



# The GW Hatchet

AN INDEPENDENT STUDENT NEWSPAPER • WWW.GWHATCHET.COM

VOL. 98 No. 36

SERVING THE GEORGE WASHINGTON UNIVERSITY COMMUNITY SINCE 1904

THURSDAY, JANUARY 17, 2002

## Judge declares mistrial in GW lawsuit

by **Kate Stepan**  
Senior News Editor

A D.C. Superior Court judge declared a mistrial Dec. 19 in a discrimination suit that would have cost GW \$42,000 in damages for charges against Athletic Director Jack Kvacz.

Judge Joan Zeldon threw out the case because the jury issued "conflicting verdicts" in response to two key questions she issued. Jurors answered "no" to the question of whether discrimination occurred. But in the second question the jury said Jacqueline Jenkins was forced to quit, or "constructively discharged" from, her position as head athletic trainer because of discrimination.

"In a sense we won money," plaintiff lawyer Meredith Frances said in an interview. "But the

judge cannot enforce the verdict." Jenkins filed suit in May 2000 after leaving GW because of what she called gender discrimination when she was unable to assign herself to work with the men's basketball team.

Jenkins' lawyer Michael Kane argued in court that Kvacz conspired with former head basketball coach Tom Penders to assign Chris Hennelly, a former assistant trainer, to the position.

Hennelly currently serves as head athletic trainer and works with the men's basketball team.

Kvacz shook his head in court when Kane accused him of telling Jenkins she couldn't work with men's basketball because of "a gender issue" and denied during testimony that he made that statement.

"As you will see, the old boys'

network was at play," Kane said in court. "When Jackie went to interview about the position of head athletic trainer, the decision had already been made by old friends. The die had been cast, but Jackie didn't know that."

Kvacz testified that Jenkins accepted the job knowing that she would not be able to work with the men. GW athletic officials testified that they had planned to put the new head trainer, regardless of gender, with the women's basketball team during the 1999-2000 season, Jenkins' first season as head trainer, to increase morale.

The women's basketball team had failed to make the NCAA Tournament the year before, Kvacz said, and needed a morale boost because of coaching problems.

Kvacz and GW have two

weeks to file post-trial motions for a verdict in their favor, according to the court order issued Dec. 20. Plaintiff lawyers can then respond. Unless the defense wins a motion, the case will be retried.

Zeldon will decide if there will be a retrial at a status hearing scheduled for May 17.

"We're assuming they're going to have a new trial," Frances said.

She said lawyers could not speak with jurors to find out how they reached the unusual verdict.

Jenkins, who worked six years as an assistant trainer, sought damages because she said she was denied career and personal rights by being unable to work with men's basketball, the premier sport at GW.

During the trial, Kane said Jenkins filed a grievance with GW

but was ignored.

Defense attorney Karen Khan said during her closing statement that Jenkins "had no right" to assign herself to the men's basketball team.

"This is a promotion to the premier position, head athletic trainer," Khan said, adding Jenkins admitted during testimony that Kvacz and Assistant Athletic Director Susie Jones had the right to change her assignment. "This case is about an athletic director and assistant athletic director making a decision about one of their teams."

GW law professor Michael Selmi said it is becoming "increasingly frequent" to ask juries two questions to determine a discrimination case.

See **LAWYERS**, p. 13

## Room blaze traps two

by **Heather Sala**  
Senior Staff Writer

Two Delta Gamma members were trapped in a burning Statesman apartment after waking to the smell of smoke early Tuesday morning in a blaze that destroyed most of their possessions.

Lt. Kevin Stuart, a fireman who responded to the scene, said a cigarette or other smoking material caused the fire and the smoke detector did not sound in the 2020 F St. building.

Junior Mary Tess Driver and senior Kerry Robert called 911 after smelling the smoke at about 5 a.m.

Forty-three firemen arrived in seven fire trucks about 20 to 30 minutes after the students made the call and a building-wide fire alarm was tripped, Robert said.

Stuart, one of the first to arrive, said the firefighters forced their way into the locked fifth floor apartment.

"We didn't know there were any victims in there," he said.

The firefighters found the women in a back bedroom, where Stuart said "the smoke was literally down to the floor level."

"They basically had their faces up to the windows trying to breathe," he said.

Robert said Driver helped her to the window to breathe and they were covered head-to-toe in soot. She said they both went to the hospital for smoke inhalation and minor burns.

The entire apartment was

See **43**, p. 13



**WELCOME**  
Meggie Baker (l.) and Jessica Glynn "paddle" their way through the Student Activity Center-sponsored game night at ESPN Zone Tuesday. The event was part of Winter Welcome Week. The week continues with ice skating Friday and a Sunday Mount Vernon brunch.

Chris Zarconi/Hatchet staff photographer

## GW makes housing change

by **Rati Bishnoi**  
Hatchet Reporter

GW housing officials have eased off a new requirement that all sophomores live in campus housing next year by making it easy for students to claim exemptions.

The University will now allow sophomores to move off campus by signing a form indicating they cannot afford to live in a residence hall or have another extenuating circumstance, housing officials decided over winter break.

Unlike five previously standing exemptions to housing rules, no evidence is required for students to be exempt under the new provision. It is based solely on a form submitted by the student that pledges truth of financial difficulty or other hardship.

The new exemption will only be offered this year, Dean of Students Linda Donnels said. In the future, Donnels said, the University will use electronic databases like Banner Web to verify applications and other exemptions will be clearly categorized.

"This is a victory for students," Residence Hall Association President Noel Frame said. "A lot of students were concerned because they had already prepared themselves to live off campus."

Frame said the exemptions will be "fairly liberal."

But the new decision is a step back for neighborhood residents who have fought to get GW to house more students on campus.

See **SOPHOMORES**, p. 7

## Thieves steal instruments

**Padlocks found cut, seven file reports with police**

by **Trevor Martin**  
News Assistant

Music students reported thousands of dollars worth of stolen equipment to University and Metropolitan police this week.

Several students said they returned from winter break to find their Phillips Hall lockers broken into and their instruments gone.

The lockers were stripped of their combination locks and left with dents that showed forced entry, students said. Students rent the lockers from GW and use their own combination locks to secure them.

Sophomore Sydney Solow said she lost a viola, two bows and a set of strings she estimates are

worth \$3,000 in total.

"It's like losing a child. Instruments are very personal and hard to replace," she said.

**It's like losing a child. Instruments are very personal and hard to replace.**  
—Sydney Solow  
sophomore

Solow said about 14 other instruments were stolen, including violins and trumpets students use for lessons in the music department.

Senior John Schwartz said the

music department confirmed that about 15 instruments were stolen. Music department officials were unable to provide a total.

UPD Director Dolores Stafford said seven students have reported missing instruments but she is not sure of the total value of stolen goods or how many instruments were stolen.

Schwartz said his violin and bow, which he estimated at \$7,000, were stolen. Students said this is not the first time instruments have been stolen from lockers.

"This time last year two girls had two flutes stolen out of the lockers, and the University didn't seem to do much," Solow said.

See **STUDENT**, p. 13

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