I
8 did not think -- did not feel it was a wise move to
9 make, is that what you told all of them?

10 A We're talking about conversations that
11 happened a long time ago, Counselor, that is all that
12 I remember of it.

13 Q When they called you, did you make that a
14 specific matter of prayer or were you just answering
15 off the top of your head or can you remember that?

16 A I'm sure that I answered what my heartfelt
17 convictions have been for many years.

18 Q And that is what?

19 A That a woman should not be serving in a
20 position of teaching future ministers. In the
21 theological and biblical areas.

22 Q And you would consider teaching languages to
23 fall into that category?

24 A Absolutely. Well, let me go back and be more
25 specific. As it concerns teaching biblical languages,

1 which would be Hebrew, Aramaic and Greek.

2 Q That's what I meant.

3 A Uh-huh.

4 Q Thanks for clarifying that. I take it then,
5 that you didn't tell them that they "shouldn't elect
6 Dr. Klouda," but that you didn't feel it's a wise
7 move?

8 A Yes. And I am certain that I also told them
9 that I would not do it were I serving in that
10 presidency.

11 Q At that time, I would think it could have
12 been possible that you were being considered as the
13 president for Southwestern, were you?

14 A I don't remember -- I -- first of all, I
15 can't speak for the trustees. And second, I don't
16 remember when the initial contact came. My impression
17 was that at that time Dr. Hemphill was still president
18 here.

19 Q Yes, he was, according to the records, still
20 president --

21 A Yeah.

22 Q -- when Dr. Klouda was elected?

23 A There was nobody being considered for
24 president then at that time.

25 Q Had there been any conversation on your part

1 with anyone about maybe you coming to Southwestern
2 while Dr. Hemphill was still president?

3 MR. SHARPE: Objection; relevancy.

4 A I -- conversation with me?

5 Q (By Mr. Richardson) Or you or with anyone or
6 else?

7 A I can't speak what other people did.

8 Q No, I'm talking about with you. You with
9 them, them with you?

10 A Not to my memory, no.

11 Q When you got the call from those asking your
12 opinion of hiring -- electing Dr. Klouda as a
13 professor, did you give them any biblical wisdom that
14 you thought you might have that they should take into
15 consideration?

16 A I did refer them to the 1 Timothy passage
17 that forbids a woman to be in a position of authority
18 or to teach men.

19 Q Why didn't you tell me that when I asked you
20 what you said to them?

21 A You didn't ask that specific question, I'm
22 happy to volunteer that information.

23 Q Well, Dr. Patterson, that would be a bit more
24 than just saying that I felt it was a -- it was not a
25 wise move?

1 A Uh-huh.

2 Q Wouldn't -- wouldn't -- couldn't you and I
3 agree that just to say you didn't feel it was a wise
4 move wouldn't quite reach to the issue of saying that
5 is my scriptural belief? Those could be vastly apart;
6 would you agree?

7 A I am sure that I gave them a biblical reason
8 why I felt it would not be a wise move.

9 Q Are you aware of whether or not the election
10 of Dr. Klouda was unanimous?

11 A Yes, I am aware of that.

12 Q And technically speaking, it was unanimous;
13 was it not?

14 A It was not.

15 Q Have you ever seen any minutes that says what
16 the vote was?

17 A I have not looked at those minutes, no.

18 Q So the -- okay. And would you disagree if I
19 said that according to Texas law, if there are no
20 minutes stating a vote, that it's considered to be
21 unanimous?

22 MR. SHARPE: Objection; asking for a
23 legal question.

24 A I -- I have no idea what the Texas law says
25 on that.

1 Q (By Mr. Richardson) And if the Texas law
2 does -- does say that, then we can say it was
3 unanimous; could we not? And be accurate?

4 A I can't answer your question because I don't
5 know the intricacies of the law.

6 Q But you've never seen any document that
7 specifically gave the vote count on the election of
8 Dr. Klouda, have you?

9 A No.

10 Q And the reason you haven't is because there
11 aren't any, correct?

12 MR. SHARPE: Objection; speculation.

13 Q (By Mr. Richardson) Is that correct?

14 A I don't know.

15 Q What did you do, Dr. Patterson, to prepare
16 for the deposition today?

17 A Prayed.

18 Q What else?

19 A We met with the attorneys and they explained
20 to me what would happen.

21 Q And did you look over documents?

22 A Not specifically. I mean, I've -- across the
23 months, as documents have come in, I have noted them,
24 but nothing in particular.

25 Q And I don't know what you said honestly. Did

1 you look at documents to prepare for this deposition
2 or did you not?

3 A Across the months I have seen documents. I
4 have not done any homework in preparation for the
5 deposition.

6 Q At the time that you spoke with Royal Smith
7 with regards to the question of electing Dr. Klouda as
8 a professor, where was Royal Smith employed?

9 A I do not know the answer to that question.

10 Q Did you know -- know him personally?

11 A Yes, I did.

12 Q But you're saying you didn't know where he
13 was employed?

14 A That is correct, I did not.

15 Q Well, did you know -- was Lollie Cogswell
16 employed?

17 A As far as I know, she was not employed.

18 Q And these were all trustees of Southwestern
19 that called you?

20 A That is correct.

21 Q Do you know whether or not Royal Smith, in
22 fact, had Dr. Klouda's entire history researched to
23 determine whether or not anything could be found on
24 her that might influence the board of trustees at
25 Southwestern not to elect her?

1 MR. SHARPE: Objection; speculation.

2 A No.

3 Q (By Mr. Richardson) I'm asking if you
4 know?

5 A No, I don't.

6 Q Would it be correct then, that before the
7 hiring of Dr. Klouda, that the board of trustees, as
8 far as you know, took into account the Baptist Faith
9 and Message?

10 A I have no knowledge of their process and
11 discussion.

12 Q By the way, if it's okay with you, I'll just
13 refer to that as the BF&M from here on?

14 A That's fine. That's what we commonly do.

15 Q Okay. Since you've been the president of
16 Southwestern, has it been your experience that in
17 decisions being made by the board of trustees that
18 they take into consideration the BF&M?

19 A Yes.

20 Q And so as far as you know, there wouldn't be
21 any reason to think that they didn't take the BF&M
22 into consideration when they hired Dr. Klouda; would
23 there be?

24 A I have no knowledge of what they did prior to
25 my coming.

1 Q Of the 40 trustees that now exist at
2 Southwestern, how many were there when Dr. Klouda
3 was -- was elected?

4 A I can't answer the question without having
5 the trustees in front of me to compare the list.

6 Q Could you just give me an estimate, because I
7 don't know, if they're half gone now or 20 percent?

8 A I really can't give you an estimate. As you
9 keep reminding me, I said I would only tell the truth,
10 so to guess is not appropriate.

11 Q Well, in -- in our way of thinking, when you
12 classify it as guessing that is the truth.

13 A Uh-huh.

14 Q Okay. So from the standpoint of the truth,
15 give me your best estimate of how many are still there
16 that were there when Dr. Klouda was elected?

17 MR. JOHNSON: Objection; form.

18 A I decline to make a guess.

19 Q (By Mr. Richardson) You don't have any
20 earthly idea is what you're telling me?

21 A I really don't, without comparing the two
22 lists.

23 Q And how long have you been working with this
24 board?

25 A Five years.

1 Q You think it would be reasonable to conclude,
2 Dr. Patterson, that when Dr. Klouda was elected, that
3 it was the position of the board of trustees that she
4 qualified for the position that she was hired to
5 fill?

6 MR. SHARPE: Objection; speculation.

7 Q (By Mr. Richardson) And if you want to tell
8 me you don't have any earthly idea, that's fine. But
9 I'd like to know if -- if you think it's reasonable to
10 conclude that the board of trustees concluded that
11 Dr. Klouda complied and met the requirements of the
12 BF&M for the position for which she was elected?

13 A I was not there for the discussions, sir.

14 Q I understand that. I -- I knew that all
15 along, that wasn't my question. My question was: Do
16 you think it's reasonable that we can conclude that
17 the Board of Regents found in the hire -- in the
18 election of Dr. Klouda, that she met the requirements
19 of the BF&M as set forth as far as being elected as a
20 professor to do the duties that she started doing once
21 elected?

22 MR. SHARPE: Objection;
23 speculation.

24 A I -- I understood your question. But it's
25 inappropriate for me to speak for the trustees at that

1 time.

2 Q (By Mr. Richardson) So you don't have any
3 opinion at all then, whether or not you think they
4 were -- well, let me ask you this: Would it have been
5 their duty to follow the dictates of the BF&M in
6 the hire -- in the electing of Dr. Klouda, would that
7 have been the responsible thing for them to do?

8 A Affirmative.

9 Q You mean yes? We're talking to a jury and
10 some of them go -- the answer is yes, right?

11 A Yes.

12 Q And you're telling us you don't have any idea
13 whether these board of trustees, in your opinion,
14 acted as accountable people would act or not, is that
15 what you're saying?

16 MR. SHARPE: Objection; asked and
17 answered.

18 A I'm saying that I would not speculate on
19 that.

20 Q (By Mr. Richardson) That would say to me
21 then, that it could be your opinion that they very
22 likely hired -- or elected Dr. Klouda, you know,
23 whether or not they thought the election was in
24 agreement with the BF&M or not?

25 MR. SHARPE: Objection; relevancy.

1 Q (By Mr. Richardson) Am I correct on that?

2 MR. SHARPE: Objection; relevancy.

3 A I have no idea.

4 Q (By Mr. Richardson) Since you've been the
5 president, what has been the attitude of the board of
6 trustees with regards to following the dictates of the
7 BF&M in the decisions they make?

8 A The board of trustees, since I've been there,
9 has been, I would say, very circumspect in following
10 the BF&M 2000.

11 Q Could we use the word "conscientious"?

12 A Yes.

13 Q Could we also say that they are very
14 determined, to the best of their ability, to follow
15 the dictates of the BF&M in the running of the
16 seminary?

17 A Yes.

18 Q Was it that way when you had your first
19 meeting with them?

20 A Yes.

21 Q And did you learn anything that would
22 indicate to you that it wasn't that way before you
23 became president?

24 A No.

25 Q You're aware, are you not, Dr. Patterson,

1 that when Dr. Klouda was elected, that there were some
2 conditions and stipulations placed on the job that she
3 would do as a professor?

4 A Yes, I'm aware of that.

5 Q And do you know why that was done?

6 A I was not there for that discussion.

7 Q That wasn't my question. Do you know why
8 that was done?

9 A I was answering your question. I couldn't
10 know because I wasn't there for the discussion.

11 Q So you're telling us here today that you have
12 never asked anyone why the conditions and stipulations
13 were put on Dr. Klouda as a professor?

14 A No, I don't recall discussing that with
15 anybody. I assume that they were put there because
16 the trustees were probably uncomfortable with the
17 action that they were taking.

18 Q But you've never taken the time to ask
19 anyone, right?

20 A I do not recall ever having asked anyone
21 that. There -- the discussion with David Allen may
22 well have -- have focused on that, but I could not
23 know without going back and looking at that.

24 Q Do you have any notes that you made in the
25 conversations that you had with the folks that called

1 you about your thoughts of the election of
2 Dr. Klouda?

3 A Notes?

4 Q Notes --

5 A No.

6 Q -- yes.

7 You don't have any?

8 A No.

9 Q Is there anything that you could look at that
10 you do have that would refresh your memory about those
11 conversations?

12 A It is possible, yes.

13 Q What would that be?

14 A There was correspondence with David Allen.

15 Q Do you still have that?

16 A I do not know.

17 Q And it would have been on the subject we're
18 talking about, and that is the election of
19 Dr. Klouda?

20 A In part.

21 Q What do you understand the stipulation or
22 stipulations were that was placed on Dr. Klouda in her
23 being a professor at Southwestern?

24 A Stipulation, as I understand it, is that she
25 should teach only biblical language and exegesis and

1 that she should not teach exposition of the biblical
2 books.

3 Q Of what?

4 A Of the biblical books.

5 Q And as far as you know, did she operate
6 within the confinement of those stipulations?

7 A I think that there is reason to question
8 whether she did.

9 Q Has there been allegations that she didn't?

10 A Yes, I had students come to me and raise that
11 question.

12 Q When?

13 A A number of times, but to give you dates, I
14 cannot.

15 Q How many students do you say came to you?

16 A I have no idea at this point.

17 Q And what is it you're saying they said?

18 A That essentially she was actually teaching
19 exposition in the classroom.

20 Q And give me an idea of what that would be.

21 A That she would not only teach the language,
22 but that then she would draw conclusions about it from
23 ministry and that kind of thing.

24 Q And that would violate the stipulation put on
25 her when she was hired as a -- elected as professor,

1 correct?

2 A As I understand it, it would.

3 Q How -- give me some idea, if you would, when
4 it was that you say students came to you and made this
5 comment?

6 A Once again, I couldn't give you dates. I can
7 tell you that shortly after I came to the seminary I
8 began to have students come in.

9 Q And telling you that she was doing that which
10 violated the stipulation under which she was hired?

11 A I don't think most of the students had any
12 idea about exactly what the stipulation was. I think
13 they came with concerns about what was going on in
14 class.

15 Q So they -- they just come to see you as the
16 president to say I'm concerned because Dr. Klouda is
17 drawing conclusions on what she's teaching, is that
18 kind of the way it happened? According to you?

19 A Not -- not in all cases.

20 Q Well, what other -- did it happen that way in
21 some cases, some student walks in and says,
22 Dr. Patterson, I sure need to talk to you, I have
23 concerns about the fact that Dr. Klouda is drawing
24 conclusions? Is that kind of the way it happened?

25 A I don't recall that that was the exact

1 verbiage involved in it. They were concerned that
2 Dr. Klouda was -- was teaching in a way that violated
3 our commitment to the Baptist Faith and Message, and
4 to the fact that she was instructing pastors and
5 future pastors in these matters.

6 Q Did any of them say whether or not they had
7 discussed that with Dr. Klouda?

8 A I do not recall anybody asking that.

9 Q Did you ask them?

10 A I almost always do. I don't remember the
11 conversations in -- in great detail, but almost always
12 I ask that question.

13 Q So you think you asked this student or
14 students that came in and expressed to you that they
15 had concerns that Dr. Klouda was violating the BFM in
16 the method in which she was teaching?

17 A Uh-huh.

18 Q And you asked them, well, have you talked to
19 her about it, is that kind of the way it went?

20 A That is usually what I would do. But I
21 stress that I do not remember specific conversations
22 at that point.

23 Q Did you have 50 students come or five, I
24 mean, give me some idea?

25 A I would say somewhere between five and ten.

1 Q And I assume that when they came, that if --
2 the ones you say came, if they did come and say what
3 you're saying they said, that you automatically knew
4 yourself that if this was happening, that that would
5 be a violation of the stipulations placed on
6 Dr. Klouda, correct?

7 A Would you state that question --

8 Q Sure.

9 A -- one more time, please, sir.

10 Q If these students did come to you, as you say
11 they did, and say the things you're saying they said,
12 you automatically, knowing the stipulations placed on
13 Dr. Klouda, would know that that would be in violation
14 of those stipulations, correct?

15 A If their testimony were correct, yes.

16 Q Right. So I assume that you would have made
17 some kind of memorandum, note, documentation, of this
18 conversation or conversations that you say you had
19 with students, correct?

20 A Negative.

21 Q I'm sorry?

22 A Negative.

23 Q Why wouldn't you at least document it if --
24 if you have a professor violating dictates that has
25 been placed on them, whether it's Dr. Klouda as a

1 female or a professor that's a male, why wouldn't you,
2 or at least have someone in your administration
3 document it?

4 A For the simple reason that people approach me
5 in the halls, ask me things when I can't document, and
6 not only that, I don't document everything that comes
7 into my office.

8 Q I full well respect that in both instances.
9 But I'm talking about you telling us that somewhere
10 between five and ten students came to you specifically
11 telling you as the president of the seminary, that
12 Dr. Klouda was violating the stipulations placed on
13 her as a professor. Now, that's not just a hallway
14 conversation, is it?

15 MR. SHARPE: Objection --

16 Q (By Mr. Richardson) Would you agree?

17 MR. SHARPE: --

18 mischaracterization.

19 A I have hallway conversations about everything
20 imaginable.

21 Q (By Mr. Richardson) Well, tell me, if you
22 would, what you did do then, if anything, if it's a
23 fact that as many as five to ten students came and
24 told you that Dr. Klouda was violating the
25 stipulations? What did you do?

1 A I began to watch the situation very
2 carefully, which is what I would do in any case.

3 Q You watched the situation very carefully, but
4 you didn't record who it was that came to you or what
5 it was they said, right?

6 A No.

7 THE VIDEOGRAPHER: Counsel, excuse
8 me, we have about three minutes left on the
9 videotape.

10 MR. RICHARDSON: Okay. Why don't we
11 just stop and I can start back there.

12 THE VIDEOGRAPHER: We're off the
13 record at 10:52 a.m.

14 (A recess was taken from 10:52 to 11:00.)

15 (Exhibit No. 2 was marked.)

16 THE VIDEOGRAPHER: We're back on the
17 record at 11:00 a.m. This is the beginning of Tape
18 2.

19 Q (By Mr. Richardson) Dr. Patterson, let me
20 hand you what has been marked as Exhibit No. 2, which
21 I will represent to you that are the minutes of the
22 annual meeting of the board of trustees, April 8
23 through 10, 2002?

24 A Uh-huh.

25 Q I would ask you if you would turn to Page 9,

1 please. Do you agree that those appear to be the
2 minutes as described on the front?

3 A They appear to be.

4 Q Down on Page 9, about two-thirds of the way
5 down where it starts with Miles Seaborn; do you see
6 that?

7 A Uh-huh.

8 Q You have to say yes for the reporter.

9 A Yes, I'm sorry.

10 Q Or absolutely or definite or something like
11 that.

12 A Uh-huh.

13 Q Third line, it says, It does not extend to
14 the exposition of -- particularly focusing on that
15 line, but go ahead and read that entire paragraph.
16 And I'll ask you if you agree that this sets forth the
17 stipulation that was placed by the trustees on
18 Dr. Klouda when she was elected as professor?

19 MR. SHARPE: Objection; speculation.

20 Q (By Mr. Richardson) Go ahead.

21 A As best I understand it, yes.

22 Q Well, you understand what that says there; do
23 you not?

24 A Yes.

25 Q And based on the definition you gave earlier

1 of what you understood the stipulation to be, would
2 this be consistent with that?

3 A Yes.

4 Q Now, going back to where we were when the --
5 when we took a break, you said when these students,
6 some five to ten you say, came to see you, you say
7 complaining that Dr. Klouda was doing that which would
8 fall outside the stipulation we just read, that you
9 started watching this situation very carefully. Did I
10 repeat you correctly?

11 A That is correct.

12 Q How -- what did you do and how did you do it
13 to watch this situation very carefully?

14 A My approach to the presidency is always to
15 keep my ears to the ground. And simply listen for
16 what people are saying who are in various classes, and
17 I don't draw any conclusions on anything until I have
18 heard a considerable amount. And then if necessary, I
19 would proceed in maybe some other way. But mainly I'm
20 listening to what people say.

21 Q Okay. Now, you told me that that's your
22 typical way of operating, what did you do in the case
23 of Dr. Klouda?

24 A Exactly that.

25 Q So you -- as I understand you're saying, kept

1 you ear close to the ground?

2 A Yes.

3 Q I assume that that means listening to the
4 gossip?

5 A I don't say gossip, because I don't know that
6 it is gossip.

7 Q How would you characterize it?

8 A I would call it student discussion.

9 Q And when you "kept you ear close to the
10 ground," what student discussion is it you're claiming
11 that you heard with regards to Dr. Klouda and how she
12 was teaching?

13 A I don't recall the exact nature of any of
14 those discussions, other than the fact that students
15 were struggling with the question of whether or not
16 this was appropriate in our ecclesiastical setting.

17 Q Do you know of any place in the documentation
18 at Southwestern that it would state that you came to
19 hear from students that Dr. Klouda was violating her
20 stipulation? Is that written anywhere that you know
21 of?

22 A Not to my knowledge, no.

23 Q If that was true and those things you're
24 saying happened didn't happen, why wouldn't you put
25 that somewhere as -- as a reason for terminating

1 Dr. Klouda?

2 A Because the reason for termination of
3 Dr. Klouda is ultimately an eccles -- ecclesiastical
4 concern.

5 Q Meaning your interpretation of the
6 scriptures?

7 A Yes.

8 Q When these -- if, in fact, these students
9 you're saying came to you and said the things to you
10 you're saying they said, did that cause you any great
11 deal of concern?

12 A I'm always concerned that student opinion is
13 a matter of importance.

14 Q And I'm not interested in what you're always
15 concerned about, I'm interested in Dr. Klouda. Did
16 that cause you any specific concern?

17 A Yes.

18 Q And the only thing you're saying you did was
19 keep your ear close to the ground?

20 A That's essentially correct, yes.

21 Q Did you go talk to Dr. Klouda and ask her if
22 this was happening?

23 A I did not.

24 Q Did you have anyone monitor her classroom to
25 see if this was happening?

1 A I did not.

2 Q Did you go talk to Dr. Klouda's supervisor?

3 A I have talked with some of her supervisors,

4 yes.

5 Q I'm not asking you have you. I'm asking you

6 did you?

7 A Yes, I did.

8 Q And who was it you say you went and talked

9 to?

10 A I talked to Dr. Craig Blaising. I talked to

11 Dr. David Allen.

12 Q And this would have been how many years ago

13 we're talking about?

14 A I do not --

15 Q Five years ago?

16 A I don't recall the time.

17 Q It would have been when you first came to

18 Southwestern?

19 A Actually, there were continuing talks.

20 Q You're telling us under oath today that you

21 talked to Dr. Blaising about the fact that you're

22 saying you had complaints from students that

23 Dr. Klouda was violating the stipulation she was

24 placed under?

25 A I talked to Dr. Blaising and Dr. Allen about

1 the fact that I thought that this was not in keeping
2 with our ecclesiastical stance. Whether or not I
3 mentioned specifically the students coming, I do not
4 recall.

5 Q Well, I'm interested in whether or not you
6 claim here under oath today, Dr. Patterson, that you
7 mentioned to these two gentlemen any concern about her
8 violating the stipulation that she was placed under?

9 A Yes, I did mention that to both of them.

10 Q And what -- what is it you say you said to
11 them?

12 A I don't recall the exact conversation, of
13 course, but I did say to them that I felt that there
14 was violation taking place perhaps, and furthermore,
15 that I felt that it was inappropriate
16 ecclesiologically for her to be in this position.

17 Q And what was the violation that you claim
18 here today that you told them that you thought was
19 taking place?

20 A I believe that she was indulging in
21 exposition of the scripture.

22 Q Giving her own conclusions?

23 A Uh-huh.

24 Q Yes?

25 A Yes, I'm sorry.

1 Q Yet, you had no evidence of that, right?

2 A Only student testimony.

3 Q It would have been quite easy for you to have
4 confirmed whether or not such was true, would it not
5 have been, had you chosen to, right?

