

BEFORE THE  
SCIENTIFIC AND MEDICAL ACCOUNTABILITY STANDARDS  
WORKING GROUP SEARCH SUBCOMMITTEE  
OF THE  
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE

REGULAR TELECONFERENCE MEETING

DATE: TUESDAY, MARCH 29, 2005  
8 A.M. TO 11 A.M.

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

BRS FILE NO.: 72137

LOCATION: UCSF, LAUREL HEIGHTS CAMPUS  
3333 CALIFORNIA STREET  
CHANCELLOR'S CONFERENCE ROOM  
SAN FRANCISCO, CALIFORNIA

UNIVERSITY OF CALIFORNIA IRVINE  
NATURAL SCIENCES I  
NSI 3134, BUILDING 517  
IRVINE, CALIFORNIA

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1           IRVINE, CALIFORNIA; TUESDAY, MARCH 29, 2005

2

3           CHAIRMAN KESSLER:   WHY DON'T WE START AND  
4 THEN JOAN CAN JOIN US.   MAY I CALL THIS MEETING TO  
5 ORDER.   THANK YOU FOR COMING.   DURING THE COURSE OF  
6 THIS MEETING, WE HOPE TO RECOMMEND A FULL SLATE OF  
7 CANDIDATES TO SERVE ON THE SCIENTIFIC AND MEDICAL  
8 STANDARDS AND ACCOUNTABILITY WORKING GROUP.   CAN WE  
9 PLEASE HAVE A ROLL CALL.

10           MS. SHREVE:   DAVID KESSLER.

11           CHAIRMAN KESSLER:   HERE.

12           MS. SHREVE:   DAVID SERRANO-SEWALL.

13           MR. SERRANO-SEWALL:   PRESENT.

14           MS. SHREVE:   JEFF SHEEHY.

15           MR. SHEEHY:   HERE.

16           MS. SHREVE:   JON SHESTACK.   OSWALD STEWARD.

17           DR. STEWARD:   HERE.

18           MS. SHREVE:   KATE SHREVE, CALIFORNIA  
19 INSTITUTE FOR REGENERATIVE MEDICINE.

20           CHAIRMAN KESSLER:   WHY DON'T YOU ASK WHETHER  
21 JOAN SAMUELSON IS HERE.

22           MS. SHREVE:   AND IS JOAN SAMUELSON HERE?

23           MS. SAMUELSON:   YES, SHE IS.

24 CHAIRMAN KESSLER: MEMBERS OF THE PUBLIC ARE  
25 INVITED TO PROVIDE TESTIMONY BEFORE AND DURING

3

1 CONSIDERATION OF EACH AGENDA ITEM. SPEAKERS ARE ASKED  
2 TO LIMIT THEIR TESTIMONY TO THREE MINUTES. BEFORE WE  
3 START WITH THE FORMAL AGENDA, ARE THERE ANY REQUESTS BY  
4 THE PUBLIC TO SPEAK TO THE SUBCOMMITTEE? ARE THERE ANY  
5 REQUESTS FOR THE -- IN IRVINE FOR THE PUBLIC TO SPEAK?

6 MS. INGELS: NONE FROM IRVINE.

7 CHAIRMAN KESSLER: WOULD ANY SUBCOMMITTEE  
8 MEMBERS LIKE TO MAKE COMMENTS BEFORE WE BEGIN?

9 WE NOW MOVE TO ITEM 3 ON THE AGENDA,  
10 CONSIDERATION OF DISEASE ADVOCATE MEMBERS OF THE  
11 SCIENTIFIC AND MEDICAL ACCOUNTABILITY STANDARDS WORKING  
12 GROUP. AS YOU WILL ALL REMEMBER, THAT WE NEED TO VOTE  
13 ON WHO WILL SERVE IN THE FIVE SPOTS ALLOTTED TO MEMBERS  
14 OF THE ICOC FROM THE TEN DISEASE-SPECIFIC AREAS.

15 AT THE FEBRUARY ICOC MEMBERS -- THE FOLLOWING  
16 ICOC MEMBERS VOLUNTEERED TO SERVE. PHYLLIS PRECIADO,  
17 FRANCISCO PRIETO, JOAN SAMUELSON, JEFF SHEEHY, JONATHAN  
18 SHESTACK.

19 ARE THERE COMMENTS FROM MEMBERS OF THE BOARD  
20 ON THE PROPOSED ICOC MEMBERS OF THE STANDARDS WORKING  
21 GROUP?

22 MS. SAMUELSON: I HAVE A QUESTION. DAVID,  
23 DID YOU NOT WANT TO SERVE?

24 CHAIRMAN KESSLER: NO. THANK YOU FOR ASKING.  
25 ARE THERE ANY COMMENTS FROM IRVINE?

4

1 DR. STEWARD: NONE. THANK YOU.

2 CHAIRMAN KESSLER: ANY COMMENTS FROM THE  
3 PUBLIC ON THE PROPOSED ICOC MEMBERS OF THE STANDARDS  
4 WORKING GROUP IN IRVINE?

5 DR. STEWARD: NO.

6 CHAIRMAN KESSLER: COMMENTS FROM THE PUBLIC  
7 ON THE PROPOSED ICOC MEMBERS OF THE STANDARDS WORKING  
8 GROUP HERE IN SAN FRANCISCO?

9 IS THERE A MOTION TO RECOMMEND THAT THE ICOC  
10 APPOINT THE FIVE PEOPLE THAT I JUST NAMED TO SERVE AS  
11 MEMBERS OF THE SCIENTIFIC AND MEDICAL ACCOUNTABILITY  
12 STANDARDS WORKING GROUP?

13 MR. SERRANO-SEWALL: SO MOVED.

14 CHAIRMAN KESSLER: IS THERE A SECOND?

15 MR. SHEEHY: SECOND.

16 CHAIRMAN KESSLER: ARE THERE COMMENTS FROM  
17 THE SUBCOMMITTEE, THIS BOARD? COMMENTS FROM THE PUBLIC  
18 ON THE MOTION IN IRVINE?

19 DR. STEWARD: NO.  
20 CHAIRMAN KESSLER: IN SAN FRANCISCO? MAY I  
21 ASK, KATE, WILL YOU PLEASE CALL FOR -- DO THE ROLL CALL  
22 VOTE.  
23 MS. SHREVE: DAVID KESSLER.  
24 CHAIRMAN KESSLER: AYE.  
25 MS. SHREVE: JOAN SAMUELSON.

5

1 MS. SAMUELSON: AYE. SHOULD WE BE RECUSING  
2 OURSELVES? IS THAT NECESSARY?  
3 CHAIRMAN KESSLER: JAMES, HOW DO YOU WANT TO  
4 DO THIS?  
5 MR. HARRISON: WELL, LET'S SEE.  
6 MS. SAMUELSON: I WOULD RECUSE MYSELF FROM  
7 VOTING ON MY OWN NOMINATION.  
8 CHAIRMAN KESSLER: DO YOU HAVE A CONFLICT?  
9 MS. SAMUELSON: NO. I JUST WANT TO BE ABLE  
10 TO THINK THIS THROUGH.  
11 CHAIRMAN KESSLER: IF YOU ARE RUNNING FOR  
12 PRESIDENT, YOU STILL CAN VOTE FOR YOURSELF. WE DON'T  
13 TAKE AWAY YOUR RIGHT TO VOTE UNLESS YOU HAVE A  
14 CONFLICT, UNLESS YOU HAVE A CONFLICT OF INTEREST.  
15 MS. SAMUELSON: FINE.  
16 MR. HARRISON: I THINK OUT OF AN ABUNDANCE

17 CAUTION, BECAUSE YOU WOULD BE ENTITLED TO A PER DIEM AS  
18 A MEMBER OF THE WORKING GROUP, THAT IT WOULD BE BEST  
19 FOR YOU TO REFRAIN FROM PARTICIPATING IN THE VOTE ON  
20 WHETHER OR NOT -- ON THIS MOTION, CORRECT.

21 MS. SAMUELSON: OR JUST ON MY OWN CANDIDACY?

22 MR. HARRISON: WELL, YOU CAN BREAK IT DOWN,  
23 DR. KESSLER, IF YOU LIKE.

24 MS. SAMUELSON: I DON'T WANT TO FOUL UP A  
25 QUORUM.

6

1 MR. SHEEHY: YEAH, WE MIGHT HAVE QUORUM  
2 ISSUES.

3 MR. HARRISON: ULTIMATELY THE ICOC HAS TO  
4 MAKE THE DECISION TO APPOINT THE MEMBERS OF THE WORKING  
5 GROUP. THE SUBCOMMITTEE IS MAKING A RECOMMENDATION TO  
6 THE ICOC AS A WHOLE.

7 MR. SERRANO-SEWALL: IF I MAY, CHAIRMAN  
8 KESSLER, JUST REPHRASE MY MOTION.

9 CHAIRMAN KESSLER: CERTAINLY.

10 MR. SERRANO-SEWALL: AND THAT WOULD BE THAT  
11 THIS COMMITTEE APPOINT PRECIADO, FRANCISCO PRIETO, AND  
12 JONATHAN SHESTACK. AND I'LL MAKE A SECOND MOTION AFTER  
13 THAT ONE. THAT THOSE THREE ICOC MEMBERS BE APPOINTED

14 AS THE PATIENT ADVOCATES TO THIS WORKING GROUP.

15 CHAIRMAN KESSLER: ACTUALLY YOU'RE MAKING  
16 THREE MOTIONS.

17 MR. SERRANO-SEWALL: THAT WILL BE THREE  
18 MOTIONS.

19 CHAIRMAN KESSLER: THREE MOTIONS. OKAY.  
20 THAT'S FINE. ACTUALLY LET ME -- CAN I MAKE A  
21 SUGGESTION? WHY DON'T WE JUST GO THROUGH A VOTE ON  
22 EACH.

23 MR. SERRANO-SEWALL: YOU WANT TO DO A VOTE ON  
24 EACH ONE?

25 CHAIRMAN KESSLER: IS THAT ALL RIGHT?

7

1 MR. SERRANO-SEWALL: OF COURSE.

2 SO WE'RE GOING TO GO A VOTE ON EACH ONE, SO  
3 I'LL RETRACT THAT MOTION. AND THE FIRST MOTION WOULD  
4 BE TO APPOINT PHYLLIS PRECIADO TO THIS WORKING GROUP.

5 CHAIRMAN KESSLER: IS THERE A SECOND?

6 MR. SHEEHY: SECOND.

7 CHAIRMAN KESSLER: COMMENTS FROM THE BOARD?  
8 COMMENTS FROM THE PUBLIC EITHER IN SAN FRANCISCO OR  
9 IRVINE? MAY I ASK FOR A ROLL CALL VOTE.

10 MS. SHREVE: DAVID KESSLER.

11 CHAIRMAN KESSLER: AYE.



12 MS. SHREVE: JOAN SAMUELSON.  
13 MS. SAMUELSON: AYE.  
14 MS. SHREVE: DAVID SERRANO-SEWALL.  
15 THE REPORTER: I'M SORRY, MR. CHAIRMAN. I  
16 CAN'T HEAR THEM.  
17 MS. SHREVE: MY APOLOGIES. I'LL COME CLOSER  
18 TO THE PHONE.  
19 DAVID SERRANO-SEWALL.  
20 MR. SERRANO-SEWALL: AYE.  
21 MS. SHREVE: JEFF SHEEHY.  
22 MR. SHEEHY: AYE.  
23 MS. SHREVE: JONATHAN SHESTACK. OSWALD  
24 STEWARD.  
25 DR. STEWARD: AYE.

8

1 MS. SHREVE: MOTION PASSES WITH THE MAJORITY  
2 VOTING.  
3 CHAIRMAN KESSLER: IS THERE A MOTION TO  
4 NOMINATE ANOTHER MEMBER OF THE ICOC?  
5 MR. SERRANO-SEWALL: THERE IS. I NOMINATE  
6 FRANCISCO PRIETO.  
7 CHAIRMAN KESSLER: IS THERE A SECOND?  
8 MR. SHEEHY: SECOND.

9 CHAIRMAN KESSLER: COMMENTS FROM THE BOARD?  
10 COMMENTS FROM THE PUBLIC EITHER IN IRVINE OR IN SAN  
11 FRANCISCO? CAN I ASK FOR A ROLL CALL VOTE.  
12 MS. SHREVE: DAVID KESSLER.  
13 CHAIRMAN KESSLER: AYE.  
14 MS. SHREVE: JOAN SAMUELSON.  
15 MS. SAMUELSON: AYE.  
16 MS. SHREVE: DAVID SERRANO-SEWALL.  
17 MR. SERRANO-SEWALL: AYE.  
18 MS. SHREVE: JEFF SHEEHY.  
19 MR. SHEEHY: AYE.  
20 MS. SHREVE: JONATHAN SHESTACK. OSWALD  
21 STEWARD.  
22 DR. STEWARD: AYE.  
23 CHAIRMAN KESSLER: MAY I ANOTHER MOTION TO  
24 NAME A MEMBER OF THE ICOC TO THE WORKING GROUP?  
25 MR. SERRANO-SEWALL: I NOMINATE JONATHAN

9

1 SHESTACK.  
2 MR. SHEEHY: SECOND.  
3 CHAIRMAN KESSLER: COMMENTS FROM THE BOARD?  
4 COMMENTS FROM THE PUBLIC EITHER SAN FRANCISCO OR  
5 IRVINE?  
6 MS. SHREVE: DAVID KESSLER.

7 CHAIRMAN KESSLER: AYE.  
8 MS. SHREVE: JOAN SAMUELSON.  
9 MS. SAMUELSON: AYE.  
10 MS. SHREVE: DAVID SERRANO-SEWALL.  
11 MR. SERRANO-SEWALL: AYE.  
12 MS. SHREVE: JEFF SHEEHY.  
13 MR. SHEEHY: AYE.  
14 MS. SHREVE: JONATHAN SHESTACK. OSWALD  
15 STEWARD.  
16 DR. STEWARD: AYE.  
17 CHAIRMAN KESSLER: MAY I ASK FOR ANOTHER  
18 MOTION TO NAME AN ICOC MEMBER?  
19 MR. SERRANO-SEWALL: I'D LIKE TO NOMINATE  
20 JOAN SAMUELSON TO THIS WORKING GROUP.  
21 CHAIRMAN KESSLER: IS THERE A SECOND?  
22 MR. SHEEHY: SECOND.  
23 CHAIRMAN KESSLER: COMMENTS FROM THE BOARD?  
24 COMMENTS FROM THE PUBLIC EITHER IN IRVINE OR SAN  
25 FRANCISCO? MAY I ASK FOR A ROLL CALL VOTE.

