

BEFORE THE
EVALUATION SUBCOMMITTEE
OF THE
INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE
TO THE
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE
ORGANIZED PURSUANT TO THE
CALIFORNIA STEM CELL RESEARCH AND CURES ACT
REGULAR MEETING

LOCATION: AS INDICATED ON THE AGENDA

DATE: MARCH 19, 2010
3:30 P.M.

REPORTER: BETH C. DRAIN, CSR
CSR. NO. 7152

BRS FILE NO.: 86958

BARRISTERS' REPORTING SERVICE

I N D E X

ITEM	DESCRIPTION	PAGE NO.
CALL TO ORDER		3
ROLL CALL		3
CONSIDERATION OF EVALUATION FORMS FOR EVALUATION OF CHAIR AND PRESIDENT		33
CONSIDERATION OF PROCESS FOR EVALUATION OF CHAIR AND PRESIDENT		10
CONSIDERATION OF SUCCESSION PLANNING, INCLUDING DESIRED SKILL SETS/QUALITIES/ EXPERIENCE FOR CHAIR AND VICE CHAIRS		36
PUBLIC COMMENT		NONE

BARRISTERS' REPORTING SERVICE

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FRIDAY, MARCH 19, 2010

3:30 P.M.

CHAIRMAN LEVEY: MAYBE WE CAN GET STARTED
AND TAKE A ROLL CALL, MELISSA.

MS. KING: VERY GOOD. I WILL DO THAT.
RICARDO AZZIZ. MARCY FEIT. MICHAEL GOLDBERG. BOB
KLEIN.

MR. KLEIN: HERE.

MS. KING: SHERRY LANSING.

MS. LANSING: HERE.

MS. KING: GERALD LEVEY.

CHAIRMAN LEVEY: HERE.

MS. KING: TED LOVE. ED PENHOET.

DR. PENHOET: HERE.

MS. KING: CLAIRE POMEROY.

DR. POMEROY: HERE.

MS. KING: FRANCISCO PRIETO. DUANE ROTH.
DAVID SERRANO-SEWELL. JEFF SHEEHY.

MR. SHEEHY: HERE.

MS. KING: ART TORRES.

MR. TORRES: HERE.

MS. KING: LET ME CIRCLE BACK. RICARDO
AZZIZ. MARCY FEIT. MICHAEL GOLDBERG.

MR. GOLDBERG: HERE.

BARRISTERS' REPORTING SERVICE

1 MS. KING: TED LOVE. FRANCISCO PRIETO.

2 DR. PRIETO: HERE.

3 MS. KING: DAVID SERRANO-SEWELL.

4 MS. KING: ALL RIGHT.

5 DR. PRIETO: IS DR. LEVEY ON THE CALL?

6 CHAIRMAN LEVEY: YES.

7 MS. KING: DR. LEVEY, WE DO HAVE A QUORUM
8 PRESENT, AND WE ALSO EXPECT A COUPLE OF OTHER PEOPLE
9 TO JOIN, BUT I JUST WANTED YOU TO KNOW YOU HAVE A
10 QUORUM.

11 CHAIRMAN LEVEY: OKAY. SO WE'LL GET
12 STARTED AND HOPEFULLY THE REST WILL JOIN US.

13 MS. KING: WHO JUST JOINED?

14 DR. LOVE: THIS IS TED.

15 MS. KING: DR. LEVEY, BEFORE WE GET
16 STARTED, TED, JUST SO YOU KNOW, WE JUST WENT THROUGH
17 THE ROLL CALL. JEFF SHEEHY HAS ONE COMMENT HE'D
18 LIKE TO MAKE.

19 MR. SHEEHY: I DON'T THINK I HAVE ALL THE
20 DOCUMENTS FOR THIS MEETING. I'VE BEEN ON THE IPHONE
21 FOR THE LAST HOUR. DR. TROUNSON SENT A DOCUMENT TO
22 THE COMMITTEE FOR THIS MEETING?

23 CHAIRMAN LEVEY: I HAVEN'T GONE THROUGH
24 THAT YET EITHER.

25 DR. PRIETO: I HAVE. IF ANYBODY WANTED, I

BARRISTERS' REPORTING SERVICE

1 COULD SORT OF --

2 MR. SHEEHY: COULD WE GET THAT AVAILABLE
3 FOR EVERYBODY BECAUSE IT IS A BAGLEY-KEENE
4 VIOLATION. CAN WE MAKE IT AVAILABLE TO THE PUBLIC
5 BECAUSE THIS SHOULD BE AVAILABLE. AND ACTUALLY
6 EVERYBODY SHOULD HAVE A COPY OF IT PRINTED OUT FOR
7 THEIR SITE AS WELL.

8 CHAIRMAN LEVEY: THE E-MAIL JUST CAME
9 ABOUT AN HOUR AGO.

10 MS. LANSING: I DON'T HAVE IT. SORRY.

11 MS. KING: I ACTUALLY HAVEN'T SEEN IT
12 EITHER. I'VE BEEN IN MEETINGS UNTIL RIGHT NOW AND
13 ON THE PHONE.

14 CHAIRMAN LEVEY: WHY DON'T WE JUST FORGET
15 ABOUT IT BECAUSE IT'S GOING TO COME AT THE END
16 ANYWAY, AT LEAST BY TITLE.

17 DR. PRIETO: MELISSA, CAN I ASK A
18 QUESTION? IS THIS THE E-MAIL OR WAS THIS SEPARATE
19 FROM WHAT JAMES SENT LAST FRIDAY?

20 DR. POMEROY: YEAH. IT JUST CAME,
21 FRANCISCO.

22 DR. PRIETO: I'M SORRY THEN.

23 MS. KING: IT'S TOTALLY SEPARATE. IT
24 SOUNDS LIKE YOU DON'T HAVE IT EITHER.

25 DR. PRIETO: LET ME LOOK AGAIN.

BARRISTERS' REPORTING SERVICE

1 MS. KING: I DON'T HAVE IT ACTUALLY.

2 MR. GOLDBERG: DO WE HAVE COUNSEL EITHER
3 FROM STAFF OR THE CHAIRMAN'S OFFICE ON?

4 MR. HARRISON: IT'S JAMES HARRISON. WHAT
5 I WOULD SUGGEST IS THAT WE ASK A STAFF MEMBER TO
6 PRINT THE DOCUMENT SO WE CAN MAKE IT AVAILABLE TO
7 THE PUBLIC AND ALSO POST IT ON THE WEB SITE.

8 MR. GOLDBERG: THANK YOU.

9 MS. KING: I DON'T HAVE THIS DOCUMENT THAT
10 I'M AWARE OF. THERE'S AN AGENDA AND FOUR DOCUMENTS
11 THAT I SENT OUT THAT ARE ALL RELATED TO AGENDA ITEM
12 NO. 4, AND THOSE ARE THE DOCUMENTS THAT I HAVE.

13 MR. GOLDBERG: MELISSA, ARE YOU AT THE
14 CIRM OFFICE?

15 MS. KING: I AM AT THE CIRM.

16 DR. PENHOET: I'LL FORWARD THIS TO YOU,
17 MELISSA.

18 MS. KING: I ACTUALLY PERSONALLY CAN'T
19 REALLY LEAVE THE MEETING.

20 MR. GOLDBERG: IT WAS SENT OUT FROM ALAN
21 TROUNSON'S OFFICE, WHICH SHOULD BE AROUND THE CORNER
22 FROM YOUR CONFERENCE ROOM.

23 DR. PENHOET: I HAVE ANOTHER SUGGESTION.
24 I DON'T THINK THAT DOCUMENT IS DIRECTLY RELEVANT TO
25 THE REVIEW PROCESS. THEREFORE, I RESPECTFULLY

BARRISTERS' REPORTING SERVICE

1 REQUEST ALAN TROUNSON TO WITHDRAW THE DOCUMENT AND
2 SEND IT ON ANOTHER OCCASION TO THE BOARD OR SOME
3 OTHER BODY.

4 CHAIRMAN LEVEY: I AGREE WITH ED ON THAT.
5 I REALLY DO. IT'S DISTRACTING US FROM WHAT WE HAVE
6 TO DO.

7 DR. PRIETO: I JUST SAW IT AND IT HAS TO
8 DO MORE WITH SUCCESSION, AND WE CAN DISCUSS
9 SUCCESSION WITHOUT THAT DOCUMENT AND TAKE IT UP
10 LATER.

11 DR. PENHOET: PERFORMANCE REVIEW COMMITTEE
12 IS NOT EMPOWERED TO DEAL WITH THE SUCCESSION, SO I
13 THINK IT'S NOT APPROPRIATE FOR THIS MEETING.

14 DR. PRIETO: OKAY. WE DID TALK SOME ABOUT
15 WHERE THAT WOULD APPROPRIATELY BE PLACED AT THE ICOC
16 AND DID TALK ABOUT HAVING THIS COMMITTEE PLAY A
17 ROLE.

18 MR. HARRISON: WE DO HAVE AN ITEM ON THE
19 AGENDA TODAY FOR SUCCESSION PLANNING GOING TO
20 DESIRED SKILL SETS AND QUALITIES FOR CHAIR AND VICE
21 CHAIR. BUT AS I THINK DR. LEVEY WILL DISCUSS LATER,
22 THE IDEA IS NOT TO GET INTO THAT SUBJECT IN ANY
23 DEPTH TODAY, BUT RATHER TO INDICATE THAT THE
24 EXPERIENCE OF GOING THROUGH THE EVALUATION OF THE
25 CHAIR WILL OBVIOUSLY GIVE THE MEMBERS SOME INSIGHT

BARRISTERS' REPORTING SERVICE

1 AS TO THOSE QUALITIES THAT ARE MOST CRITICAL FOR THE
2 SUCCESSOR OF THE CHAIR. AND WE' LL DISCUSS THAT AT A
3 LATER DATE.

4 MS. KING: JAMES, SORRY. JUST FOR
5 CLARIFICATION ON WHAT I MIGHT NEED TO DO WITH THIS
6 DOCUMENT, SHOULD I JUST HOLD IT EVEN THOUGH IT' S
7 GONE TO THE SUBCOMMITTEE?

8 MR. HARRISON: NO. I WOULD CONTINUE TO
9 POST IT AND MAKE IT AVAILABLE, BUT THAT DOESN' T MEAN
10 WE HAVE TO DISCUSS IT TODAY.

11 MS. KING: OKAY. AND I DON' T NECESSARILY
12 HAVE TO DO THAT RIGHT NOW. THE OTHER DOCUMENTS HAVE
13 BEEN POSTED FOR DAYS, BUT THIS ONE IS NOT. I JUST
14 WANT TO MAKE SURE, NOW THAT I HAVE IT, I' M FOLLOWING
15 THE RULES.

16 MR. HARRISON: AS SOON AS YOU CAN GET
17 SOMEBODY TO DO IT, I THINK THAT WOULD TAKE CARE OF
18 IT.

19 MS. KING: SHOULD I --

20 MR. SIMPSON: THIS IS A MEMBER OF THE
21 PUBLIC JUST INTERJECTING, I' M SORRY TO INTRUDE, BUT
22 I DON' T KNOW HOW ELSE TO DO IT. JOHN SIMPSON. SO
23 THE PUBLIC WILL AT REMOTE SITES HAVE ACCESS TO THAT
24 DOCUMENT LATER TODAY; IS THAT CORRECT?

25 MR. HARRISON: YES, JOHN. WE' LL POST IT

BARRISTERS' REPORTING SERVICE

1 ON THE WEB SITE AND DISTRIBUTE IT TO THE SITES.

2 MR. SIMPSON: THANK YOU VERY MUCH.

3 MR. SERRANO-SEWELL: THIS IS DAVID
4 SERRANO-SEWELL JUST JOINED.

5 MS. KING: THANK YOU, DAVID. DR. LEVEY,
6 WE NOW HAVE WELL ABOVE A QUORUM.

7 CHAIRMAN LEVEY: TERRIFIC, SO LET'S GET
8 MOVING HERE. SO LET ME JUST REVIEW A LITTLE BIT.
9 THIS COMMITTEE, AT LEAST FRANCISCO PRIETO AND MYSELF
10 AND MELISSA AND JAMES, HAVE BEEN HARD AT WORK HERE
11 ON THE PROCESS TRYING TO GET THINGS FAR ENOUGH ALONG
12 TO PRESENT THIS TO OUR GROUP.

13 THE PURPOSE OF THE MEETING, I GUESS, OF
14 OUR EVALUATION SUBCOMMITTEE IS TO CONSIDER THE
15 PROCESS THAT WE'RE GOING TO FOLLOW, IN A FEW MINUTES
16 I'M GOING TO ASK JAMES TO REVIEW THAT, AND THE
17 INSTRUMENTS FOR CONDUCTING THE EVALUATION OF THE
18 CHAIR OF THE ICOC AND THE PRESIDENT OF CIRM. NOW,
19 ONCE THE EVALUATION SUBCOMMITTEE HAS COMPLETED THESE
20 EVALUATIONS, WE DO PLAN SOMETIME DOWN THE ROAD
21 FOLLOWING THIS TO CONDUCT EVALUATIONS OF THE TWO
22 VICE CHAIRS. SO THAT, TO BE SUCCINCT, IS WHAT WE
23 WANT TO TALK ABOUT TODAY.