6 A Easy, I doubt.

7 Q Do you think Dr. Klouda would have been
8 truthful with you if you had asked her the question?

9 A I have no idea. I can't speak for
10 Dr. Klouda.

11 Q Do you have any experience with Dr. Klouda
12 that would cause you to believe that she wouldn't be
13 truthful with you if you asked her the question?

14 A Yes, as a matter of fact.

15 Q And what is that experience?

16 A That experience has to do with the fact that
17 we're here today.

18 Q So it's your position that Dr. Klouda is
19 lying about things that bring us here today?

20 A I can't read her heart. I don't know whether
21 she's lying about them or whether she doesn't
22 understand them.

23 Q Well, she certainly would have understood the
24 question had she been asked, if she was violating the
25 stipulations set before her as a professor; would she

1 not? She would have understood that question,
2 wouldn't she?

3 A She would have understood that question.

4 Q And do you have any reason to believe that
5 she would not have given you an honest answer?

6 A I don't have any reason to believe that she
7 wouldn't have given me an answer that she thought was
8 honest.

9 Q And so why didn't you go ask her?

10 A I had not --

11 Q If, in fact, these students came to you that
12 you say came to you?

13 A Uh-huh. Because there was a ecclesiological
14 concern that outweighed everything else. And I did
15 not believe that she should be in that position
16 theologically.

17 Q Did you ever go to the board of trustees and
18 tell them that you had had students come before you
19 and tell you that she had or was violating the
20 stipulations the trustees put her under?

21 A There were trustees that were aware of this,
22 yes.

23 Q That wasn't my question. Did you ever go
24 before the board of trustees and tell them that you
25 had reason -- evidence from students that Dr. Klouda

1 was violating the stipulation she had been placed
2 under as a professor?

3 A I discussed with some trustees this
4 accusation.

5 Q Did you ever go before the board,
6 Dr. Patterson, and present to them the fact that you
7 believed you had evidence?

8 A No.

9 Q Why not?

10 A I'm not required to actually by the bylaws of
11 the school.

12 Q What are you required to do if you -- if
13 anything, if you believe that you have a professor,
14 whether it's Dr. Klouda or some other professor,
15 that's violating the boundaries of their position as a
16 professor?

17 A As chief of administrative officer of the
18 institution, I'm expected by the board of trustees in
19 consultation with the provost and academic vice
20 president to deal with this.

21 Q And did you go -- who was the provost at the
22 time?

23 A Dr. Craig Blaising.

24 Q And who is the academic --

25 A He is also the academic vice president.

1 Q Do you know of any action taken on
2 Dr. Blaising's part regarding the issue of whether or
3 not Dr. Klouda was violating the stipulations under
4 which she was hired --

5 A I do not.

6 Q -- elected?

7 A I do not.

8 Q How many discussions do you claim that you
9 had with him on that subject?

10 A I have no idea.

11 Q I have to tell you that in all the reading
12 that I've done, and all of the documents I looked at,
13 I have never seen anything that claimed that
14 Dr. Klouda had violated the stipulations of her
15 position as a professor until you sat down here today
16 under oath and started telling me what you told me.
17 I'm surprised. Do you think I should be?

18 MR. JOHNSON: Objection; form.

19 MR. SHARPE: Objection form.

20 A I can't speak for you, sir.

21 Q (By Mr. Richardson) And, again, you're not
22 aware of any document where it's been documented that
23 any allegation has been made that Dr. Klouda violated
24 the stipulations put on her as a professor, correct?

25 A That is correct.

1 (Exhibit No. 3 was marked.)

2 Q (By Mr. Richardson) I just handed you
3 Exhibit No. 3.

4 A Uh-huh.

5 Q Minutes of the executive committee board of
6 trustees for Sunday, April 7th, 2002.

7 A Uh-huh.

8 Q Down on Item No. 8?

9 A Uh-huh.

10 Q It says, The following question was
11 formulated for the secret ballot polling of trustees
12 in the informal forum regarding the candidacy of Sheri
13 Klouda. Do you believe the employment of a woman to
14 teach Old Testament languages is consistent with
15 scripture and the BFM 2000; did I read that correctly?

16 A You did.

17 Q This would tell us, would it not, that that
18 specific question was posed to the trustees at the
19 time that they voted on the election of Dr. Klouda,
20 correct?

21 A Yes.

22 Q And apparently in view of the fact she was
23 elected, they concluded that her employment to teach
24 Old Testament language, was consistent with the
25 scripture and the BFM 2000, correct?

1 A I can't speak for the trustees in 2002. I
2 was not here.

3 Q But they did vote, you at least know that
4 much --

5 A I do.

6 Q -- to elect her; did they not?

7 A That is correct.

8 Q And it was a secret ballot, correct?

9 A I was not there, but that's what I've
10 heard.

11 Q Well, Dr. Patterson, if it was a secret
12 ballot?

13 A Uh-huh.

14 Q And this says it was, how would you know that
15 it wasn't unanimous?

16 A I would assume that it was not unanimous
17 because I had various trustees tell me that they voted
18 against it.

19 Q Who told you that?

20 A The president and chairman of the board.

21 Q Name?

22 A Dr. McClain, Dr. Van McClain.

23 Q Is he the one that was quoted as saying that
24 he had some kind of a memory loss or lax of good
25 judgment or something like that?

1 A I understand that he's quoted that way,
2 yes.

3 Q What was it he said?

4 A I don't know, I wasn't there.

5 Q I have it somewhere. Temporary lax of
6 parameters is what I'm told the quote was, is that
7 what you understood it to be?

8 A That's what I saw the quote to be.

9 Q Did you ever discuss that with him?

10 A I did not discuss that particular item, no.

11 Q You never discussed it with him before he
12 used that term in the media?

13 A I did not.

14 Q And you have not discussed it with him since
15 he used it?

16 A I haven't discussed that particular
17 terminology, no.

18 Q Okay. Dr. McClain said he didn't vote for
19 her, who else?

20 A I don't recall now. There were three or four
21 others that told me they did not.

22 (Exhibit No. 4 was marked.)

23 Q (By Mr. Richardson) Let me hand you Exhibit
24 No. 4, which is the, I'll represent to you --

25 MR. RICHARDSON: You guys have

1 copies of this.

2 Q (By Mr. Richardson) The BFM. Would you just
3 look through it briefly and tell me I'm correct about
4 that?

5 A Yes.

6 Q We'll be using it so I'll go ahead and put it
7 into evidence at this time. You said earlier in your
8 testimony, Dr. Patterson, that you felt it was not in
9 the best interest based on your interpretation of the
10 scriptures?

11 A Uh-huh.

12 Q For Dr. Klouda to be the professor and fill
13 the position she was hired to fill; is that correct?

14 A Yes.

15 Q Do you have with you today a copy of your
16 affidavit that you gave in this case? I'll get one.

17 A I do not.

18 (Exhibit No. 5 was marked.)

19 Q (By Mr. Richardson) I'll hand you what has
20 been marked as Exhibit No. 5.

21 A Uh-huh.

22 Q And represent to you that that is an
23 affidavit we were given that was purportedly put
24 together -- at least you signed it, right?

25 A Yes.

1 Q Did you put this together yourself or did
2 someone else do it for you?

3 A It was done in consultation with my
4 attorneys, they provided guidance on it.

5 Q By the way, is it your position that the
6 hiring of Dr. Klouda, the election of Dr. Klouda, to
7 fill the position she was elected to fill violates the
8 BFM 2000?

9 A Yes, uh-huh.

10 Q And how is it that it violates the BFM
11 2000?

12 A The BFM 2000 says its scriptural officers are
13 pastors and deacons. While both men and women are
14 gifted for service in the church, the office of pastor
15 is limited to men as qualified by scripture. And to
16 have those teaching in the theological area who do not
17 meet the qualifications for a minister is, in my
18 estimation, wrong.

19 Q And was there any change in what you're
20 looking at there in the BF&M, in the time period when
21 Dr. Klouda was elected and when you in your opinion
22 made the decision that she didn't qualify? What
23 changed, if anything, with the BF&M?

24 A BF&M has not changed since 2000.

25 Q So the BF&M 2000 was the same when Dr. Klouda

1 was elected as it was when you determined that she did
2 not qualify; is that correct?

3 A Yes.

4 (Exhibit No. 6 was marked.)

5 Q (By Mr. Richardson) Is it just that the
6 board of trustees that Southwestern had at the time
7 didn't have spiritual insight or didn't have good
8 interpretation or what was it that would cause them to
9 come to a conclusion to do something that you,
10 Dr. Paige Patterson, considered to be unscriptural?

11 MR. JOHNSON: Objection; form.

12 A I'm not qualified to make a judgment about
13 what the trustees did at that time.

14 Q (By Mr. Richardson) But it is your judgement
15 that their -- their decision to elect Dr. Klouda for
16 the position they elected her was -- did not follow
17 the scriptures -- scriptures, and was unscriptural?

18 A It is my personal position that that was not
19 a good decision because it did not follow Baptist
20 Faith and Message or the scriptures.

21 Q Let me hand you what has been marked as
22 Exhibit 6.

23 A Uh-huh.

24 Q Which is an article by the Washington Times
25 June 1, 2000.

1 MR. JOHNSON: We have one copy, do
2 you have another one?

3 MR. RICHARDSON: That's --

4 MR. JOHNSON: Just one on this one?

5 MR. RICHARDSON: Yeah.

6 MS. MERICA: Sorry about that.

7 Q (By Mr. Richardson) Have you had a chance to
8 look at that, Dr. Patterson?

9 A I haven't had time to read it thoroughly, do
10 you wish me to do that?

11 Q No, that's all right. I think we can walk
12 through it together here.

13 A Uh-huh.

14 Q On Page 2, midway down, it says, A resolution
15 passed by a given Southern Baptist Convention has no
16 binding effect on anybody. It is merely the sense of
17 that particular group of Southern Baptists at that
18 time. Would you agree with that?

19 A I do.

20 Q An action of that convention, such as the
21 Baptist Faith and Message statement, which is up this
22 year for review, will have long-term ramifications if
23 passed. I assume you agree with that too?

24 A Yes.

25 Q Even the actions of the convention is not

1 binding on the churches, right?

2 A Yes.

3 Q The churches are all totally autonomous and
4 every one is a law to itself, right?

5 A Yes.

6 Q How would the seminary differ, if at all,
7 with the relationship with the Baptist Convention as
8 to that of a church?

9 A Well, thank you for asking. The institutions
10 and the agencies of the Southern Baptist Convention
11 are responsible to the churches and to the convention.
12 And the churches themselves are not responsible to the
13 convention, the convention is responsible to the
14 churches.

15 Q So then it goes on to say, So how does the
16 recent statement that women can no longer be Southern
17 Baptist clergy -- clergy affect them? The answer
18 given here, Churches are not bound by this, even if
19 adopted. It's not a new departure; it's what most
20 Southern Baptist have believed all along. This is
21 merely a codification...a change. There are several
22 other changes. Did I read that correctly?

23 A Yes.

24 Q And you would agree with that, right?

25 A Yes.

1 Q Then going to the next page, about the fourth
2 paragraph down, it says, There are more than that who
3 are ordained, and they're talking about women in the
4 church. Even if there were 1600 at one time, which I
5 doubt, the vast majority of them have left the
6 denomination. The issue isn't ordination, it's one
7 thing: The senior pastorate of the church. Did I
8 read that correctly?

9 A You did.

10 Q Now, what is meant there by the senior
11 pastorate of the church? In that -- my question is:
12 Does that differ from any other pastor, in your
13 opinion?

14 A The terminology is, of course, a popular one
15 today, which to me is not a particularly biblical one,
16 I don't find senior pastors anywhere in the Bible, and
17 I used it in regard to the fact that -- that it is
18 commonly employed, it refers to the one that usually
19 is called the pastor.

20 Q And that's the answer you gave in this
21 interview, correct?

22 A That is true.

23 Q Then it goes on down about four paragraphs --
24 well, let me ask -- the question here says, When your
25 wife teaches classes at the seminary, does she teach

1 only women? Answer: Yes. She loves for people to
2 bring up the subject and say, That's a put-down, and
3 she says no, because I don't think women are subpar to
4 men.

5 A Uh-huh.

6 Q There's no biblical precedent, and this is
7 you speaking here; is it not?

8 MR. JOHNSON: Can we point out where
9 we are?

10 MR. RICHARDSON: Yes, right here.

11 A Oh, okay. I see where you are.

12 Q (By Mr. Richardson) That's a continuation of
13 your answer; is it not?

14 A Yes, although you will notice that the dots
15 there --

16 Q That's the only question I asked you.

17 A -- indicate that she is -- that the reporter
18 has not said all I said.

19 Q Okay. Well, let's go with what she said.
20 And then we let you recall what it is you think you
21 said.

22 There's no biblical precedent, okay,
23 there's dots. What do you -- what do you say she
24 didn't put in that you claim you said?

25 A Well, I have no idea.

1 Q Okay. For a woman serving in a pastoral
2 position because the man is held responsible by God
3 for spiritual leadership. Secondly, there is a
4 biblical prohibition that women cannot teach or have
5 authority over men. That's your statement, right?

6 A Yeah, in part. Again, the ellipses indicate
7 that there was more there.

8 Q Do you have any idea what the more might have
9 been?

10 A This is a document from June 1, 2000, no.

11 Q Backing up, about a third of the way down
12 there on the third page, there's a question, Women can
13 be an assistant or an associate; do you see that?

14 A No, but I'll find it.

15 Q It's right above where we were.

16 A Oh, okay. Yeah, that's her -- I see, that's
17 the question.

18 Q And your answer was, The Baptist Faith and
19 Message statement that is being recommended for the
20 convention says that women are gifted in all ways,
21 like as men, but that for the pastorate, it is limited
22 to men, correct?

23 A Uh-huh. That is correct, I'm sorry.

24 Q Now, you aren't contending, as I understand
25 it, Dr. Patterson, that Dr. Klouda was a pastor; am I

1 correct?

2 A No, I'm contending that anyone in a teaching
3 position preparing people for the pastorate should be
4 pastor qualified.

5 Q And we have put into evidence the BF&M, would
6 you show me, please, the language that you believe
7 causes you to believe that that's consistent with the
8 BF&M?

9 A "While both men and women are gifted for
10 service in the church" --

11 Q Just a minute, let me get one and -- and I
12 think you're on page -- well, they aren't numbered,
13 but it's under the church, right?

14 A Article VI under the church.

15 Q Right, okay. Now, specifically, what I want
16 you to do for me, if you would, tell me what you
17 believe in this BF&M language tells you,
18 Dr. Patterson, as president of Southwest Seminary,
19 that to have Dr. Klouda teaching those that are
20 preparing to be pastors violates the BF&M?

21 A The sentence, "While both men and women are
22 gifted for service in the church, the office of pastor
23 is limited to men as qualified by scripture." In my
24 capacity as president of Southwestern Seminary, my
25 position is that therefore, people training the next

1 generation of ministers should be pastorally
2 qualified.

3 Q And where does it say that in the BF&M?

4 A It does not say that.

5 Q So you're drawing your conclusion that women
6 are not qualified to teach men that are preparing for
7 their pastorate on the sentence that says, While both
8 men and women are gifted for service in the church,
9 the office of pastor is limited to men as qualified by
10 scripture; am I correct?

11 A I draw that conclusion not only based on the
12 article on the church and the Baptist Faith and
13 Message, but also on the biblical testimony itself.

14 Q Well, let me ask it this way. Is there any
15 other language in the BF&M that you use to justify
16 your position that Dr. Klouda did not qualify to teach
17 those that were -- were preparing to be pastors?

18 A No, my position is a biblical position.

19 Q My simple question is: Is there any other
20 language in the BF&M that you used to justify your
21 position as far as the BF&M is concerned?

22 A And I said, no.

23 Q Dr. Klouda, to your knowledge, never made a
24 claim to be a pastor, did she?

25 A No, not to my knowledge.

1 Q The convention, in putting together the
2 BF&M, I believe you've testified, is the convention's
3 group conclusion by the major -- by the -- by vote as
4 to what biblical interpretation is as to any specific
5 issue, correct?

6 A I apologize, but you're going to have to --

7 Q It probably wasn't --

8 A -- run that by me again.

9 Q I think it was bad the way I said it. The
10 convention makes determination by way of vote as to
11 scriptural interpretation for the BF&M?

12 A Well, let's see if I can get that a little
13 more --

14 Q Yeah, right.

15 A -- definition. A confession of faith, like
16 the BF&M 2000, again, I state, is a codification for
17 the purposes of definition of a body that represents
18 those things most generally believed by the messengers
19 at that convention.

20 Q So it's just by definition, it's not by
21 interpretation as well?

22 A Well, I'm uncomfortable with -- when you put
23 "interpretation" in there, that, as I'm sure you may
24 be aware, raises a whole new specter in technical
25 language.

1 Q And what is that whole new spectrum that it
2 raises?

3 A Well, we have two matters for consideration
4 here. One is biblical revelation, which we believe to
5 be the very word of God. Supernaturally inspired so
6 that the authors of scripture made no mistake
7 whatever. Then when we come to hermeneutics, which is
8 the science of interpretation, we have human efforts
9 to understand what the divine revelation actually says
10 and means. And so there are two very different
11 categories when we talk about the Bible as it stands
12 in and of itself, and human interpretation.

13 Q And where, if any place, does the convention
14 express the thoughts of the convention on which is
15 used or if both are used?

16 A Well, you would be absolutely correct in
17 saying that the major doctrinal statement of the -- of
18 the Southern Baptist Convention, is wholly -- is the
19 Baptist Faith and Message statement, which is our
20 effort to define what we believe the scriptures teach.

21 Q Which would be interpretation; would it not
22 be?

23 A Yes, it would be the interpretation of the
24 convention messengers. Let me stress, however, that
25 there are additional things that sometimes happen,

1 which though not binding, represent the viewpoint and
2 perspective of the convention that's meeting at that
3 particular time, and we call those resolutions.

4 Q So if the convention gives and states clearly
5 an interpretation of what they think is allowable with
6 regards to say a female professor in a seminary, then
7 are you as president of the seminary free or feel --
8 do you feel free that you also then go and put your
9 interpretation on it to determine what should be done
10 with a professor at seminary?

11 A The Baptist Faith and Message does not speak
12 to every issue.

13 Q I understand.

14 A And, consequently, the agencies and the
15 institutions of the scripture must draw out the
16 implications of that which is stated in the Baptist
17 Faith and Message.

18 Q And it is true, is it not, that the BF&M has
19 never adopted a statement about women teaching in the
20 seminary? I think you just said that, right?

21 A Yes, accurate. That's correct.

22 Q They have never taken the position that a
23 woman was ineligible to teach the subjects, for
24 example, that Dr. Klouda was teaching, have they?

25 A You mean the Baptist Faith and Message --

1 Q Yes.

2 A -- specifically?

3 Q Yes.

4 A No.

5 Q And do you know what Danny Akin's position is
6 on women filling the position that Dr. Klouda was
7 filling at Southwestern?

8 A No, I do not know what his position is.

9 Q You've never discussed that with him?

10 A Not recently.

11 Q I said ever?

12 A I can't remember what all I've discussed.
13 He's my son in the ministry, so I would assume that
14 I've probably talked about most everything at sometime
15 or another. I have no memory of anything specific.

16 Q Who did you talk to, if anyone, before you
17 made the decision to notify Dr. Klouda that she needed
18 to look elsewhere for work?

19 A I don't recall who all I talked to. I can
20 tell you for sure that I talked to Dr. Allen and to
21 Dr. Blaising.

22 Q Anyone else?

23 A I'm sure there were.

24 Q And tell me about your conversations, as best
25 you can recall, with Dr. Allen and Dr. Blaising?

1 A I shared with them my concerns about having a
2 woman in an instructional position in a ministerial
3 track. And told them that it was my judgment that
4 this was not in keeping with our eccles --
5 ecclesiastical position, and beyond that, I couldn't
6 recall the conversations.

7 Q And when you say "not in keeping with our
8 ecclesiastical position"?

9 A Uh-huh.

10 Q Who is the "our" that you're talking about?

11 A I'm speaking, when I say "our," of Southern
12 Baptists as a rule.

13 Q And where is it that you find written any
14 place that keeping Dr. Klouda in the position she held
15 as -- as a professor at Southwestern violated the
16 Southern Baptist belief system ecclesiastical's
17 position?

18 A I don't know where that would be written.

19 Q You've never seen it written anywhere, have
20 you?

21 A No.

22 Q So that was just basically Dr. Paige
23 Patterson's interpretation, correct?

24 A It's a great deal more than Paige Patterson's
25 interpretation, it's a view that is widely held in the

1 Southern Baptist Convention.

2 Q And there's also a view widely held in the
3 Southern Baptist Convention, that it's right opposite
4 of that; is -- is there not?

5 A I doubt how widely it's held.

6 Q Well, if it was something of real
7 significance to the Southern Baptist Convention, do
8 you think it would be something that they would
9 specifically set forth in -- in the BF&M?

10 A Not necessarily.

11 Q You -- you would acknowledge that there is
12 a -- an opposite view though; would you not?

13 A Of course.

14 Q And you would also acknowledge that Danny
15 Akin would be one of those with an opposite view of
16 yours; would you not?

17 A I do not know what Dr. Akin's view on it is.
18 I do know that he has no women employed in ministerial
19 track at Southeastern.

20 (Exhibit No. 7 was marked.)

21 Q (By Mr. Richardson) Let me hand you marked
22 as Exhibit No. 7, Dr. Patterson, a document that says
23 SBC seminaries show similarities, diversity regarding
24 female profs?

25 A Uh-huh.

1 Q And really I only want to ask you pertaining
2 to one question I posed earlier.

3 MR. JOHNSON: Is this the one you
4 just have one only?

5 MR. RICHARDSON: Yeah.

6 MR. JOHNSON: Thank you.

7 Q (By Mr. Richardson) If you'll go to Page 2
8 at the top of the page.

9 A Uh-huh.

10 Q The Texan asks, Would this practice include
11 disciplines like church history and biblical
12 languages. And now I'm going back to Page 1, I think
13 we need to -- to pick up what the subject is. Let's
14 start with Phil Roberts about six lines from the
15 bottom on Page 1, Midwestern president. We don't have
16 written policy, but we do have the Baptist Faith and
17 Message 2000, which specifies that pastors should be
18 men. We'd be very hesitant about women teaching
19 theological subjects for that reason. Did I read that
20 correctly?

21 A Yes.

22 Q Jeff Jones, Golden Gate Communications
23 director and Golden Gate Seminary in California,
24 correct?

25 A Yes.

1 speculation.