10

1 MS. SHREVE: DAVID KESSLER.  
2 CHAIRMAN KESSLER: AYE.  
3 MS. SHREVE: JOAN SAMUELSON.

4 MS. SAMUELSON: IN AN ABUNDANCE OF CAUTION, I  
5 ABSTAIN.

6 MS. SHREVE: DAVID SERRANO-SEWALL.

7 MR. SERRANO-SEWALL: AYE.

8 MS. SHREVE: JEFF SHEEHY.

9 MR. SHEEHY: AYE.

10 MS. SHREVE: JONATHAN SHESTACK. OSWALD  
11 STEWARD.

12 DR. STEWARD: AYE.

13 CHAIRMAN KESSLER: IS THERE ANOTHER MOTION TO  
14 NAME A MEMBER OF THE ICOC TO THE WORKING GROUP?

15 MR. SERRANO-SEWALL: I NOMINATE JEFF SHEEHY  
16 THIS WORKING GROUP.

17 CHAIRMAN KESSLER: IS THERE A SECOND.

18 MS. SAMUELSON: SECOND.

19 CHAIRMAN KESSLER: COMMENTS FROM THE BOARD?  
20 COMMENTS FROM THE PUBLIC EITHER IN IRVINE OR SAN  
21 FRANCISCO? MAY I ASK FOR A ROLL CALL VOTE.

22 MS. SHREVE: DAVID KESSLER.

23 CHAIRMAN KESSLER: AYE.

24 MS. SHREVE: JOAN SAMUELSON.

25 MS. SAMUELSON: AYE.

1 MS. SHREVE: DAVID SERRANO-SEWALL.

2 MR. SERRANO-SEWALL: AYE.

3 MS. SHREVE: JEFF SHEEHY.

4 MR. SHEEHY: ABSTAIN.

5 MS. SHREVE: JONATHAN SHESTACK. OSWALD  
6 STEWARD.

7 DR. STEWARD: AYE.

8 CHAIRMAN KESSLER: TERRIFIC. NOW LET'S MOVE  
9 ON, IF WE MAY, TO THE NEXT ITEM ON THE AGENDA, NO. 4,  
10 CONSIDERATION OF THE ETHICIST MEMBERS OF THE SCIENTIFIC  
11 AND MEDICAL ACCOUNTABILITY STANDARDS WORKING GROUP.

12 WE NEED TO CONSIDER THE CANDIDATES FOR THE  
13 CATEGORY OF MEDICAL ETHICIST. THE GOAL IS TO RECOMMEND  
14 FOUR ETHICISTS AS REQUIRED BY THE STATUTE FOR  
15 APPOINTMENT BY THE ICOC AT THE APRIL 7TH MEETING. FOR  
16 THE PUBLIC RECORD, I'D LIKE TO REPORT THAT THERE WERE  
17 28 MEDICAL ETHICISTS CANDIDATES CONSIDERED BY THE THREE  
18 REVIEW TEAMS. I WOULD NOW LIKE TO ASK EACH REVIEW TEAM  
19 TO SPEAK ON BEHALF OF THE CANDIDATES THEY FEEL MOST  
20 STRONGLY ABOUT, SPECIFIC CATEGORY OF WHO EACH REVIEW  
21 TEAM FEELS MOST STRONGLY ABOUT.

22 JOAN AND JEFF, WOULD YOU PLEASE PRESENT THE  
23 CANDIDATES YOUR REVIEW TEAM YOU FEEL MOST STRONGLY  
24 ABOUT.

25 MS. SAMUELSON: THIS IS JOAN. I'D LIKE TO

1 PREFACE THAT WITH SOME COMMENTS OF MINE ABOUT THE  
2 PROCESS AND THE SUBSTANCE. IN TERMS OF THE PROCESS, I  
3 HAVE FOUND IT DIFFICULT TO BE ABLE TO EVALUATE THE  
4 CANDIDATES WE HAVE WITHOUT THE FULL BENEFIT OF THE  
5 RESUMES OF THE OTHERS. AND IN GENERAL, WE REALLY  
6 HAVEN'T HAD DISCUSSION OF THE SCOPE AND FUNCTION OF  
7 THIS WORKING GROUP. REALLY GETTING INTO WHAT IT'S  
8 GOING TO BE DOING. AS I UNDERSTAND IT, THE THREE  
9 WORKING GROUPS ARE REALLY THE FOUNDATION OF THE WORK  
10 PRODUCT OF THE COMMITTEE. AND WE'LL HAVE A MAJOR ROLE  
11 IN EVERYTHING THAT WE DO.

12 AND I FIND THE PROCESS A BIT RUSHED, FRANKLY,  
13 AND WOULD LOVE TO BE ABLE TO TALK ABOUT WHAT THE FULL  
14 SCOPE OF THE COMMITTEE'S WORK IS GOING TO BE TO  
15 EVALUATE THE BEST CANDIDATES FOR THESE POSITIONS.

16 CHAIRMAN KESSLER: DO YOU HAVE QUESTIONS THAT  
17 YOU WOULD LIKE TO ADDRESS TO STAFF? I WOULD BE HAPPY  
18 TO HAVE THEM COMMENT ON ANY SPECIFIC QUESTIONS YOU'D  
19 LIKE TO ASK.

20 MS. SAMUELSON: SURE. AND I'M NOT SURE IT'S  
21 QUESTIONS OF STAFF AS MUCH AS LOOKING AT THE TEXT OF  
22 THE INITIATIVE AND THINKING ABOUT WHAT THE FULL SCOPE  
23 OF THE COMMITTEE IS GOING TO BE. THE POSITIONS OF THE  
24 WORKING GROUP MEMBERS ARE FAIRLY SPECIFICALLY DEFINED,  
25 BUT THE SCOPE OF THE WORK EXTENDS FAR BEYOND JUST

1 MEDICAL ETHICS, FOR EXAMPLE.

2 AND WHAT I HAVE BEEN THINKING ABOUT IN  
3 REVIEWING THE CANDIDATES WE WERE LOOKING AT IS WHAT  
4 LARGER SKILL SET DO THESE CANDIDATES HAVE THAT WILL  
5 BENEFIT OUR DISCUSSIONS AND WORK PRODUCT. SO THAT'S MY  
6 THOUGHTS.

7 CHAIRMAN KESSLER: ANY OTHER THOUGHTS THAT  
8 RELATE TO JOAN'S COMMENTS?

9 MR. SERRANO-SEWALL: I HAVE A QUESTION OF  
10 JOAN. JOAN, DO YOU FEEL COMFORTABLE -- YOU PROBABLY  
11 CAN'T SPEAK ON BEHALF OF YOUR REVIEW TEAM, BUT DOES  
12 YOUR TEAM FEEL COMFORTABLE WITH SHARING THE ETHICIST  
13 RECOMMENDATION?

14 MS. SAMUELSON: I THINK SO, YEAH. WITHIN  
15 THIS CONTEXT, THAT I WOULD FEEL BETTER IF I HAD HAD THE  
16 BENEFIT OF ALL THE RESUMES. I WOULD PREFER THAT THE  
17 PROCESS BE MORE DELIBERATE AND EXTENSIVE, I THINK. BUT  
18 IF THAT'S NOT THE WILL OF THE SEARCH COMMITTEE, THEN  
19 I'M WILLING TO PROCEED.

20 CHAIRMAN KESSLER: I THINK THAT CERTAINLY --  
21 WHY DON'T WE MOVE AHEAD AND PROCEED; AND THEN AS WE  
22 LOOK AT THE NAMES THAT YOU ARE -- EVERYONE IS PUTTING  
23 FORWARD, YOU CAN ASK QUESTIONS OF THE OTHER REVIEW  
24 TEAMS. YOU CAN LOOK AT THE NAMES AS A WHOLE THAT ARE

25 BEING PRESENTED. AND CERTAINLY IF YOU WANT TO LOOK AT

14

1 RESUMES OF ANY OTHER REVIEW TEAMS, WE CAN MAKE THOSE  
2 AVAILABLE TO YOU.

3 SO WHY DON'T WE GET SOME OF THE NAMES ON THE  
4 BOARD, AND THEN WE CAN SEE HOW THIS GOES AND SEE  
5 WHETHER, AS YOU PRESENT -- AS EVERYONE PRESENTS THE  
6 QUALIFICATIONS, WHETHER, IN FACT, THERE IS A COLLECTION  
7 OF NAMES THAT YOU IN THE END FEEL THAT WE SHOULD --  
8 EXEMPLARY NAMES THAT YOU THINK WILL DO A GOOD JOB HERE.

9 MS. SAMUELSON: GREAT.

10 CHAIRMAN KESSLER: LET'S SEE WHETHER WE CAN  
11 GET TO AND BUILD A GROUP HERE THAT YOU THEN, IN LOOKING  
12 AT THE WHOLE, THINK ARE WELL QUALIFIED AND WILL DO A  
13 GOOD JOB, RECOGNIZING THAT WHILE MUCH OF THIS IS  
14 SPELLED OUT, THIS IS A WORKING GROUP THAT'S GOING TO  
15 NEED TO EVOLVE AND DO A LOT OF WORK.

16 MS. SAMUELSON: RIGHT. RIGHT. OKAY.

17 CHAIRMAN KESSLER: IS THAT A REASONABLE WAY  
18 TO DO THAT?

19 MS. SAMUELSON: I THINK SO. AND I PREFACE  
20 THIS WITH TWO MORE LITTLE PICKY DETAILS. ONE IS IF WE  
21 COULD WORK WITH STAFF ON PAPER FLOW. I FOUND IT  
22 DIFFICULT TO KNOW THAT I WAS IN COMMAND OF ALL THE



23 PAPER THAT I WAS SUPPOSED TO HAVE AT THE RIGHT TIMES.  
24 SO THAT'S A CHALLENGE THAT'S MADE THIS HARD. AND IF WE  
25 CAN WORK ON THAT IN THE FUTURE.

15

1 AND THE OTHER IS I WOULD HAVE PREFERRED THAT  
2 IF CANDIDATES WERE BEING ELIMINATED FROM REVIEW, THAT  
3 WE WOULD BE PROVIDED WITH AT LEAST -- IT SEEMS TO ME  
4 THAT'S THE JOB OF THIS GROUP, NOT STAFF, AND I WOULD  
5 HAVE PREFERRED TO GET THE NAMES OF THEM AND THE RESUME  
6 OR SOME EXPLANATION FOR WHY THEY WERE ELIMINATED.

7 CHAIRMAN KESSLER: NO ONE IS ELIMINATED, IF  
8 I'M CORRECT, BY STAFF. ALL NAMES --

9 MS. HALME: LET ME JUST CLARIFY. SO ALL OF  
10 THE NAMES CAME IN TO DR. KESSLER'S OFFICE.

11 CHAIRMAN KESSLER: DINA, WHY DON'T YOU TO  
12 JUST IDENTIFY YOURSELF.

13 MS. HALME: I'M SORRY. DINA HALME, STAFF  
14 FROM DR. KESSLER'S OFFICE. ALL OF THEM CAME INTO  
15 INFO@CIRM. WE HAD AN INFORMATION FORM, A NOMINATION  
16 FORM, THAT CANDIDATES WHO WISHED TO BE CONSIDERED  
17 FILLED OUT, SAYING THAT THEY WISHED TO BE CONSIDERED  
18 AND SELF-IDENTIFYING THEIR EXPERTISE AND MAKING A  
19 COMMITMENT FOR THE TIME INVOLVED. AND WE RECEIVED OVER

20 50 OF THOSE. AND THERE WERE ONLY THREE WHICH DID NOT  
21 GO OUT TO THE REVIEW TEAMS, AND THOSE WERE PEOPLE  
22 THOUGHT THE POINT OF THE WORKING GROUP WAS INTELLECTUAL  
23 PROPERTY ALONE AND WERE LAWYERS WITH NO ETHICIST  
24 EXPERIENCE. AND THOSE NAMES HAVE BEEN PASSED ON TO THE  
25 STAFFS AT CIRM FOR CONSIDERATION ON ANY KIND OF

16

1 ADVISORY INTELLECTUAL PROPERTY. AND ALL THE OTHER  
2 NAMES WENT OUT WITHOUT JUDGMENT BECAUSE WE FELT THAT IT  
3 WAS IMPORTANT FOR THE REVIEW TEAMS TO MAKE THAT  
4 JUDGMENT AND NOT STAFF.

5 CHAIRMAN KESSLER: THE ONLY NAMES THAT DID  
6 NOT GO TO THE REVIEW TEAMS, THEN, WERE NAMES THAT  
7 DID NOT MEET THE STATUTORY REQUIREMENTS FOR  
8 CONSIDERATION, AND THERE WEREN'T EVEN CLOSE CALLS,  
9 RIGHT?

10 MS. HALME: THERE WEREN'T ANY CLOSE CALLS.  
11 ANY OF THE CLOSE CALLS WE DISTRIBUTED TO THE REVIEW  
12 TEAMS TO MAKE THAT CALL.

13 CHAIRMAN KESSLER: IF YOU LOOK AT EACH REVIEW  
14 TEAM NOW HAS HAD THE TOTAL NUMBER OF RESUMES 40 --  
15 WHAT'S THE NUMBER?

16 MS. HALME: OF ALL OF THEM TOGETHER? I  
17 BELIEVE IT'S 51 OR 56, SOMETHING LIKE THAT.

18                   CHAIRMAN KESSLER:  SO IF YOU PUT ALL THREE  
19   REVIEW TEAMS TOGETHER, THE COLLECTIVE KNOWLEDGE, YOU  
20   WILL HAVE HAD THOSE NUMBER OF RESUMES THAT ARE  
21   REVIEWED.  AGAIN, I THINK ONE OF THE GOALS, JOAN, THAT  
22   WE'RE TRYING TO BALANCE HERE IS IN A VERY PUBLIC WAY  
23   PEOPLE HAVE PUT THEIR RESUMES FORWARD.  THE REVIEW  
24   TEAMS HAVE LOOKED AT THAT.  BUT IF PEOPLE ARE NOT GOING  
25   TO BE PUT FORWARD, THEN THE ISSUE OF WHY BRING THEIR

17

1   NAMES FORWARD, SO THERE'S A BALANCING TOO.  BUT  
2   YOU FEEL FREE TO BRING FORWARD ANY NAMES, AND YOU CAN  
3   ASK QUESTIONS OF ANY OTHER REVIEW TEAMS IF YOU WOULD  
4   LIKE.

