

1 Edip Yuksel  
2 1071 Celestial St.  
3 Cincinnati, OH 45202  
4 +1 520 481 1919  
5 edipyuksel@gmail.com  
6 **Defendant, Pro Se**

✓ FILED	LODGED
RECEIVED	COPY
AUG 25 2023	
CLERK US DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

7 UNITED STATE DISTRICT COURT  
8 FOR THE  
9 DISTRICT OF ARIZONA

10  
11 PIMA COMMUNITY COLLEGE DISTRICT,  
12 a Public Community College

13 Plaintiff,

14 vs.

15  
16 EDIP YUKSEL, A Free Person,  
17 Defendant

Civil Action No: CV-23-361-TUC-RCC

**MOTION TO DISMISS  
CV-23-361-TUC-RCC**

18  
19  
20 **PROLOGUE**

21  
22 Dear Judge, Raner C. Collins:

23 Please excuse my occasional emotional and personal remarks, since I am writing this  
24 response to the Plaintiff's Complaint while I am still suffering from Covid-19, which I was  
25 tested positive on August 16, 2003. So, this is not a well-organized document. I also did  
26 not have time and energy to research the pertinent law in depth.

1 Last April, together with my wife, we moved to Cincinnati to join my two sons (32, 28) to  
2 work in our family startup as the inventor of a new mode of mass mobility for short  
3 distance transportation. Though we received seed funds to make the pilot project for a  
4 major business, I receive a small salary that pays for our rent and basic necessities. I  
5 am extremely busy with engineering, R&D, securing intellectual properties, participating  
6 in meetings and other issues vital for the success of our Startup. As a family of four, we  
7 have vested three years and our savings on this promising and revolutionary mass  
8 transportation technology. If successful, God willing, this environment friendly new  
9 mode of mass transportation, will eliminate cars, buses, traffic congestion, bicycles,  
10 scooters, parking lots, pollution, noise afflicting the centers of our cities.

11 The Plaintiff, Pima Community College, is freely using public money to hire 4 lawyers  
12 from a top law firm. But at this point in my life, I am not rich enough to hire a single  
13 attorney from a solo law firm to defend me.

14 I hope that you will also tolerate the grammatical errors in this paper, since English is  
15 my fifth language. For important writing tasks such as this, I usually use the assistance  
16 of a good editor to correct the chronic and endemic grammatical errors, especially  
17 prepositions, that somehow sneak in the fabric of my writings in English. But  
18 unfortunately, I could not do this due to the unusual circumstances I am currently in... I  
19 know that AI programs are doing a great job and I tried one of the best. But when I  
20 noticed that it surreptitiously deleted some important statements in my draft, I lost trust  
21 in it. If I were not sick, I would spend more time and effort to present this response  
22 better.

#### 23 **4 Lawyers + 2 Pounds of Papers = Costing Taxpayers a Fortune**

24 After signing the summons that began with "A lawsuit has been filed against you," I was  
25 handed a stack of papers titled 'COMPLAINT' by the Pima Community College District.  
26 At that moment, I knew that it was the frivolous lawsuit they had threatened me with  
27 after I refused to resign and allowed them to fire me on September 19, 2022.

1 Well, they were serious.

2 They aimed to intimidate me from the outset with the sheer volume of the papers - 159  
3 pages, all printed on one side. The complaint, which made up the first eight pages,  
4 contained many uncontested facts and numerous false accusations, which I will briefly  
5 discuss. No problem.

6 However, most of the remaining pages were unnecessary. For instance, they included a  
7 copy of the entire Adjunct Faculty Guidebook, a total of 60 pages. They could have  
8 attached an already printed copy. Better yet, they could have included only few  
9 paragraphs or pages relevant to the issue. In fact, all those 151 pages were  
10 unnecessary since I never denied their existence.

11 Of course, I commend them for their consistency and hard work. To support their false  
12 and frivolous complaint, they felt the need to add frivolous and unrelated material. That  
13 was the way they could hit three birds with a massive complaint: impress their client,  
14 PCC; scare their target, me; and enrich the law firm, Dickinson Wright PLLC.

15 Of course, you are also their target; and you may be the only one stopping their bullying  
16 a former adjunct professor who spent great effort in two countries, to live moral, be free,  
17 and stay alive.

