

WITNESS STATEMENT

MRS CHARLOTTE JOACHIMOWICZ

1. I, Charlotte Joachimowicz reside at 5 Duke Court, Park Ridge, New Jersey, 07656, United States. I am an American Citizen and was born in 1927. I am a visual artist and former professional dancer who toured throughout the United States as a part of the Rodgers and Hammerstein Company as well as internationally with the Chandra Kaly Dance Company.

2. I was married to Siegfried "Siggy" Joachimowicz, a holocaust survivor and a naturalized US citizen for just over fifty years. Siegfried died 6 December 2005 after being seriously ill for many years. Dr. Howard Fredrics, is married to my daughter Lori, our only child

3. I have known Howard Fredrics since 1991. Howard is extremely hard working, honest, personable and has a wide circle of friends. Although I was aware that Howard had depression, he was able to function extremely well professionally and attain international acclaim for his work from which his family, myself included, derived much pride. He maintained steady employment dating from prior to being awarded a Doctorate of Musical Arts until he was dismissed from Kingston University in 2006.

4 Howard had close, caring and warm relationships with his now deceased parents, extended family as well as with my husband and me, which continues to this day. We are constantly in touch with despite his having resided in London since 2002. I have the highest regard for Howard and I hope the court would take note that Howard maintained excellent and uninterrupted relationships with all of his family in the USA in addition to his parents, including grandparents, aunts, uncles, and cousins both by blood, marriage and adoption. It should be noted by the court that there were absolutely no breaks or rifts of any significance between him and any family members. He also established excellent relationships, since moving to London in 2002, with our cousins in the UK and they speak highly of him when I receive calls from them. In addition to his good relationships with

family members he has maintained many, many long-term friendships a number of which date back to his childhood. I attribute Howard's extraordinarily good and long lasting relationships with others to his inclination to attribute good intentions to others despite their actions, his accepting nature, and his genuine interest in the welfare of others. It is unfathomable to me that Howard, who has maintained such excellent long-term relationships with so many, could have been responsible for a breakdown of relationships with his colleagues

6. My husband, Siegfried, suffered from multiple diseases and conditions including renal failure, cancer and heart disease. At the end of his life, I was his primary care giver. During Howard's marriage to Lori, I received significant assistance from my son-in-law with regard to my husband's illnesses. Howard took a considerable interest in the highly complex coordination of my husband's medical care, including researching cutting edge medical techniques, the best doctors and treatment centers. I relied on both Howard and Lori, but to a greater degree Howard, to liaise with my husband's physicians. As the most educated and articulate member of our family, I felt he was often best equipped to understand and communicate with health professionals about, my husband's highly complex medical problems, which, due to their variety and serious nature, often confounded even his specialist doctors.

7. In February of 2005 my husband "Siggy" who was seventy-nine years of age at the time suffered a serious fall in our home in New Jersey, USA. He fell in his bedroom in February of 2005, and suffered a compound fracture of his femur. While trying frantically to assist my husband before the emergency medical services arrived, I severely strained my back. Following his accident, Siggy needed surgery and spent several weeks in the Hospital in and then went directly to a rehabilitation facility, several months after his hospitalization. Due to his renal failure, which interferes with the bodies ability to heal bones his recovery was very difficult.

8. Due to the stress of the situation I became run down and fell ill. My illness progressed to pneumonia and I, myself, was hospitalized. During my illness, I was unable to visit my husband, as I needed to attend to my own convalescence

and also could not expose him to my pneumonia infection, which his doctors felt would be especially dangerous for a man in his condition. My husband, Siggy, felt very lonely in the hospital and it broke my heart to stay away from him, but I was very sick and also probably contagious and could not attend him for the sake of his own wellbeing. My husband also suffered a further complication to his orthopedic problems, one of Siggy's hip- replacement prosthesis came loose while staff handled him during the process of an x-ray. This incident was greatly distressing to my husband and caused further injury and suffering.

Because we were in an exceptional degree of distress, my husband and I asked our daughter, Lori to come home to the USA to help out.