5                   MS. SAMUELSON:  OKAY.  GIVEN THAT WE'RE  
6   GETTING OURSELVES ORGANIZED AT THIS POINT, MY  
7   PREFERENCE WOULD BE THAT WE BE PROVIDED IN -- ERR ON  
8   THE SIDE MORE PAPER.  I WANT PAPER CONTROL AND MORE  
9   PAPER, SO I DON'T KNOW HOW DO THIS NOW.

10                  MS. HALME:  ONE REASON WAS THAT WE ENDED UP  
11   EXTENDING THE DEADLINE IN ORDER TO HAVE THE TERRIFIC  
12   APPLICANTS WHO HADN'T GOTTEN WORD OF MOUTH ABOUT THIS  
13   AHEAD OF TIME, AND SO WE TRIED TO SEND EVERYTHING AT  
14   ONCE.  AND THEN MORE TRICKLED IN, AND WE THOUGHT IT WAS

15 BETTER TO EXTEND THE DEADLINE THAN TO EXCLUDE PEOPLE ON  
16 A TECHNICALITY THAT DIDN'T MAKE SENSE.

17 MS. SAMUELSON: WORKING VERY HARD. OKAY. SO  
18 WE HAVE TWO RECOMMENDATIONS FOR MEDICAL ETHICISTS.

19 CHAIRMAN KESSLER: THIS IS IN THE MOST  
20 STRONGLY CATEGORY, TWO THAT YOU FEEL MOST STRONGLY  
21 ABOUT.

22 MS. SAMUELSON: YES. AND THEY ARE ALTA CHARO  
23 AND TED PETERS. AND WHY DON'T I SPEAK TO TED PETERS,  
24 AND THEN JEFF WILL SPEAK TO ALTA CHARO.

25 CHAIRMAN KESSLER: SO THE ISSUE IS AND THE

18

1 QUESTION IS HOW WOULD WE LIKE TO RECORD, SO YOU CAN SEE  
2 AND PEOPLE CAN GET COMFORTABLE WITH ALL THE NAMES.  
3 DINA, THE NUMBERS HERE, WHAT YOU'VE DONE, WHAT DO THOSE  
4 NUMBERS MEAN AND HOW DO YOU PLAN ON DOING THIS?

5 MS. HALME: ON THE NOMINATION FORM WE LISTED  
6 THE DESIRABLE EXPERTISE THAT WAS IDENTIFIED BY THE  
7 SEARCH COMMITTEE AT THE JANUARY 31ST MEETING. AND SO  
8 WE HAVE RESPONSES FROM ALL THE CANDIDATES AS TO THEIR  
9 EXPERTISE IN THESE AREAS. IT WAS COMPLICATED TO WRITE  
10 THEM ACROSS THE TOP, SO WE MADE A LIST ON THE SIDE,  
11 WHICH IS DIFFERENTLY COMPLICATED. I APOLOGIZE FOR THE  
12 TRANSLATION THAT HAS OCCURRED. BUT WE HAVE ETHICS OF

13 STEM CELL RESEARCH, INFORMED CONSENT, HUMAN SUBJECT  
14 RESEARCH PROTECTIONS, NIH GUIDELINES, NAS GUIDELINES,  
15 COMPLIANCE FOR MEDICAL ETHICS, HEALTH AND SAFETY  
16 REQUIREMENTS, MEDICAL REGULATORY AGENCIES, CREATION OF  
17 PUBLIC SCIENTIFIC VERSUS HEALTH DISPARITIES, PATIENT  
18 PRIVACY, AND THEN 11 AND 12 I DIDN'T PUT ON THE CHART  
19 BECAUSE THEY PERTAIN MOST LIKELY ONLY TO SCIENTIST  
20 CLINICIANS. THESE WERE SELF-IDENTIFIED -- WE ASKED THE  
21 CANDIDATES TO ADD ANYTHING THAT THEY FELT THAT HAD  
22 EXPERTISE IN. AND THOSE WOULD BE HUMAN EMBRYONIC STEM  
23 CELLS AND NUCLEAR TRANSPLANTATION.

24 CHAIRMAN KESSLER: WHEN A NAME BY A REVIEW  
25 TEAM GOES UP THERE IN THE MOST STRONGLY FELT

19

1 CATEGORIES, YOU HAVE ENOUGH INFORMATION TO BE ABLE TO  
2 CHECK THEM OFF BASED ON THEIR SELF-IDENTIFIED REPORTS;  
3 IS THAT CORRECT, ON THE APPLICATION FORM?

4 MS. HALME: THAT IS CORRECT, AND I HAVE ALL  
5 THE APPLICATION FORMS.

6 CHAIRMAN KESSLER: SO WHY DON'T YOU DO THAT.  
7 YOU DON'T HAVE TO FILL THAT IN. WE HAVE THAT FROM  
8 THEIR SELF-IDENTIFIED FORMS. SO THAT WILL GIVE YOU ONE  
9 SPECTRUM. WHY DON'T I ASK IF YOU CAN GO THROUGH NOW

10 AND JUST TALK ABOUT ANY WAY YOU WOULD LIKE TO THE  
11 POINTS YOU'D LIKE TO MAKE ON EACH ONE OF THESE  
12 CANDIDATES. AND THEN THE REST OF US WILL LISTEN, TAKE  
13 NOTES, AND THEN WE'LL GO TO THE NEXT REVIEW TEAM.

14 MS. SAMUELSON: AND I CAN TALK ABOUT THIS  
15 LATER, BUT I DON'T SEE THESE CRITERIA AS THE SUM AND  
16 SUBSTANCE OF WHAT WE'RE LOOKING FOR IN THESE PEOPLE  
17 THAT WE WOULD THEN TALLY.

18 CHAIRMAN KESSLER: NO. NO. NO. BUT THESE  
19 WERE THE CRITERIA THAT WE TALKED ABOUT AT OUR FIRST  
20 MEETING. SO THESE WERE COLLECTIVELY AGREED TO, IF I'M  
21 CORRECT, AND WE IDENTIFIED THOSE. THIS IS JUST FOR  
22 YOUR INFORMATION. THIS IS WHAT WE SAID WERE THE  
23 CRITERIA. THERE'S NO FORMULA HERE, OF COURSE, THAT  
24 WE'RE LOOKING FOR. LET'S JUST GET THIS SO WE CAN SEE  
25 HOW THIS -- SEE WHAT THESE DATA ARE AND HAVE THAT IN

20

1 FRONT OF US. MOST IMPORTANTLY, WHY DON'T YOU TELL US  
2 ABOUT THESE PEOPLE AND...

3 MS. SAMUELSON: OKAY. I GUESS I WAS ASSUMING  
4 THAT WE WOULD ALSO BE LOOKING FOR SMART, INTEGRITY,  
5 ABILITY TO WORK IN A GROUP.

6 CHAIRMAN KESSLER: WHY DON'T YOU TELL US  
7 ABOUT THOSE ON THESE CATEGORIES.

8 MS. SAMUELSON: THAT WAS JUST A GENERAL  
9 COMMENT.

10 CHAIRMAN KESSLER: WE CAN HAVE A CATEGORY, IF  
11 LIKE, SMART, IF YOU LIKE.

12 MS. SAMUELSON: THIS IS JUST MY INSTINCT TO  
13 WANT TO BE A BIT MORE DELIBERATE ABOUT THIS. SO BEAR  
14 WITH ME HERE AND THERE.

15 CHAIRMAN KESSLER: SURE.

16 MS. SAMUELSON: ALL RIGHT. DR. TED PETERS,  
17 HE'S A PROFESSOR OF SYSTEMATIC THEOLOGY AT THE PACIFIC  
18 LUTHERAN THEOLOGICAL SEMINARY IN THE GRADUATE  
19 THEOLOGICAL UNION IN BERKELEY. HE'S HAD EXTENSIVE  
20 EXPERIENCE WORKING IN THE FIELD OF BIOMEDICAL ETHICS,  
21 INCLUDING THAT HE SERVED ON THE ETHICS ADVISORY BOARD  
22 OF THE GERON CORPORATION. HE WAS THE FIRST, PERHAPS  
23 THE ONLY, THEOLOGIAN TO SERVE AS PRINCIPAL INVESTIGATOR  
24 ON A GRANT FROM THE NIH; TO WIT, FROM THE GENOME  
25 INSTITUTE LOOKING AT THE ETHICS OF THE GENOME PROJECT.

21

1 HE'S WIDELY PUBLISHED. HE'S AUTHORED BOOKS  
2 AND JOURNAL ARTICLES AND MAGAZINE ARTICLES ON THE  
3 SUBJECT. I HAVE FOUND HIM, IN TALKING TO HIM, TO BE  
4 THOUGHTFUL AND TO BRING A PERSPECTIVE THAT I THINK IS





3 CHARO. I THINK THAT WAS KIND OF -- I THINK WE'RE ALL  
4 PRETTY MUCH FAMILIAR WITH HER THOUGHTS -- I THINK WE  
5 HAVE FAIRLY GOOD FAMILIARITY WITH ALTA CHARO AND SOME  
6 OF HER THOUGHTS ON THE ENTERPRISE THAT WE'RE  
7 UNDERTAKING. I REMEMBER HEARING HER IN IRVINE AND ALSO  
8 THE WORKSHOP THAT SHE RECENTLY HAD FOR THE COMMITTEE.  
9 AND SHE SEEMS TO HAVE REALLY THOUGHT THROUGH A LOT OF  
10 THE ISSUES THAT WE'RE GOING TO BE CONSIDERING, AND I  
11 THINK SHE'LL BRING A UNIQUE PERSPECTIVE.

12 IT'S ALSO SIGNIFICANT THAT SHE IS AN  
13 ATTORNEY, WHICH I THINK DOES OPEN THE WAY FOR US TO  
14 LOOK MAYBE AT SOME OF THE INTELLECTUAL PROPERTY ISSUES.

15 CHAIRMAN KESSLER: THANK YOU BOTH. OS, WOULD  
16 YOU PLEASE PRESENT THE CANDIDATES YOUR REVIEW TEAM  
17 FEELS MOST STRONGLY ABOUT.

18 DR. STEWARD: SURE. AND I'LL SAY THAT SINCE  
19 JON ISN'T PRESENT, I'LL BE SPEAKING BASICALLY FOR  
20 MYSELF HERE.

21 SO TWO AT SORT OF THE TOP OF THE LIST ON OUR  
22 GROUP WOULD BE BERNARD LO, UCSF, AND NORMON FOST OF THE  
23 UNIVERSITY OF WISCONSIN.

24 VERY BRIEFLY, BERNARD LO IS ON THE LIST -- I  
25 WOULD SAY THAT I THINK WE HAD A GOOD LIST, BUT BERNARD

1 LO IS ON THE LIST FIRST BECAUSE HE IS A CALIFORNIAN.  
2 HE IS A MEMBER OF THE -- HE'S AT UCSF. HE HAS  
3 EXTENSIVE EXPERIENCE, I THINK, IN PRETTY MUCH ALL OF  
4 THE CRITERIA THAT WE'RE ADDRESSING HERE. HE'S A MEMBER  
5 OF THE NATIONAL BIOETHICS ADVISORY COMMISSION AND OF  
6 THE DATA SAFETY MONITORING BOARD FOR THE AIDS CLINICAL  
7 TRIALS GROUP, BUT THE NATIONAL INSTITUTES OF ALLERGY  
8 AND INFECTIOUS DISEASES.

9 HANG ON JUST A MINUTE. I NEED TO JUST BOOT  
10 UP SOMETHING SO I CAN GIVE YOU A LITTLE BIT MORE ABOUT  
11 HIM.

12 HE IS DIRECTOR OF THE PROGRAM IN MEDICAL  
13 ETHICS AT THE UNIVERSITY OF CALIFORNIA SAN FRANCISCO  
14 AND IS A PROFESSOR OF MEDICINE THERE AND DIRECTS THE  
15 NATIONAL COORDINATING OFFICE FOR THE INITIATIVE TO  
16 STRENGTHEN PATIENT PROVIDER RELATIONSHIPS IN A CHANGING  
17 HEALTHCARE ENVIRONMENT. SO HE PRETTY MUCH HAS ALL THE  
18 CHECKMARKS.

19 THE OTHER PERSON AT THE TOP WOULD BE NORMAN  
20 FOST, UNIVERSITY OF WISCONSIN. HE'S A PROFESSOR OF  
21 PEDIATRICS, DIRECTOR OF THE PROGRAM IN MEDICAL ETHICS,  
22 AND HE FOUNDED THAT PROGRAM IN 1973 AT THE UNIVERSITY  
23 OF WISCONSIN. HE'S A MEMBER OF THE NATIONAL ACADEMIES'  
24 COMMITTEE TO ESTABLISH GUIDELINES FOR EMBRYONIC STEM  
25 CELL RESEARCH. AND IT SEEMS THAT HE ALSO HAS

1 ESSENTIALLY ALL OF THE CHECKMARKS OF THE TYPE THAT  
2 WE'RE LOOKING AT HERE.

3 THERE ARE AT LEAST OF A COUPLE OF OTHER  
4 PEOPLE ON OUR LIST, HOWEVER, THAT REALLY ALSO MET THOSE  
5 CRITERIA. DEPENDING ON WHERE WE GO IN THIS WHOLE  
6 THING, WE MIGHT WANT TO COME BACK AND TALK ABOUT SOME  
7 OF THEM. AND I CAN SAY MORE, OR I'LL STOP THERE,  
8 WHICHEVER.

9 CHAIRMAN KESSLER: WHY DON'T WE -- IF THERE'S  
10 QUESTIONS FOR YOU ON EITHER OF THE TWO BY THE OTHER  
11 BOARD MEMBERS, OTHERWISE WE CAN COME BACK AND ALL  
12 DELIBERATE, BUT I THINK THAT IS VERY HELPFUL.