24 SO I'VE ASKED JAMES IF HE WOULD WALK US
25 THROUGH STEP BY STEP THE PROPOSED PROCESS THAT WE'VE

BARRISTERS' REPORTING SERVICE

1 PUT TOGETHER. JAMES, WILL YOU DO THAT?

2 MR. HARRISON: SURE. I'D BE HAPPY TO.

3 YOU HAVE AMONG THE DOCUMENTS SENT OUT TO YOU

4 ATTACHED TO ITEM 4 AN ATTACHMENT THAT READS "SUMMARY

5 OF PROPOSED PROCEDURE FOR EVALUATIONS," WHICH IS THE

6 BASIS FOR WHAT I'LL BE DESCRIBING. IN ORDER TO

7 OBTAIN INPUT REGARDING THE PERFORMANCE OF BOTH THE

8 CHAIR AND THE PRESIDENT FROM A VARIETY OF SOURCES,

9 INCLUDING BOARD MEMBERS, MEMBERS OF THE WORKING

10 GROUPS, STAFF, AND OTHER INTERESTED PEOPLE, DR.

11 LEVEY AND DR. PRIETO WORKED WITH US TO DEVELOP A

12 COUPLE DIFFERENT TOOLS TO GATHER THE INFORMATION.

13 THE FIRST IS A PERFORMANCE MANAGEMENT

14 REVIEW FORM BOTH FOR THE CHAIR AND THE PRESIDENT,

15 WHICH ARE INCLUDED IN YOUR MATERIALS AS ATTACHMENT A

16 AND B TO ITEM 4. MARK SPEAR, WHOM DR. LEVEY

17 REFERRED US TO AT UCLA, PROVIDED INVALUABLE

18 ASSISTANCE IN HELPING US TO DEVELOP THESE FORMS.

19 AND IF THE EVALUATION COMMITTEE APPROVES THEIR USE,

20 WE WOULD INTEND TO USE THEM TO GATHER WRITTEN

21 ASSESSMENTS OF THE CHAIR AND PRESIDENT RESPECTIVELY

22 FROM BOARD MEMBERS, FROM THE WORKING GROUP CHAIRS,

23 AND FROM OTHER INDIVIDUALS WHO WE THINK WOULD HAVE

24 COMMENTS TO OFFER ON THE PERFORMANCE OF THE CHAIR

25 AND THE PRESIDENT.

BARRISTERS' REPORTING SERVICE

1 THOSE ARE LISTED ON THE SUMMARY SHEET.
2 AND OBVIOUSLY IF THE SUBCOMMITTEE WOULD LIKE TO
3 OBTAIN INFORMATION FROM ADDITIONAL INDIVIDUALS, FEEL
4 FREE TO OFFER YOUR SUGGESTIONS.

5 THE OTHER TOOL THAT DR. LEVEY AND DR.
6 PRIETO DISCUSSED USING WAS CONDUCTING INTERVIEWS OF
7 STAFF TO GET A SENSE OF THE STAFF MEMBERS' VIEWS OF
8 THE PERFORMANCE OF THE CHAIR AND THE PRESIDENT. AND
9 WE EXPECT THAT DR. LEVEY AND DR. PRIETO WOULD ASK
10 FOR VOLUNTEERS FROM AMONG THE EVALUATION
11 SUBCOMMITTEE TO CONDUCT THESE INTERVIEWS, AND WE'D
12 TRY TO SCHEDULE THEM IN A MANNER THAT WOULD
13 ACCOMMODATE THE MEMBERS' SCHEDULES AND MAKE IT AS
14 EFFICIENT AS POSSIBLE.

15 RETURNING TO THE FORMS FOR A MOMENT, I'D
16 JUST LIKE TO MAKE A COUPLE THINGS CLEAR. FIRST,
17 WE'D ASK INDIVIDUALS TO WHOM THE FORM IS SENT TO
18 RESPOND WITHIN 30 DAYS. THE RESPONSES WOULD BE
19 TREATED AS CONFIDENTIAL PERSONNEL RECORDS, SO THEY
20 WOULD NOT BE DISCLOSED PUBLICLY. AND THE
21 ASSESSMENTS WOULD BE SUMMARIZED IN A REPORT, BUT
22 COMMENTS WOULDN'T BE ATTRIBUTED TO PARTICULAR
23 INDIVIDUALS IN ORDER TO PROMOTE A FRANK ASSESSMENT
24 OF THE PERFORMANCE AS WELL AS TO PROTECT THE
25 CONFIDENTIALITY OF THE INDIVIDUAL RESPONDENTS.

BARRISTERS' REPORTING SERVICE

1 FINALLY, THE EVALUATION SUBCOMMITTEE WOULD
2 ASK THE CHAIR AND THE PRESIDENT TO IDENTIFY THEIR
3 OBJECTIVES AND GOALS AND TO ASSESS THEIR OWN
4 PERFORMANCE. IN THE FUTURE, AS WE DISCUSSED AT THE
5 BOARD, THESE OBJECTIVES WOULD BE DEVELOPED AT THE
6 BEGINNING OF EACH YEAR AND WOULD FORM ONE OF THE
7 BASES FOR MEASURING THE INDIVIDUAL'S PERFORMANCE.
8 BUT BECAUSE WE HAVE NOT YET UNDERTAKEN THAT PROCESS
9 FOR THIS INITIAL REVIEW, WE'D ASK THE CHAIR AND THE
10 PRESIDENT FOR A SELF-ASSESSMENT.

11 BASED ON ALL OF THIS INFORMATION, WE WOULD
12 PREPARE A DRAFT REPORT THAT WOULD SUMMARIZE ALL THE
13 INFORMATION THAT WAS GATHERED AND PRESENT IT TO THE
14 EVALUATION SUBCOMMITTEE IN A CLOSED SESSION. DURING
15 THAT CLOSED SESSION, THE EVALUATION SUBCOMMITTEE
16 WOULD HAVE AN OPPORTUNITY TO MEET WITH THE SUBJECT
17 OF THE EVALUATION AND WOULD THEN HAVE AN OPPORTUNITY
18 TO REVIEW THE DRAFT REPORT AND MAKE ANY CHANGES AND
19 FINALIZE IT BEFORE SENDING IT ON TO THE BOARD.

20 THE FINAL STEP IN THIS PROCESS, AS
21 APPROVED BY THE BOARD BACK IN APRIL, I BELIEVE,
22 WOULD BE THAT THE DRAFT REPORT WOULD BE PROVIDED TO
23 THE FULL BOARD, WHICH WOULD MEET IN CLOSED SESSION.
24 THE BOARD WOULD ALSO HAVE AN OPPORTUNITY TO MEET
25 WITH THE INDIVIDUAL WHO'S THE SUBJECT OF THE

BARRISTERS' REPORTING SERVICE

1 EVALUATION TO DISCUSS BOTH THE INDIVIDUAL'S
2 OBJECTIVES AS WELL AS HIS OR HER PERFORMANCE. AND
3 THEN AFTER FINALIZING ITS REVIEW, THE RESULTS OF THE
4 EVALUATION WOULD BE COMMUNICATED TO THE SUBJECT OF
5 THE EVALUATION.

6 SO THOSE ARE THE STEPS THAT WE ENVISION
7 UNDERTAKING IN THE PROCESS OF CONDUCTING THESE
8 EVALUATIONS.

9 CHAIRMAN LEVEY: OKAY. THANKS, JAMES.
10 I'D NOW LIKE TO ASK SOME BOARD MEMBERS HERE IF THEY
11 HAVE ANY COMMENTS ON THE PROPOSED PROCESS.

12 MR. SERRANO-SEWELL: THIS IS DAVID
13 SPEAKING. I HAVE JUST A REAL QUICK QUESTION, AND
14 THAT IS -- JAMES, IF YOU CAN GO OVER IT AGAIN VERY,
15 VERY QUICKLY. IN TERMS OF THE PRESIDENT, HIS
16 EVALUATION, WHO WOULD FILL OUT THESE FORMS?

17 MR. HARRISON: WELL, THAT'S IN YOUR
18 DISCRETION AS THE EVALUATION SUBCOMMITTEE, BUT WE'VE
19 SUGGESTED THAT THE FORMS WOULD BE DISTRIBUTED TO
20 BOARD MEMBERS, THE CHAIRS OF THE WORKING GROUPS,
21 SOME RECIPIENTS OF CIRM FUNDING, REPRESENTATIVES OF
22 OUR COLLABORATIVE FUNDING PARTNERS, REPRESENTATIVES
23 FROM THE BIOTECH INDUSTRY, AND PATIENT ADVOCACY
24 GROUPS, AND ANY OTHER PARTIES THAT THE COMMITTEE
25 MEMBERS BELIEVE WE SHOULD SEEK INPUT FROM.

BARRISTERS' REPORTING SERVICE

1 MR. SERRANO-SEWELL: THANK YOU FOR STATING
2 THAT AGAIN.

3 MR. GOLDBERG: I'D JUST LIKE TO
4 CONGRATULATE THOSE OF YOU WHO HAVE WORKED ON THIS,
5 JERRY, JAMES, AND WHOEVER ELSE. I'VE BEEN DOING
6 THESE AND PROCEEDING FOR 30 YEARS, AND I THINK THIS
7 IS AS COMPREHENSIVE AND AS THOROUGH A PROCESS AS
8 I'VE SEEN.

9 AS TO THE QUESTION, IT IS WHO IS GOING TO
10 BE DOING THE SUMMARIZATION THAT WE THEN SEE? AND
11 WHAT ARE YOUR THOUGHTS ON HOW TO MAKE SURE THERE'S
12 TRANSPARENCY DOWN TO THE SOURCE DOCUMENTS?

13 MR. HARRISON: MICHAEL, WE ENVISION THAT I
14 WOULD WORK WITH DR. LEVEY AND DR. PRIETO TO PREPARE
15 THE SUMMARIES. THEY WOULD HAVE ACCESS TO THE SOURCE
16 INFORMATION AS WOULD MEMBERS OF THE EVALUATION
17 SUBCOMMITTEE.

18 MR. GOLDBERG: THANK YOU.

19 MS. LANSING: I ALSO WANT TO SAY THAT I
20 THINK IT'S AN EXCELLENT DOCUMENT, THE FORMS THAT WE
21 HAVE TO FILL OUT. NOW, I UNDERSTAND WHO DOES
22 THE CHAIR. WHERE IS THE PRESIDENT'S ONE SENT TO?

23 MR. HARRISON: SO, SHERRY, THE PRESIDENT'S
24 REVIEW FORM WOULD BE SENT TO BOARD MEMBERS, THE
25 CHAIRS OF THE WORKING GROUPS, SELECT CIRM GRANTEES,

BARRISTERS' REPORTING SERVICE

1 AND THEN REPRESENTATIVES FROM OUR COLLABORATIVE
2 FUNDING PARTNERS BOTH FOREIGN AND DOMESTIC, PATIENT
3 ADVOCACY GROUPS, AND REPRESENTATIVES FROM THE
4 BIOTECH INDUSTRY.

5 MS. LANSING: I KNOW I SHOULD KNOW THIS.
6 THEN WHO, BECAUSE I KNOW WE DISCUSSED THIS, BUT I'M
7 AFRAID I CAN'T REMEMBER, WHO THEN AFTER THIS FULL
8 AND GREAT FORM IS SENT OUT, I THINK IT'S EXCELLENT,
9 AND AFTER EVERYBODY HAS A CHANCE TO FILL IT OUT, WHO
10 YOU WANT TO, AND AFTER THE VERY HEALTHY WAY THE
11 REPORT IS DONE, WHO DELIVERS THE REPORTS?

12 MR. HARRISON: IN TERMS OF TO THE SUBJECT
13 OF THE EVALUATION?

14 MS. LANSING: YES.

15 MR. HARRISON: FOR THE CHAIR OF THE ICOC,
16 SHERRY, YOU WOULD HAVE THAT HONOR ALONG WITH ANOTHER
17 MEMBER OF THE BOARD. FOR THE PRESIDENT, THE RESULTS
18 OF THE EVALUATION WOULD BE COMMUNICATED BY THE CHAIR
19 OF THE BOARD AS WELL AS ANOTHER MEMBER APPOINTED BY
20 THE BOARD.

21 MS. LANSING: WE BOTH -- WE HAVE NOT YET
22 TO DECIDE WHO THE OTHER MEMBERS OF THE BOARD ARE?

23 MR. HARRISON: THAT'S CORRECT.

24 CHAIRMAN LEVEY: WE HAVEN'T DONE THAT YET.

25 MS. LANSING: OKAY. THAT'S GREAT. I

BARRISTERS' REPORTING SERVICE

1 THINK YOU'VE DONE A FABULOUS JOB.

2 CHAIRMAN LEVEY: THANK YOU.

3 DR. PENHOET: A RELATED QUESTION. TO WHOM
4 ARE THE RESPONSES DIRECTED IN THE FIRST INSTANCE?
5 PERSON WHO FILLS OUT A RESPONSE, TO WHOM IS IT SENT?

6 MR. HARRISON: ED, WE HAVEN'T DISCUSSED
7 THAT DETAIL, BUT PRESUMABLY IT WOULD EITHER BE DR.
8 LEVEY, DR. PRIETO, OR THROUGH ME.

9 DR. PENHOET: I THINK THAT'S THE
10 APPROPRIATE ROUTE, TO ONE OF THE THREE OF YOU.

11 CHAIRMAN LEVEY: I THINK WE THINK THAT
12 TOO.

13 DR. POMEROY: I WOULD JUST ADD THAT THIS
14 IS, I THINK, EXACTLY WHAT THE GOVERNANCE COMMITTEE
15 WAS HOPING WOULD BE THE OUTCOME OF THE EVALUATION
16 COMMITTEE. AND I ALSO CONGRATULATE YOU FOR CREATING
17 THESE FORMS AND MAKING THE PROCESS.