9. Lori and Howard came to New Jersey at the next opportunity to assist us in early April, which was during the Easter Break of Kingston University. and stayed during the "Easter break". It was a great help to have them here to care for me since I was in a weakened state and also to help coordinate my husband's care and pay him visits in the rehabilitation center. There were many serious situations that occurred with my husband's health during their visit including torsion of his intestines that necessitated an emergency hernia operation and life and death decisions

10. I recall receiving a distressed phone call from my daughter, Lori (after she returned to the UK on April 20th) just a few days after the University's official Easter break was over. Lori related that the Acting Head of School, Carol Gartrell had contacted her asking about her whereabouts and then admonished her for being away for contractual reasons. This was puzzling because Lori had cleared her trip and it's serious purpose with Dr. Gartrell. Moreover Lori was a part time member of staff and was not behind in her teaching schedule. I recall that we both my husband and I found Carol Gartrell's sudden claim to disapprove of her whereabouts to be distressing and perplexing, especially since Howard, Lori's husband also works in the same department, and Ms Gartrell was, no doubt, doubly aware of this situation that was affecting both my daughter and her husband, a full-time member of staff. My husband and I were very concerned and felt terrible that Carol Gartrell, the Acting Head of School, had for some

inexplicable reason appeared to have changed her position about Lori's vital trip to help care for us. On top of everything we had just gone through with our own health. We were already aware that she had been inflexible, unsympathetic and even obstructive with Howard causing him to have a nervous breakdown at the start of the year. She now seemed to be extending her victimization to my daughter as well. We experienced great stress of believing that because Lori had helped us, she may have left herself open for being victimized by Howard's and her manager who seemed to be on a campaign to make life even more difficult for the two of them at this time of crisis. Seeing Lori victimized was absolutely excruciating for Howard and he expressed his extreme distress to me.

11. I became aware during the summer of 2005 that Howard had been the recipient of a group letter signed by most of the same co-workers and very similar to the one that he had refused to sign against his original boss and that he had been asked to not come into work as well. Howard and Lori did not tell us at first in order to spare us stress but I could tell something was very clearly wrong when I spoke to them over the phone. They both seemed extremely depressed and anxious and it seemed like a struggle for them to be their usual helpful selves. When I learned what happened to Howard later that summer, it was extremely distressing for my husband and me. Howard's feelings were severely injured and his emotional and mental functioning took a down turn.

12. Unfortunately, during the summer of 2005 it also became clear that Siggy's injuries to his femur were not going to heal without a further operation. This was very alarming because doctors warned us that unless the problem was fixed he would certainly never walk again and would most likely die of complications because the femur and the hip area were crumbling and would inevitably become infected. However, he was, on the other hand, not likely to even survive the operation and recover from it. My husband, a brave man who had survived a double heart valve replacement, double hip replacements, several operations for skin cancer of the scalp, which had spread through his skull, decided

nevertheless to undergo this treacherous operation. To make matters worse it became evident that Howard's seriously ill mother's physical and mental condition was rapidly deteriorating, due in part, I strongly believe because Howard was so traumatized by the workplace bullying that he was unable to be as involved as he needed to be to oversee her care, which was critical for her very life due to her serious medical conditions. It is important to note that both Howard and Lori are only children and this period was extraordinarily difficult because BOTH of Howard's parents were also seriously ill and suffered health crises that resulted in Howard's mother's death in November 2005 and his father's in April 2006.

13. Howard wanted to come to visit his parents and us during the summer of 2005 when there were no teaching duties, and when he was, effectively suspended from duties pending an investigation. When Howard tried to arrange to visit, he was given a hard time by his new line manager David Osbon, one of the signers of the letter against him, who would not grant him leave during the summer. He insisted that research time that Howard took in January to make up for the extra duties that were forced on him when Carol Gartrell took back promised course release in the fall of 2004, would be considered holiday time, and that he therefore had no "holiday" time left. I could tell that Howard was becoming more and more depressed, frustrated and anxious because he was not permitted to work as normal, or alternatively the freedom to travel and attend to his family. He complained of severe nightmares and said that he was continually anxious. I recall my daughter describing what was going on as being "under house arrest". I further recall both Howard and Lori being extremely distressed because he was not permitted to know the exact nature of the allegations against him. As Howard could not think of anything that he did that could have possibly been misconduct, our entire family became worried that the allegation might be being fabricated against him. It was extremely distressing for all of us.