18 If I were an average former adjunct faculty member, I would be scared. They did not rely  
19 solely on the volume of papers. They also reminded me of the exorbitant cost of all  
20 FOUR LAWYERS whose names were prominently displayed. They are asking the court  
21 to make me pay their expenses and cost, including a fee of \$ per page they wasted.

22 Looking at the frivolous lawsuit, the inflated volume of papers and implied legal work,  
23 and the names of four lawyers who would be charging the public-school tens of  
24 thousands of dollars, I felt sorry for the students whose tuition money is being spent on  
25 lawyers. Who knows how many faculty members, staff, and average citizens are sued  
26

1 annually by lawyers who have a vested interest in filing frivolous lawsuits on any issue  
2 brought to their attention by incompetent bureaucrats.

3 I did witness quite a few glaring examples of incompetence, but never noticed their  
4 bullying and intimidation until September 2, 2022. In all those 23 years, I kept a safe  
5 distance from administrators. That day, for the first time, I saw the admins of the  
6 Humanity Department ganging up against me, trying to intimidate and silence me for  
7 questioning one of their policies. I was disappointed to see that people with doctorate  
8 degrees were acting like teenagers or cult members.

9 That means, the authoritarian nature of the administration has not changed dramatically  
10 since Pima was placed on Probation by accreditors in 2013:

11 "The site team visited Pima in January and interviewed a total of 108 people. The  
12 interviews painted an ugly picture, with almost universal complaints about the  
13 management of the college. "An unhealthy college culture was established  
14 through the use of intimidation, fear and an abuse of executive power," the report  
said."<sup>1</sup>

15 For years, they were in RESPECT yet IGNORE mode towards me, but after September  
16 2<sup>nd</sup> of last year, they shifted to REJECT and INTIMIDATE mode. As I learned on August  
17 4<sup>th</sup>, by filing this lawsuit against me through 4 lawyers of a big law firm, they want to  
18 make an example out of me for questioning one of their policies.

19 I hope the Court will not be distracted by this frivolous lawsuit, which is merely the  
20 product of their irrational anger and authoritarian style of management.

21 Well, here, I will seize this opportunity to fulfill my duty as a taxpayer and former  
22 employee (of 23 years), to expose them in court for wasting and squandering public  
23

---

24  
25  
26 <sup>1</sup> Paul Fain, Closing Doors No More, March 27, 2013, March 7, 2022.  
27 <https://www.insidehighered.com/news/2013/03/28/pima-community-colleges-deep-accreditation-crisis>  
(Accessed on 21st August 2023)

1 money. Those who live by sword should die by sword; and those who abuse by lawsuit  
2 should lose by lawsuit.

3 **Four previous incidents leading to this lawsuit.**  
4

5 Contrary to what the Plaintiff claims, this case is not about publishing class videos and  
6 harming an educational institution. In fact, to focus on our technology business, I  
7 stopped broadcasting those videos on my YouTube channel last year.

8 This lawsuit is a pretext to punish me for blurting out that the "King is naked". It is the  
9 culmination of years of low-density tension and the direct result of my questioning of  
10 one of their policies. Though I tried my best to focus on my students, occasionally I  
11 could not ignore the incompetence of the administration. In those moments, I expected  
12 them to focus on students and education, rather than bureaucracy.

13 Since Pima Community College is using tax money to sue me, and it is a public  
14 institution, it is important for taxpayers to know about the incompetent bureaucratic  
15 system that lowers the quality of education and increases the cost of tuition and taxes. If  
16 there are people who caused "irreparable injury to its business, reputation, and  
17 goodwill" to PCC it is the admins who are suing me now.<sup>2</sup>

18 Years ago, I concluded that many of the top administrators and their appointees have  
19 little interest, talent, and passion in improving the quality of education at Pima College;  
20 their main job is to create their fiefdom, excel in the rank of their careers, and protect  
21 PCC from getting another Probation and keep the status quo.