13 DAVID, WILL YOU PLEASE PRESENT THE CANDIDATES  
14 THAT YOU AND I FEEL MOST STRONGLY ABOUT.

15 MR. SERRANO-SEWALL: DR. KESSLER AND I MET  
16 LAST WEEK FOR GOOD HOUR AND A HALF TO GO OVER MANY OF  
17 THESE RESUMES. THEY'RE ALL QUALIFIED INDIVIDUALS IN  
18 THIS CATEGORY, BUT I'D HAVE TO SAY THAT TWO NAMES  
19 REALLY STOOD OUT. AND THOSE TWO NAMES WE'D SHARE WITH  
20 YOU AT THIS TIME.

21 THE FIRST ONE IS HARRIET RABB, VICE AND  
22 PRESIDENT GENERAL COUNSEL OF THE ROCKEFELLER UNIVERSITY  
23 SCHOOL IN NEW YORK CITY. MS. RABB HAS A DISTINGUISHED  
24 CAREER AS A LEGAL COUNSEL AND MEDICAL ETHICIST. SHE  
25 SERVED AS THE VICE DEAN OF THE GEORGE \*GAFFIN PROFESSOR

1 OF LAW IN SOCIAL RESPONSIBILITY, A CLINICAL PROFESSOR  
2 AT COLUMBIA LAW SCHOOL FOR 22 YEARS BEFORE BEING  
3 APPOINTED AS GENERAL COUNSEL TO THE DEPARTMENT OF  
4 HEALTH AND HUMAN SERVICES UNDER PRESIDENT CLINTON IN  
5 1993.

6 AT HHS SHE LED THE DEPARTMENT'S LEGAL EFFORTS  
7 ON HEALTH POLICY ISSUES INCLUDING TOBACCO, ASSISTED  
8 REPRODUCTIVE TECHNOLOGY, TISSUE AND ORGAN ALLOCATION,  
9 AND HUMAN EMBRYO RESEARCH, INFORMED CONSENT, AND  
10 VACCINE ISSUES.

11 MORE SPECIFICALLY TO THIS COMMITTEE, SHE GAVE  
12 GUIDANCE ON ISSUES RELATED TO STEM CELL RESEARCH AND  
13 FEDERAL FUNDING. AT ROCKEFELLER UNIVERSITY SHE HAS  
14 PROVIDED LEGAL COUNSEL SUPPORT FOR RESEARCH INVOLVING  
15 HUMAN PARTICIPANT DATA REGISTRIES, CLINICAL TRIALS IN  
16 THE UNIVERSITY HOSPITAL, AND BENCH RESEARCH OF FACULTY  
17 AND STUDENTS.

18 MORE SPECIFICALLY RELEVANT TO THIS WORKING  
19 GROUP, SHE HAS SERVED AS CHAIR OF ROCKEFELLER  
20 UNIVERSITY STEM CELL TASK FORCE AND AS AN EX OFFICIO  
21 MEMBER OF THE PRESIDENT'S HUMAN STEM CELL BIOETHICS  
22 GROUP. IN ADDITION, SHE IS A MEMBER OF THE BOARD OF  
23 THE HASTINGS CENTER AND IS A MEMBER OF THEIR STUDY

24 SECTION ON ETHICAL ISSUES AND THE MANAGEMENT OF  
25 FINANCIAL CONFLICTS OF INTEREST IN THE RESEARCH OF

26

1 HEALTH, MEDICINE, AND BIOMEDICAL SCIENCES. IN HER  
2 EXTENSIVE EXPERIENCE, SHE HAS DEVELOPED EXPERTISE IN  
3 THE BIOMEDICAL ETHICS OF STEM CELL RESEARCH, INFORMED  
4 CONTENT, CONTROLS ON RESEARCH INVOLVING HUMAN SUBJECTS,  
5 PATIENT PRIVACY LAWS AND REGULATIONS, NIH STANDARDS FOR  
6 RESEARCH, COMPLIANCE FORE MEDICAL ETHICS, HEALTH, AND  
7 SAFETY REQUIREMENTS.

8 THE SECOND INDIVIDUAL THAT DAVID AND I WOULD  
9 LIKE TO PROPOSE OR INTRODUCE INTO THIS DISCUSSION IS  
10 MS. PATRICIA KING. IS IS A CARMACK WATERHOUSE  
11 PROFESSOR OF LAW, MEDICINE, ETHICS, AND PUBLIC POLICY  
12 AT GEORGETOWN UNIVERSITY LAW CENTER. SHE'S A MEMBER OF  
13 THE KENNEDY INSTITUTE OF ETHICS AT GEORGETOWN  
14 UNIVERSITY, THE INSTITUTE OF MEDICINE, HASTINGS CENTER,  
15 ADVISORY BOARD GENETICS AND PUBLIC POLICY CENTER, THE  
16 BERMAN BIOETHICS INSTITUTE AT JOHN HOPKINS UNIVERSITY.

17 MOST RELEVANT TO THIS WORKING GROUP, SHE HAS  
18 SERVED ON THE WORKING GROUP ON THE CRITERIA FOR  
19 CELL-BASED THERAPIES AT THE BERMAN BIOETHICS INSTITUTE  
20 AT JOHN HOPKINS UNIVERSITY, THE NATIONAL RESEARCH

21 COUNCIL INSTITUTE OF MEDICINE COMMITTEE ON BIOLOGICAL  
22 AND BIOMEDICAL APPLICATION OF STEM CELLS, THE WORKING  
23 GROUP TO ADVISE NIH ON GUIDELINES AND OVERSIGHT OF  
24 HUMAN STEM CELL RESEARCH. AS CO-CHAIR OF THE POLICY ON  
25 THE EMBRYO RESEARCH PANEL AT THE NIH.

27

1 ADDITIONALLY, SHE HAS GIVEN CONGRESSIONAL  
2 TESTIMONY ON THE FOLLOWING TOPICS: ETHICAL ISSUES IN  
3 SCIENCE RESEARCH, SOCIAL POLICY ISSUES IN GENETIC  
4 ENGINEERING, MAPPING THE HUMAN GENOME, THE PROMISE AND  
5 PROBLEMS. FURTHERMORE, SHE IS PUBLISHED A HASTINGS  
6 CENTER REPORT ENTITLED "PUBLIC STEM CELL BANK,  
7 CONSIDERATIONS OF JUSTICE IN STEM CELL RESEARCH AND  
8 THERAPY."

9 CHAIRMAN KESSLER: SO THANK YOU, ALL. IF I  
10 CAN JUST MAKE A PERSONAL COMMENT. I JUST SEE -- I LOOK  
11 AT THESE NAMES, AND I SEE SIX ENORMOUSLY QUALIFIED  
12 INDIVIDUALS. IN FACT, I COULDN'T THINK OF MORE  
13 QUALIFIED INDIVIDUALS IN THE WORLD WITH THE WORK YOU'VE  
14 JUST DONE.

15 LET'S JUST TALK ABOUT THAT FOR A MOMENT. I  
16 PERSONALLY AM JUST VERY IMPRESSED WITH WHAT WE'VE JUST  
17 DONE. LET'S TALK ABOUT -- BE DELIBERATIVE. ARE WE  
18 COMFORTABLE HERE BECAUSE NOW WE HAVE THE HARD TASK OF

19 GOING FROM THIS SIX TO FOUR WITH RECOMMENDING SOME  
20 ALTERNATES OBVIOUSLY. BUT I JUST WANT TO MAKE SURE  
21 WHEN WE LOOK AT THIS POOL, THAT WE FEEL THAT WE HAVE,  
22 YOU KNOW, A QUALITY POOL TO WORK AND TO NOW NARROW.

23 MS. SAMUELSON: I AGREE WITH EVERYTHING  
24 YOU'VE HAD SAID ABOUT THESE CANDIDATES. I GUESS MY  
25 ONLY UNCERTAINTY IN OUR DELIBERATIONS WAS NOT HAVING

28

1 THE BENEFIT OF THE REST TO FAIRLY BE SURE THAT WE WERE  
2 PICKING THE VERY BEST. WE FELT GOOD ABOUT THEM, VERY  
3 GOOD.

4 I GUESS I'M CURIOUS. OS HAD A COUPLE OTHER  
5 ADDITIONAL CANDIDATES THAT THEY SUPPORTED. I'M JUST  
6 WONDERING --

7 CHAIRMAN KESSLER: I THOUGHT THE WAY WE WOULD  
8 DO THIS IS, AGAIN, OUR GOAL TODAY IS TO GET TO FOUR.  
9 AND I THINK WE IN AN EQUITABLE WAY ASK -- ANYONE COULD  
10 HAVE BROUGHT ANY NAMES. THE QUESTION WAS WHO DID YOU  
11 FEEL MOST SIGNIFICANTLY, MOST STRONGLY ABOUT. SO OS  
12 WAS ABLE TO BRING ANY NAMES HE WANTED. AS LONG AS IT  
13 WAS IN THAT CATEGORY, YOU COULD BRING IN AS MANY NAMES  
14 AS YOU WANT. LET ME ASK AGAIN. IS THERE ANYONE SEEING  
15 THIS LIST ON THE REVIEW TEAMS WHO FEELS -- IS THERE ANY

16 ADDITIONAL NAME YOU FEEL MOST STRONGLY ABOUT THAT  
17 YOU'VE NOT TALKED ABOUT?

18 DR. STEWARD: LET ME BRING UP ONE. I GUESS  
19 I'M -- I SHARE TO SOME EXTENT JOAN'S CONCERN ABOUT NOT  
20 REALLY HAVING THE OPPORTUNITY TO SEE ALL THE  
21 CANDIDATES. WHAT WE'VE DONE HERE IS VERY BRIEF  
22 PRESENTATION, MINE SOMEWHAT MORE BRIEF AND THE OTHERS,  
23 BUT REALLY IT WOULD BE NICE NOW TO BE ABLE TO COMPARE  
24 IN DETAIL APPLES WITH APPLES AND ORANGES AND ORANGES.  
25 AND I GUESS JUST ALONG THOSE LINES, LET ME

29

1 JUST RAISE ONE SO MAYBE THIS IS SOMEONE THAT WOULD BE  
2 IN A PAIRWISE COMPARISON WITH TED PETERS. THIS IS --  
3 LET'S SEE. THIS IS DR. ZOLOTH SHE IS THE DIRECTOR OF  
4 BIOETHICS IN THE CENTER FOR GENETIC MEDICINE AND  
5 PROFESSOR OF MEDICAL ETHICS AND HUMANITIES AND OF  
6 RELIGION AT NORTHWESTERN UNIVERSITY IN THE FINEBERG  
7 SCHOOL OF MEDICINE. SHE HAS BEEN ON THE NATIONAL  
8 ADVISORY BOARDS OF THE AMERICAN ASSOCIATION OF  
9 ADVANCEMENT OF SCIENCE DIALOGUE ON SCIENCE, ETHICS, AND  
10 RELIGION. SHE ALSO WAS ON THE GERON ADVISORY BOARD,  
11 DATA SAFETY MONITORING BOARD FOR NIH INTERNATIONAL AIDS  
12 CLINICAL TRIALS GROUP, ROBERT WOOD JOHNSON'S PROJECT ON  
13 EXCELLENCE AT THE END OF LIFE. AND THE LIST GOES ON



14       HERE.   JUST IN THE INTEREST OF TIME, I WON'T READ IT  
15       ALL.

16                       BUT THIS IS A PERSON WHO HAS MANY OF THE SAME  
17       CREDENTIALS, I THINK, AS TED PETERS IN TERMS OF SORT OF  
18       THE RELIGIOUS SIDE OF THINGS, BUT ALSO HAS A BACKGROUND  
19       IN SOME OTHER AREAS AS WELL.   I THINK I WOULD HAVE TO  
20       SAY THAT, JUST ON THE BASIS OF SORT OF THE CRITERIA,  
21       SHE CERTAINLY FALLS WELL WITHIN THE GROUP THAT I  
22       LISTED.   FOR EXAMPLE, I WOULD HAVE A HARD TIME REALLY  
23       DRAWING THE LINE.   I THINK, THAT, FOR EXAMPLE, BERNARD  
24       LO IS ON THERE IN LARGE PART BECAUSE OF OUR DESIRE TO  
25       HAVE CALIFORNIANS ON THE COMMITTEE.   SO THAT I PRESENT

30

1       AS A THIRD CANDIDATE.

2                       CHAIRMAN KESSLER:   CAN I JUST ASK COUNSEL FOR  
3       ONE POINT OF CLARIFICATION.   AND THAT IS ON  
4       SPECIFICALLY BERNARD LO.   THE PRINCIPLE HERE IS BERNARD  
5       LO IS A MEMBER OF THE FACULTY AT UCSF.   I ASSUME I  
6       RECUSE MYSELF BECAUSE I'M FROM UCSF.

7                       MR. HARRISON:   YOU'RE NOT REQUIRED TO RECUSE  
8       YOURSELF UNDER THE POLITICAL REFORM ACT.   THE  
9       PRESIDENTIAL SEARCH SUBCOMMITTEE MADE A DECISION ON ITS  
10      OWN IN ORDER TO AVOID ANY APPEARANCE OF A CONFLICT,

11 THAT MEMBERS OF THE SUBCOMMITTEE WOULD RECUSE  
12 THEMSELVES FROM CONSIDERATION OF A CANDIDATE WHO CAME  
13 FROM THE INSTITUTION WITH WHICH THE MEMBER IS  
14 AFFILIATED. THAT WAS A DECISION BY THE PRESIDENTIAL  
15 SEARCH COMMITTEE ABOVE AND BEYOND WHAT'S REQUIRED BY  
16 THE LAW.

17 SO YOU'RE NOT REQUIRED TO; BUT IF YOU ARE  
18 MORE COMFORTABLE DOING SO, YOU CERTAINLY CAN MAKE THAT  
19 DECISION.

20 MS. SAMUELSON: AT THE SAME TIME, YOU HAVE  
21 THE BENEFIT OF PERHAPS KNOWING THE PERSON BETTER THAN  
22 WE HAVE HAD THE OPPORTUNITY TO, AND IT'S USEFUL  
23 INFORMATION.

24 MR. HARRISON: THERE'S NO LEGAL REQUIREMENT  
25 THAT YOU RECUSE YOURSELF BECAUSE DR. LO IS NOT A SOURCE

1 OF INCOME TO YOU. YOU DON'T HAVE ANY FINANCIAL  
2 INTEREST IN HIM. AS FAR AS I KNOW, THERE WOULD BE NO  
3 MATERIAL FINANCIAL EFFECT ON YOU OR ANY OF YOUR  
4 ECONOMIC INTERESTS AS A RESULT OF A DECISION BY THIS  
5 COMMITTEE TO RECOMMEND HIM TO SERVE.

