

UNIVERSITY OF MINNESOTA

BOARD OF REGENTS

Litigation Review Committee

September 8, 2005

A non-public meeting of the Litigation Review Committee of the Board of Regents was held on Thursday, September 8, 2005 at 8:33 a.m. in the William R. Peterson Conference Room, 600 McNamara Alumni Center.

Regents present: Frank Berman, presiding; Anthony Baraga and Peter Bell.

Staff present: President Robert Bruininks; Vice Presidents Kathryn Brown and Kathleen O'Brien; General Counsel Mark Rotenberg; and Executive Director Ann Cieslak.

Others present: William Donohue and Brian Slovt.

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

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

WHEREAS, based on advice of the General Counsel, the Board of Regents Litigation Review Committee has balanced the purposes served by the Open Meeting Law and by the attorney-client privilege, and determined that there is a need for absolute confidentiality to discuss litigation strategy in particular matters involving the University of Minnesota;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Minnesota State Statute Section 13D.01, Subd. 3; and 13D.05, Subd. 3(b), a non-public meeting of the Board of Regents Litigation Review Committee will be held on September 8, 2005 at 8:30 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) *Infringement Claims Related to a University Medical Device*
- 2) *Antitrust Claims Related to University Purchasing*
- 3) *Environmental Claims Related to Clean-up of Certain Twin Cities Campus Property*
- 4) *Lusha Liu v. University of Minnesota*
- 5) *Regents of the University of Minnesota v. Union Pacific Railroad Company, et al*

The committee voted unanimously to approve the resolution.

The public portion of the meeting adjourned at 8:35 a.m. and the non-public portion of the meeting adjourned at 9:34 a.m.

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