---

22  
23  
24  
25 <sup>2</sup> "The fiscal year 2023-2024 combined property tax rate of \$1.2802 per \$100 of net assessed value will  
26 bring Pima County Community College District's primary property taxes on a \$100,000 home to  
27 \$128.02. Without the increase, the total taxes on a \$100,000 home would have been \$124.29." Pima  
28 Community College Adopts Fiscal Year 2023-2024 Budget" <https://pima.edu/news/press-releases/2023/202306-15-pcc-budget.html>, (Accessed on August 17, 2023)



1  
2 This is not because the administrators are bad people. On the contrary, most of the  
3 administrators I met were nice people. Some worked hard to get to those positions.  
4 However, the administrative system is archaic, corrupt, and rusty. It has lost its  
5 priorities: serving students and instructors. The system has produced too many sacred  
6 cows and elephants. Each new Chancellor is hired with high hopes of making big  
7 improvements, but they end up tinkering with the same dilapidated system, repairing a  
8 few broken pieces and declaring victory. Pima Community College needs a  
9 revolutionary leadership that will make major changes and cut many unnecessary  
10 managerial jobs and costs.

11 Before we completely severed our relationship, there were four major incidents that led  
12 me to lose my trust in the administration of Pima Community College. I was considering  
13 the Fall of 2022 to be my last semester, since my family and I had decided to move to  
14 Ohio to work for our technology startup. I delayed our move because I wanted to  
15 complete the semester. I had a duty to my students. My former students can testify to  
16 my dedication to their education. Thus, I never expected that I would be asked to stop  
17 teaching the course mid-semester. I felt it would be a betrayal to my students. I asked  
18 the administration to allow me to continue teaching the semester, even without pay, but  
19 they showed me that they were not educators, but cold-blooded bureaucrats in the  
20 business of creating pretexts to fire a committed and talented faculty member who was  
21 not afraid of speaking his mind.

22 With years, I lost my hope for a serious improvement. I tried my best to ignore the  
23 incompetence of administrators and focused on teaching students how to use their  
24 critical and creative thinking skills, and how to engage in reasoned and constructive  
25 dialogues, and how to avoid logical fallacies. I emphasized the importance of critical  
26 thinking in my syllabi. See **EXHIBIT 1**

1 I cherished part time teaching. I did not teach for money. I met great and also not-so  
2 great instructors at Pima College; almost all were adjunct faculty, and all were  
3 underpaid. The feedback and evaluation of more than a thousand students at the  
4 college and thousands more at K-12 testify to the fact that I had a great positive impact  
5 on my students. (I have documents and living examples to prove this assertion).

6 **1. Opposing admin's preference for corporate profits over students:**

7 I led students in a protest and discussion about this issue in the cafeteria on May 15,  
8 2014. The pamphlet began with the following paragraph:

9  
10 "Some of us skip meals, and some of us cannot afford to buy books. Some of us  
11 work full-time while attending college full or part-time. Yet, Pima Community  
12 College administration allows big corporations to exploit us on campus. They sell  
13 food and books at prices significantly higher than even Wal-Mart, a corporation  
14 that made a profit of 17 billion last year alone. Why should students pay for  
15 outrageous profits! We have a SOLUTION. Join us to discuss our proposal. Let  
16 the administrators know that we are not ZOMBIES!" **See EXHIBIT 2**

17 The Cafeterias at PCC is very expensive. They are like shops at the airport. Not many  
18 of the PCC students come from rich families. Thus, I found it unconscionable that the  
19 Admin did not care about students. Years later I would include this issue among the 9  
20 suggestions I made to PCC Provost, to improve education.

21 **2. Expecting the administrators to improve the quality of education:**

22 I listed nine different activities and policies that needed reforms and requested a  
23 meeting with the Chancellor. Despite being my first request in 23 years, the Chancellor  
24 did not have 30 minutes to hear important suggestions from a passionate and veteran  
25 faculty member. Instead, I was scheduled to meet Provost Dolores Duran-Cerda on  
26 January 23, 2019. She and her assistant kindly listened to my suggestions. She did not  
27 ask a single question for more details. Either she was clueless about the issues related  
28 to education, or she had more important things in her agenda. So, it was no surprise  
that there was no follow-up. Until my last day, none of my suggestions were discussed  
or implemented. Those nine suggestions to improve the quality and environment of

1 education disappeared into the black hole of bureaucracy. For those who appreciate  
 2 teaching in college, I am adding the outline of my nine suggestions, which started with  
 3 this introductory statement:

4 "As for increasing student engagement, interaction, and appreciation of learning,  
 5 I have some ideas. Some may need little funding, some may not..."  
 6 See **EXHIBIT 3**

