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Former coach sues Shepherd

By BETH HENRY / Journal Staff Writer

SHEPHERDSTOWN — A former women's softball coach at Shepherd University claims he was wrongfully terminated and discriminated against this spring, in a case filed this week in Jefferson County.

David G. Trail claims that the defendants Shepherd University and Athletic Director Karl Wolf failed to properly handle allegations of sexual harassment from the women's softball team.

Trail's attorney Harry Waddell, of Martinsburg, filed the case Friday in Jefferson County Circuit Court.

In the complaint, Trail claims the defendants received an anonymous complaint about him from the "entire Shepherd University softball team" on April 13, but the university failed to follow the school's written sexual harassment policy that provides for informal and formal procedures. He claims there was no adequate investigation into the sexual harassment complaints and no determination of how many players had complaints.

"He was just treated unfairly," Waddell said of his client during a telephone interview Friday. "They (the defendants) didn't follow any of their procedures," to find out if the sexual harassment allegations had any merit.

The suit also claims that the defendants issued a news release on May 21 stating that Trail resigned, but he claims he did not resign and that statement made it look like he did because of credible sexual harassment complaints.

Although Shepherd University's general counsel Alan Perdue said Friday he did not wish to comment on the specifics of the case, he said that he does expect "a vigorous and successful defense."

Perdue also said the university stands behind the May 21 news release.

"Every statement in that press release was entirely accurate," he said.

Perdue added that Shepherd University is proud of the women's softball team, which had a record-setting season in the spring along with the school's first West Virginia Conference Tournament title since 1991.

"We feel like we had a remarkably talented and effective group of players on our softball team," Perdue said, adding that all the coaches who worked with the team were very dedicated.



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The harassment allegations in the anonymous letter claimed the players felt uncomfortable around Trail because he allegedly massaged their backs while talking to them, made inappropriate comments about their weight and took pictures of them in swimsuits on a team trip to the beach.

Trail's suit claims the defendants required him to sign a "Softball Improvement Plan" on April 18, which set up weekly meetings between Wolf and Trail, but the defendants did not follow through with the meetings.

Trail, who was the women's softball coach for about five years, claims the defendants defamed him, as well as discriminated against him because he is a man. He claims Wolf wanted to hire a female coach, and that Wolf publicly admitted that it was the athletic department's intention to replace male coaches for women's sport teams.

The case also claims Trail has suffered "humiliation, loss of personal dignity, mental and emotional stress, lost wages and loss of future anticipated earnings," because of the defendants' actions. He is seeking an undetermined amount of compensation.

The next step in the case will allow the defense to prepare a response that will be submitted to the court.

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Section: News Posted: 9/1/2007

The Journal

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