18 CHAIRMAN LEVEY: IT WAS A LOT MORE
19 COMPLICATED THAN WE FIRST THOUGHT.

20 MS. LANSING: OH, NO. IT'S AN INCREDIBLY
21 COMPLICATED PROCESS, AND YOU REALLY DID A FABULOUS
22 JOB.

23 DR. POMEROY: I GUESS MY ONLY QUESTION
24 WOULD BE DO WE HAVE LIKE THE TIMEFRAMES? I MEAN ONE
25 OF THE CONCERNS IS THAT WE HAVEN'T ALWAYS BEEN GREAT

BARRISTERS' REPORTING SERVICE

1 AT GETTING TIMELY FEEDBACK TO THE RECIPIENTS. AND
2 SO DO WE HAVE SOME DELINEATED EXPECTATIONS OF HOW
3 SOON THEY WOULD HEAR ABOUT THIS?

4 CHAIRMAN LEVEY: ONCE WE -- ONCE -- WE
5 HAVE TO GET ALL THESE APPROVALS, SO IF THINGS GO
6 WELL TODAY AND IT GETS APPROVED, THEN WE HAVE TO
7 TAKE IT TO THE NEXT FULL MEETING OF THE BOARD; ISN'T
8 THAT CORRECT, JAMES?

9 MR. HARRISON: DR. LEVEY, I BELIEVE THAT
10 THE BOARD HAS DELEGATED TO THE EVALUATION
11 SUBCOMMITTEE THE RESPONSIBILITY FOR DEVELOPING THESE
12 FORMS AND FOR UNDERTAKING THE EVALUATION. SO I
13 BELIEVE THAT THAT CAN GET UNDER WAY AS SOON AS WE
14 HAVE THE APPROVAL OF THE EVALUATION SUBCOMMITTEE.

15 CHAIRMAN LEVEY: THAT WOULD BE GREAT.

16 MR. HARRISON: AND THEN WE'LL REPORT BACK
17 TO THE BOARD ABOUT WHAT THE EVALUATION SUBCOMMITTEE
18 HAS DONE. ULTIMATELY, OF COURSE, THE BOARD WILL
19 GIVE ITS APPROVAL TO THE FINAL EVALUATION, BUT THESE
20 DETAILS HAVE BEEN DELEGATED TO THE EVALUATION
21 SUBCOMMITTEE.

22 CHAIRMAN LEVEY: WE'D LIKE TO GET STARTED.
23 IT'S BEEN OUR GOAL TO GET STARTED AS SOON AS
24 POSSIBLE.

25 DR. PRIETO: JAMES, IF I'M UNDERSTANDING

BARRISTERS' REPORTING SERVICE

1 CORRECTLY, IF WE APPROVE THESE FORMS TODAY AND
2 BASICALLY LAY OUT OUR PROCESS, WE COULD BEGIN TO
3 SEND THESE OUT IN VERY SHORT ORDER WITH THAT 30-DAY
4 TIMELINE ASKING FOR RESPONSES. AND THEN ONCE WE'VE
5 GOTTEN THE RESPONSES AT THE END OF THOSE 30 DAYS,
6 BEGIN TO TABULATE AND ASSESS WHAT WE'VE RECEIVED.

7 MR. HARRISON: THAT'S CORRECT. AND, OF
8 COURSE, PART OF THE TIMELINE WILL BE CONTINGENT UPON
9 THE WILLINGNESS AND AVAILABILITY OF MEMBERS TO HELP
10 WITH STAFF INTERVIEWS IN ORDER TO OBTAIN THAT
11 INFORMATION AS WELL.

12 CHAIRMAN LEVEY: WE THINK A MONTH IS,
13 BASED ON THE EXPERIENCES WE'VE HAD HERE AT UCLA WITH
14 EVALUATIONS, THAT'S MORE THAN ADEQUATE BECAUSE IF
15 THEY'RE INTERESTED, THEY'LL RESPOND.

16 DR. POMEROY: IF YOU DON'T GET IT DONE IN
17 A MONTH, IT'S PROBABLY NOT GOING TO HAPPEN.

18 MR. HARRISON: RIGHT.

19 CHAIRMAN LEVEY: SO ARE THERE ANY OTHER
20 COMMENTS FROM THE BOARD MEMBERS? NOW, I KNOW THERE
21 ARE SOME MEMBERS OF THE PUBLIC WHO ARE ON VARIOUS
22 SITES. WE'RE CERTAINLY OPEN TO TAKE COMMENT FROM
23 THEM AS WELL.

24 MS. LANSING: IN L.A. WE HAVE JOHN
25 SIMPSON. JOHN, DO YOU HAVE ANY COMMENTS?

BARRISTERS' REPORTING SERVICE

1 MR. SIMPSON: YES. I JUST WANT TO COMMEND
2 THE BOARD. I THINK THIS IS A WONDERFUL WRITTEN
3 INSTRUMENT, AND IT SOUNDS LIKE THE PROCESS IS
4 EXACTLY WHAT IT SHOULD BE. HAVING DONE A FEW OF
5 THESE MYSELF IN MY CHECKERED CAREER AS A NEWS ROOM
6 MANAGER, I APPRECIATE HOW DIFFICULT IT IS TO COME UP
7 WITH THE RIGHT FORMS. THIS SEEMS TO BE VERY, VERY
8 GOOD AND ON THE MARK.

9 MY ONE QUESTION IS HOW MANY WRITTEN
10 INSTRUMENTS DO YOU EXPECT YOU WILL ACTUALLY BE
11 HAVING TO DEAL WITH? I MEAN IF EVERY BOARD MEMBER
12 PUTS ONE IN, THAT WOULD BE 29 -- WELL, 28. IN THE
13 CASE OF THE PRESIDENT, 29, RIGHT? PRESUMABLY NOT IN
14 THE CASE OF THE CHAIRMAN. IT WOULD ONLY BE 28. AND
15 THEN IF YOU GO BEYOND THAT, YOU'RE TALKING ABOUT A
16 LOT OF -- POTENTIALLY A LOT OF FORMS, I WOULD THINK.

17 CHAIRMAN LEVEY: WELL, YEAH, I THINK WE'RE
18 EXPECTING -- CERTAINLY NOTHING IS EVER A HUNDRED
19 PERCENT, BUT I WOULD THINK IT WOULD BE CLOSE TO A
20 HUNDRED PERCENT FROM THE BOARD. AND THEN HOW MANY
21 FROM THE OTHERS, WHO KNOWS. BUT I WOULDN'T THINK
22 WE'RE GOING TO SEE AN OVERWHELMING RESPONSE FROM
23 PEOPLE OUTSIDE THE BOARD.

24 DR. PRIETO: I WOULDN'T THINK SO EITHER.
25 I THINK MOST OF THESE ARE GOING TO BE FROM THE

BARRISTERS' REPORTING SERVICE

1 BOARD, AND WE' LL DIVIDE THESE UP. AND JERRY DIDN' T
2 REALLY WANT TO RETIRE ACTUALLY.

3 CHAIRMAN LEVEY: THANKS. I NOTICED THAT.

4 MR. SIMPSON: WELL, IF ONE HAPPENED TO
5 LAND ON MY DESK, I PROMISE I WOULD RETURN IT WITHIN
6 30 DAYS AND TREAT IT VERY SERIOUSLY.

7 MR. GOLDBERG: JERRY, WE MAY NEED TO HIRE
8 A BIostatistician TO COMPILE THIS.

9 DR. LOVE: JERRY, THIS IS TED. I HAVE ONE
10 QUESTION. IT'S AN EMBARRASSING QUESTION. I THOUGHT
11 I WAS ON THE COMMITTEE, BUT I'M LOOKING AT THE
12 SECOND PAGE OF THE DOCUMENT, AND IT DOESN' T LOOK
13 LIKE I'M ON THE COMMITTEE.

14 MR. KLEIN: TED, YOU WERE ON THE COMMITTEE
15 LIST. I NOTICED EARLIER IT WAS LEFT OFF THE PRINTED
16 LIST, BUT YOU WERE PART OF THE ORIGINAL GROUP ON THE
17 COMMITTEE.

18 MS. KING: WHAT HAPPENED IS, JAMES,
19 CORRECT ME IF I'M WRONG, THAT YOU, TED, AND DR.
20 LEVEY WERE SELECTED BY THE BOARD AS THE AD HOC
21 MEMBERS OF THIS COMMITTEE. EVERYBODY ELSE THAT IS
22 LISTED ON IS ON THE COMMITTEE BY WAY OF SERVING IN
23 LEADERSHIP ROLES EITHER ON A WORKING GROUP OR A
24 SUBCOMMITTEE OF THE BOARD OR OF THE FULL BOARD. BUT
25 YOU AND DR. LEVEY WERE SELECTED BY YOUR PEERS AS THE

BARRISTERS' REPORTING SERVICE

1 AD HOC MEMBERS, AND THEN DR. LEVEY WAS SELECTED BY
2 THE CHAIR. IS THAT YOUR RECOLLECTION, JAMES?

3 MR. HARRISON: MELISSA IS ABSOLUTELY
4 CORRECT, TED. AND I APOLOGIZE FOR DROPPING YOU OFF
5 THE LIST.

6 DR. LOVE: NO. I JUST WAS A LITTLE
7 EMBARRASSED WHEN I LOOKED AT THAT AND I REALIZED I
8 MAY BE ON THE WRONG CALL.

9 DR. POMEROY: WE WANT YOU, DR. LOVE.

10 MS. KING: WE DO HAVE ONE PUBLIC COMMENT
11 HERE IN SAN FRANCISCO. THIS IS DON REED.

12 CHAIRMAN LEVEY: JOHN, THANK YOU FOR YOUR
13 COMMENTS.

14 MR. REED: I WAS -- I'VE BEEN A LITTLE
15 CONCERNED ABOUT THIS BECAUSE I DIDN'T SEE HOW THIS
16 UNIQUE ADVENTURE COULD BE EVALUATED IN A SHORT FORM,
17 BUT THIS LOOKS LIKE IT'S GOT ENOUGH ROOM, ENOUGH
18 DIFFERENT ANGLES COMING AT IT TO TRY AND TAKE IN THE
19 WHOLE SCOPE OF WHAT HAS BEEN ACCOMPLISHED. AND I'D
20 LIKE TO ECHO JOHN'S COMMENT THAT I WOULD LOVE TO
21 HAVE A CHANCE TO FILL THIS OUT.

22 DR. PRIETO: DON, IF I COULD RESPOND TO
23 THAT. WE LOOKED AT A COUPLE OF DIFFERENT
24 INSTRUMENTS AND BROUGHT SOME IN FROM OTHER SOURCES.
25 JERRY MENTIONED USING WHAT UCLA HAS USED. I

BARRISTERS' REPORTING SERVICE

1 FORWARDED SOMETHING THAT MY GROUP HAS USED OBVIOUSLY
2 IN A VERY DIFFERENT, WELL, LINE OF BUSINESS, SHALL
3 WE SAY, BUT TO GET AN IDEA OF SOMETHING THAT WOULD
4 TOUCH THE ESSENTIAL POINTS OF PERFORMANCE AND ALSO
5 LEAVE ROOM FOR SOME OF PEOPLE'S SUBJECTIVE
6 IMPRESSIONS WITHOUT HAVING THIS BE A TOTALLY
7 SUBJECTIVE AND RANDOM OPINION SURVEY. I THINK WE
8 DID A REASONABLE COMPROMISE.

9 MR. KLEIN: THIS IS BOB KLEIN. COULD I
10 ASK A QUESTION?

11 CHAIRMAN LEVEY: SURE.

12 MR. KLEIN: SO, JAMES, YOU REFERENCED THAT
13 THE BOARD MEMBERS WOULD BE SENT THE EVALUATION.
14 DOES THAT ALSO INCLUDE THE ALTERNATES WHO ARE
15 FREQUENTLY AT THE BOARD REPRESENTING MEMBERS WHO
16 CANNOT BE PRESENT?

17 MR. HARRISON: THAT WAS MY INTENT, YES.

18 DR. LOVE: JUST ON THAT QUESTION, THOUGH,
19 WOULD IT BE APPROPRIATE FOR BOTH THE BOARD MEMBER
20 AND THE ALTERNATE TO BE COMMENTING?

21 MR. KLEIN: IN TERMS OF -- DR. LOVE, IN
22 TERMS OF FEEDBACK, SPEAKING INDIVIDUALLY HERE, SINCE
23 THE ALTERNATES ARE FREQUENTLY AT THE MEETING, I'M
24 VERY INTERESTED IN THE BOARD GIVING ME FEEDBACK AS
25 TO WHETHER I EFFECTIVELY INVOLVED THE ALTERNATES AS

BARRISTERS' REPORTING SERVICE

1 WELL AS BOARD MEMBERS IN THE PROCESS AND USED THEIR
2 TALENT.

3 DR. PRIETO: YOU KNOW, I THINK THAT THAT'S
4 A GOOD QUESTION. AND I THINK THAT DEFINITELY THEY
5 SHOULD BE INVOLVED IN SOME CASES. AS WE ALL KNOW,
6 THE ALTERNATE IS ACTUALLY THE PERSON WHO USUALLY
7 ATTENDS. AND THERE ARE A COUPLE OF CASES WHERE I
8 THINK THAT'S THE PERSON WE'LL GET AN EVALUATION FROM
9 AND PROBABLY NOT FROM THE NAMED MEMBER, AND IN SOME
10 CASES WE'LL GET BOTH.