### 7 **3. Requesting funds to partially cover my travel to Oxford University**

8 This was the first time I applied for Adjunct Funds in 23 years, yet it was rejected, based  
 9 on the federal ban on international travels due to Covid-19. However, the ban had been  
 10 lifted long before my application. Any institution would support their members if they  
 11 were invited to a conference at Oxford University as a keynote speaker. Of course, the  
 12 maximum fund, \$1000, would not cover all my travel expenses, but it would be a  
 13 contribution by the college which I had served for almost a quarter century. My  
 14 application for Adjunct Fund started with the following paragraphs:

15 "In the past, I have given lectures as a keynote speaker, lecturer and/or as a  
 16 panelist at Princeton University, University of North Carolina, Oxford University,  
 17 European Parliament, British Parliament, Middle East Technical University,  
 18 Emory Law School, and many other academic, legal, and political institutions. For  
 19 more information, you may Google my name and the names of the institutions.

20 I am invited to join a conference held by the Oxford Institute for British Islam  
 21 (OIBI) at Oxford University in August 19-21, 2022, as a keynote speaker and  
 22 panelist.

23 You will find the announcement for the upcoming lecture here:

24 <http://oibi.org.uk/conferences/>

25 The rejection was bitter not because of its monetary value but because of its implied  
 26 message. It was profound: "We really don't care about you and your conference, even if  
 27 it is at the top University in the world!"

28 As I have learned in 23 years, that the college administration is a fiefdom who are  
 primarily serving themselves and their gangs. Now I knew for sure that I was an



outsider, in many ways. After receiving this negative response, I started thinking about giving up working at PCC.

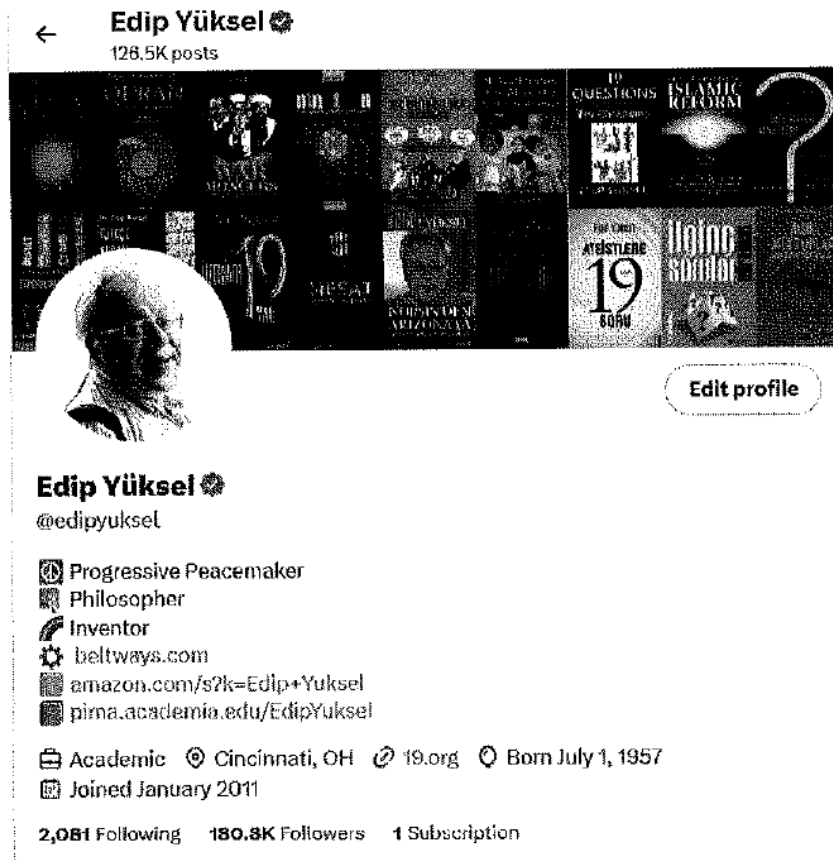
I would not have asked for funds if it had not been suggested by Jennifer Wiley, the head of the Humanities Department. Jennifer is a kind administrator. We had a professional and cordial relation until I responded to mass mail sent on September 2, 2022, by the admins, scaring the sacred cows of political correctness (See the number 4 below).