6 CHAIRMAN KESSLER: SO WHY DON'T WE JUST SEE  
7 IF IS THERE A CONSENSUS? IF THERE'S A MEMBER OF ANY OF  
8 OUR INSTITUTIONS, SHOULD WE RECUSE OURSELVES OR SHOULD

9 WE NOT? WHAT'S THE GENERAL FEELING OF THE WORKING  
10 GROUP -- OF THE SEARCH COMMITTEE.

11 MS. SAMUELSON: I THINK NOT. I'M NOT HEARING  
12 ANY PARTICULAR REASON TO, AND I WOULD LIKE THE BENEFIT  
13 OF THAT EXPERIENCE MYSELF.

14 MR. SHEEHY: IN THE SAME POSITION YOU ARE  
15 WITH BERNIE, DAVID, SO I PREFER TO DEFER TO THE OTHER  
16 THREE MEMBERS AND LET THEM --

17 CHAIRMAN KESSLER: UCSF. BERNARD LO.

18 MR. SERRANO-SEWALL: I LEAVE IT TO THE BETTER  
19 JUDGMENT OF MY COLLEAGUES. I MEAN CLEARLY WE KNOW SORT  
20 OF WHAT'S ACCEPTABLE, WHAT'S WITHIN THE CONFINES OF THE  
21 LAW, AND WE'RE ALL COMMITTED INDIVIDUALS. WHATEVER  
22 YOU FEEL BEST WITH, I SUPPORT A HUNDRED PERCENT.

23 CHAIRMAN KESSLER: I WOULD FEEL MORE  
24 COMFORTABLE RECUSING MYSELF. I DON'T WANT THAT TO WORK  
25 AGAINST NAMES THOUGH, ESPECIALLY AS FAR AS NUMBERS. SO

32

1 WE JUST HAVE TO BE CAREFUL AS WE GO THROUGH THIS  
2 PROCESS. I WOULD FEEL MORE COMFORTABLE RECUSING  
3 MYSELF.

4 DR. STEWARD: I DISAGREE. I REALLY WOULD  
5 VALUE YOUR OPINION. IT WOULD BE -- IT'S HARD ENOUGH TO

6 MAKE ANY KIND OF JUDGMENT BASED ON PAPER, THAT I THINK  
7 WE REALLY NEED TO HAVE PERSONAL INSIGHTS HERE IF PEOPLE  
8 ARE COMFORTABLE IN GIVING THEM.

9 CHAIRMAN KESSLER: HOW ABOUT IF WE FEEL FREE  
10 TO DISCUSS AND GIVE INFORMATION, BUT NOT VOTE. IF  
11 THERE'S A VOTE, THAT WE ABSTAIN FROM VOTING. IS THAT A  
12 REASONABLE COMPROMISE?

13 DR. STEWARD: FINE WITH ME.

14 MS. SAMUELSON: ONE MORE COMMENT. I THINK IT  
15 MIGHT BE USEFUL TO US TO HAVE A SOMEWHAT WIDER POOL  
16 THAN FOUR, EVEN SIX, BECAUSE WE'RE ADVISORY TO THIS  
17 COMMITTEE. AND ALTHOUGH I THINK WE CAN GET IT DOWN TO  
18 FOUR IN TERMS OF RANKING.

19 CHAIRMAN KESSLER: YOU NOW HAVE SEVEN ON THE  
20 BOARD. AND I WILL BE HAPPY TO ASK THE QUESTION AGAIN.

21 MS. SAMUELSON: NO, I THINK -- I'M JUST  
22 COMMENTING.

23 CHAIRMAN KESSLER: YOU WOULD RECOMMEND WE  
24 STOP HERE AND THEN LOOK AT THESE SEVEN?

25 MS. SAMUELSON: YES. I WOULD LIKE TO NOTE

1 THAT MR. SHESTACK HAS NOW JOINED US.

2 MR. SHESTACK: HOW ARE YOU? SORRY.

3 CHAIRMAN KESSLER: JON, IF I CAN JUST RECAP A

4 LITTLE OF WHERE WE ARE. WE'VE NOW GONE AND ASKED EACH  
5 REVIEW TEAM FOR THE CANDIDATES THEY FEEL MOST STRONGLY  
6 ABOUT. WE THEN WENT BACK AND ASKED THEM AGAIN THAT  
7 QUESTION. AND WE HAVE ON THE BOARD -- OUR JOB IS TO  
8 SELECT FOUR MEDICAL ETHICISTS. THERE HAVE BEEN SEVEN  
9 SO FAR THAT ARE ON THE BOARD. AND I GUESS THE QUESTION  
10 ARE THERE ANY OTHER CANDIDATES THAT ANY MEMBER,  
11 INCLUDING YOU, FEEL MOST STRONGLY ABOUT THAT WOULD LIKE  
12 TO ADD AS WE NOW DISCUSS THESE SEVEN NAMES.

13 DR. STEWARD: JON, THIS IS OS FROM IRVINE.

14 MR. SHESTACK: HI, OS. I'M SORRY WE DIDN'T  
15 CONNECT. I APOLOGIZE. YOUR CHOICES WERE --

16 DR. STEWARD: BERNARD LO, NORMAN FOST, AND I  
17 PUT UP AS A THIRD DR. ZOLOTH FROM NORTHWESTERN.

18 MR. SHESTACK: RIGHT. I WOULD HAVE PUT UP  
19 ALSO ZOLOTH PETERS, WHO I SEE IS ALREADY UP HERE. HAVE  
20 WE HAD DISCUSSION?

21 CHAIRMAN KESSLER: EACH REVIEW TEAM HAS AN  
22 INTRODUCTION, TALKED A LITTLE ABOUT EACH. SO THE  
23 REVIEW TEAMS TALKED ABOUT EACH OF THEM.

24 DR. SERRANO-SEWALL: DO YOU WANT TO SAY  
25 ANYTHING ABOUT ANY OF THE CANDIDATES?

1                   MR. SHESTACK: I JUST -- I FEEL BAD THAT I  
2 DIDN'T GET TO DISCUSS THINGS WITH OS OR ACTUALLY CALL A  
3 COUPLE OF THESE PEOPLE BECAUSE THERE ARE PEOPLE WHO,  
4 FOR INSTANCE, LIKE PAUL BILLINGS, WHO REPRESENTS A  
5 FAIRLY CONTRARIAN VIEW, BUT I DON'T REALLY KNOW ENOUGH  
6 ABOUT ALL THE OTHER CANDIDATES TO KNOW IF THAT WOULD  
7 BE, LIKE, A NICE FLAVOR FOR THE GROUP OR OVERWHELMING.  
8 AND SO I HATE HAVING THESE DISCUSSIONS IN PUBLIC, BUT  
9 THAT'S WHAT WE'RE FORCED TO DO.

10                   SO FOR THE SAKE OF DISCUSSION LATER, I WOULD  
11 ALSO ASK US TO ADD PAUL BILLINGS.

12                   CHAIRMAN KESSLER: WOULD YOU -- ARE YOU  
13 WILLING TO SAY A FEW MINUTES ABOUT SOMETHING ABOUT PAUL  
14 BILLINGS?

15                   MR. SHESTACK: PAUL BILLINGS WOULD BE KNOWN  
16 TO THIS GROUP AS A CHARTER MEMBER OF THE CITIZENS --  
17 PRO CHOICE CITIZENS AGAINST THIS PROPOSITION, BUT HE  
18 HAS A LONG HISTORY OF KNOWLEDGE AND WRITING ON STEM  
19 CELL RESEARCH, ON ETHICS. ALSO HAS A PARTICULAR  
20 INTEREST IN CARE AND SORT OF ACCESSIBILITY OF CARE AND  
21 HAS A STRONG KNOWLEDGE ON CREATING PUBLIC RESOURCES.

22                   MANY OF THE OTHER PEOPLE DO AS WELL,  
23 PARTICULARLY SOME OF THE SCIENTISTS. THAT IS A  
24 PARTICULAR INTEREST OF MINE, THAT THERE IS KNOWLEDGE  
25 ABOUT CREATION OF PUBLIC RESOURCES, STEM CELL BANKS,

1 THAT SORT OF THING. AND THAT HE ALSO -- HE WAS -- I  
2 THINK THERE ARE PEOPLE ON THIS GROUP WHO ARE KNOWN TO  
3 HAVE BEEN SORT OF STALWART SUPPORTERS A 110 PERCENT OF  
4 THIS. AND PERHAPS IT WOULD BE IN THE PUBLIC INTEREST  
5 TO HAVE PEOPLE WHO ARE PART OF THE LOYAL OPPOSITION.

6 BUT I CAN'T SPEAK PERSONALLY FOR HIM, WHICH I  
7 REGRET.

8 CHAIRMAN KESSLER: WE NOW HAVE THE  
9 OPPORTUNITY TO DISCUSS THESE CANDIDATES FURTHER. WE  
10 NOW HAVE EIGHT NAMES IN FRONT OF US. DOES ANY MEMBER  
11 OF THE COMMITTEE WHO WISH TO MAKE ANY FURTHER COMMENTS  
12 EITHER ON BEHALF OF A CANDIDATE PRESENTED BY HIS OR HER  
13 REVIEW TEAM OR A CANDIDATE PRESENTED BY ANOTHER REVIEW  
14 TEAM OR, FURTHERMORE, MORE DOES ANY MEMBER OF THE BOARD  
15 WANT TO ASK A QUESTION ABOUT ANY NAME UP HERE OF ANY OF  
16 OUR COLLEAGUES?

17 DR. STEWARD: THIS IS OS DOWN AT IRVINE. MAY  
18 I ASK A GENERAL QUESTION?

19 CHAIRMAN KESSLER: CERTAINLY, SIR.

20 DR. STEWARD: AND THAT IS, AND IT ACTUALLY  
21 COMES UP WITH REGARD TO PAUL BILLINGS. HOW DO WE FEEL  
22 ABOUT PEOPLE WHO ARE REALLY PRIMARILY INVOLVED IN  
23 BIOTECHNOLOGY RATHER THAN ACADEMICS FOR THE ETHICIST  
24 POSITIONS? AND I HAVE TO SAY THAT THAT WAS ONE OF THE  
25 SORT OF THINGS THAT WAS IN THE BACK OF MY MIND AS I

1 LOOKED AT THIS.

2 MR. SHESTACK: I WOULD ASK A QUESTION. WE  
3 DON'T HAVE A -- WE DON'T HAVE A POSITION FOR INDUSTRY  
4 REPRESENTATION ON STANDARDS, AND THAT IT IS POTENTIALLY  
5 TRUE THAT THIS COMMITTEE WILL DEAL WITH A LOT OF ISSUES  
6 THAT CONCERN INDUSTRY. SO PERHAPS THAT IS ACTUALLY  
7 AN -- MAYBE NOT STRICTLY DEFINED, BUT SOMEONE WITH THAT  
8 SORT OF KNOWLEDGE WOULD BE GOOD ON HAVE ON THIS GROUP,  
9 WHETHER THEY COME IN THE CLINICIAN CATEGORY OR THE  
10 ETHICIST CATEGORY.

11 I HAVE A QUESTION. ISN'T ALTA CHARO ALREADY  
12 CONSULTANT TO CIRM?

13 MS. SHREVE: SHE IS NOT CURRENTLY A  
14 CONSULTANT.

15 MR. SHESTACK: KATE IS SAYING THAT ALTA CHARO  
16 IS NOT CURRENTLY A CONSULTANT. I WASN'T AWARE OF THAT.  
17 AT THE LAST MEETING WE WERE AT, I THOUGHT BOB PRESENTED  
18 HER AS A CONSULTANT.

19 MS. SHREVE: FOR THE PURPOSE OF THAT MEETING,  
20 SHE WAS CONSULTING ON THESE ISSUES MORE THAN --

21 DR. STEWARD: KATE, CAN YOU SIT CLOSER TO THE  
22 MICROPHONE. WE CAN'T HEAR YOU DOWN HERE.

23 MR. SHESTACK: KATE'S SAYING THAT SHE DOESN'T  
24 HAVE ANY ONGOING RELATIONSHIP; SO, THEREFORE, HER



25 REPRESENTATION WOULDN'T BE REDUNDANT. IT'S NOT A

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1 CONFLICT. IF SHE'S ALREADY CONSULTING, THEN WE COULD  
2 GET THE BENEFIT OF HER ADVICE WHICH HAVING SOMEONE ELSE  
3 ON THE GROUP.

4 MS. SAMUELSON: I THINK THERE IS SOME  
5 INTENTION TO PURSUE DEVELOPING HER CONSULTING IN THE  
6 FUTURE, SO THAT MAY BE THE CASE. I THINK I THOUGHT  
7 ABOUT THAT A BIT AND FELT THAT IF THAT WERE TO HAPPEN  
8 AND WE FELT IT WAS REDUNDANT, PERHAPS SHE'D STEP DOWN  
9 AND WE'D FIND SOMEONE ELSE FOR THAT POSITION. MY  
10 INSTINCT WAS I DIDN'T WANT TO LOSE HER TALENT, NOT  
11 KNOWING FOR SURE WHAT THE FUTURE WILL BRING IN  
12 CONSULTING.

13 MR. SHESTACK: CAN DR. HALL CLARIFY ANY  
14 THOUGHTS? DO YOU KNOW ANYTHING ABOUT WHETHER OR NOT --

15 DR. HALL: I STEPPED OUT OF THE ROOM FOR A  
16 MOMENT.

17 MR. SHESTACK: ALTA CHARO HAS BEEN A  
18 CONSULTANT TO THIS EFFORT FOR SOME TIME, I THINK, BUT  
19 NOW PERHAPS THERE'S NOT. DO YOU KNOW IF THERE'S ANY  
20 SENSE SHE WILL BE AN ONGOING CONSULTANT ON ETHICAL  
21 ISSUES.