11 CHAIRMAN LEVEY: WE COULD ASK THE
12 ALTERNATE TO WORK WITH THE MEMBER AND COME UP WITH A
13 COMMON FORM.

14 MR. SERRANO-SEWELL: I WOULD AGREE WITH
15 THAT STATEMENT BECAUSE -- AND SOMEONE WILL CORRECT
16 ME FOR SURE IF I'M WRONG, BUT THE STATUTE SAYS WE
17 HAVE MEMBERS AND ONLY CERTAIN MEMBERS CAN APPOINT AN
18 ALTERNATE. SO I WOULD VIEW IT AS IT IS WITHIN THE
19 DISCRETION OF THE APPOINTED INDIVIDUAL HOW THEY WANT
20 TO HANDLE IT. THAT IS, FOR EXAMPLE, WE WOULD LEAVE
21 IT -- A LETTER WOULD BE ADDRESSED TO DR. BIRJENEAU,
22 WERE HE TO GET ONE, AND WE WOULD LEAVE IT UP TO HIM
23 AT HIS DISCRETION HOW HE WANTS TO INVOLVE DR. PRICE
24 ONE WAY OR THE OTHER. COMMON SENSE WOULD DICTATE
25 THAT YOU WOULD WANT DR. PRICE'S COMMENTS BECAUSE HE

BARRISTERS' REPORTING SERVICE

1 HAS ATTENDED MEETINGS AND IS FULLY QUALIFIED TO
2 COMMENT ON THIS. BUT SENDING TWO FORMS TO THE
3 MEMBER AND THE ALTERNATE DOES CAUSE ME SOME CONCERN
4 BECAUSE WE DON'T HAVE TWO COMMISSIONERS. WE HAVE
5 ONE COMMISSIONER.

6 MR. KLEIN: DAVID, JUST, I THINK, MAKES A
7 LOT OF SENSE WHAT YOU ARE SAYING. IT WOULD BE
8 BENEFICIAL IF THEY COULD BE ENCOURAGED IF THERE WAS
9 ANY PARTICULAR GUIDANCE OR INPUT FROM THE ALTERNATES
10 JUST TO INCLUDE THAT. IT WOULD BE HELPFUL JUST AS
11 FEEDBACK.

12 MR. SERRANO-SEWELL: YEAH. AGAIN, LEAVE
13 IT TO THE DISCRETION OF APPOINTED -- THE PERSON WHO
14 WAS ACTUALLY APPOINTED PURSUANT TO PROPOSITION 71.

15 CHAIRMAN LEVEY: HOW MANY ALTERNATES ARE
16 THERE?

17 MS. KING: RIGHT NOW WE HAVE TEN ACTIVE
18 ALTERNATES.

19 DR. LOVE: I LIKE DAVID'S APPROACH BECAUSE
20 I THINK THAT AT THE END OF THE DAY, WE ALREADY HAVE
21 A LOT OF FORMS COMING BACK. AND I'M JUST NOT SURE
22 IF THERE'S SOMETHING INCONSISTENT WITH EFFECTIVELY
23 THE ALTERNATES HAVING TWO FORMS. SO I LIKE THIS
24 PROPOSAL, AND I THINK WITH BOB'S COMMENT THAT THE
25 LETTER COULD DICTATE THAT THEY TRY TO WORK

BARRISTERS' REPORTING SERVICE

1 COLLATERALLY TO INTEGRATE BOTH OF THEIR COMMENTS
2 INTO ONE, I ACTUALLY THINK THAT'S A NICE WAY TO
3 APPROACH IT AND LIMIT IT TO ONE FORM PER POSITION.

4 MR. SERRANO-SEWELL: AGREED.

5 CHAIRMAN LEVEY: IN A MOMENT WHEN I ASK
6 FOR A MOTION, MAYBE WHOEVER MAKES THAT MOTION COULD
7 INCLUDE THAT IN THAT.

8 DR. LOVE: OKAY. I'LL BE PREPARED TO DO
9 THAT BECAUSE I WAS ABOUT TO ASK FOR A MOTION.

10 CHAIRMAN LEVEY: THANKS. WE'RE ALWAYS ONE
11 STEP AHEAD HERE.

12 MS. BAUM: I WOULD JUST LIKE TO MAKE ONE
13 QUESTION OR A COMMENT SLASH OBSERVATION. WITH
14 RESPECT TO THE PROCESS, HAVING REPRESENTATIVES OF
15 THE BIOTECH INDUSTRY EVALUATE THE PRESIDENT STRUCK
16 ME AS A LITTLE ODD BECAUSE IF THEY'RE NOT -- IF IT'S
17 INTENDED THAT THEY'RE NOT ACTUALLY ALSO THOSE
18 BIOTECH COMPANIES THAT ARE RECEIVING FUNDING, I
19 THINK THAT THERE'S A LARGE CHANCE FOR SOME SORT OF
20 BIAS OR A LACK OF FOUNDATION FROM WHICH TO REVIEW
21 BECAUSE THEY HAVE NO KNOWLEDGE. I'M CURIOUS AS TO
22 WHY THAT'S THERE. I'M SURE THERE'S A GOOD REASON,
23 BUT I THOUGHT IT WAS A SUBSET OF THOSE THAT WERE
24 FUNDED.

25 MR. SHEEHY: IT SEEMS TO ME IT'S

BARRISTERS' REPORTING SERVICE

1 REASONABLE THAT THEY' RE STAKEHOLDERS MUCH LIKE
2 PATIENT ADVOCACY GROUPS WHO AREN' T RECEIVING
3 FUNDING. I MEAN I DON' T KNOW IF WE' RE GOING TO GET
4 A REPRESENTATIVE VIEW IF WE ONLY HEAR FROM PEOPLE
5 WE' VE GIVEN MONEY TO. I THINK THEY' RE GOING TO BE
6 RELUCTANT TO THINK CRITICALLY ABOUT THIS. I DIDN' T
7 HAVE ANY PROBLEM WITH THAT MYSELF.

8 DR. LOVE: I DIDN' T EITHER, JEFF. I KIND
9 OF -- ELONA FELT LIKE WE WOULD LIMIT IT TO PEOPLE
10 THAT WE KNOW HAVE HAD SOME DEGREE ENGAGEMENT WITH
11 CIRM AND WITH ALAN WHO COULD ACTUALLY COMMENT FROM
12 AN INFORMED POSITION.

13 MR. SERRANO-SEWELL: I MISSED THAT LAST
14 PART OF THE COMMENT. I HAD TO ANSWER A QUESTION
15 FROM A CLIENT HERE. I DO SHARE THE CONCERN IN TERMS
16 OF THIRD-PARTY COMMENTS. AND, TED, IS WHAT YOU JUST
17 SAID WHOMEVER WE SEEK COMMENTS FROM AT JERRY AND
18 FRANCISCO' S -- AT THE CHAIR AND VICE CHAIR' S
19 DISCRETION OF THIS COMMITTEE, WOULD THE
20 UNDERSTANDING THAT THOSE INDIVIDUALS ARE QUALIFIED,
21 IF YOU WILL, TO FILL OUT THE FORM, THAT THEY WORKED
22 WITH OR WITNESSED OR HAVE SOME KNOWLEDGE OF THE
23 PRESIDENT, THE CHAIR, ETC. ?

24 DR. LOVE: THAT WAS WHAT I WAS SAYING. I
25 WAS SAYING THAT WE WOULDN' T JUST PICK ANY BIOTECH

BARRISTERS' REPORTING SERVICE

1 COMPANY THAT HAS HAD NO ENGAGEMENT, THAT WE TRY TO
2 FOCUS THIS ON COMPANIES THAT WE KNOW AND PEOPLE IN
3 THE INDUSTRY THAT WE KNOW HAVE REAL EXPERIENCE TO
4 COMMENT FROM.

5 MR. HARRISON: THAT WAS, IN FACT, OUR
6 INTENT. AND WE DO MAKE CLEAR IN THE INSTRUCTIONS
7 THEMSELVES, EVEN FOR THOSE PEOPLE WHO ARE FAMILIAR
8 AND HAVE WORKED WITH EITHER THE CHAIR OR THE
9 PRESIDENT, THEY MAY NOT FEEL THAT THEY HAVE THE
10 ABILITY TO COMMENT IN ALL OF THE DIFFERENT AREAS.
11 SO WE MADE CLEAR IN THE INSTRUCTIONS THAT IF THEY
12 DON'T FEEL QUALIFIED TO ASSESS THE PERSON IN A
13 PARTICULAR AREA, THEY SHOULD JUST LEAVE IT BLANK.
14 WE CAN REITERATE THAT IN THE LETTER AS WELL.

15 DR. LOVE: THAT'S PERFECT.

16 MS. KING: CAN I JUST INTERRUPT FOR A
17 MOMENT AND JUST ASK. IT SOUNDED LIKE A COUPLE
18 PEOPLE JOINED. IT MAY HAVE BEEN SOMEONE DROPPED OFF
19 AND CAME BACK ON. DID ANYONE JUST RECENTLY JOIN THE
20 CALL? OKAY. THANK YOU.

21 CHAIRMAN LEVEY: SO NOW I WOULD LIKE TO
22 ASK FOR A MOTION AND SOMEONE TO SECOND THE MOTION
23 REGARDING THE PROPOSED PROCESS. WE'RE NOT VOTING ON
24 THE FORMS NOW, BUT THE PROCESS.

25 MS. LANSING: I SO MOVE.

BARRISTERS' REPORTING SERVICE

1 DR. LOVE: SECOND.

2 CHAIRMAN LEVEY: OKAY. NOW, IF I'M NOT
3 MISTAKEN, DO WE HAVE ANY OTHER COMMENTS FROM THE
4 PUBLIC? AM I GOING OUT OF TURN HERE?

5 MR. HARRISON: THAT'S RIGHT, DR. LEVEY.

6 MS. KING: THAT IS CORRECT. WE DON'T HAVE
7 ANY HERE IN SAN FRANCISCO.

8 MR. TORRES: ART TORRES HERE. I JUST
9 WANTED TO MAKE SURE THAT THE MOTION THAT WAS MADE
10 OBVIOUSLY EMBRACED DR. LOVE'S AND DAVID
11 SERRANO-SEWELL'S RECOMMENDATIONS.

12 DR. AZZIZ: THIS IS RICARDO. SO I'D LIKE
13 TO JUST -- I'M JUST SIGNING IN. IF YOU CAN TELL ME
14 THE MOTION, THAT WOULD BE HELPFUL.

15 MS. KING: THANK YOU, DR. AZZIZ. JAMES,
16 COULD YOU AT THE SAME TIME AS RESTATING THE MOTION,
17 COULD YOU ALSO ADDRESS SENATOR TORRES' QUESTION?

18 MR. HARRISON: YES. I BELIEVE THE INTENT
19 OF THE MOTION WAS TO APPROVE THE PROCESS WITH THE
20 MODIFICATION SUGGESTED BY DR. LOVE AND DAVID
21 SERRANO-SEWELL REGARDING SENDING ONE FORM TO BOTH
22 THE MEMBER AND THE MEMBER'S ALTERNATE AND ASK THEM
23 TO COLLABORATE ON A RESPONSE.

24 MS. KING: JUST FOR CLARIFICATION FOR
25 DR. AZZIZ, WHERE WE ARE IS THIS IS THE FIRST MOTION

BARRISTERS' REPORTING SERVICE

1 DURING THE MEETING, AND IT'S WITH RESPECT TO ITEM
2 NO. 4, WHICH IS THE PROCESS. AND THEN WE'RE
3 ACTUALLY GOING TO CIRCLE BACK TO, IT'S JUST THE WAY
4 I HAD WRITTEN THE AGENDA VERSUS THE WAY THE
5 DOCUMENTS PLAY OUT, BUT THE DOCUMENTS FLOW BETTER
6 THAN MY AGENDA. THANK YOU, JAMES. WE WILL AFTER
7 THIS MOTION, WE WILL GO BACK TO A MOTION ON THE
8 FORMS THEMSELVES, IF THAT'S HELPFUL TO YOU.

9 DR. PENHOET: I UNDERSTOOD A SECOND PART
10 TO THE AMENDMENTS, IF THEY ARE AMENDMENTS, TO THE
11 MOTION, WHICH IS THAT BOTH CHAIRS OF THIS COMMITTEE
12 OR WHATEVER IT IS WOULD FILTER THE RESPONSES TO
13 ENSURE THAT ONLY RESPONSES FROM PEOPLE OR
14 ORGANIZATIONS THAT HAVE SUBSTANTIAL INTERACTION WITH
15 THE CHAIR OR THE PRESIDENT WOULD BE COUNTED IN THIS.

16 DR. AZZIZ: HOW DO YOU -- I'M SORRY.
17 AGAIN, I'M JUST SIGNING IN, BUT HOW DO YOU MEASURE
18 SUBSTANTIAL? I'M SORRY.

19 DR. PENHOET: I THINK WE'D LEAVE THAT TO
20 THE DISCRETION OF THE CO-CHAIRS.

21 MS. KING: THE CO-CHAIRS OF THE
22 SUBCOMMITTEE, DR. AZZIZ, BEING DR. LEVEY AND DR.
23 PRIETO, WHO WITH JAMES WILL, FOLLOWING THIS MEETING,
24 TAKE ON THE MANAGEMENT OF THE PROCESS ITSELF.

25 MR. HARRISON: AND THE INTENT, DR. AZZIZ,

BARRISTERS' REPORTING SERVICE

1 WOULD BE TO ONLY SOLICIT COMMENTS FROM THOSE
2 INDIVIDUALS WHO HAVE HAD DIRECT EXPERIENCE WITH THE
3 CHAIR OR THE PRESIDENT AND WHO WOULD HAVE THE
4 ABILITY TO OFFER SOME ASSESSMENT OF THEIR
5 PERFORMANCE.