2 Q (By Mr. Richardson) According to what he
3 says here?

4 A I have no idea what Dr. Akin would say about
5 it.

6 Q Well, I'm saying, based on what we just read
7 that he said, would you agree that he is saying
8 that -- as a matter of fact, according to this it
9 says, I don't see a problem with a woman teaching, and
10 he listed the different languages?

11 MR. JOHNSON: Objection;
12 speculation. Asked and answered.

13 A I -- I have no idea what he would say. I
14 frankly think he would agree with the statement of
15 Dr. Mohler that follows it immediately.

16 Q (By Mr. Richardson) Well, I'm talking about
17 Danny Akin, I know Dr. Mohler as well, we'll get to
18 that later.

19 A Uh-huh. Okay.

20 Q Since you know so much about following
21 Dr. Mohler, why is it that you can't speculate on what
22 Dr. Akin is saying?

23 A I wouldn't --

24 Q Because it isn't saying what you want to
25 hear?

1 MR. JOHNSON: Objection; form.

2 A No. I wouldn't speculate on what either of
3 them thought, I was referring to what Dr. Mohler
4 said.

5 Q (By Mr. Richardson) Okay. Would you agree,
6 Dr. Patterson, that there are no Southwestern
7 employment policies or procedures that state that
8 women cannot be professors at Southwestern?

9 A Yes, that's correct.

10 Q Nothing in the bylaws, correct?

11 A That's correct.

12 Q The charter?

13 A That is correct.

14 Q Or any articles?

15 A That is correct.

16 Q And I believe we have concluded, have we not,
17 that Dr. Klouda was not a pastor?

18 MR. JOHNSON: Objection; form.

19 Q (By Mr. Richardson) Correct?

20 A We have concluded that she is not a pastor,
21 but she was functioning in a capacity of teaching
22 pastors and that's my objection.

23 Q You've made that clear, that wasn't my
24 question. We have concluded that she was not a
25 pastor, right?

1 A Yes.

2 Q Not a minister?

3 MR. JOHNSON: Objection; form.

4 A Yes.

5 Q (By Mr. Richardson) And not a preacher,
6 right?

7 MR. JOHNSON: Objection; form.

8 Q (By Mr. Richardson) Correct?

9 A Yes.

10 Q And she wasn't ordained to be any of those --
11 hold any of those positions, correct?

12 A As far as I know.

13 Q And tell me as clearly as you can,
14 Dr. Patterson, what it is you understand that
15 Dr. Klouda was teaching?

16 A Without just looking at the list of classes
17 that she taught, my understanding is that she was
18 teaching biblical languages. Primarily, as far as I
19 know, only Hebrew and Aramaic, and that she was
20 teaching certain exegetical courses like Book of the
21 Bible, for example.

22 Q Did you ever sit in on any of her teaching?

23 A No.

24 Q Did you ever do that with any of the
25 professors?

1 A Good intentions, but I haven't had time to
2 since I've been here.

3 Q What kind of grading would you say overall
4 that Dr. Klouda was given by the students that she
5 taught?

6 A I'm unable to answer the question, because
7 professors are not given grades by students.

8 Q Well, you obviously would hear students speak
9 of her talent as a professor, wouldn't you?

10 A Yes.

11 Q And what would it be that you would commonly
12 hear when you would hear that?

13 A I commonly heard some who said that they
14 enjoyed her classes and profited by them, and some who
15 said they found them very unhelpful and frustrating.

16 Q You would agree, would you not,
17 Dr. Patterson, that there is a good deal of
18 documentation, letters, et cetera, of -- from
19 Dr. Klouda's students and former students that give
20 her high and glowing remarks about her teaching; you
21 would agree with that, wouldn't you?

22 A I honestly don't know. I have not been party
23 to many of those, I know there are some.

24 Q Have you seen any written documentation that
25 in any way is negative about Dr. Klouda's teaching as

1 a professor?

2 A Well, yes.

3 Q And where would that be?

4 A Well, in the student evaluation forms that
5 come in, there's both positive and negative.

6 Q And you've read those?

7 A I glance at them, I don't usually get a
8 chance to read them carefully.

9 Q Would you agree that in every evaluation that
10 Dr. Klouda has been given by the administration, that
11 she has had high marks?

12 A Evaluations by the administration?

13 Q Yes, right.

14 A I can speak only for myself on that, and that
15 would not be the case with me.

16 Q Did you give her an evaluation?

17 A Just, as I said, in a -- in a personal
18 evaluation to her, I told her that I would not be able
19 to recommend her for tenure.

20 Q But that was because of what we've already
21 talked about?

22 A Yes, ecclesiological.

23 Q I'm talking about --

24 A I did not discuss with her the -- the various
25 student responses, no.

1 Q What type of reports did you get from her
2 colleagues as far as her teaching ability?

3 A Very little. The same sorts of responses I
4 was getting, that there were those who appreciated her
5 teaching and those who did not.

6 Q Who told you they did not appreciate her
7 teaching among her colleagues?

8 A I don't recall them on her colleagues, as I
9 told you, we discussed this with Dr. Blaising and
10 Dr. Allen.

11 Q Did any of those gentlemen, to your
12 knowledge, ever sit in on any of her teaching?

13 A I have no idea.

14 Q When Dr. Klouda was elected as a professor at
15 Southwestern, she was put on a tenured track; was she
16 not?

17 A That's my understanding, yes.

18 Q And what does that mean?

19 A It means that a professor has a certain
20 length of time in which to come up for tenure review,
21 and then a sequence of events is set in motion, which
22 leads to the immediate supervisor recommending that
23 professor for tenure to the dean of the school
24 involved, in this case, the School of Theology. The
25 dean of that School of Theology then recommends that

1 to the provost of the institution, which in this case
2 is Dr. Blaising. He recommends it to the president.
3 And the president, if he sees fit, recommends it to
4 the board of trustees. And the trustees must elect
5 the faculty member to tenured position.

6 Q And that review is an annual review,
7 correct?

8 A That review is not necessarily an annual
9 review, no. Although what happens annually enters
10 into it, of course.

11 Q Were there any reviews such as what you've
12 talked about here that were done of any of the
13 professors after you became president?

14 A No, the -- the entire tenure process was
15 basically put on hold while we worked out the
16 difficulties that we felt we saw in our documents.
17 And that tenure process has just now begun to start up
18 again.

19 Q What difficulties?

20 A We felt that there were questions that needed
21 to be answered, I don't remember all the details of it
22 right now, but such things as once a professor is
23 tenured, what kind of tenure review occurs after that.
24 We had to revisit that in the documentation because we
25 did not want tenure to be considered, as it has been

1 in many universities and colleges, a permanent
2 situation.

3 Q Who is concerned and -- and felt that what
4 existed at Southwestern needed to be considered and --
5 and revisited?

6 A I think, you know, there were a number of us
7 that felt that way, even including Dr. Blaising, who
8 had drawn up the initial policy. But definitely the
9 president of the institution felt that the tenure
10 policy needed to be very carefully reviewed.

11 Q In totality, Dr. Patterson, how many years
12 have you been a president of a seminary or college?

13 A Back to about the time that Noah came out of
14 the Ark, let me figure it up. Okay. 33 years.

15 Q In 33 years?

16 A Uh-huh.

17 Q How many professors have you ever allowed to
18 be tenured at universities -- or seminaries or
19 colleges where you've been president?

20 A None, because at Southeastern we didn't have
21 tenure and at Criswell College we did not have
22 tenure.

23 Q And you don't believe in tenure, do you?

24 A I'm not a strong proponent of it, no.

25 Q Are you a proponent on people keeping their

1 word?

2 A 100 percent, yes.

3 Q So when Dr. Patterson was elected by the
4 Board of Regents at Southwestern and told that she
5 would be placed on a tenured track, that was something
6 that they should keep their word on; was it not?

7 A The board of trustees.

8 Q Yes.

9 A And not Dr. Patterson, but Dr. Klouda.

10 Q I'm sorry, let me restate it. When
11 Dr. Klouda --

12 A Okay.

13 Q -- was hired or elected as a professor at
14 Southwestern?

15 A Uh-huh.

16 Q And she was told that she would be placed on
17 a tenured track, and you do agree she was told that,
18 right?

19 A Uh-huh.

20 Q Yes?

21 A Yes, I'm sorry.

22 Q And what did that mean that she would be
23 placed on a tenured track, what does that mean to
24 you?

25 A It meant that she would have a certain amount

1 of time to qualify for tenure evaluation, that would
2 be a period of years that would go by, and there is a
3 statement in the faculty handbook very clearly stating
4 that this does not guarantee a faculty member at any
5 time of future employment.

6 Q But it does -- but they did commit to her
7 that she would be placed on a tenured track and be
8 allowed to move toward tenure; did it not? It didn't
9 promise her she'd be tenured?

10 A Yes.

11 Q But it did tell her she'd be on a tenured
12 track, correct?

13 A Yes.

14 Q And she wasn't kept on a tenured track, was
15 she, after you came?

16 A Yes, she was.

17 Q After you came as president?

18 A All the professors are on a tenured track.

19 Q Did the evaluation --

20 A If -- if elected to that, yes.

21 Q Did -- and she was elected to that?

22 A Uh-huh.

23 Q Yes?

24 A Yes, I'm sorry.

25 Q And you're saying that the evaluations that

1 were going on before you became president for the
2 "tenured track" continued after you became
3 president?

4 A Evaluations of what, sir?

5 Q Of the professors?

6 A Yes, of course.

7 Q No changes were made?

8 A There were minor changes made in the wording
9 of the tenure process. I couldn't tell you without
10 looking at the two in comparison exactly what they --
11 those were, but there were minor changes made in the
12 tenure process.

13 Q Well, somewhere along the line, Dr. Klouda
14 encountered a situation that kept her from being able
15 to even be -- to continue on the tenured track,
16 right?

17 A No, it did not keep her from doing that.

18 Q Well, I mean, something kept her from doing
19 it, because she's not there today, right?

20 A She resigned.

21 Q And you told her -- why did she -- why do you
22 say she resigned?

23 A Well, she took another position and gave us a
24 letter of resignation.

25 Q And what is your position on why you're

1 saying that happened?

2 A I --

3 Q You don't have any idea?

4 A -- assumed she was offered another job.

5 Q So if she hadn't resigned, you're telling us
6 and you're telling the folks on the jury here today,
7 that as far as you're concerned, she could still have
8 been a professor at Southwestern doing what she was
9 doing, correct?

10 A Had she appealed what I told her and insisted
11 that we go through with full tenure review, I would
12 have had no other choice but to do that.

13 Q Do what?

14 A To take her full -- through the full tenure
15 process.

16 Q So is it your position that Dr. Klouda
17 resigned, and had she not resigned, that you know of
18 no reason why she wouldn't still be a professor at
19 Southwestern?

20 A I explained to Dr. Klouda that I was not
21 going to recommend her for tenure. I also knew that
22 other administrators would not recommend her, that it
23 was not even going to get to me. And -- but I
24 explained that I would not do that. And so she knew
25 that and I gave her the time to look for a place to

1 go, but I also did not terminate her employment.

2 MR. RICHARDSON: Would you re-read
3 the question back, please?

4 (Requested portion read back.)

5 Q (By Mr. Richardson) She just read my
6 question back to you.

7 A I -- I thought I answered it.

8 Q You did give an answer, but I'm not sure if
9 it was to my question. So let me see if I can --

10 A Okay.

11 Q -- ask it in a way that we know we're both
12 communicating with each other.

13 THE VIDEOGRAPHER: Excuse me,
14 Counsel, I have one minute left on the tape.

15 MR. RICHARDSON: Okay. Then we'd
16 better stop.

17 MR. SHARPE: Then should we break
18 for lunch and resume at 1:00 o'clock?

19 MR. RICHARDSON: Sure.

20 THE VIDEOGRAPHER: We're off the
21 record at 11:59.

22 (A recess was taken from 11:59 to 12:59.)

23 THE VIDEOGRAPHER: We're back on the
24 record at 12:59 p.m. This is the beginning of Tape
25 3.

1 MR. RICHARDSON: Counsel, Ms. Merica
2 wanted to get a stipulation on the record on the
3 exhibits.

4 MS. MERICA: If we could,
5 Mr. Johnson, there are a number of documents that
6 Mr. Patterson has looked at, and I think they have
7 Bates numbers at the bottom that say SWTS, and they're
8 produced by you. Can we get a stipulation on the
9 record that those are, in fact, business records of
10 Southwestern Baptist Theological Seminary?

11 MR. JOHNSON: On the ones that have
12 that Bates number?

13 MS. MERICA: Yes.

14 MR. JOHNSON: I think we'll -- we
15 will enter into that. If you don't mind, can we try
16 to enter into an agreement about all the exhibits
17 after the two days are over? But, certainly, the ones
18 that are Bates stamped, we produced those to you as
19 authentic documents.

20 MS. MERICA: Yes. And I believe
21 that there are some that are attached to Craig
22 Blaising's affidavit that you have attempted to
23 authenticate here, and those may be used as well. And
24 I presume that you don't have any objection to those
25 since you're already authenticated them in the motion

1 for summary judgment?

2 MR. JOHNSON: If we've authenticated
3 them already, we will not need to authenticate them
4 again.

5 MS. MERICA: Okay. Thank you.

6 Q (By Mr. Richardson) Dr. Patterson, was it
7 your testimony this morning that you told Dr. Klouda
8 that she could appeal the process as far as you --
9 your conversation with her that she could appeal what
10 your position was?

11 A No.

12 Q Do you know if anyone told her that?

13 A It's in the faculty handbook.

14 Q Do you know if anyone told her that?

15 A I have no idea.

16 Q And why was it that you were not going to
17 recommend her for tenure?

18 A Because I believe that it is a mistake in our
19 ecclesiastical position to have a woman who is
20 teaching, preparing ministers for the ministry. And
21 so as I've indicated before, it was an ecclesiological
22 and ecclesiastical decision.

23 Q And in common every day lay terminology, it's
24 because she was a woman?

25 A No, it was not because she was a woman, it

1 was because the Bible speaks directly on the issue.

2 And I try to follow the scriptures.

3 Q Well, okay, if she had been a man, then there
4 wouldn't have been a problem, right?

5 A Unless the man did not meet the
6 qualifications.

7 Q Is there any qualification that Dr. Klouda
8 didn't meet other than the fact she wasn't a man?

9 A I don't know, I didn't consider that. I
10 considered only the qualification that she was a woman
11 teaching future ministers.

12 Q So we can conclude, can we not, that she did
13 not qualify, in your opinion, because she was a
14 woman?

15 A She did not qualify, I repeat one more time,
16 because she didn't meet the qualifications for a
17 pastor.

18 Q Which was that of being a woman?

19 A That -- it was at least one, yes.

20 Q What other one?

21 A I indicated I didn't go any further because
22 that one was a -- a clear one.

23 Q That one was sufficient for you?

24 A Yes.

25 Q Now -- and we -- we've established, have we

1 not, that she was hired or elected by the board of
2 trustees for a non-ecclesiastical position --
3 ecclesiastical position, correct?

4 MR. JOHNSON: Objection; form,
5 because the definitions are confusing.

6 Q (By Mr. Richardson) She was not -- she was
7 elected as a non-ecclesiastical -- to hold a
8 non-ecclesiastical position, correct?

9 A She was elected to a position and there were
10 stipulations that limited what she was supposed to
11 do.

12 Q Which placed her in a non-ecclesiastical
13 position; did it not?

14 MR. JOHNSON: Objection --

15 A Not in my persuasion, no.

16 Q (By Mr. Richardson) But in the persuasion of
17 the board of trustees that hired her, correct?

18 A I do not know what the board of trustees was
19 thinking.

20 Q But you determined, did you not, that she was
21 fulfilling a -- an ecclesiastical position?

22 A Yes.

23 Q And in doing so, by virtue of teaching
24 languages only?

25 A Well, I don't think she was teaching

1 languages only, but I -- even if that had been the
2 case, I do not think we need a woman teaching in the
3 School of Theology our future pastors.

4 Q And what was she teaching other than
5 languages?

6 A Well, as indicated, I think she was doing
7 ex -- exegesis, and there is such a fine line between
8 exegesis and exposition as to render it a not helpful
9 distinction.

10 Q And what is that fine line?

11 A If there is one, exegesis is dealing with the
12 vocabulary and the syntax of scripture, and exposition
13 then would be the application of that to the sensum
14 liben, the life situation. And -- but it's
15 impossible, in my estimation, to do exegesis without
16 exposition.

17 Q And the definition that you just gave without
18 me going back through it, where -- where did you come
19 up with that explanation as to the differences?

20 A Well, I've been teaching now for better than
21 40 years, and it's certainly true that you're asking
22 me to come up with the -- with a definition on the
23 spur of the moment, I'm doing the best I can, but that
24 would be essentially the position I would hold.

25 Q And based on what you're saying, would it be

1 an accurate statement for me to say, based on what
2 you're saying, that it would have been impossible for
3 Dr. Klouda to fill the position she was elected to
4 fill? And meet your standards?

5 A Yes. If you add that, meet my standards,
6 that's -- that's true.

7 Q What is your definition, Dr. Patterson, of
8 ministry?

9 A My definition of ministry would have to be
10 both broad and narrow. You know, you're asking me to
11 define an elephant and it depends on perspective, of
12 course, on those kinds of things. Ministry is
13 basically a word that has to do with ministering to
14 people's needs. Meeting those needs, first of all,
15 spiritually. Second, academically. Third,
16 pragmatically. But then, of course, the word has a
17 specific definition too as it relates to a minister of
18 the Gospel.

19 Q And what is your understanding of that
20 definition?

21 A A minister of the Gospel would be someone
22 fully qualified to perform the ministries of a
23 pastor.

24 Q Would that include ordination?

25 A Negative. I'm sorry, no.

1 Q Would it include any specific type of
2 educational training?

3 A No.

4 Q It would only include a "calling," right?

5 A It would include all the qualifications as
6 listed in 1 Timothy, 3, and other passages in Timothy
7 and in Titus Chapter 1.

8 Q And you've pastored over the years,
9 correct?

10 A Yes.

11 Q And you are ordained as a -- a minister,
12 correct?

13 A Yes.

14 Q In your opinion or understanding, did
15 Dr. Klouda, in her duties as a professor, teach or
16 spread faith?

17 A What would your definition be of "spread
18 faith"?

19 Q What does the term "faith" mean to you in
20 religious connotation?

21 A Well, faith has two definitions. One is it
22 is used for the body of Christian teaching, or
23 Buddhist teaching or Hindu teaching or whatever. And
24 that it has a very specific experiential part where we
25 are encouraged to have faith in God, which is a

1 dependence, a belief in Him, and a dependence upon
2 Him.

3 Q Would it have been a violation of the
4 position that Dr. Klouda held for her to teach faith
5 such as defined by you here?

6 A The question is very difficult to -- to
7 answer because it assumes that I would know everything
8 that she would be saying in that. She is forbidden,
9 as part of scripture, to teach or be an authority over
10 men.

11 Q Looking at your affidavit, which is Exhibit
12 No. 5, you're saying here, according to Section VI of
13 the seminary's bylaws, it reads that the "selection,
14 election, promotion, granting of tenure and
15 termination of faculty members are viewed as matters
16 of ecclesiastical concern...that requires that the
17 relationship not be entered into, continued or severed
18 without prayerful consideration." You would agree,
19 would you not, that Dr. Klouda was selected to be a
20 professor at Southwestern?

21 A Yes.

22 Q And you would agree that according to what
23 you have here in your affidavit, that her selection
24 would have been a matter of prayer -- prayerful
25 consideration, I believe as you put it?

1 A Assuming that the trustee -- which I was not
2 there, but assuming that the trustees followed the
3 mandates that would be the case, but I have no way of
4 knowing that.

5 Q So if they did follow the mandates, the
6 BF&M, Dr. Klouda's hiring would have been with
7 prayerful consideration?

8 A I have no way of knowing that. But if
9 they --

10 Q I'm saying --

11 A You want to know if they followed it?

12 Q Yes.

13 A If they followed it, that would be true.

14 Q Do you have any reason to believe that
15 Dr. Klouda, making application, did so as a result of
16 prayerful consideration?

17 MR. SHARPE: Objection;
18 speculation.

19 A I have no way of knowing that.

20 Q (By Mr. Richardson) Could we conclude,
21 Dr. Patterson, that if the board of trustees did make
22 the decision to select Dr. Klouda as a result of
23 following the B -- what is it, the BF&M, that they
24 concluded that they were being led to do so?

25 A I -- I cannot speculate on the mind of the

1 trustees at that particular time.

2 Q Did you meet with the board of trustees in
3 session and ask them to be in prayer with you about
4 taking the action that you took with regards to
5 Dr. Klouda?

6 A No.

7 Q Why not?

8 A Not required by our bylaws or by the faculty
9 manual, the chief administrator and the other
10 administrators and the academic curriculum are
11 responsible for overseeing this matter unless there is
12 some reason why it does need to be brought to the
13 trustees as such.

14 Q And you agree, do you not, that when she was
15 selected, that she was placed on a tenured track? I
16 believe you --

17 A Yes.

18 Q And you were the one that made the decision,
19 were you not, to take her off that tenured track?

20 A Yes. In consultation with other
21 administrators.

22 Q When did you first have a conversation with
23 Dr. Klouda -- let me ask you first, did you know her
24 before you came to Southwestern?

25 A I knew of her. I cannot recall whether I

1 ever had met her personally or not. And I apologize
2 to Dr. Klouda for the inadequacy of my aging mind if
3 there was a time when I met her. So as far as I know,
4 I did not meet her until I came.

5 Q When do you first remember meeting
6 Dr. Klouda?

7 A First I remember is when I first came to the
8 institution, I invited every faculty member teaching
9 there to have a one-hour conference with me, in which
10 I sought their perspectives on the institution, of
11 what they would like to ask the president to do, if
12 they could ask anything of me. And so in the process
13 of that rotation, don't ask me exactly when, because
14 there were 110 faculty members to see and it took
15 quite a while, but I -- I would have met with her
16 during that period.

17 Q And you knew when you met with her that you
18 had already formalized a position that she should not
19 have been elected for the position that she was
20 elected for, right?

21 A Yes.

22 Q When you met with her, did you tell her
23 that?

24 A No, I did not.

25 Q As a matter of fact, you -- you somewhat told

1 her the opposite, didn't you?

2 A No, I did not.

3 Q Tell me about what you say the conversation
4 was.

5 A Well, as I indicated, most of the
6 conversation had to do with how they perceived the
7 situation at the seminary, and I asked each professor
8 to give me three things, that if they could chart my
9 course for me, that they would like to see me do. And
10 I tried to be encouraging to all of them with regard
11 to their work, regardless of any preconceived ideas I
12 might have. And I am reasonably certain that I did
13 the same with her, but I certainly did not give her
14 any reason to believe that she would be continued
15 indefinitely.

