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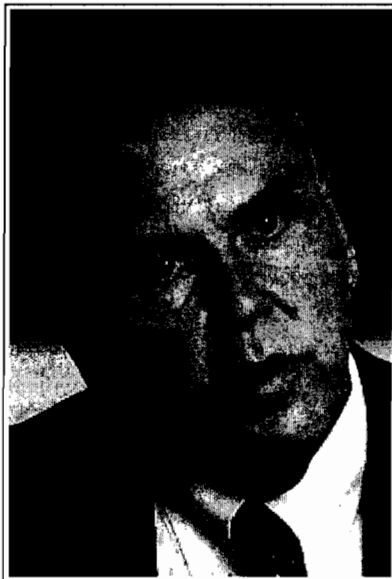
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Ex-ASC president, college mum on settlement details



Richard Wueste

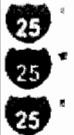
By ERIN SMITH
THE PUEBLO CHIEFTAIN

ALAMOSA - Former Adams State College President Richard Wueste said Thursday that he has received "substantial dollar damages" from the state for his October 2005 firing.

Neither Wueste, who said he received the settlement check Wednesday, nor ASC would divulge the amount of the settlement.

Julie Waechter, ASC public information officer, said the college was insured for the costs.

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"The state risk management division settled this matter. No institutional funds were paid in settlement," Waechter said Thursday. "Adams State College does not yet have anything documenting the details of the settlement."

In a Dec. 26 press release, ASC announced the resolution of differences arising from Wueste's firing and said a federal lawsuit he filed in federal court would be dismissed as part of the settlement.

"The parties agree that continued litigation could have a divisive effect on ASC and the surrounding community. The parties also recognized protracted litigation might distract from the primary task of ensuring that ASC is the premier institution of higher learning in Southern Colorado," the ASC statement noted.

Wueste called the December announcement premature.

The deal, he said, wasn't "real" until the warrant for payment was issued on Jan. 3. The settlement was not formalized, he said, until his lawyer picked up the check in Denver.

Wueste said he wanted a healing period.


"I love this school. My beef never was with anything but the board and a couple of people who worked with them," Wueste said.

Wueste was hired in February 2004 on a three-year contract. In July 2005, shortly before he was placed on leave, his salary was increased by \$10,000 to \$170,000 a year.

The nine-member board of trustees fired him three months later, citing a loss of confidence in Wueste by administrative staff and several other reasons.

Wueste filed suit against the trustees in December 2005 over his firing.

"Between June 2005 and the present, the Adams State College Board of Trustees has spent a significant amount of taxpayers' money, retaining at least seven attorneys to argue that both the board and its individual members were beyond the reach of the law and immune from lawsuit," Wueste said.



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Last July, U.S. District Judge Richard Matsch denied the trustees' bid to dismiss the case. He also ruled that the trustees could be held personally liable for their actions.

After mediation, a settlement was reached.

Wueste said the damages were not a replacement of wages and salary but damages for the trustees not allowing him due process and reasonable treatment.

"The only humor, if any, is this could have been handled civilly at the beginning. I never suggested a board of trustees could not change leadership, but they needed to honor a contract (which would have ended in March), talk in a civil manner and settle it," Wueste said.

Wueste, who said he plans to stay in the area, has been working as a consultant.

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College says Wueste lawsuit settled

BY HEW HALLOCK

Final agreement may be pending

ALAMOSA — In a brief statement released yesterday, officials at Adams State College announced that the college's Board of Trustees had settled a lawsuit brought against the college by its former president, Richard Wueste.

The statement said, "pending litigation filed by Wueste in U.S. District Court will be dismissed and all other issues are concluded."

Wueste said yesterday he was unaware a final agreement had been reached. "I haven't seen a check or a final document," Wueste said. He said he understood the State Claims Board had to review the agreement before it could be finalized and submitted to the court.

The State Claims Board is made up of the Executive Director of the Department of Personnel, the State Treasurer and the Attorney General. Its purpose is to review financial settlements with former state employees.

Wueste also said he had been advised by his attorney and attorneys for the state not to say anything about a settlement or its provisions.

A spokesperson for the college had no further information about the settlement.

The trustees dismissed Wueste as president of the college in October of 2005.

The lawsuit was filed in December 2005. It claims he was denied due process and the ASC trustees willfully breached his employment contract. He is seeking damages for lost earnings, damage to reputation, emotional distress, punitive damages and attorney's fees.

In July of this year, U.S. District Judge Richard Matsch ruled that Wueste's claim that the trustees violated his constitutional right of due process could proceed in court, allowing the trustees to be questioned in deposition, under oath.

Matsch dismissed Wueste's second claim that the trustees breached his employment contract.

After Wueste's dismissal, the trustees named Dr. David Svaldi as interim president. This past June, Svaldi was appointed president.

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