14 During the summer of 2005, Lori assured us that she and Howard would almost certainly be able to come to New Jersey for Rosh Hashanah and Yom Kippur in October. Lori assured us that because September started a new period

of holiday leave allotment at the University, Howard could spend some days of his 2005-2006-holiday allotment to accompany her to thereby join us for Rosh Hashanah and Yom Kippur. Lori told me that in the middle of August, she requested permission to come to the US for the Jewish High Holy Days. I recollect her telling me that she made a request to all three of her immediate superiors, including Carol Gartrell, who wanted to be personally informed if Lori was to be away during the school year. Lori did not receive a response for several weeks but I do remember that Howard was at first denied his request made on religious grounds to come to the US during the High Holy Days. This was very upsetting to Howard and Lori because it meant that she would have to choose between being with her husband during the High Holy Days and coming home for what we feared would be the last holiday we would spend together. Because a decision needed to be made about travel dates and plane tickets purchased, Lori told me at the end of August that she had written to her Union rep to ask for advice about the situation of not hearing back from her superiors about permission to be away during the Jewish High Holy Days. On September 1, 2005 Lori called to say she was stunned at the response she received from David Osbon, her immediate manager. Shockingly to both of us, he was insisting that she find a replacement to cover the days between Rosh Hashanah and Yom Kippur because it was Kingston University's policy to allow only two days of leave for the Jewish High Holy Days. Since Lori had, since 2002, been regularly teaching each student in excess of the number of hours allotted for her students, she told me that she felt that Mr. Osbon's insistence about her finding a replacement teacher was unfair and she communicated this to Mr. Osbon. I subsequently learned that Mr. Osbon cited Lori's request to practice her religion by asking for time off to observe the Jewish High Holy Days as a reason for calling her "hostile" and "confrontational" in an external reference. It was obvious to me especially considering the hard work and dedication of Lori's previous three years in her job and the fact that Mr. Osbon hardly knew her, that this reference was part of the ongoing pattern of victimization of Howard and Lori at the School of Music.

15. In the middle of September 2005 Siggy was told that he would need to be scheduled for a very difficult and complex surgery to install a new hip replacement and fix his broken leg, which had been plaguing him since early 2005. The surgery was, therefore, scheduled for October 31, 2005. Learning of her father's upcoming operation and not wishing to irritate Mr. Osbon further, Lori then withdrew her request to be with us for the High Holy days in exchange for traveling to the US with Howard for her father's surgery. Siggy then had his scheduled, very dangerous orthopedic surgery at Hackensack Hospital in New Jersey on Oct 31, 2006. He survived surgery but was in intensive care for several weeks due to complications. He was still very sick when he was transferred to yet another rehabilitation center.

16. Howard made himself available around the clock, especially during late 2004 through late 2005, often making and receiving calls to physicians in the middle of the night London time. I am certain that Howard's extraordinary effort contributed greatly to extending the quantity and quality of my husband's years. I also believe that the lack of accommodation administrators afforded to Howard during this time of crisis was discriminatory and greatly detrimental to our family life.

17. I understand that during the fall of 2005, Kingston University was requiring Howard to attend frequent and lengthy meetings with an investigator appointed by the University. Howard was often up all night at that time talking to the doctors that were caring for both of his seriously ill parents as well as my husband's doctors on nights preceding the investigation meetings. I understand that the investigator cited alleged behavior by Howard during an investigation meeting as a reason to give credence to the University's allegations that Howard did not behave properly when dealing with colleagues during normal teaching activities. I cannot see how a reasonable investigator could come to such a conclusion. I also cannot see how an employer could put an employee who was, at the time ill, through this kind of process during a family health crisis. The unfair process of this absurd investigation as well as the disciplinary procedure that followed caused a very serious health injury to Howard and violated the human rights of our family.

