

UNIVERSITY OF MINNESOTA

BOARD OF REGENTS

Litigation Review Committee

November 23, 2004

A non-public emergency meeting of the Litigation Review Committee of the Board of Regents was held on Tuesday, November 23, 2004 at 10:00 a.m. in the William R. Peterson Conference Room, 600 McNamara Alumni Center.

Regents present: Frank Berman, presiding via telephone; David Metzen; and Patricia Simmons participating via telephone.

Staff present: General Counsel Mark Rotenberg and Executive Director Ann Cieslak.

Others present: William Donohue and Keith Dunder.

**RESOLUTION TO CONDUCT NON-PUBLIC MEETING
OF THE LITIGATION REVIEW COMMITTEE**

A motion was made and seconded that the following resolution be approved:

WHEREAS, the Litigation Review Committee of the Board of Regents has concluded, upon advice of the President and the General Counsel, that circumstances now require immediate consideration by the Litigation Review Committee of the Board of Regents of a matter that is subject to the attorney-client privilege;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Minnesota State Statute Section 13D.01, Subd.3; 13D.04, Subd.3; and 13D.05, Subd. 3b, an emergency non-public meeting of the Litigation Review Committee of the Board of Regents be held on Tuesday, November 23, 2004 at 10:00 a.m. in the William R. Peterson Conference Room, 600 McNamara Alumni Center, for the purpose of discussing attorney-client privileged matters including the following:

- 1) Nelson v. Board of Regents, University of Minnesota

The committee voted unanimously to approve the resolution.

The public portion of the meeting adjourned at 10:01 a.m. and the non-public portion of the meeting adjourned at 10:28 a.m.

**ANN D. CIESLAK
Executive Director and
Corporate Secretary**