22 DR. HALL: I SPOKE TO HER ABOUT THAT AND  
23 ASKED HER WHAT SHE WOULD PREFER, WAS SHE INTERESTED IN  
24 BEING A CONSULTANT WITH US OR BEING ON THE COMMITTEE.  
25 SHE SAID THE CONDITIONS UNDER WHICH SHE HAD ORIGINALLY

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1 BROACHED THE POSSIBILITY OF BEING A CONSULTANT HAD  
2 CHANGED AND SHE NO LONGER WISHED TO BE CONSIDERED AS A  
3 CONSULTANT. SHE WAS TO BE HERE ON A SABBATICAL. I  
4 THINK THAT WAS PART OF THE REASON SHE WAS ABLE TO DO  
5 THAT THAT, AND THEN THE REQUIREMENTS AT HER SCHOOL THAT  
6 NECESSITATED HER STAYING, SHE WILL NOT BE TAKING A  
7 SABBATICAL; AND, THEREFORE, SHE SAID THAT WAS NOT A  
8 POSSIBILITY. SHE STILL WISHED TO BE A CANDIDATE FOR  
9 THIS WORKING GROUP.

10 MR. SHESTACK: THANK YOU.

11 CHAIRMAN KESSLER: ANY OTHER QUESTIONS THAT  
12 ANY MEMBERS OF THE BOARD HAVE FOR THEIR OTHER MEMBERS  
13 OF THE BOARD ABOUT THE CANDIDATES HERE THAT THEY'D LIKE  
14 TO ASK?

15 MS. SAMUELSON: I'M WONDERING IF, DR. HALL,  
16 YOU HAD CONVERSATIONS ANY OF THESE OTHER CANDIDATES.

17 DR. HALL: NO. THE ONLY REASON I HAD -- I  
18 HAVE HAD CASUAL CONVERSATIONS WITH -- I HEARD LAURIE  
19 ZOLOTH SPEAK RECENTLY AND JUS SAID WE APPRECIATED HER

20 WORK. I SPOKE TO ALTA CHARO IN TERMS OF THE  
21 POSSIBILITY OF WE WERE THINKING AS A CONSULTANT TO THE  
22 CIRM, SHOULD WE PROCEED WITH THAT, OR WAS THAT  
23 SOMETHING -- I DID IT FOR CIRM PURPOSES, NOT FOR THE  
24 PURPOSES OF THE WORKING GROUP. I WANTED TO FIND OUT IF  
25 SHE WERE POSSIBLY AVAILABLE AS A CONSULTANT. SO THAT

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1 WAS IN THAT CONTEXT SHE DISCUSSED -- WE DISCUSSED THE  
2 FACT THAT SHE HAD APPLIED FOR THIS, AND SHE SAID  
3 REMAINED INTERESTED IN THIS. I DID NOT HAVE A  
4 DISCUSSION WITH ANYBODY ELSE.

5 CHAIRMAN KESSLER: JOAN, GOING BACK TO YOUR  
6 OPENING POINT, NOW THAT WE HAVE EIGHT NAMES THAT ARE ON  
7 THE BOARD, THE DELIBERATIVE PROCESS, WHEN WE LOOK AT  
8 THESE EIGHT NAMES AS FAR AS SMART -- WHAT WERE SOME OF  
9 THE OTHER THINGS?

10 MS. SAMUELSON: INTEGRITY.

11 CHAIRMAN KESSLER: WORK TOGETHER. JON RAISED  
12 SOME OTHER THINGS, CONTRARIAN AND NONCONTRARIAN. ANY  
13 THOUGHTS ABOUT WHEN WE GO THROUGH THIS LIST THAT ANY  
14 MEMBERS OF THE BOARD WOULD LIKE TO TALK ABOUT WITH  
15 REGARD TO THOSE ISSUES WHEN THEY LOOK AT THIS BECAUSE,  
16 AGAIN, THERE NEEDS TO BE A GROUP. OBVIOUSLY THE GROUP

17 INVOLVES ICOC MEMBERS, SCIENTISTS, AND CLINICIANS, AND  
18 THE ETHICISTS. WHEN YOU LOOK AT THESE NAMES, ANY  
19 COMMENTS ABOUT THOSE CRITERIA THAT YOU JOAN RAISED  
20 EARLY ON?

21 MR. SHEEHY: I WORKED WITH BERNIE LO A BUNCH,  
22 AND OUT OF ALL OF THEM, I GUESS BECAUSE I KNOW HIM, BUT  
23 I JUST FIND HIM TO BE SINGULARLY IMPRESSIVE. HE TAKES  
24 THE BROADEST VIEW OF -- I REMEMBER WHEN HE WAS TALKING  
25 IN IRVINE, WHEN HE WAS TALKING ABOUT PUBLIC BENEFIT IN

40

1 HIS RESEARCH, THERE WASN'T ANY OTHER SPEAKER, I THOUGHT  
2 HE TOOK A BROAD VIEW, NOT NECESSARILY LOOKING AT PUBLIC  
3 BENEFIT IN SOLELY ECONOMIC TERMS, BUT IN A GREATER  
4 SENSE OF SOCIAL JUSTICE.

5 MY CONVERSATIONS WITH HIM ON OTHER ISSUES, I  
6 ALSO FOUND THAT TO BE TRUE. HE TAKES A REALLY  
7 ENLIGHTENED VIEW ABOUT WHAT FOLKS' RESPONSIBILITY WITH  
8 SCIENCE RESPONSIBILITY IS TOWARDS PEOPLE. SO HE'S NOT  
9 ONE THAT I FEEL LIKE IS GOING TO BE LIMITING. ONE MY  
10 BIG ISSUES IS ACCESS TO THERAPIES AND HOW WE START TO  
11 HAVE THAT DISCUSSION. AND I THINK, AT LEAST FROM WHAT  
12 I'VE HEARD AND MY EXPERIENCE WITH HIM, THAT HE  
13 EXPLICITLY WOULD TAKE THAT AS BEING A GIVEN IN ALL OF  
14 OUR DISCUSSION, THAT ACCESS SHOULD BE AS BROAD AS

15 HUMANLY POSSIBLE.

16 MR. SERRANO-SEWALL: THIS IS DAVID  
17 SERRANO-SEWALL SPEAKING. AGAIN, DEAN KESSLER CAN MAYBE  
18 SPEAK TO IT AS WELL, BUT HARRIET RABB, SHE JUST STOOD  
19 OUT IN EVERY CATEGORY, REAL HANDS-ON EXPERIENCE. SHE'S  
20 AN ATTORNEY WELL, OBVIOUSLY, SERVING AS GENERAL COUNSEL  
21 TO A LARGE FEDERAL AGENCY. HER WRITINGS, HER TEACHINGS  
22 HAVE ALL SPOKEN TO THE ISSUE OF ETHICS AND ITS  
23 APPLICATION TO STEM CELLS AND THAT WHOLE RELATIONSHIP.  
24 SHE'S COMMENTED ON VIRTUALLY EVERY CATEGORY, WHETHER  
25 IT'S PATIENT ACCESS, ALL THINGS THAT I KNOW THAT ARE

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1 IMPORTANT TO ALL OF US AND TO THE COMMITTEE AS A WHOLE,  
2 AND FEEL VERY STRONGLY THAT HER PRESENCE ON THIS  
3 WORKING GROUP WILL ELEVATE THE DISCUSSION.

4 CHAIRMAN KESSLER: OTHER --

5 MR. SHESTACK: IS THAT BASED ON PERSONAL  
6 EXPERIENCE OR JUST READING AND HER WRITINGS?

7 MR. SERRANO-SEWALL: THAT'S BASED ON AN  
8 EXTENSIVE REVIEW OF HER CV AND HER RESUME AND THE FACT  
9 THAT THE DEAN CAN ATTEST TO THOSE STATEMENTS AS WELL.

10 CHAIRMAN KESSLER: LET ME -- I CAN DO IT ON  
11 PERSONAL. SHE WAS MY LAWYER'S LAWYER. SHE WAS GENERAL

12 COUNSEL OF HHS UNDER CLINTON. I THINK DAVID HAS --  
13 HARRIET RABB IS AS THOUGHTFUL ON THESE ETHICAL ISSUES  
14 AS ANYONE I'VE EVER MET, AND I TRUST HER JUDGMENT  
15 GREATLY. THAT DOESN'T MEAN THAT I WASN'T IN BATTLE  
16 WITH HER BECAUSE WE WERE AN AGENCY UNDER HHS, SO IT'S  
17 NOT THAT WE AGREE ON EVERY SINGLE POINT, BUT THERE IS  
18 NO ONE WHO IS MORE THOUGHTFUL, WHO BRINGS THE KIND OF  
19 MIX OF JUDGMENT AND WISDOM AND SCHOLARLY AND VERY  
20 PRACTICAL EXPERIENCE. SO I THINK SHE'S OBVIOUSLY IN  
21 THIS CATEGORY.

22 CAN I ASK A COUPLE OTHER QUESTIONS? LET ME  
23 ASK COUNSEL IF I CAN. THE ISSUE ON DIVERSITY, BROADLY  
24 DEFINED, WHAT PEOPLE BRING TO THIS, IS THAT A QUESTION  
25 THAT I CAN ASK --

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1 MR. HARRISON: CERTAINLY.

2 CHAIRMAN KESSLER: -- AS ONE FACTOR?

3 MR. HARRISON: ABSOLUTELY.

4 CHAIRMAN KESSLER: SO LET'S JUST TALK ABOUT  
5 THE ISSUE OF DIVERSITY. ANY COMMENTS ABOUT WHAT PEOPLE  
6 BRING AND MAKE SURE THAT WE HAVE A FULLY INCLUSIVE AND  
7 WE'VE THOUGHT ABOUT THAT. ANY COMMENTS ON THAT ISSUE  
8 WHEN WE LOOK AT THIS GROUP?

9 MR. SHESTACK: I DON'T HAVE ANY INFORMATION

10 ON THAT.

11 MS. SAMUELSON: TRUE. I GUESS I'M MAKING  
12 ASSUMPTIONS BASED ON THESE, AND THAT IT LOOKS LIKE IT'S  
13 WELL BALANCED IN TERMS OF GENDER. AND IT'S A LITTLE  
14 THIN ON ETHNIC DIVERSITY, BUT THERE'S SOME, I TAKE IT,  
15 MAKING AN ASSUMPTION ABOUT BERNARD LO, AND I DON'T KNOW  
16 ABOUT A FEW OF THEM.

17 MR. SERRANO-SEWALL: MS. KING IS AN AFRICAN  
18 AMERICAN.

19 MS. HALME: AND MS. ZOLOTH IS AN ORTHODOX  
20 JEW.

21 MR. SHESTACK: THERE'S SORT OF A CHRISTIAN  
22 THEOLOGICAL BACKGROUND REPRESENTED IN TED PETERS AND A  
23 JEWISH THEOLOGICAL BACKGROUND IN LAURIE ZOLOTH. BEYOND  
24 THAT, IS THERE ANY OTHER INFORMATION?

25 CHAIRMAN KESSLER: I'M JUST RAISING THE

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1 QUESTION SO WE CAN BE AS DELIBERATIVE AS WE CAN BE.

2 MS. SAMUELSON: WE HAD A LITTLE CONVERSATION  
3 ABOUT THAT BEFORE YOU CAME.

4 CHAIRMAN KESSLER: LET ME, IF I MAY, ASK THE  
5 PUBLIC NOW IF THEY HAVE ANY COMMENTS ABOUT WHAT WE HAVE  
6 DISCUSSED, ANY POINT THAT THEY WOULD LIKE TO ADD. MAY

7 I TURN TO IRVINE FIRST, AND THEN I'LL TURN TO SAN  
8 FRANCISCO.

9 DR. STEWARD: NO COMMENTS HERE.

10 CHAIRMAN KESSLER: IN SAN FRANCISCO, IF YOU  
11 MIND STANDING AND JUST GIVING US YOUR NAME. THANK YOU  
12 VERY MUCH. ACTUALLY IF YOU'D BE KIND --

13 MR. SHESTACK: AND YOUR AFFILIATION IF YOU  
14 HAVE ONE.

15 CHAIRMAN KESSLER: AND IF YOU CAN COME A  
16 LITTLE TO THE SPEAKER FOR THE REPORTER.

17 MR. GANCHOFF: MY NAME IS CHRIS GANCHOFF.  
18 I'M A GRADUATE STUDENT HERE AT UCSF. I JUST WANTED TO  
19 URGE A MEMBER TO NOMINATE A SPECIFIC NAME. THAT'S  
20 BARBARA KOENIG FROM THE STANFORD CENTER FOR BIOMEDICAL  
21 ETHICS. I AGREE WITH THE COMMITTEE THAT THIS IS AN  
22 EXCELLENT CHOICE OF PEOPLE. AND IF YOU LOOK AT THEIR  
23 BACKGROUNDS, THEY'RE ALL BASICALLY TRAINED IN ISSUES OF  
24 MORAL PHILOSOPHY OR THE LAW. AND BARB KOENIG IS AN  
25 ANTHROPOLOGIST, SO SHE'S TRAINED IN THE ANALYTICAL

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1 PERSPECTIVES OF SOCIAL SCIENCE, WHICH I THINK WOULD BE  
2 A GREAT BENEFIT.

3 SOCIAL SCIENTISTS, I THINK, BRING VERY  
4 PRECISE, FINE-GRAINED ANALYSES OF SOCIAL ISSUES TO THE



5 TABLE. AND BARB'S HAD A VERY LONG HISTORY OF THESE  
6 ISSUES. I KNOW SHE'S BEEN IN CHARGE OF THE STANFORD  
7 CENTER FOR BIOMEDICAL ETHICS FOR AT LEAST TEN YEARS, SO  
8 SHE'S GOT AN IMPECCABLE BACKGROUND AND A VERY  
9 IMPRESSIVE PUBLICATION RECORD ON ISSUES OF  
10 BIOTECHNOLOGY, SOCIAL ISSUES IN BIOTECH, AND BIOMEDICAL  
11 SCIENCE.

12 AGAIN, JUST TO STRESS, ANTHROPOLOGIST, I  
13 THINK SHE BRINGS A UNIQUE SET OF PERSPECTIVES THAT A  
14 PERSON FROM THE HUMANITIES WILL NOT FOREGROUND ISSUES,  
15 AND I THINK THESE ARE CRITICAL PERSPECTIVES FOR STEM  
16 CELL RESEARCH. THANK YOU.