I assume that Jennifer is also a good educator, but I worry that her moral values are tested and her reflexes as an educator will be corrupted in her journey towards top of the bureaucratic pyramid. To appease bureaucrats on top of the pyramid, she might betray herself, students, and good yet little unconventional professors. I hope that she does not transform into a robot, like Michael Parker, Dean of Humanities Department. Michael, in our last encounter, played a character mixture of Jean Valjean of Les Misérables and Agent Smith of Matrix, albeit the frozen version. See: **EXHIBIT 4**

#### **4. Objecting Political Correctness when used as a tool for Censorship, Suppression, Bigotry, and Manipulation.**

Politically, I identify as a supporter of federal, secular, social democracy. For the past 8 years, I have described myself as a "progressive peacemaker." I have dedicated my life to activism for freedom of expression, global peace, human rights, women's rights, minority rights, secularism, social and economic justice. As an example, my X (formerly Twitter) account profile succinctly captures my identity in three titles:

- Progressive Peacemaker
- Philosopher
- Inventor



Yes, as a progressive peacemaker who has paid a hefty price for free speech, on September 2, 2022, when I read an email sent by Michael Parker, Dean of Humanities, to PCC- Social Sciences faculty members. I found myself in a dilemma. I chose to stand against the imposition of one of the "politically correct" policies in favor of truth and free speech. My voice in the crowd, interrupting their "herd psychology," is the real reason why I am being sued with vengeance.

I will skip this for now, but if this lawsuit goes further, then a can of weird pronouns, along with a bag of tarantulas and recluse spiders, may be opened in public. Not attached: **EXHIBIT X**

**Here are the facts:**

I don't have the luxury, time, and public money to hire a lawyer to respond to the enumerated 44 claims, and I don't think it is necessary since there is no cause for legal action.

I will use the abbreviation "PCC" for Pima Community College.

1. Since 2012, I occasionally recorded and published some of my philosophy and logic lectures, and brilliant class discussions. My recording and publishing were as open as they could be. It was known by the administration. I would keep the tripod in the classroom. There was no objection until late 2019.
2. The videos which I shared at my YouTube harmed no one.
3. I did not make money through videos.
4. PCC did not lose a penny through my videos.
5. Hundreds of students and thousands of people benefitted from ad-free videos.
6. With the exception of one, no student complained. Upon the request of one student, who later changed her mind in participating in a class discussion while it was recorded, I deleted the scene where she appeared.
7. On the contrary, many students thanked me for finding and watching them there.

1           **8.** Many students were able to watch videos recorded several years before,  
2           especially the videos on complex topics, such as Logical Fallacies, 19  
3           Rules Of Inference, Categorical Syllogism.

4           **9.** No harm was inflicted on PCC, as they falsely declare in paragraph number  
5           36:

6           "As a direct and proximate result of Defendant's persistent and continues  
7           infringement of the Recordings, PCC has suffered, and will continue to  
8           suffer, irreparable injury to its business, reputation, and goodwill."

9           **10.** If PCC suffered any harm, let alone "irreparable injury to its business,  
10           reputation, and goodwill" because of my videos, then why did they wait 7  
11           YEARS to talk to me and 11 YEARS to sue me?

12           **11.** That means, either PCC never suffered irreparable harm, or they did not  
13           care about PCC and thus they are all incompetent bureaucrats. They  
14           should be suing each other for incompetence!

15           **12.** Contrary to what the Plaintiff claims, my videos promoted PCC in public.

16           **13.** It is ironic that PCC brings "reputation" to the lawsuit. I have an excellent  
17           reputation. Both as a person and as an intellectual. Some of my work is  
18           controversial; yet even many of my ardent political and religious enemies  
19           acknowledge my honesty, intelligence, truthfulness, and bravery. I will not  
20           talk about PCC's educational reputation among colleges, but since I am  
21           accused of hurting PCC's reputation by sharing my philosophy videos with  
22           students, with taxpayers, and the world, I am compelled to share some  
23           information about my academic and personal reputation.

24           I will sound bragging, but I have no alternative option to rebuttal this false  
25           accusation. If this case goes to court, I will make sure that I submit the  
26

1 testimony of dozens of world's top academics and scientists in various  
2 fields, and let the court compare it to the reputation of PCC.

