

# Threat to Academic Freedom: Censored Professor Civil Rights Lawsuit Against Florida Atlantic University

By [Louis Leo IV](#)

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[Florida Civil Rights](#) 28 December 2016

Region: [USA](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

*Former FAU Professor James Tracy, who was terminated from his tenured faculty position in January 2016 in retaliation for his personal blogging, has amended his federal lawsuit following a federal court ruling dismissing part of his lawsuit, including his due process claims and state law claims against FAU faculty union representatives.*

**Professor Tracy's amended complaint** now consists of only five federal counts against the Defendant University and one count for breach of contract. Two of Professor Tracy's remaining federal counts under Section 1983 are also levied against three senior FAU officials, in their personal capacities, including FAU's President John Kelly, Vice Provost Diane Alperin, and Dean Heather Coltman. One count for conspiracy to interfere with Professor Tracy's civil rights remains against the Defendants United Faculty of Florida ("UFF") and Florida Education Association ("FEA"), and Professor Tracy's faculty union representatives, UFF-FAU President Robert Zoeller, Jr. and UFF/FEA Service Unit Director Michael Moats.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 9:16-cv-80655-RLR**

JAMES TRACY,

Plaintiff,

v.

**JURY TRIAL DEMANDED**

FLORIDA ATLANTIC UNIVERSITY  
BOARD OF TRUSTEES, a/k/a FLORIDA  
ATLANTIC UNIVERSITY; JOHN W. KELLY,  
President of Florida Atlantic University;  
HEATHER COLTMAN, Dean of Florida Atlantic  
University; DIANE ALPERIN, Associate Provost  
of Florida Atlantic University; FLORIDA  
EDUCATION ASSOCIATION; UNITED  
FACULTY OF FLORIDA; ROBERT  
ZOELLER, JR., President of United Faculty of  
Florida, Florida Atlantic University; and  
MICHAEL MOATS, Service Unit Director  
of United Faculty of Florida.

Defendants.

**SECOND AMENDED COMPLAINT**

COMES NOW Plaintiff, JAMES TRACY, by and through the undersigned counsel, and complaining of Defendants FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES; JOHN W. KELLY; HEATHER COLTMAN; DIANE ALPERIN; FLORIDA EDUCATION ASSOCIATION; UNITED FACULTY OF FLORIDA; ROBERT ZOELLER, JR. and MICHAEL MOATS; states as follows:

**Introduction**

1. Plaintiff, Professor James Tracy, is an award-winning American academic who was

The amended lawsuit adds several new exhibits, including e-mail communications and internal notes recorded by senior FAU officials and representatives, showing the conspiracy to violate Professor Tracy's civil rights. It can be viewed [here](#).

*Dr. James Tracy is an award-winning American academic with expertise in communications, media and conspiracy studies, who was awarded lifetime tenure by Florida Atlantic University in 2008. He holds a Ph.D. in mass communications and taught courses at FAU in Communications, including a course entitled Culture of Conspiracy.*

The lawsuit seeks Tracy's reinstatement other forms of equitable and monetary relief.

Inquiries may be directed to [info@floridacivilrights.org](mailto:info@floridacivilrights.org).

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