17 CHAIRMAN KESSLER: THANK YOU.

18 DR. HALL: AS A MATTER OF INFORMATION ON THAT  
19 NOMINATION, I KNOW DR. KOENIG HAS JUST ACCEPTED A  
20 POSITION AT MAYO CLINIC IN ROCHESTER, MINNESOTA.  
21 WHETHER THAT'S RELEVANT OR NOT IN TERMS OF CALIFORNIA  
22 INSTITUTION, JUST SUBMIT THAT AS PART OF THE  
23 INFORMATION.

24 CHAIRMAN KESSLER: I THINK THERE WAS ANOTHER  
25 HAND UP FOR COMMENTS.

1 MR. REYNOLDS: HELLO. MY NAME IS JESSE

2 REYNOLDS. I'M WITH THE CENTER FOR GENETICS IN SOCIETY,  
3 AND I'D LIKE TO EXPRESS A COMMENT OF SUPPORT FOR DR.  
4 PAUL BILLINGS IN HIS WORK AS A PROFESSOR OF MEDICAL  
5 ANTHROPOLOGY AT BERKELEY AND AS, I BELIEVE, CHAIRMAN OF  
6 THE BOARD OF COUNCIL FOR RESPONSIBLE GENETICS, AND AS  
7 THE FOUNDER AND PRESIDENT OF ONE OR TWO BIOTECH  
8 COMPANIES, HIS DIVERSITY OF EXPERIENCE AS A SCIENTIST,  
9 AS A SOCIAL SCIENTIST, AS A CIVIL SOCIETY ADVOCATE, AND  
10 IN THE BIOTECH INDUSTRY HAS CROSSED A NUMBER OF LINES.  
11 AND I THINK THE PHRASE -- I THINK WHAT MR. SHESTACK  
12 BROUGHT UP IN TERMS OF A LOYAL OPPOSITION, THAT, YES,  
13 HE DID OPPOSE PROPOSITION 71, BUT HE'S ALSO NOT ONLY  
14 ADVOCATE OF STEM CELL RESEARCH, BUT AT THE COUNCIL FOR  
15 THE RESPONSIBLE GENETICS, HE PUT QUITE A LOT OF EFFORT  
16 INTO LIBERALIZING THEIR POSITION ON SOMATIC CELL  
17 NUCLEAR TRANSFER.

18 SO I DON'T THINK YOU NEED TO BE CONCERNED  
19 ABOUT HIM THROWING TOO GREAT OF A MONKEY WRENCH INTO  
20 THE GEARS, AND I THINK THESE DIFFERENT PERSPECTIVES  
21 WOULD HELP ON THE WORKING GROUP.

22 MR. SHESTACK: LET'S HAVE A FRANK DISCUSSION  
23 ABOUT THIS BECAUSE I THINK PAUL BILLINGS IS A VERY  
24 IMPRESSIVE PERSON, BUT THE THING THAT I FIND MOST  
25 DISTRESSING ABOUT HIM IS HIS FREQUENT APPEARANCE ON

1 YOUR WEBSITE. I WOULD LOVE TO, BECAUSE I'VE NOT QUITE  
2 BEEN ABLE TO DEDUCE THE PLATFORM OF YOUR GROUP OR WHO  
3 ITS CONSTITUENTS ARE. SO PERHAPS YOU CAN ACTUALLY  
4 ELUCIDATE FOR US WHAT THE SPECIFIC ISSUES OF DIFFERENCE  
5 BETWEEN MR. BILLINGS AND THE GROUP LEADING PROPOSITION  
6 71 WERE SO WE WOULD UNDERSTAND JUST HOW CONTRARIAN, NOT  
7 CONTRARIAN. WHAT DO YOU THINK HIS ACTUAL -- WHERE HE  
8 WOULD BE MOST EFFECTIVE IN KEEPING THIS GROUP IN  
9 SERVICE OF THE CITIZENS OF CALIFORNIA?

10 MR. REYNOLDS: WELL, WHAT I CAN SAY IS THAT  
11 CENTER FOR GENETICS IN SOCIETY, LIKE DR. BILLINGS, WE  
12 DID OPPOSE PROPOSITION 71, NOT ON PRINCIPLE, BUT ON  
13 DETAIL. WE SUPPORT STEM CELL RESEARCH AND ITS PUBLIC  
14 FUNDING. AND I JUST FEEL THAT DR. BILLINGS HAS  
15 DEMONSTRATED AN EXPERIENCE OF BALANCING OUT THE  
16 ADVANCEMENT OF BIOTECHNOLOGY WITH A BROADER CONCERN FOR  
17 SOCIAL JUSTICE THAT I THINK CAN HELP THE COMPOSITION OF  
18 THE WORKING GROUP RELATIVE TO SOME OF THE POSITIONS  
19 THAT I AM FAMILIAR WITH OF THE PEOPLE THAT ARE OUT  
20 THERE. THERE ARE A NUMBER THAT I'M NOT.

21 MR. SHESTACK: EVEN THOUGH HE IS FROM  
22 INDUSTRY, YOU DON'T THINK HE HAS A PRO INDUSTRY BIAS  
23 THAT WOULD BE A PROBLEM FOR THIS GROUP.

24 MR. REYNOLDS: NO, NOT AT ALL. I THINK THAT  
25 THE EXPERIENCE THAT HE HAS CROSSING THAT LINE, IN FACT,

1       CREATES A TYPE OF BALANCE THAT HE CAN AT THE SAME TIME  
2       KEEP INDUSTRY IN MIND AS WELL AS ADVOCACY OF SOCIAL  
3       JUSTICE.

4                   MR. SHESTACK:   THANK YOU.

5                   MS. SAMUELSON:  THIS IS AN INTERESTING ISSUE  
6       TO ME, AND IT GOES TO TEASING OUT WHAT THE FUNCTION OF  
7       THIS COMMITTEE IS GOING TO BE AND HOW WE BEST STRUCTURE  
8       IT AND STAFF IT SO THAT WE'RE EFFECTIVE AS WE CAN BE.  
9       AND SO THIS IS DOING SOME OF THAT, WHICH I APPRECIATE.

10                   I GUESS IT TROUBLES ME THAT DR. BILLINGS,  
11       MR. BILLINGS IS AN OPPONENT OF PROP 71 BECAUSE I SEE  
12       OUR WORK AS A COMMITTEE AND ITS SUBPARTS AS DRIVING THE  
13       MISSION OF 71 AS EFFECTIVELY AS WE CAN WITH OUR EVERY  
14       WAKING MOMENT.  AND I THINK THE VOTERS EXPECT THAT OF  
15       US.  AND FOR THERE TO BE ANY DIVISION ABOUT THAT MAY  
16       HINDER THAT.  AT THE SAME TIME I THINK WE HAVE TO BE  
17       AWARE AND EDUCATED AND OPEN ABOUT THE DIVERSITY OF  
18       OPINION ABOUT THE PROPOSITION'S MISSION AND ITS MANY  
19       SUBPARTS, INCLUDING ETHICAL ISSUES.  AND SO MAYBE  
20       THAT'S WHERE AD HOC MEMBERS COME IN OR FORUMS OR SOME  
21       KIND OF WORKING ARRANGEMENT WHERE WE GET THE BENEFIT OF  
22       A DIVERSITY OF VIEWS.

23                   BUT I'M NOT SURE THAT A DIVERSITY OF VIEW  
24       ABOUT OUR MISSION IS APPROPRIATE WITHIN OUR WORKING  
25       STRUCTURE.

1                   MR. SHESTACK: I THINK DR. BILLINGS'  
2                   OBJECTIONS IN THE PAST WERE ACTUALLY ON DETAIL, NOT  
3                   OVERALL GOALS. BUT REALLY I FEEL IT'S UNFORTUNATE THAT  
4                   I THINK MOST OF US HAVE NOT GOTTEN TO ACTUALLY SPEAK  
5                   WITH MANY OF THE PEOPLE. IT'S UNFORTUNATE THAT WE ARE  
6                   GOING TO -- YOU KNOW, ALL OF THESE PEOPLE HAVE AN  
7                   UNBELIEVABLE REPUTATION. IT'S KIND OF SHOCKING TO HAVE  
8                   TO GO THROUGH THIS LIST AND CULL IT. SO THEN WHAT  
9                   YOU'RE REALLY DOING IS NOT LOOKING FOR QUALIFICATIONS,  
10                  BUT CASTING. ACTUALLY WE WILL BE A GOOD WORKING GROUP  
11                  THAT WILL BUILD CONSENSUS AND TEAMS, AND I FEEL  
12                  PERSONALLY LIKE I DON'T HAVE ENOUGH INFORMATION. WHICH  
13                  I BLAME MYSELF FOR NOT HAVING CALLED ALL THESE PEOPLE,  
14                  BUT I WOULDN'T HAVE BEEN ABLE TO CALL, FOR INSTANCE,  
15                  HARRIET RABB BECAUSE I WOULDN'T HAVE KNOWN SHE WAS  
16                  NOMINATED. I DIDN'T HAVE THAT INFORMATION.

17                  MS. SAMUELSON: THERE'S NOTHING THAT PREVENTS  
18                  US FROM ADDING A STEP, RIGHT, TO THE PROCESS. IF IT  
19                  WOULD MAKE YOU FEEL BETTER ABOUT A RECOMMENDATION, WE  
20                  COULD DO THAT, I WOULD THINK.

21                  MR. SERRANO-SEWALL: THE WORK BEFORE THIS  
22                  SUBCOMMITTEE, OBVIOUSLY, IT'S A LOT OF WORK. IT'S AN

23 AWESOME TASK. IT'S AN INCREDIBLE TASK. AND TO  
24 EFFICIENTLY MANAGE THAT TASK, ALL THE WORKING GROUP  
25 CHAIRS OR THE SUBCOMMITTEE CHAIRS HAVE ELECTED TO

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1 UNDERGO THIS PROCESS, WHICH IS THE COMMITTEE MEMBERS  
2 HAVE REVIEW TEAMS, THEY REVIEW, DA-DA-DA-DA. THE POINT  
3 THAT ALL THE SUBGROUP COMMITTEE MEMBERS SHOULD HAVE  
4 ACCESS AND A LIST OF THE NAMES THAT OTHER REVIEW GROUPS  
5 ARE LOOKING AT.

6 MR. SHESTACK: WE DID THAT.

7 MR. SERRANO-SEWALL: IT WAS A GOOD  
8 SUGGESTION, AND I'M GLAD THAT WE DID FINALLY GET THAT  
9 LIST. I FEEL STRONG THAT -- I FEEL STRONGLY THAT WE  
10 ATTEMPT TO COME TO A CONSENSUS ON A COUPLE OF NAMES  
11 MAYBE, ONE NAME, TWO NAMES, MAYBE FOUR, AND LET THIS  
12 PROCESS PLAY OUT BECAUSE I WANT TO GET THESE WORKING  
13 GROUP POPULATED. THERE ARE QUALIFIED INDIVIDUALS, AND  
14 I THINK WE CAN TAKE SOME ACTION TODAY.

15 MR. SHESTACK: I JUST WANT TO REMIND THAT YOU  
16 WILL BE ON THIS GROUP.

17 MR. SERRANO-SEWALL: I'M NOT ON THIS GROUP.

18 MR. SHESTACK: YOU'RE NOT ON THIS GROUP.

19 MR. SERRANO-SEWALL: YOU ARE.

20 MR. SHEEHY: THAT HAPPENED BEFORE YOU

21 ARRIVED.

22 MR. SHESTACK: SO IT IS ACTUALLY QUITE  
23 IMPORTANT TO GET TO KNOW SOME OF THESE PEOPLE SO THAT  
24 ONE KNOWS THAT YOU CAN WORK WITH THEM. THAT'S ALL.

25 MS. SAMUELSON: HAVING SAID THAT, IT MAY BE

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1 THAT WE HAVE CONSENSUS ON SOME OF THEM AND CAN GET THAT  
2 FAR.

3 CHAIRMAN KESSLER: WHY DON'T WE TRY TO SEE IF  
4 WE CAN DO THAT. NOW, WE'VE HEARD FROM -- WE'VE HAD  
5 PUBLIC COMMENT. ARE THERE ANY CHANGES, ADDITIONS TO  
6 THE EIGHT NAMES THAT ANY MEMBERS, NOW THAT WE HAVE TO  
7 GO TO THE NEXT STEP, BUT BEFORE WE DO THAT, AGAIN, I  
8 WANT TO ASK THE QUESTION ARE THERE ANY OTHER NAMES, ANY  
9 ADDITIONS, ANY SUBTRACTIONS NOW BASED ON THE  
10 INFORMATION WE HAVE, OR SHOULD WE STAY WITH THE CURRENT  
11 LIST OF EIGHT NAMES ON THE BOARD?

12 MR. SHESTACK: COULD I ASK A QUESTION. MAYBE  
13 OS WOULD KNOW. TWO PEOPLE, ALTA CHARO AND NORMAN FOST  
14 BOTH ARE OUT OF UNIVERSITY OF WISCONSIN. I ASSUME  
15 UNIVERSITY OF WISCONSIN, WARF STEM CELL PROGRAM, WHICH  
16 I GUESS WE WILL HAVE COMPLICATED DEALINGS WITH BECAUSE  
17 THEY'RE PRIMARY PATENT HOLDERS. AND DO WE WANT THAT

18 KIND OF REPRESENTATION? IS THAT GOOD TO KEEP THAT KIND  
19 OF CLOSE TIES OR BAD OR IT MAKES ABSOLUTELY NO  
20 DIFFERENCE AT ALL? IS IT SOMETHING THAT WE SHOULD  
21 CONSIDER?

22 DR. HALL: WARF IS A SEPARATE. IT'S NOT  
23 UNIVERSITY WISCONSIN. IT'S A SEPARATE GROUP. THE  
24 FUNDS OBVIOUSLY GO TOWARD RESEARCH AND UNIVERSITY OF  
25 WISCONSIN. WE WILL BE HAVING CONVERSATIONS WITH WARF,

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1 BUT MY OWN VIEW IS THAT SHOULD NOT DISQUALIFY THEM.  
2 THESE ARE VERY EXPERIENCED PEOPLE.

3 MR. SHESTACK: IT'S NOT A QUESTION OF THEIR  
4 DISQUALIFICATION IN TERMS OF CONFLICT. IT'S A QUESTION  
5 BASED ON HOW TOO MUCH OF A GOOD THING. I DON'T KNOW.  
6 I'M ASKING THE QUESTION BECAUSE ALL I CAN DO IS TRACK A  
7 RESUME AND SEE THE TIES, AND THEY MAY BE TOTALLY  
8 MEANINGLESS.