3 I have given lectures as a keynote speaker, lecturer and/or as a panelist at  
4 the University of Arizona, Cardozo School of Law, Princeton University,  
5 University of North Carolina, Oxford University (three times), European  
6 Parliament, British Parliament, Middle East Technical University, Emory  
7 Law School, and many other academic, legal, and political institutions. For  
8 more information, you may Google my name and the names of the  
9 institutions. For short cut you may check my brief biography at my website  
10 19.org.

11 My activities promoting reform, peace, justice, philosophical inquiry in  
12 education is both national and global and they have indirect positive  
13 impact on our community. Tens of thousands of people around the world  
14 who were radicalized by dogmas and extreme ideologies, after listening to  
15 my videos and reading my books and articles, have changed their  
16 destructive ideologies, and have become better human beings. In fact, I  
17 published a selection of their letters expressing their appreciation of my  
18 message causing major positive changes in their lives, in my Turkish book  
19 titled "114 Letters to Edip Yuksel".

20 At my Academia page, which I started on September 2012, I am listed  
21 among the top 0.1% academics there. Every year, thousands of  
22 professors, and doctorate students from more than 100 countries and  
23 400+ universities read and download my academic work in the field of  
24 philosophy, mathematics, religion, politics, law, and patents on  
25 technology.

26 **14.** I did not and could not publish the videos at Pima Website since Pima  
27 College's website had (and perhaps still has) a horrible design. Students  
28



1 and faculty members would frequently get lost among patchwork of  
2 modules, competing and confusing menus, and complicated process to find  
3 a document or media.

4 **15.** The pima.edu website had (and perhaps still has) no continuity of content  
5 dedicated to a topic or instructor. All content were fragmented by semester,  
6 caged by semester, and killed after each semester. This is the dream of  
7 incompetent bureaucrats who consider students as perishable commodities  
8 on their semester-long assembly line, and the nightmare of caring  
9 educators and philosophers.

10 **16.** I always got students' consent before recording any class discussion.

11 **17.** Any student who did not want to be recorded sat behind the camera.  
12

13 **18.** After I was reminded, I got written consent of students; and submitted a few  
14 of the lists.

15 **19.** Long BEFORE their lawsuit, I had already removed all the videos.  
16

17 **20.** After reading the complaint, claim number 32, I learned that I had missed 2  
18 videos; and I removed them too.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## Does Pima College have right over my videos?

I have not yet studied legal authorities on this subject, but my preliminary search while suffering from Covid-19, led me to information that supported my intuition that video recordings of class lectures should belong to faculty members.<sup>3</sup>

I would like to share a few paragraphs from University of Maryland website, demonstrating commonsense and just approach on the issue:

Faculty Course Materials, Strategies for Dealing with Commercial Use

### COMMERCIAL USE OF COURSE MATERIALS

The Office of Legal Affairs frequently receives complaints from faculty members who have discovered their course materials, lectures and exams are being copied and distributed without their permission. The University offers this statement to help faculty understand this issue and, if they choose, develop appropriate practices to protect themselves.

### Who Owns Copyright in Course Materials?

In accordance with the University of Maryland Policy on Intellectual Property, instructors of the typical face-to-face course own the copyright in all original course materials they create, including written lectures, power point presentations, study materials, and tests (Course Materials) and in the selection of readings and assignments for their course; e.g., course syllabus. Course Materials are protected by copyright because they exist in a tangible medium, e.g., written, electronic, audio-visual, and are the original works of the faculty. The fact that instructors may use learning management systems to deliver some Course Materials does not change the fact that they own the copyright in those materials. Lectures are not protected by copyright, even if they are original, unless they are recorded or delivered from written notes. In sum, while faculty

---

<sup>3</sup> There are numerous articles on the question "who owns the video recordings of class lecture?" and here are a few pages:

<https://neoacademic.com/2016/02/10/who-owns-your-recorded-lecture-copyright/>

<https://www.edsurge.com/news/2021-10-27-the-pandemic-pushed-colleges-to-record-lectures-the-practice-may-be-here-to-stay>

1 members do not own copyright in the facts and ideas contained in their Course  
2 Materials, they do own copyright in the selection and their expression of those  
3 facts and ideas.