16 Q Did you give her any reason to believe that
17 she would not be continued indefinitely?

18 A No.

19 Q And that would have been the first time you
20 met and visited with Dr. Klouda, correct?

21 A First time to my memory, yes.

22 Q Did -- do you remember Dr. Klouda asking you
23 any questions about the -- your position as to her
24 future with Southwestern?

25 A I do not.

1 Q Do you remember whether or not she expressed
2 some concern because of a statement you made when you
3 were hired that spoke about you were going to hire
4 some good men to teach at the university -- I mean, at
5 the seminary?

6 A I don't have a memory of it, but if
7 Dr. Klouda says that she approached that with me, I
8 wouldn't doubt that that's true.

9 Q Why was it, Dr. Patterson, that having the
10 position that you had at the time, having already
11 formalized an opinion on Dr. Klouda's hiring, why is
12 it that you didn't just tell her what your position
13 was, so she'd know?

14 A I'm a pastor, I'm an encourager by nature. I
15 wasn't certain at that time, early in my tenure there,
16 just exactly what course of action I would take. That
17 was the purpose of the interviews, was to sit down
18 with everybody and get their perspective and get their
19 concerns before me before I began to formulate
20 definite action.

21 Q And if Dr. Klouda should testify that you
22 said to her she had nothing to worry about?

23 A Uh-huh.

24 Q That you were satisfied with her position of
25 service and the courses she taught, and that you had

1 no intentions of reversing any previous board
2 decisions, is it your testimony here today that she
3 would not be telling the truth?

4 A That is correct.

5 Q You're saying you never said any of those
6 things?

7 A I did not say those things, no.

8 Q Would you categorize your position on the
9 subject we're talking about, that is Dr. Klouda
10 continuing in the position that she was in and your
11 opposition to it as being somewhat a personal
12 interpretation of the scriptures, you know, more than
13 authoritative?

14 A What is your definition of "authoritative."

15 Q Well, that you don't have any basis to pass
16 it on to anyone else, let's say, it's just your
17 personal interpretation?

18 A The answer would be no.

19 Q Okay. And why would it be no?

20 A Well, in the history of Baptist and our
21 Anabaptist forefathers in Europe and right on down to
22 American Baptists, it's only a recent thing where
23 there were views other than that which I hold to. I
24 hold basically the views that our Baptist people have
25 held in every era.

1 Q But the Baptists do take the position, do
2 they not, Dr. Patterson, that even as a Christian
3 we're autonomous?

4 A Yes.

5 Q I mean, we have the right to make our own
6 interpretation of a scripture and -- and that's
7 respected among the -- the Baptist leadership; is it
8 not?

9 A Yes, and that includes presidents of
10 seminaries.

11 Q You have your own right just as anyone else.
12 But we -- you would agree, would you not, that that
13 doesn't necessarily mean we have the right to put our
14 own personal interpretations on someone else, right?

15 A No.

16 Q You don't agree with that?

17 A No, I do agree with it.

18 Q Okay. Do you think if the BF&M meant for
19 professors at their seminaries to be looked upon as
20 you look upon them, do you not think that they would
21 have specifically set that forth in the BF&M?

22 A No.

23 Q Why not?

24 A BFM is a minimalist, not a maximalist
25 document. It purports to provide information about

1 some of those things that Baptists believe, but the
2 Bible is the only rule and authority of faith and
3 practice.

4 Q And if I understand what you were saying
5 correctly this morning, the seminaries are the only
6 bodies under the convention that the convention does
7 have authority over, correct.

8 A No, that's incorrect.

9 Q Well, they don't have authority over the
10 churches?

11 A Correct.

12 Q Are you saying they don't have authority over
13 the seminaries or they do?

14 A No, they do have authority over the
15 seminaries.

16 Q And who else do they have authority over?

17 A There is the International Mission Board.

18 Q Okay.

19 A The American Mission Board, The Ethics and
20 Religious Liberty Commission. The Executive Committee
21 of the Southern -- Southern Baptist Convention. The
22 Annuity Board -- that's the wrong title now.
23 GuideStone. And finally, Lifeway.

24 Q And of all the ones you mentioned, what would
25 be the largest entity, if we call these various

1 entities, that the BF&M would be over?

2 A Lifeway would be the largest in terms of
3 number of employees and budget both.

4 Q And what would be next?

5 A Likely, the International Mission Board,
6 although, that would be in terms of employees. In
7 terms of budget, probably that would be GuideStone.
8 In fact, GuideStone might even be the first in terms
9 of monetary accountability.

10 Q Looking back at the manual -- I mean, the --
11 I've called it a handbook, but --

12 A Uh-huh.

13 Q -- you called it a manual, I don't remember
14 what exhibit number it is.

15 A Uh-huh. I don't have it, I don't think.

16 (Exhibit No. 8 was marked.)

17 Q (By Mr. Richardson) Exhibit 8?

18 A Thank you.

19 Q Let's go to Page 45. And go down to
20 Paragraph No. 3, which is the first paragraph under
21 administration of promotion?

22 A Uh-huh.

23 Q Would you agree that there are two factors
24 involved when it comes to the factors for promotion,
25 according to the manual here?

1 A There are at least those two factors.

2 Q It says, Promotion is based upon two factors;
3 did I read that clearly?

4 A You did.

5 Q Level of performance and length of service?

6 A Uh-huh.

7 Q And then it goes on to define that?

8 A Uh-huh.

9 Q Now, what are the other things that you say
10 this manual says that are elements that are involved
11 in promotions?

12 A Well, elsewhere, of course, in the manual,
13 one must consider the whole document. Elsewhere in
14 the manual, it is stated that there are ecclesiastical
15 concerns that are involved in -- in what opportunities
16 come to the professor.

17 Q Show me what you're talking about, please.

18 A Page 48, under Election to tenure track
19 service. A tenure track faculty member may be
20 dismissed if, in the exercise of the seminary of its
21 sole discretion over matters of ecclesiastical concern
22 it determines that the faculty member has failed to
23 progress in professional development through
24 satisfactory performance or faculty responsibilities
25 as evaluated through the semester and/or annual review

1 and so forth and so on.

2 Q Okay. I wasn't -- I didn't catch up with
3 where -- where you were there, so I want to go to the
4 place where you said "failed to," and are you reading
5 there in the first section?

6 A Yes, in Section 1 under Election to tenure
7 track service it clearly mentions ecclesiastical
8 concern, and I think that you will find that elsewhere
9 also.

10 Q It says A tenure track faculty member may be
11 dismissed if, in the exercise by the seminary of its
12 sole discretion over matters of ecclesiastical concern
13 it determines that the faculty member has one, failed
14 to progress in professional development. Was that the
15 case with Dr. Klouda?

16 A In the sense that professional development
17 would include her functioning in an ecclesiastical
18 sess -- in an ecclesiastical way.

19 Q Well, she couldn't become a man, right? And
20 that's what we're talking about?

21 MR. JOHNSON: Objection; form.

22 Q (By Mr. Richardson) Correct?

23 A I don't know how to answer that question.

24 Q (By Mr. Richardson) Well, I mean --

25 A Because --

1 Q -- saying what you're saying and based on the
2 question and answers already given, she would have had
3 to have been a man to -- to meet the requirement
4 you're talking about?

5 A I have already indicated that that is the
6 correct answer.

7 Q And, yet, she -- it was well-known when she
8 was elected that she wasn't a man, wasn't it?

9 A Yes.

10 Q Okay. Okay. And determine has failed to
11 progress in professional development through
12 satisfactory performance of academic responsibilities
13 evaluated through a semester and/or annual review. Or
14 that it is not in the best interest of the mission of
15 the seminary to continue the employment. And that was
16 something you decided, correct?

17 A Yes, in consultation with other
18 administrators.

19 Q And who were those?

20 A Dr. Craig Blaising and David Allen.

21 MR. JOHNSON: I would like to note
22 on the record that Plaintiff's Exhibit 8 starts at
23 Page 29, at least the copy that I was handed.

24 MR. RICHARDSON: Yeah.

25 Q (By Mr. Richardson) Take, if you would

1 please, Dr. Patterson, Exhibit No. 5, which is your
2 affidavit?

3 A Uh-huh.

4 Q Some of this may be a bit repetitive but I
5 want to make sure I have it in your testimony. Item
6 No. 5?

7 A Uh-huh.

8 Q Says The seminary's fundamental mission has
9 not changed since its inception. Would you agree that
10 the BF&M hasn't made any changes since 2000 that would
11 change their position with the matter we're here on
12 today, that it's been consistent since then, that is
13 Dr. Klouda qualifying to be a professor?

14 A I'm not sure I understand your question, I'm
15 sorry.

16 Q Has there been any changes in the BF&M since
17 2000?

18 A There have been no changes in the BF&M since
19 2000.

20 Q Okay. Item No. 7, says that in cases such as
21 Dr. Klouda, to paraphrase, that it makes employment
22 decisions regarding its faculty members fundamentally
23 on religious criteria, correct?

24 A Yes.

25 Q And what -- since this is your affidavit,

1 what is or are the criteria that you're talking about
2 here?

3 A First and foremost, absolute conformity to
4 the word of God, the Bible.

5 Q And did Dr. Klouda, as far as you know, meet
6 that criteria?

7 A She did not in terms of her teaching
8 position, no.

9 Q Okay. And how about her beliefs?

10 A As far as I know she did.

11 Q Okay. What else?

12 A Huh?

13 Q What else, anything else?

14 A Yes, second, of course, they must endorse the
15 Baptist Faith and Message 2000 document.

16 Q And as far as you know, did Dr. Klouda do
17 that?

18 A As far as I know.

19 Q Okay. Anything else?

20 A That would be the major portion of it. Of
21 course, we also inevitably look at their, to the best
22 that one can judge another, their spiritual life. And
23 obviously, if they were a person who gave no evidence
24 of spiritually, well then we would not want to go to
25 that way.

1 Q Looking again at the manual?

2 A Uh-huh, we're back to the manual.

3 Q Yeah, but leave that affidavit out, I -- I
4 just want to sidetrack here for a minute, in view of
5 what we're talking about here. Go to Page 46, if you
6 would, please. Under policies regarding the
7 retainment of tenure, about midway down it says, The
8 Baptist Faith and Message -- well, let's back up a
9 little bit.

10 Teaching positions at Southwestern
11 Baptist Theological Seminary, whether tenured or not
12 tenured, are thus reserved for those who at the
13 Southern Baptist Convention affirm as their own faith,
14 the summary of biblical teachings known as the Baptist
15 Faith and Message, and who agree to teach in
16 accordance with and not contrary to it?

17 A Uh-huh.

18 Q And as far as the teaching of Dr. Klouda, you
19 have no information or basis, do you, to say that she
20 taught contrary to the Baptist Faith and Message?

21 A No.

22 Q And then further down it says, in the last
23 sentence on that paragraph, In any particular case,
24 weight may be given to some criteria more than others
25 in light of their requirements of a particular

1 discipline or the faculty member's own superb
2 accomplishments. Did I read that correctly?

3 A Yes.

4 Q And then going to the next page we see what
5 the criteria is?

6 A Uh-huh.

7 Q To your knowledge, at the time of the
8 election of Dr. Klouda by the board of trustees, which
9 of these five, if any, weighed more heavily than the
10 others?

11 A I have no idea, I was not there.

12 Q When you made your decision to take the
13 action that you took with Dr. Klouda, which of these
14 five, if any, weighed more heavily than the others?

15 A It probably would have fallen in the area of
16 ministry and performance skill because I felt that she
17 was -- for us to have her in that position put us in
18 violation of the ecclesiological expectations of our
19 people.

20 Q But as far as the pure language of -- of that
21 criteria, which is No. 2, it says -- read to us what
22 it says as far as the language there defining it?

23 A I'm sorry, what?

24 Q Read -- read what it says in No. 2, which is
25 the one you were speaking about there?

1 A Ministry and performance skill --

2 Q Yes.

3 A -- has demonstrated excellent -- excellence
4 in applied ministry, excellence in professional
5 performance and ministry-related fine arts.

6 Q And did Dr. Klouda do that, in your
7 opinion?

8 A Not in my estimation.

9 Q And, again, we go back to the fact she didn't
10 do it because she was a woman teaching men, correct?

11 A That is correct.

12 Q No other reason?

13 A That is correct.

14 Q Where it says, Has demonstrated excellence in
15 applied ministry, what -- what does that mean there,
16 applied ministry?

17 A Applied ministry is exactly the issue,
18 because applied ministry would mean that she was
19 ministering as a minister of the Gospel to the men in
20 her class. It would be applied ministry, she would be
21 doing any number of things. Perhaps she could be
22 interpreting scripture for them or counseling them or
23 whatever.

24 Q Do you know what happened with regards to the
25 classes that Dr. Klouda taught, as far as enrollment

1 was concerned, whether it increased or did it decrease
2 during her time there?

3 A I have not looked at that.

4 Q Do you have any reason to believe that it
5 decreased?

6 A I have no idea.

7 Q You say here in Item No. 8 that, All the
8 faculty members of the seminaries are intermediaries
9 between the Southern Baptist Convention and the local
10 Baptist church; do you see that?

11 A Yes, I do.

12 Q Explain that to me.

13 A There are -- due to the fact that the unique
14 relationship of Southern Baptist seminaries to the
15 local churches is unlike anything you would find
16 almost anywhere else in America, our faculty member
17 must -- our faculty members must serve, as in the
18 School of Theology, as ministers of the gospel
19 relating not only to the young people that are sent to
20 us by the churches, but even to the churches
21 themselves. As a result of which, many of them serve
22 as interim pastors and do supply preaching and that
23 sort of thing.

24 Q So if I understand you correctly, you're
25 saying that that is being performed through the

1 teaching of the students that go back into the
2 church?

3 A Among other things, yes.

4 Q Do you have any information, Dr. Patterson,
5 that would tell you that Dr. Klouda, during her time
6 of teaching, interpreted the scripture for her class,
7 or did an interpretation of the scripture?

8 A I have heard this from students, yes.

9 Q Do you have any evidence of that, that
10 students --

11 A Testimony only.

12 Q Who will be testifying to that, if we get
13 to -- to that position, who would it be?

14 A I don't know right at the moment.

15 Q And you're saying a student or more told you
16 that she was interpreting scripture?

17 A That is correct.

18 Q But you don't know who they were?

19 A I don't remember right offhand, no.

20 Q And you also didn't keep any file on that?

21 A No.

22 Q Is -- is your wife, Dorothy Patterson, is she
23 ministering?

24 A Yes, to women.

25 Q And I take it from your answer, that she's

1 never had any men in her class?

2 A She does not allow men in her class, that is
3 correct.

4 Q Is it -- are you saying that Dr. Klouda
5 "ministered" to her students in her class?

6 A Yes.

7 Q And how did she do that?

8 A Well, she's teaching the biblical revelation,
9 that is by all rights a definition of ministry.

10 Q In a secular university where a professor is
11 teaching languages?

12 A Uh-huh.

13 Q Would they, in your definition, be
14 ministering to their students?

15 A Not necessarily.

16 Q And what would be the difference?

17 A The difference is that if she -- if -- if a
18 professor at Southwestern Seminary is teaching in the
19 School of Theology and interpreting scripture, doing
20 exegesis, she is, by nature of the case, ministering.
21 A secular university has no intent of ministering to
22 anyone.

23 Q I didn't say a secular university, I just
24 said university, but I understand why you might have
25 thought I meant that. Let's take a -- a nonsecular

1 university?

2 A Uh-huh.

3 Q A Christian university?

4 A Uh-huh.

5 Q Like Bethany Nazarene College, for example?

6 A Uh-huh.

7 Q Are you saying that their professors there
8 that are teaching languages are ministering?

9 A I don't know. It would depend on the case.

10 Q Well, how would the case decide whether or
11 not they were?

12 A Well, if they're teaching Latin or Spanish or
13 German, there's likely not to be much of a ministry
14 involved in that. If they were teaching Koine Greek
15 or Hebrew, it's impossible to teach those languages
16 without reference to what the Bible says and means.

17 Q And that would fall into your definition
18 of -- of ministering?

19 A Yes, although I can't answer the question
20 very definitely because, again, it's a question that
21 lacks specificity, and I don't mean to be critical of
22 you in -- in so saying, I simply say that without
23 knowing the case involved, it -- it's very difficult
24 to answer that question.

25 Q Well, how would you -- and I would tell you,

1 I some took some religious courses at Bethany.

2 A Uh-huh.

3 Q And up until this -- up until today, I would
4 say I never thought of my professors as ministering to
5 me, I thought they were teaching me.

6 A Uh-huh.

7 Q But as I understand your definition, if
8 they're teaching Hebrew, then -- then they're
9 ministering to me, right?

10 A Well, it would certainly be a possibility.

11 Q How could they not be ministering to me if
12 they were teaching Hebrew based on what you've been
13 saying here today?

14 A I suppose there would be some case in which
15 it would be possible simply to sit down with students
16 and teach them the alphabet, Aleph, Bet, Gimel, Dalet,
17 Heh, Vav, Zayin and so forth and -- and do nothing
18 more than that. That would be difficult to be
19 construed as ministry. But if one begins interpreting
20 the sacred text, then it would seem to me that he is
21 doing ministry, it may be bad ministry or it may be
22 good ministry, but he is doing ministry.

23 Q So one has to minister to interpret the
24 text?

25 A I don't see how on earth you could look at it

1 any other way.

2 Q What's your definition of teaching?

3 A My definition of teaching is by the expedient
4 methods available to the teacher, to give instruction
5 and direction to the pupil.

6 Q Well, why couldn't a professor do what you're
7 saying and just be teaching?

8 A Because when he comes to deal with the
9 biblical text in a Christian situation, I don't see
10 how he can deal with the Christian text without
11 dealing with theology and pragmatic application of
12 that to ones spiritual life.

13 Q Is, in your opinion, translating the
14 scriptures the same as interpreting it?

15 A It is not the same.

16 Q How is it different?

17 A But it is also well-known by people doing
18 translation work, that you do make hermeneutical
19 judgments, you do make interpretational judgments in
20 the process of translating. For example --

21 Q Is that ministering, if I can interrupt just
22 a minute?

23 A It certainly could be.

24 Q Not necessarily so?

25 A Not necessarily so.

1 Q Okay. Go ahead.

2 A But if you have a word like the Greek
3 proposition, Eis, for example, E-I-S to anglocize it,
4 that has in -- any Greek Lexicon numerous meanings,
5 and the translator has to make a decision about the
6 meaning and it often effects then the meaning of the
7 verse. And so that is why involved in translation is
8 interpretation.

9 Q So if I'm having a conversation with someone
10 and I'm telling them my interpretation of a scripture,
11 are you saying that I'm ministering by virtue of doing
12 that?

13 A I don't know. I can't read your heart.

14 Q So it's a heart thing in -- instead of a -- a
15 vocal thing?

16 A It's a heart thing in part, but I can't
17 dismiss that aspect of it.

18 Q So did you have to read Dr. Klouda's heart to
19 know whether or not she was ministering?

20 A No.

21 Q Why not? If you had to read my heart to know
22 whether or not I was ministering, why did you not have
23 to read hers to know whether or not she was
24 ministering?

25 A Because the issue is that she was teaching

1 the biblical revelation to future pastors, which in my
2 estimation, is a violation of our ecclesiological
3 commitments.

4 Q Because she was "ministering"?

5 A Because she was teaching in a theological
6 school to future ministries -- to future ministers.

7 Q Paragraph 11 in your affidavit,
8 Dr. Patterson?

9 A Uh-huh.

10 Q Says, Decisions concerning the role of women
11 teaching in the seminary are guided in part by 1
12 Timothy 2:12, which I interpret this passage to have
13 application to the seminary because of the seminary's
14 mission to prepare future ministers for the church.
15 Did I read that correctly?

16 A You read that correctly.

17 Q You say here "which I interpret," and I think
18 we've covered that fairly well today, and -- and is
19 there anything else you want to say about that other
20 than what you've all -- already said?

21 A No.

22 Q I interpret this passage to have application
23 to the seminary, because the seminary's mission to
24 prepare future ministers for the church. Do you see
25 anything else you want to add to that other than what

1 you've already said?

2 MR. JOHNSON: Objection; form.

3 A No.

4 Q (By Mr. Richardson) If you interpreted,
5 Dr. Patterson, that it was a spiritual, and tell me if
6 I'm saying this right, a spiritual violation of the
7 scriptures for Dr. Klouda to be teaching as she was at
8 Southwestern, am I right so far, that you -- you made
9 that conclusion, right?

10 A That is right.

11 Q Why did you let her stay another day after
12 you made that decision?

13 A Because I knew her circumstances, I did not
14 wish to put her in a difficult position, and I wanted
15 to help her just as I want to help anybody else as
16 much as I possibly can.

17 Q Now, you could have done all of that and --
18 and removed her from the position she was in; could
19 you not?

20 A Possibly.

21 Q Well, is there any reason why you couldn't
22 have? I mean, there are other things at the seminary
23 that would not violate your interpretation of the
24 scriptures that Dr. Klouda could have done; was there
25 not?

1 A Yes, eventually we offered her such a
2 position.

3 Q So if you really had a conviction, I'm really
4 trying to figure out here what you're saying and what
5 your thinking is. If you really had a conviction that
6 Dr. Klouda was doing something at the seminary that
7 violated the scriptures, as you interpreted them to
8 be, why in the world would you let it go on for one
9 day more and -- and continue to violate the
10 scriptures, if that's really what this is about?

11 A Well, because I, again, want to be completely
12 fair with everybody to the best of my ability, and I
13 want to be as encouraging to them as I can be. And I
14 don't usually do things on the spur of the moment.
15 Normally, I work them out very carefully over a period
16 of time so as to do as little harm to anybody as
17 possible.

18 Q But more than that, if I'm hearing what
19 you've been saying to me all day, you want to follow
20 the scriptures, right?

21 A I want to do that --

22 Q And --

23 A -- sincerely in my heart.

24 Q And that would be the -- there is no higher
25 priority, is there, than following the scriptures as

1 you believe them to be?

2 A This is right.

3 Q So you've told us that you believe that by
4 allowing Dr. Klouda to teach as she was, she was --
5 you were allowing her to violate the scriptures?

6 A Perhaps I was too patient.

7 Q How can you -- I mean, again, you're saying
8 you were patient because you -- you didn't want to
9 remove her because of her needs, et cetera, and I
10 think we've established that her needs, et cetera,
11 could have been fulfilled at the seminary and her not
12 be in violation of your interpretation of the
13 scriptures; am I right?

14 A Yes.

15 Q So you made the decision somewhere along the
16 line, and I take it long before you ever even got to
17 Southwestern, that it was scriptural violation for
18 Dr. Klouda to teach the courses that she was teaching
19 at Southwestern, right?

