

SCHILLER & SCHILLER PLLC

A Professional Limited Liability Corporation

MARVIN SCHILLER
DAVID G. SCHILLER
KATHRYN H. SCHILLER

CAROL M. SCHILLER
RETIRED

ATTORNEYS AT LAW
PROFESSIONAL PARK AT PLEASANT VALLEY
5540 MUNFORD ROAD • SUITE 101
RALEIGH, NORTH CAROLINA 27612

TELEPHONE: (919) 789-4677
FACSIMILE: (919) 789-4469

26 June 2009

Mr. Drew Nelson
Office Of Legal Affairs
Assistant General Counsel
Holladay Hall 304D, Box 7008
NCSU Campus
Raleigh, NC 27695

RE: Mary Easley

Dear Mr. Nelson:

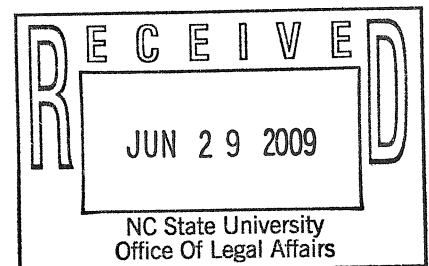
Thank you for taking the time this afternoon to discuss with me the issues that are the subject of this letter.

I have reviewed the web version of NCSU's Policies, Regulations and Rules with respect to grievance procedures applicable to an EPA employee. In particular, I have reviewed Section 5.25.1, "3. FILING A GRIEVANCE." With respect to the filing of a formal grievance, Section 3.1 presents puzzles. The section does not appear to completely address Ms. Easley's situation. The section does not identify the person and physical location of the Chair of the Faculty. It is likewise unclear as to whether or not the Board of Trustees or individual members thereof are "persons against whom the grievance" may be filed.

The grievance procedures may not even be up to date. The website indicates that the procedures were last revised on January 31, 2008. In addition, the grievance procedures do not provide a time frame within which to proceed with the initial step of 3.1. There are a number of "dead links" on the personnel policies page of the website.

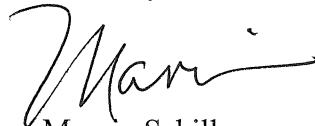
Ms. Easley has not to date been provided with a copy of the grievance procedures. It is my considered view, under North Carolina law and the Constitutions of the United States and North Carolina, that any time limitation for initiating a grievance does not begin to run until the employee is provided with the grievance procedures.

I trust that we will be able to confer further and to have a face-to-face conversation, if necessary, in order to reach an agreement as to the proper process and procedures applicable to Ms. Easley's situation. I look forward to hearing from you on an early date so that we can make progress toward this end.



Finally, please accept this letter as notice that Ms. Easley is appealing her dismissal both with respect to the termination of her contract and with respect to any severance, notice, or hearing which she may be due under NCSU's policies, regulations and rules.

Sincerely,



Marvin Schiller

cc: Stephen Smith