4 When a faculty member is assigned the task of creating an on-line program of  
5 instruction to be delivered almost exclusively on-line, whether or not as part of an  
6 on-line degree program, the University and faculty member should enter into a  
7 written agreement that addresses ownership of copyright, and who bears  
8 responsibility for teaching and updating the Course Materials.

9 What Rights Does Copyright Give Faculty Members in Their Course Materials?

10 As the owner of copyright in Course Materials, faculty members hold the  
11 exclusive right to reproduce, distribute, modify, make derivative works from, and  
12 post and display publicly their Course Materials. The creating faculty members  
13 are the only persons who can exercise those rights unless someone has a right  
14 to claim their exercise of one of those rights falls under "fair use" or another  
15 exception from infringement under copyright law.<sup>4</sup>

16 I think PCC does not have copyright over my class lectures. The videos weren't part of  
17 my job description. In fact, they did not care about recording class lectures since in their  
18 mind, faculty members are hamburger flippers and servers in their Fast Semester shop.  
19 I was not paid to make videos. I did not receive equipment from them to use either for  
20 recording, editing, or publishing. I have recorded some of the best philosophical  
21 discussions, with the consent of students, with my own equipment. And they are after  
22 them; want me to submit them burned and destroyed.

23 **This case is not about copyright; it is about suppression!**

24 Colleges may claim rights on work products because of their values. They want to  
25 benefit from the work they have paid for. It makes sense. But this case is just the  
26

---

27 <sup>4</sup> <https://ogc.umd.edu/faculty-course-materials-strategies-dealing-commercial-use/>  
28

1 opposite. PCC does not find any value in my videos. To the contrary, it wants to destroy  
2 it, burn it, like the Inquisition did.

3 PCC, a public institution, furthermore an educational institution, does not claim  
4 exclusive right to BENEFIT from the videos; to the contrary, it claims the right to  
5 DESTROY some videos, which have excellent educational values. Since 2011, tens of  
6 thousands of people have watched them and benefitted from them, for free, ad-free. I  
7 would like to receive the Court's judgment to let me continue doing so.

8 It is all about revenge! All about penalizing a faculty member for questioning their policy,  
9 a policy they felt difficulty in defending it.

10 In order to have a reasonable case for their full control on videos, PCC must show some  
11 kind damage, such as monetary damage, revealing trade secrets, violation of privacy  
12 rights, or damaging its reputation...

13  
14 PCC, in its 159-page Complaint, has shown none since there is none.

15 As I explained above, **the real reason** why they filed this lawsuit against me is my  
16 honesty, my dedication to the education of students rather than to self-serving  
17 administrators whose priority has not been quality public education. They never  
18 appreciated and comprehended my passion to share the discussions in my philosophy  
19 classes, that is love of wisdom, with the world that is polarized by religious, jingoistic  
20 and dogmatic ideologies.

21 They have difficulty understanding the compelling ethical and intellectual reasons to  
22 share the peaceful reasoned discussion of wonderful students with the public. For  
23 years, I thought that I could share this passion with them, but for them everything is  
24 money and their career. Thus, they try hard to project their "values" onto me. Though  
25 they offer Philosophy classes, they hate Socrateses and Hypathias who question  
26 assumptions, dogmas and rulers.

1 Thank God, I have an excellent record of 23-years of teaching Philosophy, and 10 years  
2 at K-12. I have a folder containing hundreds of evaluations by students testifying to that  
3 fact. I am still in touch with dozens of my former students and if this case goes to trial, it  
4 will not help PCC administrators and their reputation. I am not sure whether the 4  
5 lawyers care, but the incompetent gang of administrators who triggered this lawsuit  
6 should worry. Even if I am found guilty of not following a rule, the public will know that  
7 an honest, dedicated, excellent educator, a modern Socrates, was penalized by an  
8 unjust system.

## 9 **CONCLUSION**

10 However, for personal reasons and due to the financial burden, as well as residing 1788  
11 miles away from Tucson, I respectfully request that this case be dismissed. But if the  
12 lawsuit is granted by the court, it might open a window for the public to witness how  
13 bigoted bureaucrats are wasting their tax money and creating an unfriendly environment  
14 for intellectual discussion. Of course, in free countries, there is always another option:  
15 news media.