20 A Yes.

21 Q And, yet, you let it go on for how long?

22 A I don't recall exactly, but approximately
23 three and a half years.

24 Q Wow.

25 A Uh-huh.

1 Q Is that consistent with the BF&M?

2 A I respect your judgment if you think it was
3 not.

4 Q I'm asking you?

5 A I was attempting, the best I could, both to
6 carry out the BF&M and to be gracious and patient.

7 Q I'm asking you very simply: If you're
8 allowing something to go on at the seminary for three
9 and a half years that you believe violates the BF&M,
10 let's just leave it at that, do you -- you feel like
11 you're fulfilling the calling you've had to be the
12 president of this seminary?

13 A I might be capable of being accused of that.
14 I do not think so. I was proceeding to the best of my
15 ability under both biblical mandate and the leadership
16 of the Holy Spirit.

17 Q What, if it had been determined that
18 Dr. Klouda, let's say, had a -- a lifestyle that was
19 inconsistent with the BFM, and just for purposes of
20 discussion, let's say that she became an adulteress?

21 A Uh-huh.

22 Q Would you have left her there for three and a
23 half years?

24 A No, sir.

25 Q How long would you have left her there beyond

1 the day that you came to believe that she was
2 violating the scriptures in being an adulteress?

3 A I don't know, it depends entirely upon the
4 issues involved and the circumstances and all kinds of
5 things, you have to make an individual judgment on
6 each situation.

7 Q Well, you said you would haven't left her
8 there three and a half years knowing, I'm saying you
9 know?

10 A Yes.

11 Q That she's living a lifestyle of an
12 adulteress which violates the scriptures, right?

13 A The moment I knew that for sure, if I knew
14 that for sure.

15 Q Right.

16 A I would have removed her, yes.

17 Q Okay.

18 THE VIDEOGRAPHER: Excuse me,
19 Counsel, you've got three minutes left on the tape.

20 Q (By Mr. Richardson) What if -- what if she
21 had gotten a divorce, would -- would you have let her
22 stay for three and a half years?

23 A Probably so. My actual approach to that kind
24 of situation is, once again, however, it depends on
25 why the divorce came, and it also depends on what

1 record at 1:56 p.m.

2 (A recess was taken from 1:56 to 2:07.)

3 THE VIDEOGRAPHER: We're back on the
4 record at 2:07 p.m. This is the beginning of Tape
5 4.

6 Q (By Mr. Richardson) Dr. Patterson, I think
7 we've well established that you say your
8 interpretation of 1 Timothy causes you to conclude
9 that it was a biblical -- biblical violation for
10 Dr. Klouda to -- to continue in her position,
11 correct?

12 A Yes.

13 Q And yet, you left her there, I believe you
14 said, for three and a half years, right?

15 A Yes.

16 Q What biblical basis did you use to give you
17 authority or a peace or a comfort to continue for
18 three and a half years to violate a biblical basis
19 that you believe you had for removing her?

20 A If I had removed her immediately, it could
21 have been a major impediment in her ability to find
22 other employment. One must always attempt to balance
23 compassionate handling of situations with biblical
24 mandate, because both are clearly taught in scripture.
25 Obviously, to follow up on your example a while ago,

1 there are some kinds of biblical violations which are
2 much more severe than others. And to take a case of
3 murder or adultery or something of that nature, of
4 course, the reaction would have been immediate. But
5 to act compassionately as the scripture calls for
6 and -- and hopefully enable her to find other
7 employment, is I do not think contrary to the full
8 teaching of scripture.

9 Q How many men would she have taught, in your
10 opinion, over that three and a half year period of
11 time?

12 A I have no idea.

13 Q And what is the damage, if any, that you see
14 that could have been caused by Dr. Klouda fulfilling
15 the position that she was elected to fulfill?

16 A Our entire post-modern culture is at a
17 serious impasse, in my estimation, in all of society.
18 And I think when a theological seminary committed to
19 the inerrancy and full truthfulness of God's word,
20 maintains a practice that is not exemplary, then we
21 contribute to difficulties in the culture and in the
22 churches.

23 Q So was the seminary leadership, shall we say,
24 sinning for three and a half years?

25 A That's something that has to be determined by

1 God.

2 Q And did you determine whether or not you were
3 sinning by allowing Dr. Klouda to violate a scripture
4 that you had interpreted that she was violating?

5 A I certainly hope not, but God is my judge.

6 Q What damage, just talking about damage,
7 could -- was there, in your opinion, for Dr. Klouda to
8 fill the role that she had been elected to fill?

9 A I repeat, I'm very concerned about the
10 situation in our churches. We are one of the few
11 denominations that has, for the most part, held the
12 line on faithfulness to the Bible in all of these
13 matters. And as long as she continued in that
14 position, I believed that our example was faulty.

15 Q But you also full well recognize that there's
16 a large body of Southern Baptists out there that would
17 not have agreed with your interpretation and the
18 position you took toward Dr. Klouda; do you not?

19 A I acknowledge that there are some, I have no
20 way of knowing what the size of that group is.

21 Q Well, would you agree that it's at least
22 pretty vocal?

23 A Oh, yes.

24 Q Dr. Wade Burleson being one, right?

25 A Yes.

1 Q And Dr. Wade Burleson is an ordained minister
2 in the Southern Baptist Convention, correct?

3 A Yes.

4 Q Served two terms in the last six years as
5 president of the Oklahoma Southern Baptist Convention,
6 right?

7 A I am told that's true.

8 Q And he takes great issue with the position
9 that you took in what you did with Dr. Klouda, doesn't
10 he?

11 A Yes.

12 Q So do you judge him being wrong on that
13 issue?

14 MR. SHARPE: Objection; relevance.

15 A Yes, I think he's wrong in it.

16 Q (By Mr. Richardson) Have you told him
17 that?

18 MR. SHARPE: Objection; relevance.

19 A I don't recall speaking to him about it,
20 no.

21 Q (By Mr. Richardson) Dr. Patterson, you would
22 agree, would you not, that when it comes to the
23 subject of women, that you -- you seem to have some
24 rather unusual attitudes toward women; would you agree
25 with that?

1 A I have biblical attitudes toward women.

2 Q Let's take, for example, one of the pastors,
3 let me see if I can find his name. Do you know who
4 Dale Gilyard is?

5 A Yes.

6 Q You were invited to a meeting, were you not,
7 where as many as 19 women, four of them married with
8 their husbands by their side, accused Dale Gilyard --
9 Dale?

10 A Darrell.

11 MS. MERICA: Darrell.

12 Q (By Mr. Richardson) Darrell? Darrell
13 Gilyard of having sex with them?

14 MR. JOHNSON: Objection;
15 relevancy.

16 Q (By Mr. Richardson) Right?

17 MR. SHARPE: Objection; relevancy.

18 A And the answer is no.

19 Q (By Mr. Richardson) You never attended a
20 meeting where this subject was being discussed?

21 A That was not your question. You asked me if
22 I were invited to it.

23 Q Oh, okay. You did attend, right?

24 A I attended a meeting but it bore no
25 resemblance to what you said.

1 Q And the meeting that you attended?

2 A Uh-huh.

3 Q Were there women who stood up and confessed
4 to having sex with -- with Darrell?

5 A Emphatically not.

6 Q What happened -- what do you say happened at
7 the meeting you went to?

8 A The meeting that I went to was at the
9 Concorde Baptist Church in which Darrell Gilyard was
10 dismissed from the associate pastor position that he
11 occupied. And what was alleged, to the best of my
12 memory, that part of it I don't remember everything
13 about, but to the best of my memory, there was no
14 allegation brought against him at all other than the
15 fact that he had acted in some ways, in what he said,
16 in a way that was not acceptable for a minister of the
17 Gospel.

18 (Exhibit No. 9 was marked.)

19 Q (By Mr. Richardson) And you supported him;
20 did you not?

21 A I did not.

22 Q Didn't you -- did you help him get a church
23 up in Norman, Oklahoma after this?

24 A I certainly did not. As a matter of fact,
25 when the pastor up there approached me about the

1 possibility of Mr. Gilyard coming there as pastor, I
2 advised against it.

3 Q I handed you what's been marked as Exhibit
4 No. 9.

5 A Uh-huh.

6 Q Have you seen this?

7 A Yes.

8 Q Dated January 8, 2008?

9 A Uh-huh.

10 Q It's a letter to the trustees at Southwestern
11 Baptist Theological Seminary?

12 A Uh-huh.

13 Q When did you first see this?

14 A I don't recall. Sometime not too long after
15 it was written I'm sure.

16 Q The letter refers, does it not, to -- down
17 about halfway on the first page, articles in the
18 Dallas Morning News that indicate that multiple
19 Criswell College students said that they had reported
20 abuse or suspicions of abuse by Pastor Darrell Gilyard
21 to you?

22 A Uh-huh.

23 Q Are you -- you say they did report to you or
24 didn't, as stated here?

25 MR. JOHNSON: Objection --

1 objection; relevancy.

2 MR. SHARPE: Objection; relevance.

3 A They did not report to me.

4 Q (By Mr. Richardson) So no one came to you
5 and reported of -- reported any kind of sexual abuse
6 by Darrell Gilyard, right?

7 A No, that is not correct.

8 Q So someone did, right?

9 A Yes, there were --

10 Q Who?

11 A I don't remember the names of any of the
12 people, but there were allegations that cropped up
13 once in a while about it.

14 Q And according to the letter, it says that you
15 told students to refrain from speaking about it?

16 A That is false.

17 Q You didn't tell students that?

18 A I certainly did not.

19 Q Did you tell them anything, according to
20 you?

21 A I didn't -- I don't remember discussing the
22 matter with students.

23 Q Others said Patterson would not take their
24 calls and would not return calls, do you know anything
25 about that?

1 A Anybody that knows me knows that if it's
2 humanly possible, I return my calls.

3 Q Others said that when they met with
4 Patterson, they were grilled on their own past and
5 psychological histories. Is that a true statement?

6 A Not entirely. Here we're not talking about
7 students. It is true that I probably talked to three
8 women across a period of time that had allegations
9 that they wished to bring against Mr. Gilyard. And it
10 is true that I sought, to the best of my ability, to
11 determine whether or not those were -- were true.

12 Q How did you seek to do that?

13 A By asking as many questions as I could and
14 asking them for any verification that they could give
15 me.

16 Q Did you have three people come to you that
17 claimed that they themselves personally had been
18 subject to sexual wrongdoing by Darrell Gilyard?

19 A Eventually over a period of time, yes, I
20 think there were three.

21 Q And it was -- was it rape as some indicate
22 here?

23 A No, there was no case of anything other than
24 consensual sex.

25 Q And why were they coming to report it if it

1 was consensual?

2 A You would have to ask them. I think that
3 they --

4 Q They just wanted you to know it?

5 A I think they were sincerely concerned about
6 Mr. Gilyard continuing in the ministry, which I was
7 also.

8 Q What did you do, if anything, to help
9 Mr. Gilyard move on and get out of the ministry?

10 MR. SHARPE: Objection; relevance.

11 A But -- I'll be happy to answer the question.
12 The question is what did I do? And there were a
13 series of things. First of all, I sought to establish
14 whether or not there was, in fact, guilt, spent a
15 great deal, too much time and money doing that.

16 Q (By Mr. Richardson) And what did you
17 decide?

18 A I decided finally that he was guilty of at
19 least some of what he was -- was charged. At that
20 point, I issued a letter expelling him from the
21 student body of -- of Criswell College, before he
22 could even finish his degree. And second, I required
23 him, I had no real authority to do so, but I guess
24 moral ascendancy or something, I asked him to resign
25 his church as a result. I personally went out on the

1 night that he did that and moderated the business
2 meeting for his church for three hours.

3 And then I did the best I could to
4 minister to his wife and his children in the aftermath
5 of all of it. And finally, I made calls sufficiently
6 over the Southern Baptist Convention to alert our
7 people to what had transpired. And from that day
8 until this, to my knowledge, Darrell Gilyard has never
9 been in a Southern Baptist pulpit.

10 Q Who is SNAP, S-N-A-P?

11 A I don't know what it stands for. They're a
12 group of people who are devoted to trying to stop
13 ministerial abuse of women.

14 Q And as far as you know, do they -- are they a
15 group that seems to have validity that is somewhat
16 respected?

17 A I don't know how to --

18 MR. JOHNSON: Objection;
19 relevance.

20 A -- adjudicate that.

21 Q (By Mr. Richardson) It says here it that
22 it's the nation's oldest and largest support network
23 for clergy -- clergy abuse victims, founded in 1989.
24 With more than 8,000 members and 65 support groups.
25 As far as you know, would that be true and correct?

1 A I have no idea.

2 Q And they're calling --

3 A 1989, not very old.

4 Q They're calling for your suspension at
5 Southwestern, aren't they?

6 MR. SHARPE: Objection; relevance.

7 Q (By Mr. Richardson) Aren't they?

8 A I understand that's what they're doing.

9 Q Have they tried to talk to you?

10 A They made no attempt to, whatever, until
11 about two days ago, I understand they made an
12 overture.

13 Q In the first conversation, Dr. Patterson,
14 that you had with Dr. Klouda, do you deny asking her
15 what her position would be or how she would feel about
16 teaching only women?

17 A I don't recall asking the question, but I
18 certainly wouldn't deny it.

19 Q And do you recall her answer?

20 A No, I don't, because I don't recall the
21 question.

22 Q Here on -- back to your affidavit, No. 8,
23 where you say the seminary's School of Theology are
24 intermediaries between the Southern Baptist Convention
25 and the local Baptist church, and you were testifying

1 about how the professors connect with the church?

2 A Uh-huh.

3 Q How -- how does your wife Dorothy, how does
4 she relate to the local church in her intermediary
5 role as a professor?

6 A Ms. Patterson has devoted herself through the
7 years to attempting to prepare women for the
8 assignments that God has given them, and as such, she
9 speaks widely to women's groups all over the Southern
10 Baptist Convention. She does a great deal of writing,
11 is published extensively.

12 Q Have you ever recommended anyone for
13 tenure?

14 A To date, I have not. The two previous
15 schools where I taught had no tenure.

16 Q If a professor is on a tenure track --

17 A Uh-huh.

18 Q -- at Southwestern, and they aren't
19 recommended for tenure, does that mean they can't
20 stay, or what does that mean?

21 A Essentially, that's what happens all across
22 the nation. Not only at Southwestern, but elsewhere.
23 However --

24 Q You mean in all universities and colleges or
25 just Southern Baptist?

1 A No, no. It's -- every year this happens
2 where people fail to get tenure and -- and they have
3 to move on in large numbers, it happens all over the
4 United States. In terms of -- of Southwestern, it
5 would be possible for me to appoint a person to a
6 subsequent term with the approval of the board of
7 trustees.

8 Q And a subsequent term of would be six
9 years?

10 A Probably would only be -- I -- I can only
11 appoint for up to two years. My appointive -- my
12 appointive powers are limited to two years in
13 duration.

14 Q What if someone isn't on the tenured track?

15 A Uh-huh.

16 Q Let's say they're just there on a
17 year-to-year basis?

18 A Uh-huh.

19 Q Is there any limitation on how long they can
20 stay at the -- Southwestern?

21 A If they're not elected and I do not make the
22 appointment, then they would not be able to stay
23 longer.

24 Q So if you aren't supportive of tenure?

25 A Uh-huh.

1 Q And I may be wrong, but that's what I
2 understand?

3 A Uh-huh.

4 Q How do you keep professors at Southwestern
5 beyond say six years or whatever period of time it
6 is?

7 A Well, let's make a distinction here. When
8 you are in any situation involving a large number of
9 people and history, one doesn't necessarily get his
10 own way just because he's president. If I, as the
11 president of the -- of Southwestern Seminary, were to
12 try to force the issue, it is possible that I could
13 get our trustees to abolish the tenure system. It's
14 not something that I relish, it's not something that I
15 have a great deal of confidence in.

16 However, neither, since the
17 institution has it, is it something that I deem
18 absolutely necessary to abolish. So after I came, as
19 I indicated to you earlier, we took some time to study
20 it very carefully. And we put it in brackets until
21 such time as we could do that and come to an agreement
22 in the administration as to how it would function.
23 And when my concerns were satisfied, I have gone along
24 with what the rest of the administration preferred to
25 do and we have set the tenure clock rolling again.

1 Q And how many professors do you have now that
2 are on a tenure track?

3 A I don't know. I don't have that information
4 right in front of me at the moment. I can only tell
5 you that there is a limitation on the faculty that
6 only 70 percent of the faculty can be tenured at any
7 given time.

8 Q What is the highest score that one can
9 receive on an evaluation, a professor, that is?

10 A The student evaluations or professors?

11 Q Administrations?

12 A Administrations. I'm not aware that scores
13 are given.

14 Q How about students?

15 A Students evaluate on a whole list of things,
16 and there is a scale on there that runs from one to
17 five. That being the case, the highest evaluation
18 that anybody could have would be 5.0.

19 Q And do you see that happening there at
20 Southwestern, where some professors get 5.0?

21 A No.

22 Q What would you say would be the average
23 overall?

24 A I have no idea.

25 Q Would 3.5 be considered a -- a good

1 evaluation, or 3.0?

2 A It would not to me.

3 Q What would be the least that you would
4 consider to be a good evaluation?

5 A The question is impossible to answer, because
6 it has everything to do too with subject matter being
7 taught and -- and all kinds of things like that.

8 Q Well, but you said a 3 wouldn't be good to
9 you?

10 A No.

11 Q So using --

12 A 3 --

13 Q -- using the same criteria that you use to
14 say a 3 wouldn't be good for you, what would be good
15 for you?

16 A Well, I'll repeat my answer. What would be
17 good for me would depend very heavily upon the nature
18 of the class itself, and other factors that would be
19 included.

20 Q And that's why I say using the same factors,
21 et cetera, that you use to say that a 3 would not be
22 good for you, what would it take to be good for you
23 using those same ingredients?

24 A I -- I will stick with my former answer.

25 Q Why would 3 not be good for you then?

1 A I guess because we haven't had any that
2 low.

3 Q What's the lowest you've had?

4 A Sir, I don't know. I don't have those in
5 front of me. They're very lengthy.

6 Q Item No. 14, Dr. Patterson, it says, After
7 prayerful consideration of the Bible and its
8 application to the mission and work of the seminary, I
9 reached the conviction that those training future
10 pastors should not be qualified to be pastors?

11 MR. SHARPE: Objection; misread.

12 Q (By Mr. Richardson) That those training
13 future pastors should be qualified to be pastors, I'm
14 sorry, you're right. With my correction, did it read
15 -- did I read it correctly?

16 A Yes, I think so.

17 Q I'm thinking about you telling us earlier
18 that you told these men that you called you back
19 before you became pastor of -- I mean, president of
20 Southwestern, that you personally would oppose
21 Dr. Klouda getting the position she was elected for?

22 A Uh-huh.

23 Q So my question is: Is when did you reach
24 this prayerful conviction that you're talking about
25 here in Item No. 14?

1 A Well, you asked me originally, when I was
2 contacted about it prior to my becoming president of
3 Southwestern Seminary, and I did have the same
4 conviction to which I came again after going to
5 Southwestern Seminary. I do not count myself to be
6 infallible, only the Bible is the infallible inerrant
7 word of God. And so I never object to looking again
8 at my positions, and because I was served with a
9 situation not of my own making, but which I inherited,
10 I felt it commensurate upon me to rethink it and
11 repray it one more time. As to the exact date when I
12 came to that conclusion, I do not recall.

13 Q And could you give me a time period?

14 A No, I really can't, but it was not long.

15 Q And I take it from other parts of your
16 affidavit that you're using the scripture in
17 1 Timothy?

18 A Well, that's the very specific verse. But it
19 should not be lost that it is the tenor of scripture
20 from Genesis to Revelation.

21 (Exhibit No. 10 was marked.)

22 Q (By Mr. Richardson) Let me hand you what has
23 been marked as Exhibit No. 10, which is a Dallas
24 Morning News article of June 28th, 2003?

25 A Uh-huh.

1 Q And I want to direct your attention to Page
2 2, the last question asked on that page. You said
3 this week you don't think it's biblically correct for
4 women to teach in the theology department. And what
5 was your answer there?

6 A According to the this, gradually -- generally
7 speaking, that's true. I don't have a hard and fast
8 rule about very many things, and I don't have a hard
9 and fast rule about women teaching theology. I had my
10 wife (Dorothy) in the theology division at
11 Southeastern. But generally speaking, I'm not going
12 to be bringing women into the theology department.

13 Q I see this, Dr. Patterson, inconsistent with
14 what you're telling me about your position with
15 Dr. Klouda. Am I missing something?

16 A Well, I'm sorry you see it as inconsistent.

17 Q What am I missing?

18 A I don't know.

19 Q Are you saying that what you said here is
20 consistent with what you've been testifying to as to
21 why you did what you did with Dr. Klouda?

22 A I see it as consistent.

23 Q You said, I don't have a hard and fast rule
24 about women teaching theology?

25 A Uh-huh.

1 Q Was Dr. Klouda, in your opinion, teaching
2 theology?

3 A She's teaching in the theological studies
4 division and teaching men.

5 Q So what isn't added in here is the issue of
6 teaching men and that's it?

7 A Yes. And my point that I was making was that
8 Ms. Patterson teaches theology, but she teaches
9 theology to women.

10 Q So you're okay with women teaching theology,
11 you're just not okay with them teaching men; is that
12 what you're saying here?

13 A That's what Timothy says -- Paul says to
14 Timothy in the book, and I follow the book.

15 Q As you interpret it?

16 A Yes, sir.

17 Q So does your wife teach theology at
18 Southwestern?

19 A Yes. To women only.

20 Q On the first page, Dr. Patterson, of that
21 exhibit?

22 A Uh-huh.

23 Q Fourth paragraph down it says, Moderates have
24 been at odds with conservatives and their recent
25 revisions to the Baptist Faith and Message which

1 opposes the ordination of women as senior pastors and
2 says wives should submit graciously to the leadership
3 of her husband?

4 A Uh-huh.

5 Q Did I read that correctly?

6 A Yes.

7 Q And I take it that when you're saying
8 "moderates as opposed to conservatives," that you
9 would, of course, consider yourself in the definition
10 of the conservative?

11 A I didn't say that. That is --

12 Q That's what I am asking?

13 A -- Berta Delgado's -- those are her words.

14 Q No, I'm asking you if you would place
15 yourself in the category here of a conservative?

16 A Yes, of course.

17 Q Do you agree with what she said here or what
18 was written here?

19 A Yes, I would agree that moderates were in
20 opposition to the revisions to the Baptist Faith and
21 Message.

22 Q On the last page, the question is -- at the
23 top, Is there a strong moderate faction remaining on
24 the faculty? And you said, I don't think -- I don't
25 much think so. I think what you've got is a lot of

1 people who are straddling the line because they don't
2 quite know where to go or what to think on a lot of
3 these issues. You've got a good, strong nucleus of
4 solid, conservative people that understands the
5 issues, and then you have a lot who are just not quite
6 sure where everything is?