6 MR. KLEIN: JAMES, IT MIGHT BE HELPFUL TO
7 JUST REPEAT WHO THE LIST OF PEOPLE ARE THAT THEY
8 WOULD BE SENT TO.

9 MR. HARRISON: SURE. FOR THE CHAIR THE
10 LIST INCLUDES BOARD MEMBERS, WORKING GROUP CHAIRS,
11 THE THREE CURRENT CONSTITUTIONAL OFFICERS WHO HAVE
12 THE POWER TO MAKE APPOINTMENTS, THE GOVERNOR, THE
13 TREASURER, AND THE CONTROLLER, SELECTED CIRM
14 GRANTEES, SELECTED PATIENT ADVOCATE REPRESENTATIVES,
15 AND ANY OTHER STAKEHOLDERS WHOM DR. LEVEY AND DR.
16 PRIETO THINK IT WOULD BE VALUABLE TO OBTAIN
17 INFORMATION FROM.

18 MR. SERRANO-SEWELL: YOU FORGOT THE
19 LIUTENANT GOVERNOR.

20 MR. HARRISON: THAT WAS INTENTIONAL,
21 DAVID.

22 FOR THE PRESIDENT THE LIST IS SIMILAR OF
23 BOARD MEMBERS, WORKING GROUP CHAIRS, CIRM GRANTEES,
24 REPRESENTATIVES OF CIRM'S COLLABORATIVE FUNDING
25 PARTNERS, REPRESENTATIVES OF THE BIOTECH INDUSTRY

BARRISTERS' REPORTING SERVICE

1 WHO HAVE HAD SOME DEALINGS DIRECTLY WITH DR.
2 TROUNSON, AND SIMILARLY PATIENT ADVOCATES WHO FALL
3 IN THAT SAME CATEGORY.

4 CHAIRMAN LEVEY: THERE ANY OTHER COMMENTS
5 EITHER FROM THE BOARD OR THE PUBLIC?

6 MR. TORRES: YES. WE DO HAVE AN ACTING
7 LIEUTENANT GOVERNOR, AND HER NAME IS MONA PASCAL.

8 MR. HARRISON: I STAND CORRECTED.

9 CHAIRMAN LEVEY: WE WERE TALKING BEFORE WE
10 DIDN'T THINK WE HAD ONE.

11 MR. TORRES: MAYBE THAT GOES TO THE OFFICE
12 ITSELF.

13 DR. LOVE: A KEY REASON THAT WE HAVE ART
14 ON THIS BOARD.

15 MS. KING: DR. LEVEY, WHENEVER YOU'RE
16 READY, I CAN TAKE THE ROLL.

17 CHAIRMAN LEVEY: I THINK WE'RE READY NOW
18 TO DO A ROLL CALL.

19 MS. KING: I ALSO JUST WANTED TO THANK
20 DR. AZZIZ FOR JOINING US FROM INDIA WHERE HE'S
21 TRAVELING ON BUSINESS, AND IT'S, I BELIEVE, 4 A.M.
22 FOR HIM. I APPRECIATE IT.

23 DR. AZZIZ: THANK YOU.

24 MS. KING: TAKING THE ROLL CALL FOR THE
25 VOTE HERE, DR. AZZIZ.

BARRISTERS' REPORTING SERVICE

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DR. AZZIZ: PRESENT.
MS. KING: YOUR VOTE ON THE MOTION,
PLEASE.
DR. AZZIZ: VOTE ON THE MOTION IS FOR.
MS. KING: MICHAEL GOLDBERG.
MR. GOLDBERG: FOR.
MS. KING: BOB KLEIN.
MR. KLEIN: FOR.
MS. KING: SHERRY LANSING.
MS. LANSING: YES.
MS. KING: GERALD LEVEY.
CHAIRMAN LEVEY: FOR.
MS. KING: TED LOVE.
DR. LOVE: YES.
MS. KING: ED PENHOET.
DR. PENHOET: YES.
MS. KING: CLAIRE POMEROY.
DR. POMEROY: YES.
MS. KING: FRANCISCO PRIETO.
DR. PRIETO: YES.
MS. KING: DAVID SERRANO-SEWELL.
MR. SERRANO-SEWELL: YES.
MS. KING: JEFF SHEEHY.
MR. SHEEHY: YES.
MS. KING: ART TORRES.

BARRISTERS' REPORTING SERVICE

1 MR. TORRES: AYE.

2 MS. KING: FOR THE RECORD THAT MOTION
3 CARRIES.

4 CHAIRMAN LEVEY: TERRIFIC. WITHOUT ANY
5 FURTHER ADO, WE CAN GO ON THEN TO DISCUSS THE ACTUAL
6 INSTRUMENT THAT WE PUT TOGETHER FOR THE REVIEW. SO
7 I THINK THIS YOU'VE ALL HAD FOR A WHILE, AND I HOPE
8 EVERYONE HAS HAD A CHANCE TO GO OVER THIS. AND I
9 WANT TO AGAIN JUST PUBLICLY ACKNOWLEDGE FOR THE
10 RECORD MARK SPEAR WHO IS THE HEAD OF UCLA'S HUMAN
11 RESOURCES. AND HE'S JUST A TERRIFIC PROFESSIONAL,
12 AND HE WAS REALLY GREAT HELP IN HELPING US PUT THIS
13 THING TOGETHER. SO WE CAN ACKNOWLEDGE THAT IN THE
14 MINUTES, AND HOPEFULLY AT SOME POINT WE'LL SEND HIM
15 A THANK YOU FOR EVERYTHING THAT HE DID.

16 BUT WE'D LIKE NOW TO JUST TO GO DIRECTLY
17 TO BOARD MEMBER COMMENTS DIRECTED SPECIFICALLY AT
18 THE FORMS. AND THEN AFTER WE DO THAT FOR THE BOARD,
19 WE'LL THEN OPEN IT UP FOR PUBLIC COMMENT AS WELL.

20 DR. LOVE: JERRY, LET ME TRY THIS BECAUSE
21 I THINK THAT WE ALREADY HEARD A LITTLE BIT THAT
22 PEOPLE FELT THAT THIS WAS A VERY IMPRESSIVE
23 DOCUMENT. AND THANK YOU AND FRANCISCO AND, AS YOU
24 ACKNOWLEDGE, OTHER PEOPLE FOR PARTICIPATING.

25 SO AT THE RISK OF MOVING US ALONG, I WOULD

BARRISTERS' REPORTING SERVICE

1 MOVE THAT WE ENDORSE APPROVAL -- I MOVE APPROVAL OF
2 BOTH OF THESE DOCUMENTS ALONG WITH THANKS TO YOU AND
3 FRANCISCO AND THE OTHER PARTIES ACKNOWLEDGEMENT, AND
4 THANKS FOR THE NICE WORK HERE.

5 MS. LANSING: I WOULD LIKE TO SECOND THAT.
6 YOU TOOK THE WORDS RIGHT OUT OF MY MOUTH. I THINK
7 THIS IS AN EXTRAORDINARY DOCUMENT, EXTRAORDINARY
8 JOB. I THANK YOU ALL FOR DOING THIS HEAVY LIFTING.
9 AND I SECOND THE MOTION.

10 CHAIRMAN LEVEY: WELL, THANK YOU. WE
11 APPRECIATE ALL THOSE VERY NICE COMMENTS. SO CAN WE
12 ASK FOR A MOTION THEN TO APPROVE.

13 DR. LOVE: YES. MOVED AND SECOND BY
14 SHERRY.

15 CHAIRMAN LEVEY: ANY OTHER COMMENTS? ANY
16 COMMENTS FROM THE PUBLIC? JOHN, DON.

17 MR. SIMPSON: THIS IS JOHN SIMPSON, JUST
18 AGAIN, EXCELLENT, EXCELLENT DOCUMENTS. YOU'RE BOTH
19 TO BE COMMENDED AS IS THE WHOLE COMMITTEE.

20 CHAIRMAN LEVEY: THANK YOU, JOHN.

21 MELISSA, IT'S TIME FOR ACTION HERE, THE
22 ROLL CALL VOTE.

23 MS. KING: RICARDO AZZIZ.

24 DR. AZZIZ: APPROVE.

25 MS. KING: MICHAEL GOLDBERG.

BARRISTERS' REPORTING SERVICE

1 MR. GOLDBERG: APPROVE.
2 MS. KING: BOB KLEIN.
3 MR. KLEIN: FOR.
4 MS. KING: SHERRY LANSING.
5 MS. LANSING: YES.
6 MS. KING: GERALD LEVEY.
7 CHAIRMAN LEVEY: YES.
8 MS. KING: TED LOVE.
9 DR. LOVE: YES.
10 MS. KING: ED PENHOET.
11 DR. PENHOET: AYE.
12 MS. KING: CLAIRE POMEROY.
13 DR. POMEROY: YES.
14 MS. KING: FRANCISCO PRIETO.
15 DR. PRIETO: AYE.
16 MS. KING: DAVID SERRANO-SEWELL.
17 MR. SERRANO-SEWELL: YES.
18 MS. KING: JEFF SHEEHY.
19 MR. SHEEHY: YES.
20 MS. KING: ART TORRES.
21 MR. TORRES: AYE.
22 MS. KING: FOR THE RECORD THAT MOTION
23 CARRIES.
24 CHAIRMAN LEVEY: WONDERFUL. THANK YOU SO
25 MUCH.

BARRISTERS' REPORTING SERVICE

1 NOW, I THINK THE NEXT THING WE'D LIKE TO
2 DO IS TALK A LITTLE BIT ABOUT THE SUCCESSION
3 PLANNING. I DON'T REMEMBER QUITE EXACTLY HOW WE GOT
4 INVOLVED WITH THIS, BUT I THINK IT WAS PROBABLY THE
5 LITTLE HOOVER REPORT, WHICH I DON'T REMEMBER EXACTLY
6 THE WORDING, BUT IT DID POINT OUT THAT CHANGES
7 ALWAYS OCCUR IN ORGANIZATIONS. AND THAT -- I DON'T
8 KNOW WHETHER IT'S A SUGGESTION OR ANYTHING STRONGER
9 THAN THAT, BUT I REMEMBER THEY WANTED TO US TO GET
10 INTO SUCCESSION PLANNING. I THINK THEY, AS I SAID
11 JUST BEFORE, THAT THEY RECOGNIZED THAT SOME OF OUR
12 SENIOR LEADERSHIP NOW WE'RE ALL GETTING TO ABOUT THE
13 SIXTH YEAR OF OUR TERMS, AND THE CHAIR AND TWO VICE
14 CHAIRS, I FORGET HOW MANY, CLOSE TO A DOZEN MEMBERS
15 OF THE BOARD ARE DUE TO EXPIRE AT THE END OF THIS
16 YEAR.

17 NOW, WE HAVEN'T DONE A LOT ON THIS, BUT
18 I'D LIKE TO GET A LITTLE BIT MORE DISCUSSION GOING
19 ON THIS BECAUSE WE'RE GOING TO HAVE TO FACE THIS
20 SOONER RATHER THAN LATER. AND I WONDER, JAMES,
21 COULD YOU LEAD US THROUGH SOME OF THE STATUTORY
22 CRITERIA THAT WE HAVE.

23 MR. HARRISON: SURE. I'D BE HAPPY TO.
24 THERE ARE STATUTORY CRITERIA FOR BOTH THE CHAIR AND
25 THE VICE CHAIR. AND FOR THE CHAIR, THE STATUTORY

BARRISTERS' REPORTING SERVICE

1 CRITERIA ARE DIVIDED INTO TWO DIFFERENT GROUPS,
2 MANDATORY CRITERIA AND OTHER CONSIDERATIONS. IN
3 TERMS OF THE MANDATORY CRITERIA, THEY INCLUDE A
4 DEMONSTRATED HISTORY IN STEM CELL RESEARCH ADVOCACY,
5 EXPERIENCE WITH STATE AND FEDERAL LEGISLATIVE
6 PROCESSES, INCLUDING EXPERIENCE WITH LEGISLATIVE
7 APPROVALS OF MEDICAL STANDARDS AND FUNDING. THE
8 CHAIR MUST ALSO QUALIFY AS A PATIENT ADVOCATE UNDER
9 PROP 71. AND THE CHAIR CANNOT BE CONCURRENTLY
10 EMPLOYED BY A RECIPIENT OF CIRM FUNDING OR A
11 PROSPECTIVE RECIPIENT OF CIRM FUNDING.

12 IN TERMS OF THE OTHER CRITERIA THAT ARE
13 LISTED AMONG THOSE THAT CAN BE CONSIDERED, THEY
14 INCLUDE EXPERIENCE IN DEVELOPING GOVERNMENTAL
15 STANDARDS AND PROCESSES, EXPERIENCE WITH GOVERNMENT
16 AGENCIES INCLUDING EXPERIENCE WITH THE EXERCISE OF
17 GOVERNMENT AUTHORITY AND EXPERIENCE WITH BOND
18 FINANCE.

19 THE DUTIES OF THE VICE CHAIR ARE INTENDED
20 TO BE COMPLEMENTARY OF THOSE OF THE CHAIR. AND LIKE
21 THE CHAIR, THE VICE CHAIR ALSO HAS TO QUALIFY AS A
22 PATIENT ADVOCATE.

23 CHAIRMAN LEVEY: YEAH. LET ME ALSO ADD
24 THERE I THINK THAT WE'RE ALL GOING TO LEARN THIS IS
25 A VERY DIFFICULT PROCESS, AS SOMEONE SAID BEFORE.