18. On November 22, 2005, our family entered a period of even more extreme crisis. Lori and Howard had to again fly to New York in the middle of the night when Howard's mother Norma, became critically ill and died the next day on Lori's 40th birthday, the 23rd of November. That very evening, Siggy had a heart attack in the rehab center where he was recovering from his operation and was rushed back to intensive care at the hospital. The next day, while he was being treated in an inpatient rehab center, Howard's father, George, suffered a devastating re-injury to his hip, which he had fractured in mid-October, that necessitated an extremely difficult hip replacement operation and ended up in the hospital in intensive care as well. Siggy's condition worsened and he passed away on December 6, 2005, but in between his death and his funeral, which took place two days later, Lori and Howard, had to rush back to New York from New Jersey to attend to Howard's father, George, who suffered a collapsed lung from pneumonia as a complication of his surgery.

19. Having to face this multitude of devastating misfortunes all at once would be enough to test even the strongest person. Unfortunately, it was obvious that the devastating workplace bullying that Howard and Lori had been suffering at the hands of Kingston University brought the two of them into this time of severe personal crisis in an already weakened condition. The added factor that the bullying managers had been previously obstructive, to Lori and Howard's attempts to be supportive to us made this sad time even more painful to them. Incredibly despite our family's extremely tragic circumstances managers at Kingston University were relentlessly advancing their time-line to take disciplinary action against Howard as well as leaving directives to co-workers to in effect, not communicate with Howard, even those who had not joined in the grievance against him. The pressure and cruelty of these actions at that time have, in my observation caused irreparable damage to the health of both Howard and Lori.

20. During the entire period of family crisis and tragedy the administration of Kingston University, kept pestering Howard and Lori to give them a firm return date. This showed a complete lack of understanding of what is actually possible in such situations as well as disregard for the health and welfare of our family.

Lori felt that her job was in jeopardy if she did not return as soon as possible. Lori was aware that her singing students had examinations in January 2006. Although she had been through an unimaginable ordeal and Howard's father was still critically ill she returned to England in order to assist her students in their exam preparation leaving me alone after being recently widowed and also leaving her husband to care for his critically ill father on his own.

21. Shortly after she returned to England, Lori was notified that she was suspended from her job duties and that her teaching had been replaced. She also received orders not to have any contact with her students. This action caused Lori to have an emotional breakdown. She was alone in a foreign country after devastating losses and was not permitted to distract herself with work. She was prescribed anti-depressants and has been on them ever since. I was shocked and dismayed by the heartless actions against Lori at this time. This suspension of her job duties seemed to parallel the "house arrest" suspension of Howard and fit in with the pattern of victimization against Howard and our family.

22. While in the United States awaiting result of their new residence permit, Howard and Lori received the first letter dated January 25 2007 from Donald Beaton the University secretary accusing her of having committed a "criminal offence" by inadvertently gathering evidence that that the University Board of Governors had acted improperly and that the internal proceedings of the University were a sham. The letter demanded all copies of the evidence. The demand for all copies was especially troubling and indicated to me an intention to cover up wrongdoing. These threats and accusations were taken seriously by our family and amounted, I feel, to witness intimidation.

23. The fear instilled by Donald Beaton caused Howard and Lori to delay their return to their home in England. During this delay their twenty-two year old cat Neffertiti passed away. I believe that the extended separation was too much for this elderly cat to withstand. The loss of the pet under these circumstances was very traumatic to Howard and Lori and added to their emotional difficulties.

24. The overly aggressive and obstructive manner in which Kingston University administrators and its lawyers have conducted the proceedings of this case have added to the injuries to our family and the disturbance of our family life.

25. In conclusion I would like to state, as Howard and Lori's sole surviving parent, that Howard has been treated in an extremely unfair and discriminatory fashion by Kingston University and that he has been injured very severely. When Howard joined the University he was at the top of his profession and productively working to enhance the reputation of the University. I am outraged at the awful discriminatory treatment given a well-intentioned employee and his family at their most vulnerable time.

I certify that what I have written in this witness statement is true to the best of my knowledge and recollection.

Signed: Charlotte Joachimowicz

Date 12.12.08

Charlotte Joachimowicz