7 A Uh-huh.

8 Q I discovered at Southeastern that all you
9 have to do is be sweet to people, and they may not
10 agree with you, but everybody responds to somebody
11 loving them. I would have to believe that can be done
12 here. By the way, in that regards, in Joel -- you
13 know Joel Gregory pretty well, don't you?

14 A I don't know him that well, but I do know
15 him, yes.

16 Q And -- and he knows you pretty well, I mean,
17 he pastored at First Baptist in Dallas. In his book,
18 he made -- he -- have you read his book?

19 A Yes.

20 Q Do you remember where he said that people
21 either hate Paige Patterson or they love them?

22 A Yes, I do.

23 MR. SHARPE: Objection; relevance.

24 Q (By Mr. Richardson) I'm sorry?

25 A Yes.

1 Q And do you agree with that overview?

2 MR. SHARPE: Objection; relevancy.

3 A What about all the people that don't know
4 Paige Patterson?

5 Q (By Mr. Richardson) Well, I'm just say -- I
6 mean, I'm just saying -- asking you if you agree with
7 what he said?

8 A Well, no, because there are a lot of people
9 that don't know Paige Patterson.

10 Q Well, of those who -- I -- I suspect that he
11 was talking about those who do know Paige Patterson
12 when he said that people either love him or they hate
13 them?

14 MR. SHARPE: Objection; relevancy.

15 Q (By Mr. Richardson) Would you agree with
16 that?

17 A I hardly think that exhausts all the opinions
18 that there are out there.

19 Q Okay. And the question, And the ones who
20 didn't agree, and your answer was -- was, they
21 eventually left, but they did it on their own.
22 Sometimes even with my helping them find a place where
23 they wanted to go. So that's what I hope and pray
24 will be the case here.

25 A Uh-huh.

1 Q And how would you categorize what happened to
2 Dr. Klouda in that regards?

3 MR. JOHNSON: Objection; form.

4 A I would categorize what happened to
5 Dr. Klouda as what happens to professors every year
6 all across America. She was informed that she would
7 not be given tenure, and the suggestion was made to
8 her to find another place to teach.

9 Q (By Mr. Richardson) Had you told anyone at
10 Southwestern that you were not going to allow
11 Dr. Klouda to continue to teach at Southwestern?

12 A As indicated before, I had discussed this
13 with David Allen and with Craig Blaising.

14 Q No, my question is: Had you told anyone that
15 you were not going to allow Dr. Klouda to remain as a
16 professor at Southwestern?

17 A I'm afraid I don't see the difference in --
18 in the question and how I answered it. Could you
19 rephrase it?

20 Q Well, yeah. I'm not asking you all the
21 discussion that you had with those two gentlemen, I'm
22 asking you one simple question: Did you tell them or
23 anyone else at Southwestern that you were not going to
24 allow Dr. Klouda to remain as a professor at
25 Southwestern?

1 A I don't have any memory of it. But that's
2 not to say that I didn't.

3 Q When was the second time you talked to
4 Dr. Klouda?

5 A I don't recall the dates, but I do recall
6 that -- and I don't even know if it was -- if it was
7 the second time, but there was an occasion when she
8 came to the office and had asked Dr. Paul Wolfe to
9 come with her.

10 Q Okay. And tell me, as best you can, what you
11 recall the conversation was.

12 A As best I recall, and I stress that, the
13 discussion was, first of all, about reconsideration.
14 And as I -- as best I can recall, I replied that it
15 would not be reconsidered. And then I believe --

16 Q Reconsideration of what?

17 A Of her continued employment.

18 Q Okay.

19 A At the school or continuation of the
20 classroom, in any event.

21 Q Okay.

22 A And second then, there was the -- the request
23 that she be allowed more time to find a place to go
24 and to teach.

25 Q So it basically was two issues that was

1 discussed there, as you recall?

2 A As I recall.

3 Q And on the first one you said no, and what
4 did you say on the second one?

5 A On the second I granted that.

6 Q And what -- what was it specifically that you
7 granted -- you want to stop?

8 A No, that's fine, she'll be okay.

9 Q And what was it specifically that you
10 granted?

11 A I'm sorry?

12 Q What was it specifically that you granted?

13 A I granted her the ability to continue with us
14 on full salary and full benefits while she looked for
15 a place to go.

16 Q And in the same position that she was in?

17 A You know, I don't remember the date on that,
18 and so I can't really say absolutely positively for
19 sure.

20 Q Okay. Was there ever a third conversation?

21 A I do not remember. I think so, but I don't
22 remember for sure.

23 Q In your theological interpretation of the
24 Bible, including 1 Timothy passage, I'm speaking of
25 No. 12 on your affidavit, where women should not rule

1 over or publicly teach men within the church. Is
2 there any particular version of the Bible that you're
3 using for your interpretation?

4 A No, it -- my ultimate authority, of course,
5 is always the Greek New Testament, but the -- the
6 translation of that verse in King James, New King
7 James, New American Standard would all be essentially
8 the same.

9 Q And where you say "should not rule over"?

10 A Uh-huh.

11 Q Would you -- are you saying that Dr. Klouda
12 as a professor was "ruling over men"?

13 A The actual word in the Greek New Text is to
14 have authority over, and yes, she was exercising
15 authority as a professor over the students.

16 Q What kind of authority was she exercising?

17 A Teaching authority, evaluation authority.

18 Q They didn't have to believe what she taught,
19 did they?

20 A No.

21 Q So how can she be exercising authority over
22 them if they don't have to agree with anything she
23 says?

24 A Well, it's a teaching authority. Again,
25 doesn't have a part of it that says that everybody

1 that hears you has to believe what you say. But
2 you're, nevertheless, in the position of an authority
3 as the teacher and the professor, or as the pastor, in
4 the case of a pastor teaching.

5 Q Okay. So you saw her in that position as
6 ruling over men, right?

7 A Yes. Having authority -- I would prefer her
8 having authority over men.

9 Q Okay. Authority over men. And/or publicly
10 teaching men within the church. Are you -- is it your
11 position that she was doing that too?

12 A I don't have any knowledge of her activities
13 on the outside of the seminary. But she, as you know,
14 the seminary is vitally related to the churches, and
15 to be doing it there is an example to the
16 seminaries -- and to the churches, and I believe a bad
17 one.

18 Q Where does the word "publicly" come from, as
19 used here?

20 A Publicly, you know, I have no idea where it
21 comes from, but the word "publicly" would mean --
22 would -- by the use of it, would say that in a matter
23 of a private moment, such as in the Bible, Aquila and
24 Priscilla together instructing Apollos in the way of
25 the Lord more perfectly, would not be a violation of

1 that scripture.

2 Q Is that found in 1 Timothy as well?

3 A No, sir.

4 Q Where is it found?

5 A It's found in the Book of Acts.

6 Q And do you know the -- the chapter and
7 verse?

8 A You give me far more credit than I deserve.

9 Q Okay. In No. 15, Dr. Patterson, you say, I
10 subsequently became aware of the concern of some of
11 the trustees of the propriety of Dr. Klouda serving on
12 the faculty of the School of Theology -- of Theology.
13 Are we again talking about -- who -- who is it we're
14 talking about there?

15 A Those that you found there.

16 Q List --

17 A Would be R.E. Smith and --

18 Q David Allen?

19 A David Allen. And Lollie Cogswell.

20 Q Okay. Did you have any conversations or
21 correspondence with the seminary administrators
22 regarding the election of Dr. Klouda?

23 A Not to my knowledge. Not that I can
24 recall.

25 Q You're saying here that you became

1 subsequently aware -- actually that's not correct, is
2 it, based on the testimony you've already given today.
3 You -- you knew of the concern, according to the
4 testimony you've given, before you even came to
5 Southwestern, right?

6 A Are you looking at statement --

7 Q No. 15?

8 A -- No. 15 still?

9 Q Right. You knew it even before they elected
10 her.

11 A Your -- your concern is about the word
12 "subsequently"?

13 Q Yeah. When you're saying here that you
14 weren't the president at -- at Southwestern at the
15 time that she was, you say hired, that you
16 subsequently, which means later, became aware of the
17 concern of some of the trustees of Dr. Klouda serving
18 on the faculty of the School of Theology? You knew
19 that, based on testimony you've already given today,
20 before you ever became president of Southwestern?

21 A I subsequently became aware of more
22 concerns.

23 Q That's not what it says here, is it, it
24 doesn't say "more." And I'm not trying to pick on it,
25 but the bottom line is, you knew before you came to

1 Southwestern of "concerns of some of the trustees of
2 Dr. Klouda being elected as a professor," didn't
3 you?

4 MR. SHARPE: Objection; asked and
5 answered.

6 A Yes.

7 Q (By Mr. Richardson) No. 17 says that you
8 shared in private conversations with some trustees the
9 decision that you made as president that those
10 teaching future pastors should be qualified to be
11 pastors. --

12 A Uh-huh.

13 Q -- and are there any other names that you can
14 think of because we -- you gave me some names earlier
15 today?

16 A Not right offhand.

17 Q Okay.

18 A I spoke to a number.

19 Q Why -- again, your answer, when I asked you
20 about taking it to the board of trustees, is that you
21 weren't required to. Why wouldn't you -- since the
22 board of trustees were the ones that hired Dr. Klouda
23 and set forth the stipulations that they obviously
24 believed would qualify her for the position they hired
25 her and elected her for, why would you not go back to

1 the board of trustees, even though it wasn't a
2 requirement, before you took action that would
3 somewhat seemingly fly in the face of what they had
4 done?

5 A Well, again, I was not required to, and not
6 only was I not required to, but also the board of
7 trustees invest a great deal of authority in the
8 president of the institution to look over matters on a
9 day-by-day, week-by-week, month-to-month basis, that
10 by definition, a board cannot do. A board's primary
11 responsibility has to do with policy. And so I was
12 not only not required to, but expected to function as
13 I did.

14 Q I understand you weren't required to, because
15 you made that very clear. My question, again, is:
16 Since the board of trustees were the one that elected
17 this lady?

18 A Uh-huh.

19 Q And obviously concluded that based on the
20 BF&M and their interpretations of scripture, that
21 Dr. Klouda qualified to be a professor and -- and --
22 and hold the position she held at Southwestern. Here,
23 in this instance, you're taking an action,
24 Dr. Patterson, it would seem to me, that is flying in
25 the face of and going against something that these

1 board of trustees did, right?

2 A I accept that that's your view.

3 Q Do you disagree with it?

4 A Yes, of course I disagree.

5 Q How -- what -- what did I say that you would
6 disagree with?

7 A I would disagree that I was taking action
8 that flew in the face of the board of trustees. I
9 work with them week-by-week, month-by-month throughout
10 the year, and I believe that there were a substantial
11 number of them who did not view this as a good
12 action.

13 Q I didn't say flew in the face of the board of
14 trustees. I said you were taking action that would
15 fly in the face of the decision that the board of
16 trustees made when they elected Dr. Klouda for the
17 position they elected her for. Now --

18 A No, I do not believe so.

19 Q How -- so how do you disagree that your
20 decision was not flying in the face -- is that the
21 terminology you're having problems with, flying in the
22 face?

23 A Yes, that's a rather emotive terminology and
24 I think you would agree.

25 Q Well, then let's -- let's find another one

1 then. You were going in a direction with Dr. Klouda
2 which was opposite to the direction they were going
3 with her when they elected her?

4 A That is correct.

5 Q Can you handle that?

6 A Yes.

7 Q Now, since that was the case and that's what
8 you were doing, I mean, just out of pure respect for
9 your board, why wouldn't you go back and -- and -- and
10 make it an issue for the board to give their position
11 on, rather than going to three or four of your buddies
12 and getting their support and then doing what you did
13 to this lady?

14 A The board expects the president to operate in
15 the administrative realm, unless there is a policy
16 issue that needs to be considered or a personnel
17 matter that would be quite unique. And we
18 conceivably, in dealing with any trust -- any faculty
19 member who did not receive tenure after being elected
20 by the board of trustees, those would normally not go
21 back to the board of trustees.

22 Q You said unless it's a personnel issue that's
23 quite unique?

24 A Yes.

25 Q Would you say that this was not a quite

1 unique issue that you're doing here, when you're
2 taking a professor that's been elected by the Board of
3 Regents, given boundaries on which she is required to
4 live within, do you not think that's a personnel issue
5 that's quite unique?

6 A No.

7 Q Tell me another incidence that you know of
8 that happening with a female professor teaching as
9 Dr. Klouda was that was done to what you did to her;
10 tell me one other person?

11 A Well, the very fact is that none of our
12 seminaries have people teaching in the area of
13 theology.

14 Q And what's your definition of "unique,"
15 Dr. Patterson?

16 A Well, unique would -- I don't know, but it
17 would not be a situation that is this particular
18 situation. I was asked to handle these administrative
19 matters by the board, and I handled them.

20 Q And you do not believe that the issue
21 involve -- involving Dr. Klouda, I want to make sure I
22 understand correctly --

23 A Uh-huh.

24 Q -- was a "unique issue"?

25 A Not insofar as the administrative

1 responsibilities of the president were concerned.

2 Q What other actions have you taken since you
3 have been the president of Southwestern that are in
4 conflict with decisions made by the board of -- of
5 trustees?

6 A I do not know of anything that I've done
7 contrary to the will of the board of trustees.

8 Q Action that they've taken?

9 A Yeah, action.

10 Q So --

11 A I -- if you mean that -- see, the problem
12 I've got with that question is that even though they
13 took this action of hiring Dr. Klouda, then it becomes
14 an administrative concern to carry out whatever is
15 going to happen. So I do not feel that I have
16 violated the will of the board.

17 Q That wasn't my question. My question very
18 simply was: What other action, if any, have you taken
19 as president of Southwestern that would go against
20 action that the board of -- of trustees has done, and
21 I believe you said none?

22 A That's -- I don't think of any, no.

23 Q And in this regards, you -- you've already
24 agreed that you did so with Dr. Klouda, and yet, you
25 don't want to call it unique?

1 A No, I don't want to call it unique.

2 MR. RICHARDSON: Is it time for a
3 break? Do you have a longer tape?

4 THE VIDEOGRAPHER: You've got eight
5 minutes.

6 MR. RICHARDSON: Oh, okay.

7 Q (By Mr. Richardson) Has the title that your
8 wife has had at Southwestern changed since she first
9 was given a title?

10 A Not to my memory.

11 Q So if one looks at the website, she would
12 have the same title today as she's always had?

13 A As far as I know.

14 Q No. 18 you say that, During my meeting with
15 Dr. Klouda on August 26th, '03, I did not give her
16 assurance of future employment; do you see that?

17 A Yes, I do.

18 Q Who was present at that meeting other than
19 you and Dr. Klouda?

20 A Insofar as I remember, it was only the two of
21 us.

22 Q Do you have any idea how long that meeting
23 lasted?

24 A Most of them lasted right at an hour, but I
25 don't recall that one, of course.

1 Q Did you take notes from these meetings that
2 you had with the professors?

3 A I did not.

4 Q What was the purpose of the meeting?

5 A I stated before, the purpose of the meeting
6 was to get acquainted, to learn about their families,
7 and to ascertain what they thought the status of the
8 school was and what things they would like to see me
9 do as president.

10 Q What do you recall about what you learned
11 about Dr. Klouda's family?

12 A I learned that she was married and had a
13 daughter who was either a teenager or getting close.

14 Q Did you learn anything about the health
15 condition of her husband?

16 A Yes, I do believe that she mentioned that his
17 health was marginal.

18 Q And that the family income was pretty much
19 dependent upon her?

20 A I don't recall that particularly being
21 mentioned, but I think I would have assumed it.

22 Q And what was it that Dr. Klouda told you that
23 she thought would -- needed to be addressed or looked
24 at --

25 A I have no --

1 Q -- to the best of the seminary?

2 A I have no idea.

3 Q No. 19, The decision not to continue
4 Dr. Klouda in tenure-track service on the faculty of
5 the seminary's School of Theology was theologically
6 determined. Does that go back to your -- what you
7 testified about already about your interpretation
8 of -- of her teaching those who are going to be
9 pastors?

10 A Yes.

11 Q And brought the seminary's policies and
12 practice in line with the positions adopted by the
13 ecclesial -- how do you say that word?

14 A Ecclesial, I'm not sure where you're reading,
15 but... Yeah.

16 Q No. 19?

17 A 19, okay. Good.

18 Q Body with which it affiliated?

19 A Uh-huh.

20 Q Right?

21 A That is correct.

22 Q What was it that -- I've had a little trouble
23 trying to figure that one out, how this would bring
24 the seminary's policies and practice back in line?

25 A Uh-huh.

1 Q What is there about the body that was out of
2 line with regards to Dr. Klouda filling the position
3 she filled?

4 A Southwestern, to my knowledge, was the only
5 seminary that had a woman teaching men in the theology
6 division of the school. And I think that's what most
7 Southern Baptists expect, because we're training
8 ministers and pastors. And so consequently, we lined
9 ourselves back up with the general practice and with
10 the expectation of Southern Baptists.

11 Q As you see it to be, right?

12 A Yes.

13 Q Not necessarily the case, but as you see it
14 to be?

15 A Not necessarily what?

16 Q Not necessarily the case, but as you see it
17 to be?

18 A As I see it to be.

19 Q You say that you weren't the one that
20 initially told Dr. Klouda that she would not be
21 recommended for tenure; is that right?

22 A I don't think I was.

23 Q No. 21 seems to be fairly clear on that?

24 A Uh-huh.

25 Q Who -- who is it you think told her?

1 A I think the executive vice president and
2 provost Dr. Blaising was the one who told her.

3 Q And then you say there was a meeting on
4 August the 18th, which would have been before the one
5 we were just talking about that you had with her --
6 well, let's see, maybe not. Yeah, that was '03, this
7 is '04. And that's where you said you told her that
8 you would not be recommending her for tenure, right?

9 A Uh-huh.

10 Q And who else was present?

11 A I can't be sure that -- that was not the one
12 where Paul Wolfe was, that was later, I think. I do
13 not recall who was present besides her.

14 Q Without --

15 A If anyone.

16 Q Okay. Without telling me what advice you may
17 have gotten or not have gotten, did you meet with
18 legal counsel before making the decision you made with
19 regards to Dr. Klouda?

20 A I did not.

21 THE VIDEOGRAPHER: Counsel, there's
22 only one minute left on the tape.

23 MR. RICHARDSON: Okay. Let's take a
24 break.

25 THE VIDEOGRAPHER: We're off the

1 record at 3:06 p.m.

2 (A recess was taken from 3:06 to 3:16.)

3 THE VIDEOGRAPHER: We're back on the
4 record at 3:16 p.m. This is the beginning of Tape 5.

5 Q (By Mr. Richardson) Dr. Patterson, would you
6 agree with this statement, The BF&M has not invested
7 Dr. Patterson with the authority to enforce his
8 private interpretations of the Bible on the
9 seminary?

10 A Yes, I would agree with that.

11 Q You probably -- well, let me ask you, do you
12 agree with this one, that the BF&M have charged you
13 with the authority and responsibility to enforce the
14 doctrinal standards of the BF&M; is that correct?

15 A I'm sorry, I don't understand the question.
16 The BF&M can't charge anybody with anything.

17 Q Well, as far as through the auspices of the
18 seminary as president?

19 A Okay. Now, repeat the question.

20 Q That -- what you have been given is the
21 authority and responsibility to enforce the doctrinal
22 standards of the BF&M?

23 A As a minimal picture, yes.

24 Q Right. Of which Dr. Klouda was always in
25 compliance with, except for your interpretation,

1 correct?

2 A As far as I know.

3 Q What are Southwestern's policies, if any, on
4 sexual discrimination?

5 A We have a sex discrimination policy in hand.
6 I don't obviously have it in front of me.

7 Q Could you tell me generally what it is?

8 A Generally it makes it clear that no one is to
9 be discriminated against because of his or her
10 gender.

11 Q And I take it that is in written form?

12 A You take it correctly.

13 Q And I assume it's not part of the manual?

14 A Not to my knowledge.

15 Q So what would it be a part of?

16 A We have a policy book that relates to
17 policies that go beyond faculty matters, because
18 sexual discrimination policy by definition would have
19 to cover the entire seminary and not just faculty.

20 Q Does it also cover faculty?

21 A Yes, sir, it certainly does, uh-huh.

22 Q What about Southwestern's policy on sexual
23 harassment, is there something in that same
24 document?

25 A As I remember there is, yes, we are against

1 it.

2 Q You're against sexual harassment?

3 A Uh-huh.

4 Q Are you of the -- is it your opinion,
5 Dr. Patterson, that as president of Southwestern that
6 you would be free to terminate someone on their race,
7 just because of their race?

8 A No, I would not be free to do that.

9 Q Would you agree that Dr. Klouda wasn't
10 actually told that she would no longer have a job with
11 Southwestern, and therefore be terminated until April
12 of '06?

13 A I do not know the date.

14 Q Would you disagree with that date?

15 A I wouldn't disagree with it because I -- tell
16 me the date one more time?

17 Q April of '06.

18 A No, it was my understanding that she was told
19 before that, but I don't --

20 Q When?

21 A I don't know. I confess.

22 Q Do you have any evidence that she was told
23 before that?

24 A Not that I have available to me right at this
25 moment, no.

1 Q If you had evidence of that, where would it
2 be?

3 A I would assume that it would be in maybe
4 notations made by Dr. Blaising or something of that
5 nature, if there is such evidence.

6 Q Do you remember having a conversation with
7 Dr. Klouda about she and her daughter going on a
8 mission trip?

9 A I do have vague memory that she mentioned to
10 me that she anticipated doing that.

11 Q And do you remember what your position was on
12 it?

13 A No, I don't, but it would be surprising if I
14 didn't encourage it.

15 Q You had a mandate, did you not, there at the
16 seminary for faculty -- foreign mission trips to be
17 taken?

18 A It is not a written policy. It is well-known
19 that the president expects each faculty member to go
20 every four or five years to a mission endeavor.

21 Q I have the note here that says that at a
22 press conference following your appointment that you
23 were asked about hiring women to teach in the school
24 of theology and your response was that Dorothy, my
25 wife serves on the theology faculty and that provides

1 somewhat of an answer; do you remember that?

2 A Yes, vaguely.

3 Q What did you mean "that provides somewhat of
4 an answer"?

5 A I meant that it provides an answer that women
6 may teach theology if they are teaching women.

7 Q I guess the word that's kind of -- I'm
8 focusing on here is "provides somewhat of an answer,"
9 why didn't you just say that's my answer? I mean,
10 what did you mean "that provides somewhat of an
11 answer"? Why didn't you just answer the question, I
12 guess?

13 A I probably should have.

14 Q I'm not saying you're wrong, I'm just
15 wondering why you didn't? I mean --

16 A As you know that's an interview with press
17 shooting at you from various directions and -- and one
18 is not always totally precise in answers.

