



Agenda Item # 13 B  
3/12/08 ICOC Meeting

Writer's Direct Dial: 415/396-9122  
TPachter@cirm.ca.gov

February 15, 2008

**BY U.S.P.S. AND ELECTRONIC MAIL**

John R. Valencia  
Wilke, Fleury, Hoffelt, Gould & Birney, LLP  
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Sacramento, CA 95814  
[jvalencia@wilkefleury.com](mailto:jvalencia@wilkefleury.com)

**Re: Petition for Adoption of Regulation Defining "California Supplier"**

Dear Mr. Valencia,

Thank you for your thoughtful petition for adoption of regulation for defining the term "California supplier."

CIRM's governing board, the Independent Citizens Oversight Committee (ICOC), has the authority pursuant to Health & Safety Code section 125290.40, subdivisions (j) and (k) to adopt, amend and rescind rules and regulations to carry out its mandate under Proposition 71. The ICOC, however, has not delegated to staff the authority to respond to petitions submitted pursuant to Government Code section 11340.6. Accordingly, CIRM cannot respond to the petition you submitted on January 16, 2007, either to deny the petition or to schedule the matter for public hearing pursuant to Government Code section 11346 et seq., without action by the ICOC.

CIRM will, however, put this matter on the agenda for the next public meeting of the ICOC, scheduled for March 11, 2008 in Sacramento. The agenda will be posted ten days in advance of the meeting, and with it will be posted both the petition and a staff recommendation for a response in conformity with Government Code section 11340.7. At the meeting, the public will

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have an opportunity to comment on the petition and the staff proposal. The response the ICOC ultimately adopts will be transmitted to you and to the Office of Administrative Law pursuant to section 11340.7.

Please let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Pachter". The signature is stylized with a large initial "T" and a cursive "Pachter".

Tamar Pachter  
General Counsel

cc: Alan O. Trounson, CIRM President  
Richard A. Murphy, CIRM Interim President  
Robert N. Klein, ICOC Chair