16 Falsely portrayed as a copyright case, this in fact, is a case between incompetent  
17 bureaucrats and a caring and passionate educator. This is a case about a publicly  
18 funded school trying to punish a dedicated educator, Edip Yuksel, who shared some of  
19 his Philosophy and Logic lectures and class discussions with the public, all for free. The  
20 recording and publishing did not cost PCC a penny, since I used my own camcorder,  
21 tripod to record, my own time and channel to share those videos.

22 The videos which PCC ask to be destroyed or burned showed nothing but curious  
23 students and their professor in a wonderful and peaceful environment, enjoying the flow  
24 of information within and between their brains. The videos showed students and their  
25 professor seeking wisdom by letting information flow through their neurons and dance  
26 according to the rules of logic across synapses in their brains. No business secret was  
27 shared, no harm was done, no profit was made. To the contrary, passion for wisdom,  
28



1 quest for knowledge, solving many controversial issues by reasoned arguments was  
2 practiced and celebrated.

3 Yes, PCC hired 4 lawyers to hit me with a 159-page lawsuit to condemn, destroy, burn,  
4 and annihilate those wonderful educational videos. Why?

5 Unfortunately, PCC acted against me like an inquisitor, or more aptly, like the three  
6 accusers of Socrates: Meletus, Lycon, and Anytus. Perhaps, they will find a paragraph  
7 or a statement in a thick book of rules or regulations to declare me in violation of their  
8 rules, but I know that I followed the example of Socrates both in engaging and sharing  
9 the love of wisdom with others. I was hired as Philosophy Professor, not as a petty  
10 bureaucrat who obeys every rule without question! And, in every class I strived to be the  
11 best Philosophy Professor I could be. I considered that as my duty to my students not to  
12 the administrators.

13 No harm was inflicted on PCC, as they falsely declare in paragraph number 36:

14  
15 "As a direct and proximate result of Defendant's persistent and continues  
16 infringement of the Recordings, PCC has suffered, and will continue to suffer,  
17 irreparable injury to its business, reputation, and goodwill."

18 If PCC suffered any harm, let alone "irreparable injury to its business, reputation, and  
19 goodwill" because of my videos, then why did they wait 7 YEARS to talk to me and 11  
20 YEARS to sue me?

21 That means, either PCC never suffered irreparable harm, or they did not care about  
22 PCC and thus they are all incompetent bureaucrats. They should be suing each other  
23 for incompetence!

1 **Based on the forementioned facts and reasons**, the Defendant respectfully requests  
2 the Court to dismiss this case since, the Plaintiff did not provide any evidence for the so-  
3 called "irreparable injury to its business, reputation, and goodwill."

4 **Based on Plaintiff's own complaint:** There is no victim. There is no injury. There is no  
5 financial damage. There is no damage to PCC's reputation. PCC didn't spend extra  
6 resources or money on the creation or broadcasting of those videos.

7 **Besides**, they know that months before they filed this lawsuit, I already stopped my  
8 philosophy lectures being broadcast on my YouTube channel.

9  
10 So, I will finish this motion with a poem I wrote years ago:

11 **Smile to the Child in You**

12 Edip Yuksel

13 4 August 1994

14  
15 Shunning mature eyebrows nearby,

16 I smile to the child in me, I smile conspicuously.

17 Peter Pan is jumping around with his little sword.

18 Paying my friends, no special attention:

19 Trifling with traditions and taboos;

20 Prickling the illusive mask of social convention.

21  
22 Ticklish questions hop from his sling:

23 Whizzing 'why's, buzzing 'how's

24 Jolt and pester sacred cows.

25 Stunning jittery faces nearby,

26 I cheer the child in me, I cheer joyously.

27 Peter Pan is hopping around with his magic board.  
28

1 I hand him a trumpet when he blurts out loud.

2 At the king who is naked in the crowd

3 At the priests who tell silly stories on God!

4 Scaring travelers in bandwagons nearby,

5 I feed candies to the child in me, I feed generously.

6 Each time you blink at a what, or a how or a why;

7 I think of the child in you, I think anxiously.

8 I wink at the child in you, I wink curiously.

9  
10  
11 **Date:** August 22, 2023.

12  
13 Edip Yuksel,

A handwritten signature in black ink, appearing to read 'Edip Yuksel', written in a cursive style.

14 Defendant, Pro Se  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28