BARRISTERS' REPORTING SERVICE

1 SUCCESSION PLANNING IS NOT EASY. I THINK ALL THE
2 INDUSTRY HAS BEEN SUCCESSFUL IN DOING THIS.
3 ACADEMIC ORGANIZATIONS REALLY HAVE NOT. BUT I THINK
4 THAT WE'RE GOING TO LEARN A LOT FROM THESE FORMS
5 THAT ARE GOING TO BE RETURNED TO US FROM PEOPLE. I
6 THINK WE'LL GET A PRETTY GOOD INSIGHT INTO WHAT WE
7 NEED TO HAVE IN TERMS OF A SUCCESSION PLAN AND WHAT
8 THE QUALITIES ARE OF THE INDIVIDUALS.

9 SO I THINK THAT WILL BE HELPFUL. AND,
10 JAMES, CORRECT ME IF I'M WRONG, I THINK OUR POSITION
11 IN THIS ON THE BOARD WOULD BE WHAT, ADVISORY TO THE
12 GOVERNOR?

13 MR. HARRISON: THAT'S RIGHT, DR. LEVEY.
14 THE BOARD DOES NOT HAVE THE POWER TO MAKE
15 APPOINTMENTS ITSELF. IT DOES HAVE THE POWER TO
16 ELECT CANDIDATES TO THE POSITION OF CHAIR AND VICE
17 CHAIR FROM NOMINEES MADE BY THE FOUR CONSTITUTIONAL
18 OFFICERS: THE GOVERNOR, THE LIEUTENANT GOVERNOR,
19 THE CONTROLLER, AND THE TREASURER.

20 MS. LANSING: SAY THAT AGAIN. SO THEY --
21 I'M CONFUSED ON THAT. SO EXPLAIN TO ME. SO GOD
22 FORBID, YOU KNOW HOW I FEEL, BOB, GOD FORBID YOU
23 LEAVE, BUT I KNOW YOU'RE THINKING OF IT. SO HOW
24 DOES THIS GO AGAIN? I'M REALLY CONFUSED.

25 MR. HARRISON: WHAT WOULD HAPPEN, SHERRY,

BARRISTERS' REPORTING SERVICE

1 IS THAT THE FOUR CONSTITUTIONAL OFFICERS EACH HAVE
2 THE POWER TO NOMINATE A CANDIDATE TO THE POSITION.
3 AND THEN THE BOARD ELECTS A CHAIR OR VICE CHAIR FROM
4 AMONG THE NOMINEES PROPOSED BY THE FOUR
5 CONSTITUTIONAL OFFICERS.

6 MS. LANSING: SO WE DON'T HAVE A
7 NOMINATION?

8 MR. HARRISON: THAT'S CORRECT. SO YOU MAY
9 RECALL --

10 DR. PRIETO: BUT WE HAVE A VOTE.

11 MR. HARRISON: THAT'S RIGHT. YOU MAY
12 RECALL THAT WHEN THE BOARD WAS ORIGINALLY
13 CONSTITUTED, THERE WERE THREE CANDIDATES FOR VICE
14 CHAIR AND ONE CANDIDATE FOR CHAIR BECAUSE ALL THE
15 CONSTITUTIONAL OFFICERS NOMINATED BOB KLEIN. BUT WE
16 DID HAVE SOME EXPERIENCE WITH THE PROCESS WITH VICE
17 CHAIR.

18 MS. LANSING: SO WHO ARE THE
19 CONSTITUTIONAL OFFICERS THAT NOMINATE THE CHAIR?

20 MR. HARRISON: THE GOVERNOR, THE
21 LIEUTENANT GOVERNOR, THE CONTROLLER, AND THE
22 TREASURER.

23 MS. LANSING: WHOA.

24 MR. SHEEHY: JAMES, CAN I ASK A QUESTION?
25 CAN WE REJECT? SO, YOU KNOW --

BARRISTERS' REPORTING SERVICE

1 MR. SERRANO-SEWELL: YOU CAN VOTE -- ARE
2 YOU TALKING ABOUT IN ONE OF THE NOMINATIONS, JEFF?

3 MR. SHEEHY: WELL, JUST GENERICALLY. I
4 MEAN SO IF WE GET EITHER ONE NOMINEE FROM ALL FOUR
5 CONSTITUTIONAL OFFICERS OR WE GET FOUR NOMINEES WHO
6 WE MAY NOT FEEL ARE THE RIGHT PEOPLE, DO WE HAVE THE
7 ABILITY TO REJECT, OR DO WE NOT HAVE TO -- IF WE
8 JUST GET ONE, DO WE NOT HAVE TO TAKE THE ONE OR TAKE
9 ONE OF THE FOUR IF WE GOT ALL FOUR? THAT'S MY
10 QUESTION. DO WE ACTUALLY HAVE A ROLE IN REJECTING A
11 NOMINEE OTHER THAN PICKING ONE OUT OF A GROUP? AM I
12 MAKING SENSE HERE?

13 DR. PRIETO: I THINK THAT'S A VERY GOOD
14 QUESTION. JAMES, CAN YOU ANSWER THAT?

15 MR. SERRANO-SEWELL: BEFORE YOU ANSWER
16 THAT, JAMES, THIS IS DAVID SPEAKING. IT'S A GOOD
17 QUESTION, BUT IT -- I DON'T KNOW IF YOU WANT TO
18 ANSWER IT NOW, JAMES, BECAUSE IT DOES GET INTO
19 PROCEDURAL ASPECTS OF HOW THE MOTION IS FRAMED
20 BEFORE THE COMMITTEE AT THAT TIME IN DECEMBER AND
21 WHAT THE REQUISITE AMOUNT OF VOTES ARE FOR AN
22 INDIVIDUAL CHAIRPERSON TO HAVE ENOUGH VOTES TO SERVE
23 IN THAT CAPACITY. I MEAN THERE'S A LOT OF WHAT-IFS
24 HERE.

25 IF MEMBERS CAN VOTE REJECT, IF THAT'S EVEN

BARRISTERS' REPORTING SERVICE

1 AN OPTION, COULD THEY VOTE PRESENT, COULD THEY
2 ABSTAIN? THERE'S ALL SORTS OF WHAT-IFS HERE. WE
3 HAVEN'T HAD TO GET INTO THE WEEDS IN THE PROCEDURAL
4 ASPECTS OF IT BECAUSE WE'VE BEEN ADULTS AND MATURE,
5 AND WE'VE HANDLED IT IN A PRETTY ABOVEBOARD MANNER.
6 SO I JUST WANTED TO MAKE THAT STATEMENT BEFORE YOU
7 ANSWERED THE QUESTION, JAMES.

8 MR. KLEIN: I THINK DAVID SERRANO-SEWELL'S
9 ADVICE IS WELL PLACED. IT GIVES JAMES SOME TIME TO
10 THINK ABOUT ANSWERING THE QUESTION BECAUSE YOU COULD
11 HAVE A FACT PATTERN WHERE NOT ALL OF THE
12 CONSTITUTIONAL OFFICERS HAVE APPOINTED THE
13 REPLACEMENT MEMBERS, AND THERE'S QUESTIONS OF
14 WHETHER THERE'S A QUORUM PRESENT. SO I THINK THIS
15 IS ONE OF THOSE QUESTIONS THAT IT WOULD BE
16 APPROPRIATE TO HAVE A FACT PATTERN STATED, AND THEN
17 JAMES TO RESPOND TO MULTIPLE FACT PATTERNS TO GIVE
18 GUIDANCE UNDER THOSE FACT PATTERNS.

19 MR. SERRANO-SEWELL: LET ME SAY IN
20 GENERAL, IN THE RESPONSE TO JEFF'S QUESTION, AT THE
21 TIME IN WHICH THERE ARE -- THE QUESTION IS, WHATEVER
22 THE FACT PATTERN IS PRESENTED TO ME AS AN INDIVIDUAL
23 COMMISSIONER, IF I FELT IN MY OWN INDEPENDENT
24 JUDGMENT THAT THE NAMES BEFORE ME WERE NOT QUALIFIED
25 TO SERVE IN THOSE ROLES, I WOULD FIND A WAY TO

BARRISTERS' REPORTING SERVICE

1 EXPRESS THAT THROUGH MY VOTE. AGAIN, I DON'T KNOW
2 WHAT THAT WOULD BE, IF THAT WOULD BE NO OR IF THAT
3 WOULD BE JUST VOTING PRESENT OR PASSING. I JUST
4 DON'T KNOW. CAN'T ANSWER THAT SPECIFIC QUESTION
5 RIGHT NOW WITHOUT THE FACT PATTERN, AS YOU SAY, BOB.

6 TO JEFF'S ISSUE, I THINK THERE IS A WAY,
7 AND I DON'T KNOW WHAT IT IS, TO EXPRESS AN
8 INDIVIDUAL COMMISSIONER'S OPINION ABOUT THE NOMINEES
9 SUBMITTED TO THEM BY THE GOVERNOR, LIEUTENANT
10 GOVERNOR, THE TREASURER, AND THE CONTROLLER.

11 MR. KLEIN: THE FUNDAMENTAL QUESTION IS DO
12 YOU NEED A MAJORITY OF A QUORUM TO APPROVE.

13 MR. SERRANO-SEWELL: YEAH. YEAH. YEAH.

14 MR. KLEIN: I THINK WE NEED TO GIVE JAMES
15 SOME TIME TO THINK ABOUT IT BECAUSE I CAN TELL YOU
16 THAT ONE OF THE QUESTIONS THAT IS NOT NECESSARILY --
17 WE ADDRESS A LOT OF QUESTIONS, INCLUDING PARTIAL
18 APPOINTMENTS OF THE BOARD, BUT THAT SPECIFIC
19 QUESTION AND SOME OF THE FACT PATTERNS THAT MIGHT
20 ARISE, I WOULD THINK, IF IT'S ACCEPTABLE TO THE
21 COMMITTEE, TO GIVE JAMES SOME TIME TO THINK ABOUT
22 IT.

23 MR. SHEEHY: THAT'S FINE WITH ME BECAUSE I
24 DO THINK IT'S AN IMPORTANT ISSUE AS WE WEIGH IN ON
25 THIS TO KIND OF KNOW WHAT OUR BOUNDARIES ARE. I CAN

BARRISTERS' REPORTING SERVICE

1 IMAGINE THAT OUR ABILITY TO REJECT MAY SIMPLY BE
2 LIMITED TO WHETHER OR NOT THEY MEET THE STATUTORY
3 REQUIREMENTS, RIGHT? SO IT WOULD BE GOOD TO GET THE
4 PARAMETERS. AND THEN THAT CAN ALSO KIND OF EXPRESS,
5 AS WE TALK ABOUT SUCCESSION, WHAT OUR RELATIONSHIP
6 IS TO THE CONSTITUTIONAL OFFICE HOLDERS AS WE'RE
7 GIVING ADVICE. SO IF WE REALLY DON'T HAVE A LOT OF
8 LATITUDE IN WHAT WE CAN VOTE, ASSUMING THEY PUT ONE
9 OR FOUR CANDIDATES WHO MEET THE STATUTORY
10 REQUIREMENTS. IF WE ARE LEGALLY OBLIGATED TO VOTE
11 FOR ONE OF THOSE, THEN I THINK HOW WE OFFER ADVICE
12 TOWARDS THEM, IT'S KIND OF A DIFFERENT
13 CHARACTERISTIC THAN SETTING OUT THE SKILL SETS AND
14 QUALITIES WHEN WE ACTUALLY MIGHT BE ABLE TO HAVE
15 SOME MORE INFLUENCE OVER.

16 MR. SERRANO-SEWELL: AGAIN, THIS IS JUST
17 MY OWN OPINION, JERRY, FRANCISCO, AND COLLEAGUES.
18 AGAIN, I DON'T LIKE VIEWING IT IN THAT WAY. AND LET
19 ME ALSO USE THIS AS AN OPPORTUNITY TO SAY I'M SO
20 HESITANT TO OPINE ON SUCCESSION ISSUES PURSUANT TO
21 THE LITTLE HOOVER COMMISSION'S DICTATE TO US. I
22 KNOW THAT AS A BODY WE WANT TO APPEAR AND WE ARE
23 RESPONSIVE TO THIRD PARTIES' COMMENTS AND
24 CRITICISMS, CONSTRUCTIVE CRITICISMS TO US, AND THIS
25 WAS ONE OF THOSE SUGGESTIONS FROM THE LITTLE HOOVER

BARRISTERS' REPORTING SERVICE

1 COMMISSION. YOU HAVEN'T THOUGHT ABOUT SUCCESSION
2 PLANNING. IN FACT, WE HAVE THOUGHT ABOUT SUCCESSION
3 PLANNING. AND THE SUCCESSION ISSUES CERTAINLY AS IT
4 RELATES TO THE CHAIR AND THE VICE CHAIR ARE CLEARLY
5 SPELLED OUT IN THE STATUTE. THAT IS TO SAY THE
6 AFOREMENTIONED STATEWIDE OFFICERS HAVE A NOMINATION
7 AND WE VOTE. WE'VE GONE THROUGH THIS PROCESS AND
8 IT'S WORKED VERY WELL.

9 SO I THINK THERE IS A SUCCESSION PROCESS,
10 AND IT'S CLEARLY SPELLED OUT IN THE STATUTE. AND
11 KUDOS TO JAMES AND BOB FOR THINKING ABOUT THAT. AS
12 IT GETS INTO WHAT SO-CALLED QUALITIES AND
13 CHARACTERISTICS WE WOULD LIKE IN THOSE INDIVIDUALS,
14 I WOULD SAY, ONE, IT'S CLEARLY, CLEARLY SPELLED OUT
15 IN THE PROPOSITION. IT'S BLACK AND WHITE.