19 Q Why didn't you put Dr. Klouda in another
20 position at Southwestern where she was only teaching
21 women?

22 A At that particular point in time we did not
23 have that specific need to put her elsewhere, but
24 aside from that, I believed that the problem
25 immediately to be addressed was, that we were in

1 violation of our ecclesial expectation by our
2 people.

3 Q And how were you in violation of that?

4 A By having her teach future ministers in
5 School of Theology.

6 Q Well, wouldn't that have corrected that if in
7 fact it was the case?

8 A I did eventually offer her a different
9 assignment.

10 Q What was that? What do you say you offered
11 her?

12 A She was offered by Dr. Blaising an
13 opportunity to go to the library and be involved as an
14 instructor of writing.

15 Q Do you know if that was an area of expertise
16 for her?

17 A She has indicated before that she has written
18 successfully, she has some published materials.

19 Q And you do agree that Dr. Klouda was promised
20 a tenured process when hired, correct?

21 A No, I do not agree to that.

22 Q Oh, you don't?

23 A No.

24 Q What was she promised when hired, if
25 anything, then according to what you understand?

1 A She was told that she had been elected to the
2 faculty, with tenure possibility, but the documents
3 are very clear in the faculty handbook that that does
4 not mean that a tenure process has to ensue. The
5 administration may, if it sees best, terminate them
6 before that.

7 Q I -- I would have to agree that it doesn't
8 mean the tenured process has to pursue, but Dr. Klouda
9 was given conditions on which the tenured process
10 would be pursued; was she not?

11 A That's not my understanding.

12 Q So, for example, if I suggested that
13 Dr. Klouda was informed that as long as she maintained
14 certain scores on her evaluations that she would
15 continue on a tenured-process program, you would say
16 that's not what you understood?

17 A That is not my understanding, no.

18 Q What kind of security, if any, would a
19 professor have at Southwestern?

20 A Southwestern Seminary professors have the
21 same security that they do at any of our six
22 seminaries, which is, that as long as they operate
23 within the parameters of the purpose, mission and
24 statement of faith at the school and as long as there
25 are not extenuating difficulties of some kind that

1 arise that they can expect to continue as
2 professors.

3 Q What do you understand, Dr. Patterson, that
4 is provided to a professor once they have been given
5 tenure; what does that mean to you?

6 A Tenure guarantees to the professor a measure
7 of permanency.

8 Q Security?

9 A Security would be an acceptable word but
10 unfortunately in the history of upper-level education
11 in America, that tenure system oftentimes did not
12 include a system of tenure review. Our tenure system
13 includes a ten-year tenure review, so that tenure
14 itself is not a permanent situation necessarily.

15 Q So someone being hired at Southwestern that
16 says I think I will go to Southwestern and make
17 application as a professor because I've learned that
18 they have a tenure program over there?

19 A Uh-huh.

20 Q Now, that could happen, couldn't it?

21 A Yes.

22 Q And as I understand it from talking to some
23 friends of mine, that the requirement to make tenure
24 is to get acceptable evaluations every year and that
25 could happen, couldn't it?

1 A Well, that's in any institution you would go
2 into only one of many qualifications for tenure.

3 Q Did Southwestern layout the qual -- te
4 requirements for tenure when -- when, in your opinion,
5 when Dr. Klouda was hired there?

6 A When she was hired?

7 Q Yes.

8 A Well, of course I wasn't there to be able to
9 know, but I am told that she was given a faculty
10 handbook at that time and if she were given a faculty
11 handbook, they are very clearly stated.

12 Q What she had to do to reach tenure?

13 A Uh-huh.

14 Q And what is your understanding that she had
15 to do?

16 A I don't have it in front of me right now, but
17 the conditions are made clear in the information on
18 tenure.

19 Q Do you know of any of the conditions?

20 A Yes, there is a hope that the professor will
21 have published either an academic book or materials in
22 a peer reviewed journal -- journals. There is a
23 classroom efficiency and expectation. There are
24 spiritual considerations that go into it. And the
25 needs and the purposes of the seminary, to name a

1 few.

2 Q I'm sorry?

3 A To a name a few.

4 Q Do you know of any of those, other than the
5 fact that Dr. Klouda failed this requirement of -- the
6 fact that she was teaching men and you believe she
7 shouldn't have been, do you know of any other
8 requirements for tenure that she failed?

9 A The issue with Dr. Klouda is an issue of
10 ecclesial expectation of our Baptist people.

11 Q That -- that's according to you and we have
12 that very clear?

13 A That's correct.

14 Q Now, my question is: Is there anything else
15 that is a requirement for one to continue on a tenure
16 track that Dr. Klouda failed at?

17 A Not that I recall.

18 Q So as I understand you correctly,
19 Dr. Patterson, you're saying that even though the
20 Board of Regents votes to elect a professor, that you
21 have full authority to fire that professor?

22 A We have a board of trustees and --

23 Q Right.

24 A And the board of trustees gives to the
25 president the administrative responsibility of

1 superintending the faculty and the decision is made
2 with regard to them.

3 Q So again, even though the board of trustees
4 hires/elects a professor, you say that as the
5 president, you have the authority on your own to fire
6 a professor?

7 A Yes, that is true.

8 Q Is that spelled out anywhere?

9 A Yes, I think it is.

10 Q Where would that be?

11 A I think it's spelled out in the bylaws of the
12 institution.

13 Q So the bylaws do not suggest then that if you
14 want to terminate a professor that they have voted to
15 hire that you're to give written recommendations to
16 the trustees and -- and take it before the board of
17 trustees; is that right?

18 A That is correct. And I do not know whether
19 there is specific terminology in there regarding
20 "firing." I don't recall any such. But it is very
21 clear that the president ultimately has responsibility
22 for the faculty.

23 Q So did you make a written presentation to
24 the -- to the board of trustees with regards to
25 Dr. Klouda?

1 A I did not.

2 Q Why not?

3 A Because I'm not required to do that. The
4 bylaws make it clear, as do the -- as does the faculty
5 handbook, that there is a specific order of events to
6 take place in tenure and those do not have to take
7 place if in the -- if in the best judgment of the
8 administration for the school, it is best to not
9 continue a professor on tenured track and in
10 employment.

11 Q Turn to Page 53, if you would, please, of the
12 manual, do you see there where it says Notification?

13 A Uh-huh.

14 Q It says, In the event that one or more of the
15 above conditions for termination of tenure has been
16 established, the president shall give notice of
17 termination. Now, "shall" means that it is required,
18 right?

19 A Uh-huh.

20 Q Correct?

21 A Yes.

22 Q How did you fulfill that provision there with
23 regards to Dr. Klouda, shall give notice of
24 termination?

25 A You are reading under the subsection that has

1 to do with policy regarding removal of tenure for
2 cause.

3 Q Right.

4 A And she was not tenured and so it is not
5 applicable.

6 Q So when it says, For termination of tenure,
7 to me that means that she is on the tenured track and
8 she is being terminated "for tenure," am I wrong about
9 that?

10 A Yes, you're quite wrong.

11 Q Well, what does "termination for tenure" mean
12 then?

13 A Termination for tenure means that the person
14 has gone through tenure review on that tenure cycle
15 when he or she is a tenured professor and for some
16 reason the administration has deemed it to be a no
17 longer tenurable faculty member.

18 Q So would you agree, Dr. Patterson, that
19 Dr. Klouda's present -- presence at Southwestern
20 benefited the seminary a great deal?

21 A No, I would not agree with that.

22 Q You do agree that she was the guest lecture
23 at both the 57th and 58th annual meeting of the
24 Evangelical Theological Society?

25 A I don't know what that question means.

1 People, to my knowledge, at the Evangelical
2 Theological Society, they send out a general statement
3 to all faculty members who want to read a paper, and
4 if you want to read a paper, you apply and under
5 normal suggest -- under normal circumstances you are
6 invited as one of 2 or 300 others to read papers.

7 Q And she was invited; was she not?

8 A In that sense there that everybody is.

9 Q I thought you said one of 2 or 300?

10 A Yeah, but I mean, the invitation goes out to
11 every faculty member.

12 Q So you're just saying there's nothing to
13 that?

14 A I wouldn't say there's nothing to it, but
15 it's not -- except for the formal invitation that goes
16 to a plenary speaker, and to my knowledge, she did not
17 receive that invitation, then it -- then what she did
18 is merely commonly done among all evangelical
19 professors all over the country.

20 Q What about the grant that she got from the --
21 the Associations of Theological Schools, the Lilly
22 Grant?

23 A Uh-huh.

24 Q How many other professors at Southwestern
25 have gotten that grant?

1 A I do not know.

2 Q There aren't any, are there?

3 A I don't know.

4 Q No big deal?

5 A It's nice and I'm happy for her.

6 Q Do you have any idea what the grant was?

7 A No, I don't.

8 Q Do you know if it involved a -- a sum of

9 money?

10 A Usually they do.

11 Q For the seminary?

12 A For the seminary?

13 Q Yes.

14 A It may be that that was one of those grants

15 that ga -- that some money come to the seminary and

16 some to the professor, yes, that is possible.

17 Q But you don't know what, if any, it was?

18 A No, I do not.

19 Q Not important?

20 A I wouldn't say it's not important.

21 Q I read somewhere where you leased space to

22 the Republican party at seminary; is that an accurate

23 statement?

24 A Well, not exactly. Republicans, Democrats,

25 anybody else who will agree to our policies, not to

1 drink, not to smoke in our buildings can -- can have a
2 conference at the conference center. That's why we
3 built it, for conferences and anybody who wants to
4 rent it and will agree to our policies, welcome to
5 have a meeting there.

6 Q Have you ever had anyone request the
7 opportunity to rent it that's been turned down?

8 A Yes.

9 Q And was the Democratic party turned down?

10 A I do not know that -- if they were.

11 Q Who makes that decision?

12 A The decision was made by, at this particular
13 time, by Dr. Evan Lino, who is in charge of it and if
14 he has any serious question in his mind, he might come
15 to the administration and ask what we think about a
16 given situation. But the real rule is that what --
17 the people that get turned down most often and there
18 are very few that do, but people that get turned down
19 most often have not agreed to our stipulations about
20 drinking and smoking on the premises.

21 Q I read a statement also and would ask you if
22 it's true, where something to the effect that when
23 talking about women that you made the comment everyone
24 should own one?

25 A I thought we dealt with that earlier?

1 Q Not that statement.

2 A Didn't I deal with that?

3 Q No.

4 A That was not quite the statement that I made.

5 The statement that I actually made to the reporter was

6 when he asked me what does Paige Patterson think about

7 women? I said, "if -- if you ask my critics they

8 would tell you I think everybody ought to own one."

9 He was kind enough not to put all of that in the

10 quote.

11 Q Why do you think they would say that?

12 A Huh?

13 Q Why do you think they would say that?

14 A My critics?

15 Q Yeah.

16 A Because --

17 Q Of all of the things they could say, why do

18 you think they would say that?

19 A My critics do not agree with my theological

20 position and they have not always been the most

21 charitable in their representation of it.

22 (Exhibit No. 11 was marked.)

23 Q (By Mr. Richardson) Dr. Patterson, let me

24 hand you what has been marked as Exhibit No. 11?

25 A Uh-huh.

1 Q This is Associated Press SBC leader: Family
2 suffers when women choose career over children?

3 A Uh-huh.

4 Q First paragraph says Southwestern Baptist
5 Theological Seminary president Paige Patterson says
6 families need to be concerned that in America 60
7 percent of college students are female. He predicts
8 that in a few years men will be increasingly
9 underrepresented among the -- what's that word?

10 A Intelligenstia.

11 Q And will gradually cede leadership in many
12 areas to women. Now, why is it that you think that's
13 a concern?

14 MR. JOHNSON: Objection;
15 relevance.

16 Q (By Mr. Richardson) It says family needs to
17 be concerned, in the first sentence, why is it that
18 you say families needs to be concerned about that?

19 MR. SHARPE: Objection; relevance.

20 A If family is not concerned about fewer and
21 fewer of its older teenagers seeking a college
22 education, then they would not be concerned about
23 their young men in their families doing the very best
24 that they could do become apart of the thinking
25 public.

1 Q (By Mr. Richardson) I didn't actually see
2 the article but I heard a part of your speech,
3 Dr. Patterson, when asked about your position with
4 regards to battered women not seeking divorce; do you
5 remember that?

6 A Yes.

7 Q Would it be fair to say that your position is
8 that battered women -- what I got from it was, that
9 under no circumstances should seek divorce?

10 MR. JOHNSON: Objection;
11 relevance.

12 MR. SHARPE: Objection; relevance.

13 Q (By Mr. Richardson) Would that -- would that
14 be an accurate conclusion on my part?

15 A The Bible -- Jesus was asked what about
16 divorce and he said from the beginning it was not so.
17 God made them male and female, what God has put
18 together let no man put asunder. If I'm a follower of
19 Jesus, I have to have that position. I might counsel,
20 in a case of a battered woman, that she get away for a
21 period of time long enough for her husband to receive
22 some kind of help that would -- would change him. But
23 I am not at liberty as a follower of Jesus Christ to
24 counsel divorce under any circumstances. And when his
25 disciples came back and said well, what about Moses

1 A There are -- the Bible makes use of all forms
2 of poetic device just as normal speech does. And
3 certainly Jesus was not advocating self-violence
4 there. He was rather focusing on the seriousness of
5 sexual sin and that you have to take decisive action
6 in order to get ones self in control.

7 Q (By Mr. Richardson) And they're probably
8 right on their objection as to relevance, but you and
9 I are just talking here for a little bit.

10 A That's okay.

11 (Exhibit No. 12 was marked.)

12 Q (By Mr. Richardson) Let me hand you,
13 Dr. Patterson, what has been marked as Exhibit No. 12.
14 It's an article from the Baptist Press. It says
15 Patterson: Women are treasured by God, have high
16 calling. And it's dated October 25, '04. There were
17 rumors that when -- that women would not be allowed to
18 take classes with men at Southwestern Baptist
19 Theological Seminary when Paige Patterson became
20 president just over a year ago. In fact, there were
21 rumors that women would be drummed out of the theol --
22 theology school altogether. Were there such rumors?

23 A I'm not conscious of them myself, other than
24 that I read the press story myself. So I assume that
25 he must have known something.

1 Q Well, here you say, Patterson said he knew he
2 would have to speak to the rumors one day. That was
3 your response, right?

4 A Yeah.

5 Q So you must have known there were rumors,
6 right?

7 A Probably by that time I must have heard
8 them.

9 Q Okay. Why were such rumors going around
10 about you?

11 MR. SHARPE: Objection; relevance.

12 Q (By Mr. Richardson) If you know?

13 A I don't know, Counselor, you'd have to tell
14 me. I certainly never said anything that would give
15 rise to that, but my theological position is pretty
16 unpopular with the general public.

17 Q With regards to women?

18 A In regards to just about everything.

19 Q Well, I mean, but here they're talking
20 about -- they're not talking about your theological
21 positions on anything other than women here, are
22 they?

23 A Yes, my theological positions with regard to
24 the role of women in the home and church is
25 unpopular.

1 Q And the reason it's unpopular is because it's
2 not in -- in sync with the mass majorities of the
3 Southern Baptist Convention, right?

4 A Wrong. It is the position of the majority of
5 Southern Baptists, it's not in sync with our
6 post-modern ethos.

7 Q Well, but this is talking about those who
8 might be interested, is it not, in going to
9 Southwestern Baptist Theological Seminary, that's --

10 A Yes.

11 Q -- what this article is talking about?

12 A Uh-huh -- well -- while that's probably true,
13 the fact of the matter is, we have non-Baptist
14 students who come to the seminary also.

15 Q I understand. But what percentage would you
16 say are Baptist?

17 A I would say probably 94 percent.

18 Q Going on, Patterson said he knew he would
19 have to speak to the rumors one day. But I sort of
20 enjoyed watching the rumor mill work for a year, the
21 Texas seminary president said in chapel October 19th.
22 Every once in a while I've been known to feed one and
23 watch how far it goes. What's that about?

24 MR. SHARPE: Objection; relevance.

25 A Oftentimes when -- or not oftentimes, but

1 occasionally when someone would approach me with a
2 question that really wasn't a question but an
3 accusation, rather than responding to it, I would
4 simply look at them, and then they would go out and
5 spread the lie. And then, of course, when the truth
6 came out, then that didn't help their credibility
7 much, I don't think, but that's the thing to which I
8 am responding there.

9 Q (By Mr. Richardson) Who was it, in this
10 instance, that you were enjoying watching the rumor
11 mill work that was spreading a lie?

12 A Well --

13 MR. SHARPE: Objection; relevance.

14 MR. JOHNSON: Objection;
15 relevance.

16 A I don't have anybody in mind anyway, but I do
17 now remember that when I look at the date here,
18 October 25th, 2004, this is better than a year into my
19 presidency there when I addressed the issue in chapel.
20 And because so many people had expected me to come in
21 and make that a first order of business to -- to speak
22 to that, I simply did not do it. I had other things
23 that were more important for me to speak to at the
24 time. And so I waited to speak to it until the second
25 year. And that's why I had become, by that time,

1 aware of these rumors. I did not notice the date on
2 it a while ago, I'm sorry.

3 Q (By Mr. Richardson) On Page 2?

4 A Uh-huh.

5 Q About four paragraphs down it says, Patterson
6 asked if the equality of women with men means that a
7 woman can do anything she wants to do in the church.
8 For the answer, he turned to 1 Timothy 2:9-15.
9 Patterson described the passage as one of the most
10 hated in all of scripture?

11 A Uh-huh.

12 Q Because it runs counter to an American
13 culture that drives women to succeed in business and
14 other endeavors while spending less time concentrating
15 on family. Is that -- was that something you said?

16 A I don't remember --

17 MR. SHARPE: Objection; relevance.

18 Q (By Mr. Richardson) I'm sorry?

19 A I don't remember that I said that exactly
20 that way, but it is a pretty fair representation of my
21 position.

22 Q What can a woman do in the church, Patterson
23 asked after reading the passage. Anything she wants
24 to. Anything she wants to that is not expressly
25 prohibited in scripture?

1 A Uh-huh.

2 Q And that would be somewhat limited in your
3 view, would it not, seriously?

4 A No, I don't think it's limited at all. There
5 are limitations that are placed on all of us in life
6 and in what we do. And those -- those limitations are
7 never objectionable. It says that a woman may not be
8 an authority over men and cannot teach men. And
9 beyond that, I do not know of limitations, and surely,
10 surely, surely there's much more to do in the church
11 than those two things.

12 Q Well, why do you describe it as one of the
13 most hated scriptures in all -- in all of the
14 scriptures?

15 A Because it runs counterclockwise to the
16 post-modern theory.

17 Q But those with whom it runs counterclockwise,
18 would you agree are probably not even involved in the
19 scripture enough to No. 1, even know it's there. And
20 No. 2, even if it is, could care less? Wouldn't you
21 agree with that?

22 A I don't think it's a matter of caring less.
23 There are a whole group of egalitarians that are
24 claiming to be theologians and they write against this
25 position incessantly. So I would think they consider

1 it to be important.

2 Q Where it's hated, Dr. Patterson, is largely
3 within the gathering of -- of the Southern Baptist
4 Convention. It's strongly contested, is it not, by
5 many groups?

6 A Is that your opinion?

7 Q Yeah. I'm asking you if you agree with it?

8 A No, I certainly don't agree with it.

9 Q Okay. If it is hated, that is. I don't know
10 that I would agree that it's hated but --

11 A Yeah.

12 Q -- whatever the emotion is, I would say
13 largely is found in the Southern Baptist Convention.
14 You disagree?

15 A I don't find it there very much.

16 Q Do you know of any scriptures, Dr. Patterson,
17 that are -- were in support of Dr. Klouda's election
18 as a professor at Southwestern? Since you found --
19 since you have a scripture that you say specifically
20 is against it, do you know of any that would support
21 it?

22 A First, in fairness, you recall that I said
23 there is the one passage that's very specific, but
24 there is also the whole tenor of the biblical
25 narrative is very consistent in all that is said about

1 it. And so, in specific answer to your question, I
2 cannot think of a passage, to my knowledge, that would
3 support it.

4 Q Was Dr. Klouda involved in church governance
5 at all as a professor?

6 A Only to the degree that she would be a
7 participant in faculty meetings of the School of
8 Theology.

9 Q Was that in violation of anything as far as
10 the BF&M is concerned?

11 A Well, it's not the best situation by way of
12 example.

13 Q Was it in violation of any -- anything in the
14 BF&M?

15 A It could be.

16 Q What?

17 A It could be in violation, again, of a woman
18 serving in a position ruling and teaching men. And
19 she is serving as a faculty member, and therefore,
20 conceivably voting on issues with regard to the School
21 of Theology.

22 Q I'll ask you also, Dr. Patterson, if -- and
23 I -- I represent to you that I was told this, or I
24 wouldn't suggest that I thought it had any validity
25 otherwise, that when you went to Southwestern, that

1 you were told that one of the females, one of the
2 women there at Southwestern had spoken in chapel on
3 one or more occasions using one of the pulpits, and
4 that when you found out about it, that you had it
5 taken out and burned; is there any truth to that?

6 A Not even a whisker of truth.

7 Q Okay. Well, I wanted to ask you.

8 A Thank you for asking.

9 Q I'll help you put a -- a opposition to that
10 rumor.

11 A Thank you, sir.

12 Q Dr. Patterson, were you ever taught by any
13 women professors, let's first start with on any
14 subject?

15 A Yes.

16 Q And where would that have been, in college
17 or...

18 A Most of my teachers in grade school, junior
19 high school and high school were female, and then I
20 had some courses from females in Hardin-Simmons
21 University. I do not recall that I had any course
22 from a female in seminary.

23 Q And where did you attend seminary?

24 A New Orleans Baptist Theological Seminary.

25 Q Were there any women professors there?

1 A Yes, there were.

2 Q And were any of them in the School of
3 Theology?

4 A No, not to my memory. They were all in the
5 School of Religious Education, School of Music, and
6 Missions.

7 Q Do you know anything that you can think of
8 that would have caused that rumor to be -- that you
9 had a pulpit burned because some --

10 MR. SHARPE: Objection; relevance.

11 Q (By Mr. Richardson) -- female spoke behind a
12 pulpit? Do you know anything at all that would cause
13 something like that to be said?

14 MR. JOHNSON: Objection;
15 harassment.

16 A No.

17 MR. RICHARDSON: Let's take a break
18 and I'll try to wrap up.

19 THE VIDEOGRAPHER: We're off the
20 record at 4:01 p.m.

21 (A recess was taken from 4:01 to 4:18.)

22 THE VIDEOGRAPHER: We're back on the
23 record at 4:18 p.m. This is the beginning of Tape
24 6.

25 Q (By Mr. Richardson) Dr. Patterson, are you

1 aware of whether or not someone at the seminary who
2 works under you made the statement to Dr. Klouda that
3 she was a mistake that the trustees needed to fix?

4 A No, I'm unaware of anybody who made a
5 statement like that.

6 Q Is it -- do you have an opinion on whether or
7 not you think what's happened to Dr. Klouda has
8 damaged her professionally?