16 SECONDLY, AS A COMMISSIONER AND AS A
17 CITIZEN, I HAVE RESPECT FOR THE OFFICE OF THE
18 GOVERNOR AND THE OTHER RESPECTIVE STATEWIDE OFFICES,
19 WHOMEVER MAY FILL THEM, BUT I HAVE RESPECT FOR THE
20 OFFICE, WHETHER IT'S FILLED BY A DEMOCRAT OR A
21 REPUBLICAN OR AN INDEPENDENT, NOTWITHSTANDING
22 POLITICAL PARTY, THAT THAT INDIVIDUAL AND THEIR
23 STAFF WILL DO THE DUE DILIGENCE AND THEY WILL LOOK
24 AT THE STATUTE AND THEY WILL DECIDE IN THEIR OWN
25 JUDGMENT. AND THAT'S ONE OF THE BENEFITS OF BEING

BARRISTERS' REPORTING SERVICE

1 AN ELECTED OFFICIAL. THEY WILL NOMINATE WHOMEVER
2 THEY SEE FIT. WHAT I WANT TO SAY IS I RESPECT THAT.

3 NOW, I HAVE MY OWN -- AS A COMMISSIONER
4 I'LL GET TO WEIGH IT MYSELF IN VOTING YES, VOTING
5 NO, VOTING WHATEVER, BUT I ACCEPT WHATEVER FACT
6 PATTERN I'M GIVEN. AND TO START GIVING GUIDANCE TO
7 THE GOVERNOR, I JUST THINK IT'S A BIT PRESUMPTUOUS
8 ON MY PART. THE GOVERNOR IS A STATEWIDE AND THE
9 OTHER OFFICERS ARE STATEWIDE ELECTED INDIVIDUALS,
10 AND THEY CAMPAIGNED FOR THE OFFICE. THEY'RE ELECTED
11 BY THE PEOPLE. I WANT TO GIVE THEM THE SPACE THAT
12 THEY AND THE RIGHT THAT THEY HAVE TO MAKE THAT
13 DECISION WITHOUT PROVIDING MY TWO CENTS.

14 MS. LANSING: CAN I JUST SAY THAT I AGREE
15 WITH YOU. WHAT I DIDN'T REALIZE, AND I GUESS, OF
16 COURSE, I REMEMBER IT, THAT WE WILL BE PRESENTED
17 WITH MAYBE ONE CANDIDATE AND MAYBE FOUR CANDIDATES.
18 IT WILL BE SOMEWHERE BETWEEN THOSE. AND I TOO
19 RESPECT EACH OF THE INDIVIDUALS WHO ARE HOLDING THE
20 OFFICES OR WHO WILL HOLD THE OFFICES, AND I THINK
21 THEY WILL GIVE THIS INCREDIBLE THOUGHT. BUT WHAT I
22 WOULD LIKE TO KNOW, AND I THINK IT'S APPROPRIATE FOR
23 THIS MEETING IF WE HAVE IT, WHICH I THINK WE DO, IS
24 THE PARAMETERS OF THE JOB BECAUSE THERE IS NOTHING
25 WRONG WITH US THINKING ABOUT PEOPLE THAT MIGHT BE

BARRISTERS' REPORTING SERVICE

1 GOOD FOR IT. AND THERE'S NOTHING WRONG WITH US
2 EXPRESSING THOSE THOUGHTS.

3 MR. SERRANO-SEWELL: SHERRY, DON'T YOU
4 THINK THOSE EXPRESSIONS ARE BEST DONE THROUGH THE
5 USUAL CHANNELS?

6 MS. LANSING: OH, YES.

7 MR. SERRANO-SEWELL: SOMEBODY CALLS YOU OR
8 YOU SUA SPONTE ON YOUR OWN DECIDE TO COMMUNICATE?

9 MS. LANSING: ABSOLUTELY. WHICH IS WHY I
10 WOULD JUST LIKE TO KNOW -- I READ IT, SO I GUESS I
11 DO KNOW, BUT MAYBE, JAMES, IF YOU COULD GIVE US A
12 BRIEF WHAT THE SPECIFIC QUALITIES ARE, WHICH I THINK
13 WE KNOW, BUT JUST MAYBE SAY IT ONCE AGAIN FOR THE
14 JOB.

15 MR. HARRISON: AND, SHERRY, YOU ARE
16 REFERRING TO THE CRITERIA THEMSELVES OR THE DUTIES?

17 MS. LANSING: I'M REFERRING -- I THINK WE
18 KNOW THE DUTIES. THE CRITERIA.

19 MR. HARRISON: THE CRITERIA ARE, AGAIN,
20 MANDATORY CRITERIA ARE, ONE, A DEMONSTRATED HISTORY
21 IN STEM CELL RESEARCH ADVOCACY; TWO, EXPERIENCE WITH
22 STATE AND FEDERAL LEGISLATIVE PROCESSES, INCLUDING
23 EXPERIENCE WITH LEGISLATIVE APPROVALS OF MEDICAL
24 STANDARDS OR FUNDING; THREE, THE CHAIR MUST QUALIFY
25 AS A PATIENT ADVOCATE UNDER PROP 71; AND FOUR, THE

BARRISTERS' REPORTING SERVICE

1 INDIVIDUAL CANNOT BE CONCURRENTLY EMPLOYED BY OR ON
2 LEAVE FROM AN INSTITUTION THAT HAS EITHER RECEIVED
3 CIRM FUNDING OR IS A PROSPECTIVE RECIPIENT OF CIRM
4 FUNDS.

5 MR. KLEIN: JAMES, IN TERMS OF QUALIFIED
6 AS A PATIENT ADVOCATE, THAT'S PURSUANT TO PARAGRAPH
7 3, 4, OR 5 OF SUBDIVISION A, WHICH ARE THE
8 PARAGRAPHS THAT TALK ABOUT THE PATIENT ADVOCATE
9 CRITERIA FOR APPOINTMENT BY THE CONSTITUTIONAL
10 OFFICERS.

11 MR. HARRISON: THAT'S CORRECT. SO THERE
12 ARE SPECIFIC STANDARDS FOR THE PATIENT ADVOCATES AS
13 WELL.

14 MR. SHEEHY: I WONDER IF WE MIGHT -- I
15 HAVE A FEELING THAT THIS IS A LONGER DISCUSSION. I
16 THINK WE'VE HAD A GOOD KIND OF LOOK AT THE GROUND,
17 KIND OF WHAT THIS PARTICULAR PIECE OF THE PROBLEM
18 LOOKS LIKE. I WAS WONDERING IF I COULD ADD ANOTHER
19 ASPECT THAT, AGAIN, THIS IS ALL FUTURE BECAUSE I
20 REALLY DON'T THINK WE HAVE TIME TODAY TO DO ALL
21 THIS. I ALSO THINK WE SHOULD CONSIDER -- WE'RE
22 GOING TO HAVE A BIG GROUP OF NEW BOARD MEMBERS
23 OUTSIDE AND AS WELL AS POTENTIALLY A NEW CHAIR OR
24 VICE CHAIR AND/OR VICE CHAIR, WHAT KIND OF
25 ORIENTATION, WHAT KIND OF TRAINING, HOW WE

BARRISTERS' REPORTING SERVICE

1 INTEGRATE. RIGHT NOW PEOPLE JUST KIND OF SHOW UP AT
2 THE MEETINGS AND GOOD LUCK. HOPE YOU CATCH WHAT'S
3 GOING ON. WE' LL HAVE A BIG GROUP OF PEOPLE COMING
4 IN, AND I THINK THAT WE SHOULD REALLY THINK ABOUT
5 HOW WE INTEGRATE FOLKS INTO OUR PROCESSES IN A MORE
6 SEAMLESS MANNER.

7 MR. TORRES: I JUST WANTED TO MAKE TWO
8 REMARKS. NO. 1, ONLY MY REFERENCE AS A SENATOR,
9 WHEN THE GOVERNOR PROCEEDS TO PUT FORWARD AN
10 APPOINTMENT TO THE FULL SENATE, IT TAKES A MAJORITY
11 VOTE. IF THERE IS NOT A MAJORITY VOTE FOR THAT
12 NOMINEE, THE GOVERNOR HAS THE OPTION TO WITHDRAW
13 THAT NOMINEE AND PUT FORWARD ANOTHER NOMINEE. I'M
14 SURE THAT MIGHT TAKE PLACE IF, IN FACT, THE FULL
15 BOARD DOESN'T APPROVE BY A MAJORITY VOTE. IF NOT,
16 THE NOTION BY WHICH THESE OFFICES WILL BE
17 DETERMINED, THEN THE GOVERNOR, THE CONTROLLER,
18 WHOEVER ELSE'S NOMINEES HAVE BEEN REJECTED CAN GET
19 BACK TOGETHER AND PUT FORWARD ANOTHER NOMINEE.

20 THE SECOND QUESTION I HAVE, WHO IS THE
21 VOTING UNIVERSE FOR ANY OF THESE NOMINEES? AND WHEN
22 WILL THEY TAKE OFFICE AND WHO WILL ACTUALLY BE
23 ALLOWED TO VOTE FOR CHAIR AND VICE CHAIR? IS IT THE
24 OLD MEMBERS, OR IS IT GOING TO BE THE NEW MEMBERS
25 APPOINTED BY THE CONSTITUTIONAL OFFICERS? AND WHEN

BARRISTERS' REPORTING SERVICE

1 DOES THAT TAKE PLACE? THESE ARE ALL ISSUES THAT BOB
2 AND JAMES HAVE TALKED ABOUT AND MAYBE NEEDS MORE
3 TIME TO FIGURE OUT JUST WHO ARE THE PEOPLE THAT ARE
4 GOING TO BE ACTUALLY VOTING.

5 MR. KLEIN: ART, IF I COULD ADDRESS A
6 COUPLE OF THINGS THAT HAVE BEEN RAISED. ONE, JEFF,
7 HOPEFULLY IT GIVES YOU COMFORT TO KNOW THAT WHENEVER
8 A NEW BOARD MEMBER IS APPOINTED BY A CONSTITUTIONAL
9 OFFICER, THERE IS AN ORIENTATION PACKAGE DEVELOPED.
10 AND THEN I AND MELISSA KING VISIT THEM AND BRIEF
11 THEM.

12 MR. SHEEHY: I TAKE BACK MY COMMENT. I
13 SHOULD HAVE KNOWN THAT YOU AND MELISSA WOULD BE ALL
14 OVER THIS.

15 MR. KLEIN: I JUST WANTED TO COMFORT YOU
16 WITH KNOWING THAT.

17 TO A FOLLOW-UP FOR ANSWERING THE
18 QUESTIONS, THE SECOND POINT IS THAT IT IS SET UP SO
19 THAT THE CONSTITUTIONAL OFFICERS THAT ARE CURRENTLY
20 IN PLACE WOULD DO THE APPOINTMENT. AND JAMES,
21 UNLESS THERE'S SOMETHING THAT -- I MEAN OBVIOUSLY
22 THE LIEUTENANT GOVERNOR IS IN QUESTION AS TO WHETHER
23 THERE WILL BE ONE THAT IS VALIDLY IN PLACE.

24 MR. TORRES: BOB, MY POINT WAS WHEN DO
25 THESE PEOPLE TAKE THEIR OFFICES? SIMULTANEOUSLY?

BARRISTERS' REPORTING SERVICE

1 MR. KLEIN: THEY TAKE THEIR OFFICE
2 DECEMBER 17TH.

3 MS. KING: IF THEY HAVE BEEN APPOINTED.

4 MR. TORRES: THAT'S WHEN IT WILL BE
5 DETERMINED WHO IS ALLOWED TO VOTE FOR WHATEVER
6 NOMINEES COME FROM THE FOUR CONSTITUTIONAL OFFICERS.

7 MR. KLEIN: JAMES, JUST TO VALIDATE THAT
8 WITH YOU, THE CURRENT CONSTITUTIONAL OFFICERS MAKE
9 THE APPOINTMENTS. PEOPLE THAT ARE THEN NEWLY
10 APPOINTED WITH THE BOARD MEMBERS WHO ARE CARRY-OVERS
11 ON DECEMBER 17TH WOULD BE IN A POSITION TO BE THE
12 VOTING MEMBERS. IS THAT YOUR AGREEMENT?

13 MR. HARRISON: THAT'S CORRECT WITH ONE
14 EXCEPTION. IF, FOR EXAMPLE, A CONSTITUTIONAL
15 OFFICER FAILS TO MAKE AN APPOINTMENT BY DECEMBER
16 17TH, THEN THE CURRENT MEMBER WOULD CONTINUE TO HOLD
17 OVER UNTIL HIS OR HER SUCCESSOR QUALIFIES, MEANING
18 THE PERSON IS APPOINTED AND TAKES THE OATH.

19 MR. KLEIN: THANK YOU FOR THAT
20 CLARIFICATION. SO WITH THE --

21 MR. TORRES: I JUST WANT TO MAKE ONE FINAL
22 POINT, BOB. AND THAT IS, I WANT TO MAKE SURE WE GET
23 ON THE RECORD THAT THIS SUCCESSION ISSUE WAS
24 CONSIDERED FAR AHEAD OF ANY RECOMMENDATIONS THAT
25 CAME BEFORE THE LITTLE HOOVER COMMISSION.

BARRISTERS' REPORTING SERVICE

1 MS. KING: ABSOLUTELY.

2 MR. KLEIN: RIGHT. THAT'S THE PURPOSE OF
3 ME INDICATING VERY EARLY ON THAT I WOULD NOT BE
4 RESEEKING THE OFFICE.

5 MR. TORRES: SO WE'RE NOT RESPONDING ON
6 THIS SUCCESSION ISSUE TO LITTLE HOOVER COMMISSION.
7 WE ARE RESPONDING TO THE MANDATE AS ARTICULATED IN
8 THE STATUTE.

9 MR. KLEIN: ALL I WOULD LIKE TO SAY IS
10 THAT SINCE THE CONSTITUTIONAL OFFICERS WHO ARE
11 CURRENTLY IN OFFICE HAVE BEEN GREAT SUPPORTERS OF
12 STEM CELL RESEARCH, I WOULD BE OPTIMISTIC THAT WE
13 WILL HAVE A NUMBER OF NOMINEES WHO HAVE HIGH QUALITY
14 AND MEET THE REQUIREMENTS. BUT IT IS IMPORTANT,
15 JEFF'S POINT IS VERY IMPORTANT BECAUSE WHATEVER WE
16 COME BACK AS AN ANSWER FROM JAMES HARRISON ON WHAT
17 THE PROTOCOLS ARE UNDER DIFFERENT FACT PATTERNS,
18 THEY WON'T BE EXHAUSTIVE AS TO THE FACT PATTERNS,
19 BUT THREE YEARS FROM NOW THE NEW CHAIR, WHOEVER THAT
20 IS, MIGHT RESIGN. AND THEN YOU HAVE DIFFERENT
21 CONSTITUTIONAL OFFICERS WHO WOULD MAKE THE
22 NOMINATIONS. AND IT'S GOOD FOR THE BOARD TO KNOW AT
23 THIS POINT WHAT THE FACT PATTERN ALTERNATIVES WOULD
24 BE SO THAT THEY CAN KNOW WELL IN ADVANCE AS WE
25 HOPEFULLY ALWAYS TRY AND BE.

BARRISTERS' REPORTING SERVICE

1 MR. HARRISON: CAN I MAKE ONE FINAL
2 CLARIFICATION? FOR THOSE BOARD MEMBERS WHOSE TERMS
3 ARE DUE TO EXPIRE AT THE END OF THIS YEAR, THEY
4 SHOULD BE AWARE THAT THEY ARE ELIGIBLE FOR
5 REAPPOINTMENT.

6 MR. KLEIN: WE WOULD HOPE THAT THEY WOULD
7 SEEK REAPPOINTMENT BECAUSE THEY HAVE INVALUABLE
8 KNOWLEDGE THAT IS A REAL TREASURY FOR THE STATE.
9 THEIR SERVICE HAS GIVEN THEM TREMENDOUS KNOWLEDGE
10 THAT WOULD BE A GREAT CONTRIBUTION IF THEY WERE TO
11 CONTINUE.

12 CHAIRMAN LEVEY: ANY OTHER COMMENTS?

13 MR. TORRES: YES, ONE FINAL COMMENT JUST
14 TO MAKE SURE EVERYONE'S AWARE THAT THE CURRENT
15 CONSTITUTIONAL OFFICERS CAN NOMINATE AS LATE AS
16 JANUARY 2D, 2011, THE DAY BEFORE THEY TAKE THEIR
17 OATH OF OFFICE.

18 MR. KLEIN: BUT, ART, ON DECEMBER 17TH
19 WOULD BE THE DATE THAT THE NOMINATIONS WOULD BE
20 VOTED ON UNLESS, JAMES, THERE'S SOME OTHER CRITERIA
21 YOU ARE AWARE OF.

22 MR. TORRES: RIGHT. BUT I'M SAYING THE
23 CURRENT CROP OF CONSTITUTIONAL OFFICERS, IF, IN
24 FACT, WE REJECTED CERTAIN NOMINEES, WOULD HAVE THE
25 OPPORTUNITY TO PROFFER NOMINEES UP UNTIL JANUARY 22D

BARRISTERS' REPORTING SERVICE

1 FOR OUR CONSIDERATION. AFTER THAT, THEN THE NEW
2 CONSTITUTIONAL OFFICERS, A NEW GOVERNOR, A NEW
3 LIEUTENANT GOVERNOR, ETC., ETC., WOULD THEN BE
4 RESPONSIBLE FOR MAKING THOSE NOMINATIONS.

5 MR. SERRANO-SEWELL: RIGHT. AND AS AN
6 ADDENDUM TO ART'S STATEMENT, BOB, IF A
7 CONSTITUTIONAL OFFICER FOR WHATEVER REASON, THERE'S
8 A FIRE IN HOLLYWOOD HILLS OR SOMETHING, DOESN'T MAKE
9 NOMINATIONS OR APPOINTMENTS BY DECEMBER 17TH, ONE,
10 THE MEMBERS OF THOSE POSITIONS WOULD CONTINUE ON
11 UNTIL THEIR SUCCESSOR IS NAMED, AS JAMES SAID; BUT
12 AS IT RELATES TO THE CHAIR AND VICE CHAIR, I WOULD
13 THINK WE WOULD GIVE THAT STATEWIDE OFFICER THE
14 COURTESY TO ALLOW THEM TO MAKE THAT NOMINATION, MAKE
15 THAT NOMINATION FOR CHAIR AND VICE CHAIR, IF IT WAS
16 AFTER THE 17TH. NOTHING MAGICAL HAPPENS ON THE
17 17TH.

18 IF THE BOARD HAS NOT TAKEN ACTION, THEN
19 YOUR POSITION AND ART'S POSITION WOULD CONTINUE
20 UNTIL SUCH TIME AS THE BOARD HAS TAKEN ACTION,
21 CORRECT?

22 MR. KLEIN: DAVID.

23 MR. SERRANO-SEWELL: I'M NOT SURE IF I'M
24 CORRECT OR NOT, BUT IT SOUNDS RIGHT.

25 MR. KLINE: I'D LIKE TO GIVE JAMES THE

BARRISTERS' REPORTING SERVICE

1 TIME TO LOOK AT THAT BECAUSE IT INITIALLY SPECIFIED
2 DECEMBER THE 17TH, AND I WOULD LIKE HIM TO HAVE THE
3 CHANCE TO LOOK AT THAT, AS YOU WISELY SUGGESTED
4 BEFORE, TO SEE IN THE CONTEXT OF THE REST OF THE ACT
5 THE FACT PATTERN THAT YOU'VE SUGGESTED.

6 MR. SERRANO-SEWELL: WE WOULD LIKE HIM TO
7 DO THAT, BUT JUST FOR THE RECORD, THERE'S NO PENALTY
8 IF, FOR EXAMPLE, THE TREASURER DOESN'T. AND WE
9 CAN'T FORCE THE TREASURER TO DO IT BY THE 17TH.

10 MR. KLEIN: WE CERTAINLY CANNOT.

11 MR. SERRANO-SEWELL: WE CAN ENCOURAGE.

12 MR. KLEIN: BUT IT IS GOOD TO THINK ABOUT
13 THESE ISSUES RIGHT NOW BECAUSE YOU WANT TO HAVE THE
14 BEST INFORMATION IN THE HANDS OF THE CONSTITUTIONAL
15 OFFICERS WELL IN ADVANCE SO THEY HAVE THE
16 OPPORTUNITY TO MAKE STRATEGIC DECISIONS.

17 MR. SERRANO-SEWELL: TOTALLY.

18 MR. KLEIN: THEY MAY, BASED ON CERTAIN
19 ANSWERS, WANT TO HAVE THEIR NOMINEE READY THREE
20 WEEKS IN ADVANCE.

21 MR. SERRANO-SEWELL: I THINK THAT'S WHAT I
22 UNDERSTOOD ART TO SAY. AND JERRY AND FRANCISCO,
23 MAYBE THIS IS THE BEST PLACE WHERE WE CAN BE MOST
24 EFFECTIVE IN TERMS OF "CONTINUITY" IS EXPRESSING TO
25 THE APPOINTING OFFICERS HERE'S WHAT THESE TIMELINES

BARRISTERS' REPORTING SERVICE

1 ARE, HERE'S WHEN THE TERMS WERE APPOINTED, HERE'S
2 WHEN THEY EXPIRE BECAUSE DECEMBER 17TH IS WHEN WE
3 HAD OUR FIRST MEETING AT UC SAN FRANCISCO. AND, YOU
4 KNOW, WE'D LIKE TO OPERATE AND HAVE A CONTINUATION
5 WITHOUT INTERRUPTION, AND IF YOU COULD SO PLEASE BE
6 AWARE OF THAT AS YOU'RE MAKING YOUR DECISIONS. THAT
7 KIND OF PROCEDURAL CONTINUITY, I THINK, THE
8 APPOINTING OFFICERS WOULD BE MOST APPRECIATIVE OF
9 BECAUSE THEY'RE BUSY AND GOT A GAZILLION THINGS ON
10 THEIR PLATE.

11 MR. KLEIN: I THINK RECOGNIZING HOW MANY
12 DIFFERENT CRISES AND CHALLENGES THEY'RE DEALING WITH
13 IS EXACTLY -- YOUR COMMENTS, I THINK, ARE EXACTLY ON
14 POINT. IT'S A COURTESY AND RESPECT FOR THEM TO GIVE
15 THEM INFORMATION EARLY.

16 MR. SERRANO-SEWELL: VERSUS, YOU KNOW, I
17 WOULD LIKE IT IF THE CHAIR WAS WARM AND CUDDLY, AND
18 CAN YOU APPOINT SOMEONE -- YOU KNOW, THEY'RE GOING
19 TO DO WHAT THEY'RE GOING TO DO. THAT'S MY POINT.

20 CHAIRMAN LEVEY: LISTEN, JUST TO INTERJECT
21 HERE, WE'VE ACHIEVED OUR GOAL HERE TODAY WITH REGARD
22 TO THE SUCCESSION BECAUSE JUST THE FACT -- WE WANTED
23 TO GET PEOPLE TO START THINKING THAT THIS IS
24 SOMETHING THAT'S COMING UP. IT'S COMPLICATED, IT'S
25 GOING TO BE COMPLICATED BY THE ELECTION, IT'S GOING

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1 TO BE COMPLICATED BY THE SHEAR NUMBERS OF PEOPLE WE
2 HAVE WHO WILL BE ENDING THEIR TERMS.

3 SO WE APPRECIATE ALL THESE COMMENTS, AND
4 WE'LL HAVE TO PROVIDE THE VENUE TO TALK ABOUT THIS
5 FURTHER.

6 JAMES, YOU'RE CLEAR ON WHAT PEOPLE WANT, I
7 GUESS, FROM YOU?

8 MR. HARRISON: I AM INDEED.

9 CHAIRMAN LEVEY: GREAT. SO ANY COMMENTS
10 FROM THE PUBLIC?

11 MS. KING: WE HAVE ONE HERE IN SAN
12 FRANCISCO.

13 MR. REED: JUST THAT I LIKE THE IDEA THAT
14 WE'RE GOING TO GO AT THIS SLOW AND CAREFUL. I
15 PREFER A GLACIAL PACE ON THIS BECAUSE THIS IS LIKE
16 THE SUPREME COURT. THIS IS -- WHOEVER IS CHOSEN FOR
17 THESE POWERFUL POSTS IS GOING TO SHAPE THE FUTURE OF
18 THE FIELD FOR ALL TIME. SO I'M IN FAVOR OF TAKING
19 AS LONG AS IS NECESSARY.

20 MS. LANSING: ANY COMMENTS IN L. A. ?

21 MR. SIMPSON: JOHN SIMPSON HERE. I JUST
22 THOUGHT THAT THAT WAS A VERY USEFUL AND PRODUCTIVE
23 AND THOUGHTFUL CONVERSATION TO GET ALL ON THE TABLE.
24 I DON'T THINK IT'S PARTICULARLY RELEVANT AS TO
25 WHETHER THE CONVERSATION WAS SPARKED BY THE LITTLE

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1 HOOVER COMMISSION OR BY STATUTE. THAT'S SOMETHING
2 THAT PERHAPS SOME OF US CAN SPLIT HAIRS OVER OVER A
3 DRINK SOMETIME. BUT THE IMPORTANT THING IS THAT
4 THIS WAS A VERY PRODUCTIVE CONVERSATION. SO IT'S
5 GOOD THAT YOU'VE HAD IT.

6 CHAIRMAN LEVEY: THANKS AGAIN.

7 DR. PRIETO: JOHN, ARE YOU BUYING?

8 MR. SIMPSON: FOR SOME OF YOU.

9 DR. PRIETO: NO PLAYING FAVORITES.

10 CHAIRMAN LEVEY: THANK ALL OF YOU FOR
11 PARTICIPATING TODAY. IT'S BEEN A LONG CONFERENCE
12 CALL, BUT I THINK IT'S BEEN A GREAT ONE. SO WE'RE
13 VERY APPRECIATIVE OF YOUR TAKING THE TIME TO DO
14 THIS. DO I NEED A MOTION TO ADJOURN?

15 MS. KING: NO.

16 MR. HARRISON: YOU DO NOT.

17 CHAIRMAN LEVEY: WE'RE ADJOURNED.

18 (THE MEETING WAS THEN ADJOURNED AT
19 04:39 P.M.)

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BARRISTERS' REPORTING SERVICE

REPORTER' S CERTIFICATE

I, BETH C. DRAIN, A CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT OF THE TELEPHONIC PROCEEDINGS BEFORE THE EVALUATION SUBCOMMITTEE OF THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE OF THE CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE IN THE MATTER OF ITS REGULAR MEETING ON MARCH 19, 2010, WAS HELD AS HEREIN APPEARS AND THAT THIS IS THE ORIGINAL TRANSCRIPT THEREOF AND THAT THE STATEMENTS THAT APPEAR IN THIS TRANSCRIPT WERE REPORTED STENOGRAPHICALLY BY ME AND TRANSCRIBED BY ME. I ALSO CERTIFY THAT THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD OF THE PROCEEDING.



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