9 A No, I have no conclusion to draw about
10 that.

11 Q How about financially?

12 A I have no current idea about what her
13 circumstances are, so I could not answer.

14 Q Do you personally use female secretaries?

15 A Let's see, yes, at the present time I do have
16 two part-time students, but not as my major
17 secretarial force.

18 Q And it's been a number of years since you've
19 used females as full-time secretaries, right?

20 A It's been about eight to ten months.

21 Q You used to have female secretaries before
22 that?

23 A Yes, I had a female secretary who worked with
24 me until family problems forced her to move back with
25 her family in another city.

1 Q And you used female secretaries at
2 Southeast?

3 MR. JOHNSON: Objection;
4 relevance.

5 A Yes, I did.

6 Q (By Mr. Richardson) The Leadership
7 Development Center?

8 A Uh-huh.

9 Q Did you change the name that was going to be
10 placed on that center?

11 A The major donor, who gave the majority of the
12 money, asked that his father, who was a graduate of
13 Southwestern, that it be named for him, and that was a
14 reversal in his position. He had previously asked
15 that we name it for someone else. And when he asked
16 that that change be made, we did make it.

17 Q So it was the major donor that made the
18 decision initially as to what the name would be and
19 then he reversed that position?

20 A Well, he -- he made the request. The actual
21 decision to name, of course, would be with the
22 seminary, but under normal circumstances, the donor's
23 wishes would always be honored.

24 Q What was the name it was going to be
25 initially?

1 A It was going to be the Ralph Smith Center
2 initially.

3 Q And then it was changed to Harold Riley?

4 A Not Harold Riley, the -- Ray --

5 MR. DUESING: Ray Riley.

6 A Ray Riley, thank you. Harold Riley's
7 father.

8 Q (By Mr. Richardson) The next few minutes
9 here we have left I'm going to be just going through
10 documents and making sure I've covered everything I
11 want to cover so we may have --

12 A I understand.

13 Q -- a little longer in between questions.
14 Most of it I have covered. I would take it back,
15 Dr. Patterson, to the question I was asking about a
16 professor that was divorced, remarried and -- and
17 those of type things. That it would be your position
18 as well, that if you learned that one of your
19 professors openly acknowledged that they had
20 experienced the, what is called gift of speaking in
21 tongues, that you would also find that in violation
22 and terminate that professor?

23 A No, I have not said that.

24 Q No, I'm saying I would take it that you
25 would, and you're telling me no, you wouldn't?

1 A Not necessarily.

2 Q Would there be any circumstances under which
3 you would?

4 A Yes.

5 Q And what would that be?

6 A If that person were an evangelist for that
7 position, if he were openly advocating it to a point
8 that it was becoming adessive in the institution, then
9 I would have no other choice except to ask -- act.

10 Q But just the fact that he revealed that he
11 had experienced that and -- and did pray in tongues
12 would not be something that you would terminate him
13 for?

14 MR. JOHNSON: Objection;
15 relevance.

16 A Not necessarily.

17 Q (By Mr. Richardson) You testified earlier
18 that you made an offer to Dr. Klouda of working in the
19 seminary library?

20 A An offer was made to her, I did not
21 personally do it.

22 Q Who do you say made such an offer?

23 A Insofar as I know, it came from
24 Dr. Blaising.

25 Q Was anything about that ever put in

1 writing?

2 A I do not know. I think so, but I'm not
3 sure.

4 Q You haven't seen anything in writing?

5 A I have not seen it.

6 Q In Dr. Blaising's affidavit, he says this,
7 and I'll ask you if this is -- meets with your
8 understanding. He said, To satisfy theological
9 concerns of some of the trustees regarding
10 Dr. Klouda's nomination, three members of the board of
11 trustees and I wrote a limitation for the scope of
12 Dr. Klouda's employment, which is noted in the minutes
13 of the April 8th through 10th, 2002 meeting. Is that
14 what you understand?

15 A That is my understanding.

16 Q Did you ever talk to Dr. Blaising about the
17 issue of the limitation that they wrote?

18 A I'm sure we discussed it at some point.

19 Q What do you remember about that
20 conversation?

21 A Nothing other than that he confir --
22 confirmed what was there.

23 Q Did you ever ask him to let you see the
24 limitations that they had placed Dr. Klouda under?

25 A No, I did not ask him.

1 Q How was it that you were able then to judge
2 whether or not that would comply with her being
3 qualified?

4 A I did see them in the minutes.

5 Q Oh, you did see them?

6 A Uh-huh.

7 Q And you didn't agree that that was
8 sufficient?

9 A No, I -- I honestly felt that there was more
10 consideration that needed to be had for that item.

11 Q And why is it you felt that way?

12 A Because I did not feel like it was an
13 appropriate distinction made between exegesis and
14 exposition.

15 Q Did -- did they all agree with you?

16 A Yes, I think -- I can't speak for all, I
17 don't know what "all" means, but I can say that
18 Dr. Allen and -- and Dr. Blaising became increasingly
19 committed to the same perspective.

20 Q I have an article here, and I'm not sure we
21 have a copy of the article, it's dated January 19,
22 '07. And it's titled, Baptists at odds over removal
23 of female professor. Have you seen that article?

24 A I don't remember whether I saw this one or
25 not. I don't recall seeing it before. This is the

1 Dallas Morning News?

2 Q Yes. In this article, and it has your
3 picture on the front page?

4 A Uh-huh, not a very good one, I would say.

5 Q Well, I don't think it does you justice,
6 but...

7 A Well, maybe we don't want justice on that
8 subject.

9 (Exhibit No. 13 was marked.)

10 Q (By Mr. Richardson) We'll mark it as Exhibit
11 13. The third paragraph it says, But some
12 conservatives say Southwestern Baptist Theological
13 Seminary under Paige -- president Paige Patterson
14 wrongly applied the verse to remove from its faculty
15 Sheri Klouda, who until last year had been teaching
16 men Hebrew in the seminary School of Theology. Do you
17 see that?

18 A Uh-huh.

19 Q And that's talking --

20 A Yes. I'm sorry, yes, I do.

21 Q Okay. And if we want to go back, that's
22 talking about your decision to use 1 Timothy for the
23 purpose of concluding that Dr. Klouda did not qualify,
24 correct?

25 A Yes.

1 Q The controversy is yet another sign that
2 conservatives who in the late '70s and '80s united on
3 a platform of biblical inerrancy while winning control
4 of the Southern Baptist Convention, are seriously at
5 odds. Would you agree with that statements?

6 A No, that's Sam Hodge's opinion.

7 Q Yeah.

8 A Uh-huh.

9 Q You don't agree with it though?

10 A No.

11 Q Okay. Have you ever looked at the blog that
12 Wade Burleson, the pastor in Oklahoma has?

13 A I seldom pay any attention to blogs.

14 Q Have you ever looked at his blog?

15 A I think I've seen it a time or two.

16 Q Have you had, Dr. Patterson, any trustees
17 personally tell you that they object to what you did
18 in the case of Dr. Klouda?

19 A Not to my memory, no.

20 Q Here it says Dr. -- he, meaning McClain,
21 chairman, it's on Page 2?

22 A Uh-huh.

23 Q Confirmed that Dr. Klouda was told she would
24 not get tenure and was encouraged to find another job.
25 He would not say why, but Dr. McClain did say that

1 Dr. Klouda's hiring as a professor in the School of
2 Theology, which occurred before Dr. Patterson arrived
3 in 2003, represented a momentary lax of the
4 parameters?

5 A Uh-huh.

6 Q Southwestern, he said, has gone back to its
7 traditional, confessional and biblical position that
8 women should not instruct men in theology or biblical
9 languages. Would you agree with that statement
10 there?

11 A Yes, I would.

12 Q Gone back?

13 A Now, I'm not sure what the chairman means by
14 momentary lax of parameters, I think I know what he
15 means, but what I would agree with definitely, is that
16 we have gone back to the original position of the
17 school when B.H. Carroll and L.R. Scarborough founded
18 it.

19 Q What is it you think he means with this
20 temporary --

21 A I think he means --

22 Q -- momentary lax?

23 A -- that he believes that the trustees did not
24 think it through historically and theologically, and
25 that therefore, they made a commitment that, upon

1 better thought, they would not have done. But I don't
2 know what he means, that's something he would have to
3 tell you.

4 Q Down about the middle of the page,
5 Dr. Patterson, it says, Dr. Klouda says she was never
6 given any reason, other than her gender, for not
7 having her contract renewed. Would you agree with
8 that?

9 A Yes, as far as I know. But let me add to
10 that, however, that the issue is about the Baptist
11 Faith and Message statement and our understanding of
12 that.

13 Q Our meaning yours?

14 A Huh?

15 Q When you say "our understanding," would it be
16 fair to mean that you're saying your understanding?

17 A Well, I'm hardly alone in it, but yes.

18 Q During the time that Dr. Klouda was elected,
19 as I understand it, Ken Hemphill was the president?

20 A That's correct.

21 Q Is there a written policy today that you've
22 created that women can't teach the courses that
23 Dr. Klouda was teaching?

24 A No, there is no written policy.

25 Q And you would agree that there are some

1 somewhat significant people in the Baptist faith that
2 have taken pretty harsh issue with -- over with what
3 you've done with Dr. Klouda; would you agree with
4 that?

5 A I don't know, what's your definition of
6 "significant."

7 Q Well, actually I said harsh?

8 A Well, you said there was some pretty
9 significant people.

10 Q Yeah, right.

11 A So I mean...

12 Q Well, okay, that's fair. People -- well, for
13 example, here it says Eugene Merrill?

14 A Uh-huh.

15 Q Professor of Old Testament studies at Dallas
16 Theological Seminary, you know him, don't you?

17 A Yes, I know Dr. Merrill very well.

18 Q And he would be considered very significant,
19 was -- wouldn't he?

20 A Dr. Merrill has never been tremendously
21 active in Southern Baptist work as a whole. He
22 teaches at Dallas Theological Seminary, which is an
23 independent theological seminary. He is a member of
24 First Baptist Church in Dallas and a long-time friend.
25 And in this statement, he does -- does take issue with

1 me.

2 Q And he disagrees with you, doesn't he, on
3 what you did with Dr. Klouda?

4 A It appears that he did.

5 Q Dr. Patterson, Pastor Wade Burleson sent you
6 an E-mail back in January of '07?

7 A Uh-huh.

8 Q Do you remember that?

9 A No, but I don't doubt it.

10 Q And would you agree that Dr. -- that Wade
11 Burleson is a rather significant person in the
12 Southern Baptist Convention?

13 A No, I would not.

14 (Exhibit No. 14 was marked.)

15 Q (By Mr. Richardson) I mean, how many -- he's
16 been president, has he not, of the Southern Baptist
17 Convention in Oklahoma?

18 A Yes, he did serve in that capacity.

19 Q He served on the Foreign Mission Board; did
20 he not?

21 A Yes, in great upheaval.

22 Q And -- and -- but he did serve; did he not?

23 A He did serve until he resigned recently.

24 Q Yeah. But you wouldn't consider him somewhat
25 significant?

1 A Not particularly, no.

2 Q In the E-mail that he sent you, he says, You
3 will be able to tell that I take issue with your view
4 of women not being able --

5 MR. JOHNSON: Can I have a copy,
6 please?

7 MR. RICHARDSON: Oh, I'm sorry.

8 MR. JOHNSON: Thank you.

9 Q (By Mr. Richardson) I take issue with your
10 view of women not being able to teach men Hebrew and
11 theology in our convention's in the schools of
12 theology. I do not believe there exists a scriptural
13 basis for such a prohibition, and your actions in
14 removing Dr. Klouda have caused a tremendous amount of
15 hurt in the family of one of the brightest female
16 academicians our convention has ever produced. Did I
17 read that correctly?

18 A Yes, academicians is the word there.

19 Q Okay. And are you familiar with -- do you
20 know Dr. Wade Burleson's father Paul Burleson?

21 A Yes, I do.

22 Q And he's another fairly significant person in
23 the Baptist Convention, isn't he?

24 A Again, the term "significant" is very
25 notoriously difficult to define, sir.

1 Q Did you get any other similar E-mails to
2 this?

3 A Protesting that action?

4 Q Yes, sir.

5 A Probably one or two.

6 Q I was looking for that word you just
7 pronounced and I was going to ask you to define it for
8 me, but I don't see it.

9 A You're looking for academicians?

10 Q Yes.

11 A You will find it there somewhere.

12 Q Oh, okay. I think I know what it means after
13 seeing it.

14 A Uh-huh.

15 Q I just don't know how to pronounce it.

16 (Exhibit No. 15 was marked.)

17 Q (By Mr. Richardson) Let me hand you Exhibit
18 15?

19 A Uh-huh.

20 Q The title of this is Sheri Klouda: Gender
21 Discrimination, Federal Law and the Law of Christ,
22 right?

23 A Yes.

24 Q Have you read this article?

25 A I have not.

1 Q Did you receive it from Dr. -- I mean, from
2 Wade Burleson?

3 A Possibly so, I have not seen it, until now.

4 Q Do you take issue with Wade Burleson being as
5 vocal as he is about this situation involving
6 Dr. Klouda?

7 MR. SHARPE: Objection; relevance.

8 A Being a Baptist, anybody has a right to do
9 anything he wants to do and say anything he wants to
10 say, and I uphold Dr. Burleson's right to do that.
11 But I also believe that commensurate with that right
12 is a responsibility to act responsibly.

13 Q (By Mr. Richardson) And is it your position
14 he has not acted responsibly?

15 A I do not think Wade Burleson has acted
16 responsibly.

17 Q Would you think that in regards to the issue
18 of -- of women in the church, that you and Paul
19 Pressler have acted responsibly for the convention?

20 A I certainly hope we have, we've done our very
21 best.

22 Q And -- and I think you would agree that --
23 that Wade Burleson would feel that he's done his very
24 best, wouldn't you?

25 A Yes, he probably does, uh-huh. I'm not

1 judging his heart. That's known only to God. That's
2 something that he does fairly regularly with regard to
3 me.

4 Q On Page 1595?

5 A Yes.

6 Q In view of the time, I'll try to rush through
7 this, but the third paragraph down it says, There it
8 is. There is the narrow, biblical interpretation that
9 says it all and causes our convention some serious
10 problems. No woman shall have authority over a man.
11 Did I read that correctly -- correctly?

12 A Yes.

13 Q And he's saying here that in his opinion,
14 that you have gone far beyond the prohibition of women
15 pastors?

16 A Uh-huh.

17 Q Right?

18 A Apparently that's what he's saying.

19 Q And, of course, you disagree?

20 A Yes.

21 Q According to Patterson's rigid and narrow
22 interpretation of the Bible, it is wrong for a woman
23 to serve in any position of authority over a man; is
24 that an accurate statement?

25 A In the church, yes.

1 Q How about anywhere else?

2 A Well, I don't take a position about anything
3 else, because the Bible is not crystal clear on it.
4 The Bible does say in the Book of Isaiah, that it is
5 something of an indication of a wicked society when
6 women rule over them.

7 Q In the handbook manual, Dr. Patterson, on
8 Page 33?

9 A Yes, sir.

10 Q The second paragraph, first sentence it says,
11 Faculty members who serve at Southwestern Seminary
12 believe God has called them and they recognize their
13 service to the institution as a vital part of their
14 fulfillment of God's calling. So would you say that
15 Dr. Klouda falls into that category, that she believes
16 God called her to Southwestern Seminary to fill the
17 position that she was there to fill?

18 A I can't speak for Dr. Klouda, but I would
19 think that if she accepted that position, that would
20 be her position.

21 Q And the board of trustees, likewise, prayed
22 that she was the person and -- and determined that she
23 was the person for that position?

24 A I was not there to be a part of that.

25 Q And then you come in and remove her?

1 A That is correct.

2 Q It's almost like, would you agree, that if
3 you're right, then Dr. Klouda was wrong about
4 believing God led her there, and the board of trustees
5 were wrong about believing that they were doing God's
6 work by putting her there?

7 MR. SHARPE: Objection --

8 Q (By Mr. Richardson) Right?

9 MR. SHARPE: -- relevance and
10 speculation.

11 A Counselor, you paint a picture that's
12 absolutely normal. People often disagree about what
13 God is telling them to do.

14 Q (By Mr. Richardson) And -- and my point is,
15 is that in this instance, I'm talking about this
16 instance, not a lot of other times, but Dr. Klouda and
17 the board of trustees, who I think we can assume made
18 it a prayerful decision for Dr. Klouda to fill the
19 position she was filling?

20 A Uh-huh.

21 Q And then you came in and reversed that. And
22 would you have to agree that, with your biblical
23 beliefs as -- as I believe they are, that somebody
24 messed up in thinking they knew what God was leading
25 them to do?

1 A Well, technically, I did not remove her.
2 Technically, what was said to her was that she would
3 not be receiving tenure and we suggested she look for
4 another place to go. Technically, she resigned and
5 accepted another position.

6 Q Well, I -- I believe we've already well
7 established in the record that you reversed the
8 decision that was made by the board of trustees. I
9 mean, I think the -- the record is clear on that. And
10 that being the case, either you were wrong or
11 Dr. Klouda was wrong in -- in feeling the call of God
12 to fill that slot, and the board of trustees were
13 wrong in filling the call of God to -- to make that
14 slot available to her?

15 MR. SHARPE: Objection; relevance.

16 Q (By Mr. Richardson) Somebody had to be
17 wrong, didn't they?

18 MR. SHARPE: Objection; relevance.

19 Q (By Mr. Richardson) You don't know?

20 A Sometimes it's not just a question of --
21 that's a philosophical conundrum we call it, in
22 philosophy, that says if not A, then necessarily B.
23 And that's always a philosophical error.

24 Q Well, I'm going by what the manual says,
25 where it says faculty members who serve at

1 Southwestern Seminary believe God has called them and
2 they recognize their service to the institution as a
3 vital part of the fulfillment of God's calling. Did
4 you question Dr. Klouda about whether or not it was a
5 prayerful decision that caused her to come there?

6 A No, I did not.

7 Q Did you question any of the board of trustees
8 as to whether or not it was a prayerful decision for
9 them to make that position available for them?

10 A I did not.

11 Q If you'll look at Page 37 of the manual, I
12 guess the last document?

13 A Yes, sir.

14 Q You'll see where I was under the impression
15 that the student evaluation took place once a year?

16 A Yes.

17 Q Is that correct?

18 A That is correct.

19 Q Okay. And I think I had wrongfully said the
20 administrators did it once a year?

21 A Yes, you may have. I don't know, but the --
22 it is true, faculty -- students do it annually.

23 MR. RICHARDSON: Why don't we take a
24 break for about five minutes and I'll wrap up pretty
25 quickly. And then y'all don't have to sit and watch

1 me go through the rest of the stuff. Is that okay?

2 MR. JOHNSON: Five minutes and then
3 what?

4 MR. RICHARDSON: I'll wrap up and
5 then you-all don't have to sit and watch me going
6 through these papers real quickly. I may be through,
7 but I don't know. You don't need to sit there and
8 video --

9 THE VIDEOGRAPHER: We're off the
10 record at 4:53 p.m.

11 (A recess was taken from 4:53 to 4:55.)

12 THE VIDEOGRAPHER: We're back on the
13 record at 4:55 p.m.

14 MR. RICHARDSON: Dr. Patterson, I
15 believe that's all the questions I have for you today.
16 Thank you very much. Thank you.

17 THE WITNESS: Thank you, sir.

18 MR. SHARPE: Thank you very much.

19 THE VIDEOGRAPHER: We're off the
20 record at 4:55 p.m.

21 (Deposition concluded at 4:55 p.m.)
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1 CHANGES AND SIGNATURE

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I, LEIGHTON PAIGE PATTERSON, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above:

LEIGHTON PAIGE PATTERSON

THE STATE OF _____)
 COUNTY OF _____)

Before me, _____, on this day personally appeared LEIGHTON PAIGE PATTERSON, known to me (or proved to me under oath or through _____) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 200__.

NOTARY PUBLIC IN AND FOR
 THE STATE OF _____

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF TEXAS
3 FORT WORTH DIVISION

4 DR. SHERI L. KLOUDA)
5)
6)
7 versus) CIVIL ACTION NO. 4-07CV-161-A
8)
9 SOUTHWESTERN BAPTIST)
10 THEOLOGICAL SEMINARY,)
11 and LEIGHTON PAIGE)
12 PATTERSON)

13 *****
14 REPORTER'S CERTIFICATION/FILING CERTIFICATE
15 ORAL DEPOSITION OF LEIGHTON PAIGE PATTERSON
16 TAKEN ON FEBRUARY 25, 2008
17 *****

18 I, VANESSA S. ROBERTSON, Certified Shorthand
19 Reporter in and for the State of Texas, hereby certify
20 pursuant to the Federal Rules of Civil Procedure
21 present to the following:

22 That this deposition transcript is a true record
23 of the testimony given by LEIGHTON PAIGE PATTERSON,
24 the witness named herein, on FEBRUARY 25, 2008 after
25 said witness was duly sworn/affirmed by me.

26 That the deposition transcript was submitted on
27 the _____ day of _____ 2008 to
28 MR. ROLAND JOHNSON, for examination, signature and
29 return to me by _____, 2008.

1 That the deposition transcript _____ was
2 returned to U.S. Legal Support on _____, 2008
3 was properly executed by the witness to the deposition
4 officer, and the attached change/correct sheet
5 contains any changes, and the reasons therefore, made
6 by the witness.

7 That the deposition transcript _____ was not
8 returned to the deposition officer by the witness.

9 That the original deposition transcript, or a
10 copy thereof, together with copies of all exhibits,
11 was delivered on the _____ day of _____, 2008
12 to MR. GARY RICHARDSON for the safekeeping and use at
13 trial.

14 That the amount of time used by each party at the
15 deposition is as follows:

16 MR. GARY RICHARDSON - 5 hours, 12 minutes

17 That pursuant to information given to the
18 deposition officer at the time said testimony was
19 taken, the following includes counsel for all parties
20 of record:

21 MR. GARY RICHARDSON, Attorney for Plaintiff.

22 MR. ROLAND JOHNSON, Attorney for Defendant.

23 MR. SHELBY SHARPE, Attorney for Defendant.

24 MS. JO ANN MERICA, Attorney for Plaintiff.

25 MR. SHANNAN GOSS, Attorney for Defendant.

1 That a copy of this certification was served on
2 all parties shown herein.

3 Certified to by me this _____ day of _____
4 A.D., 2008.

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10 _____
VANESSA S. ROBERTSON, CSR

11 TEXAS CSR 4930

EXPIRATION DATE: 12/31/09

12 FIRM REGISTRATION NO. 343

13 U.S. LEGAL SUPPORT

5910 NORTH CENTRAL EXPRESSWAY

14 SUITE 100

DALLAS, TEXAS 75206

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