9 DR. HALL: YOU MAY WISH TO DECIDE THAT HAVING  
10 FOUR PEOPLE, HAVING TWO FROM ONE INSTITUTION IS NOT  
11 WISE, BUT I THINK THE TIES WITH THE INSTITUTION TO  
12 WARF, AT LEAST IN MY MIND, SHOULD NOT BE A DECISIVE  
13 FACTOR.

14 MS. SAMUELSON: HE'S ONE I KNOW LEAST ABOUT.  
15 I'M FORGETTING.



16 MR. SHESTACK: WAS IT OS --

17 DR. STEWARD: YEAH. I WAS THE ONE WHO PUT  
18 HIS NAME FORWARD. I CAN SAY SOME OF THE HIGHLIGHTS  
19 AGAIN IF ANYBODY WANTS.

20 MS. SAMUELSON: COULD YOU? I APPRECIATE IT.

21 DR. STEWARD: SURE. BRIEFLY, HE'S PROFESSOR  
22 OF PEDIATRICS AND DIRECTOR OF THE PROGRAM OF MEDICAL  
23 ETHICS AT UNIVERSITY OF WISCONSIN. HE FOUNDED THAT  
24 PROGRAM IN 1973. HE CHAIRS THE HOSPITAL ETHICS  
25 COMMITTEE AND INSTITUTIONAL REVIEW BOARD THERE, HEADS

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1 THE CHILD PROTECTION TEAM. HE WAS A MEMBER OF THE  
2 NATIONAL ACADEMY OF SCIENCE'S INSTITUTE OF MEDICINE  
3 COMMITTEE THAT PUBLISHED A FOLLOW-UP REPORT ON  
4 ASSESSING GENETIC RISK, A MEMBER OF THE NIH WORKSHOP ON  
5 POPULATION SCREENING FOR CYSTIC FIBROSIS, AND HE IS A  
6 MEMBER OF THE CURRENT NATIONAL ACADEMY COMMITTEE FOR  
7 ESTABLISHING GUIDELINES FOR HUMAN EMBRYONIC STEM CELL  
8 RESEARCH.

9 DR. HALL: AS IS ALTA CHARO, I MIGHT ADD.

10 MR. SHESTACK: RIGHT.

11 CHAIRMAN KESSLER: AS I UNDERSTAND IT, WE ARE  
12 NOW GOING TO STAY WITH THIS LIST OF EIGHT. AND LET ME

13 JUST ASK, FOR REVIEW, TO TRY TO MAKE THESE PEOPLE REAL  
14 TO EACH MEMBER OF THE ICOC AND THE PUBLIC BEST AS WE  
15 CAN, THEY'RE NOT IN FRONT OF US. ARE THERE ANY NAMES  
16 UP HERE THAT PEOPLE WANT TO KNOW A LITTLE ABOUT OR HEAR  
17 AGAIN THE KIND OF PRESENTATIONS THAT WERE MADE SO IT  
18 CAN SINK IN BECAUSE WE ARE GOING TO NEED TO DO SOME  
19 WHITTILING. SO LET'S JUST SPEND A MOMENT. DOES ANYONE  
20 WANT TO KNOW ANYTHING MORE ABOUT ALTA CHARO? KNOWING  
21 ANYTHING MORE ABOUT TED PETERS?

22 MR. SHESTACK: WHO NOMINATED?

23 MS. SAMUELSON: OUR TEAM.

24 MR. SHESTACK: WAS HE ON YOUR LIST?

25 MS. HALME: I THINK THE OTHER PETERS IS A

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1 ROBERT.

2 MR. SHESTACK: WHO WAS THE LUTHERAN  
3 THEOLOGIAN?

4 MS. SAMUELSON: THAT'S TED.

5 CHAIRMAN KESSLER: ANYONE WHO WOULD LIKE MORE  
6 INFORMATION ABOUT TED PETERS? ANY MORE INFORMATION  
7 ABOUT BERNIE LO, BERNARD LO? WE JUST HEARD A LITTLE  
8 ABOUT NORMAN FOST. ANY MORE INFORMATION ABOUT NORM  
9 FOST PEOPLE WOULD LIKE TO HEAR ABOUT? MORE INFORMATION  
10 ABOUT HARRIET RABB. MORE INFORMATION ABOUT PATRICIA

11 KING?

12 MR. SHESTACK: I WOULD LIKE INFORMATION ABOUT  
13 HER.

14 CHAIRMAN KESSLER: DAVID, WOULD YOU BE KIND  
15 ENOUGH TO TALK A LITTLE ABOUT PAT KING?

16 MR. SERRANO-SEWALL: SURE. SHE IS AT  
17 GEORGETOWN UNIVERSITY LAW CENTER. SHE IS A WATERHOUSE  
18 PROFESSOR OF LAW, MEDICINE, ETHICS, AND PUBLIC POLICY  
19 AT THE GEORGETOWN LAW. SHE'S SERVED AS A PROFESSOR.  
20 SHE'S SERVED IN THE FEDERAL GOVERNMENT AS A DEPUTY  
21 ASSISTANT AG AT THE DEPARTMENT OF JUSTICE, HAS  
22 EXTENSIVE WRITINGS IN BIOMEDICAL ETHICS. SHE'S SERVED  
23 ON A HOST OF COMMITTEES AND WORKING GROUPS WITHIN HER  
24 OWN PROFESSION THAT SPECIFICALLY ADDRESS THESE ISSUES,  
25 INCLUDING THE NATIONAL RESEARCH COUNCIL, INSTITUTE OF

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1 MEDICINE COMMITTEE ON BIOMEDICAL APPLICATION TO STEM  
2 CELLS. SHE WAS ON A WORKING GROUP TO ADVISE THE NIH ON  
3 GUIDELINES AND OVERSIGHT OF HUMAN STEM CELL RESEARCH.  
4 AND SHE SERVED AS A CO-CHAIR FOR POLICY AT THE EMBRYO  
5 RESEARCH PANEL AT THE NIH. FINALLY, SHE'S GIVEN  
6 CONGRESSIONAL TESTIMONY ON THESE TOPICS AS WELL.

7 CHAIRMAN KESSLER: ANY QUESTIONS ABOUT

8 PATRICIA KING?

9 MS. SAMUELSON: I GUESS THE ISSUE BECOMES HOW  
10 DO WE DISTINGUISH BETWEEN THESE FOLKS AND GETTING THE  
11 BEST COMBINATION OF TALENT. AND I SEE THINGS THAT ARE  
12 DUPLICATED IN SOME OTHERS, LIKE ALTA CHARO.

13 MR. SHESTACK: THERE ARE ALSO PEOPLE -- NOT  
14 SO MANY PEOPLE ON THIS LIST WHO HAVE A LOT OF  
15 EXPERIENCE, SAY, IN BANKING AND REPOSITORIES, BUT THERE  
16 ARE PEOPLE AMONG THE SCIENTISTS AND CLINICIANS THAT  
17 HAVE EXTENSIVE EXPERIENCE ON THAT. SO IT'S HARD TO  
18 BALANCE.

19 CHAIRMAN KESSLER: LET ME JUST KEEP ON GOING.  
20 ANY MORE INFORMATION ABOUT PAT KING? LAURIE ZOLOTH?  
21 ANY MORE INFORMATION ANYONE WOULD LIKE? ANY MORE  
22 INFORMATION ABOUT DR. BILLINGS?

23 MS. SAMUELSON: ONE THING THAT OCCURRED TO ME  
24 IS THAT IN TERMS OF ETHICS DIVERSITY, WE MIGHT HAVE A  
25 BETTER SENSE WHEN WE'RE DONE LOOKING AT THE SCIENTISTS

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1 AND CLINICIANS. I'M NOT ARGUING FOR DELAYING THE  
2 DECISION-MAKING BECAUSE OF THAT.

3 CHAIRMAN KESSLER: AND THE COMMENTS -- I  
4 DON'T KNOW OF JON WAS HERE. THE COMMENTS ON ETHNIC  
5 DIVERSITY, ANYONE WANT TO, AGAIN, WHAT WE KNOW. YOU'VE

6 HEARD.

7 MR. SHESTACK: WE KNOW WHAT WE KNOW, NOT  
8 MUCH.

9 MS. HALME: (INAUDIBLE.) SO IF YOU'RE  
10 LOOKING THERE FOR DIVERSITY --

11 MS. SAMUELSON: THERE'S ONE I HAD IN MIND.

12 MR. SHESTACK: THE PERSON THERE WAS SOMEONE  
13 ON THE PHONE WHO DIDN'T HEAR.

14 MS. HALME: I WAS SAYING THAT PERCENTAGEWISE  
15 THERE'S LESS DIVERSITY AMONG THE SCIENTIST CLINICIANS  
16 THAN THE MEDICAL ETHICISTS. SO JUST WANTED TO HAVE  
17 THAT AS A POINT OF INFORMATION.

18 CHAIRMAN KESSLER: SO NOW THE QUESTION IS HOW  
19 TO PROCEED. AND LET ME THROW OUT JUST AN OPTION. AND,  
20 AGAIN, THE GOAL IS TO SEE WHETHER WE CAN TO IDEALLY  
21 FOUR NAMES THAT WE FEEL STRONGLY ABOUT AND THERE'S A  
22 CONSENSUS, AND THERE COULD BE A VOTE. AND MANY WAYS TO  
23 DO THAT. LET ME SUGGEST A PROCESS THAT'S JUST A  
24 STRAWMAN THAT JUST TRIES TO MOVE US FORWARD IN A  
25 DIFFERENT TECHNIQUE ONE CAN USE.

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1 LET ME SUGGEST THAT WHAT WE DO, AND IF EACH  
2 ICOC MEMBER DOES, AGAIN, IF YOU AGREE, IS TAKE A PIECE

3 OF PAPER AND WRITE DOWN ON THAT PIECE OF PAPER THE TWO  
4 NAMES. AND LET ME GIVE YOU THE CRITERIA. THAT YOU  
5 PERSONALLY, NOW HAVING HEARD AL THE NAMES, THINK  
6 YOU FEEL MOST STRONGLY ABOUT AND YOU THINK THERE MIGHT  
7 BE A CONSENSUS FOR. AND THEN WHAT I WOULD ASK, IF  
8 YOU FEEL COMFORTABLE, WE ALL WRITE DOWN THOSE NAMES AT  
9 THE SAME TIME SO WE DON'T BIAS EACH OTHER. AND THEN WE  
10 ASK FOR STAFF TO READ THOSE PIECES OF PAPERS WITH OUR  
11 NAMES, AND WE PUT THOSE NAMES ON A BOARD, AND WE SEE  
12 WHERE WE ARE. AND IF WE ARE -- WHO KNOWS WHERE IT GOES  
13 AND SEE IF THAT ADVANCES THESE DISCUSSIONS, BUT IT'S  
14 NOT A FORMAL VOTE. IT'S JUST AN ATTEMPT TO GO TO THE  
15 NEXT STEP.

16 IS THAT A REASONABLE WAY TO TRY TO MOVE TO  
17 THE NEXT STEP?

18 MR. SHESTACK: SO EACH OF US ASKS FOR TWO,  
19 AND THEN WE UP FOUR NAMES OR TWO?

20 CHAIRMAN KESSLER: ANY NAME THAT IS WRITTEN  
21 DOWN HERE WE WILL WRITE DOWN ON A BOARD, AND WE'LL SAY  
22 HOW MANY PEOPLE PUT THAT NAME. WE'LL LOOK AT THAT AND  
23 SEE WHETHER THAT -- WHERE THAT BRINGS US. IS THAT A --

24 MS. SAMUELSON: YOU'RE ASKING FOR TWO NAMES.

25 CHAIRMAN KESSLER: YOU WOULD WRITE DOWN TWO,

1 AND THEN WE'LL WRITE THEM ON A BOARD AND WE'LL SEE HOW  
2 MANY NAMES ON THE BOARD. NOW, YOU HAVE TO WRITE YOUR  
3 NAME BECAUSE THIS IS A PUBLIC PROCESS. SO YOU CAN'T  
4 WRITE DOWN ANYTHING ON A PIECE OF PAPER THAT'S NOT IN  
5 FULL PUBLIC VIEW. SO WRITE YOUR NAME ALSO ON THE PIECE  
6 OF PAPER, AND THAT WILL GET READ INTO THE RECORD. YOUR  
7 NAME IS ALREADY ON THERE.

8 MS. HALME: I HAVE NAMES, I'LL PUT THEM OVER  
9 HERE SO THAT YOU DON'T ALL HAVE TO TURN AROUND.

10 CHAIRMAN KESSLER: NOW, AGAIN, FOR THE  
11 RECORD, I WILL NOT ACTUALLY WRITE BERNARD LO. I WILL  
12 RECUSE MYSELF ON BERNARD LO. WE DO NOT HAVE TO, BUT  
13 I'M DOING THAT JUST FOR A MATTER OF RECORD ON UCSF.  
14 THAT SHOULDN'T TAKEN ONE WAY OR THE OTHER.

15 WOULD YOU COLLECT THE PIECES OF PAPER.

16 MS. HALME: IDENTIFY THE RECOMMENDERS AS  
17 WELL.

18 CHAIRMAN KESSLER: OS, WOULD YOU BE KIND  
19 ENOUGH TO GO FIRST? IF YOU WRITE PUT THE NAMES --

20 MS. HALME: I'M GOING TO PUT THE NAMES UP,  
21 AND IF THEY'RE SAID MORE THAN ONCE, I WILL PUT A 1+.

22 CHAIRMAN KESSLER: OS, WOULD YOU READ YOUR  
23 PIECE OF PAPER.

24 DR. STEWARD: JUST FOR THE RECORD, I HAVE  
25 PASSED THAT OVER TO STAFF WITH MY SIGNATURE ON IT.

1                   CHAIRMAN KESSLER: ASK STAFF THERE IN IRVINE  
2 TO READ YOUR PIECE OF PAPER.

3                   MS. INGELS: JEANNIE INGELS FROM IRVINE. AND  
4 OS WROTE DOWN BERNARD LO AND LAURIE ZOLOTH.

5                   CHAIRMAN KESSLER: LET'S JUST GIVE STAFF ONE  
6 CHANCE TO GET THIS SYSTEM WORKING.

7                   MS. HALME: WE'RE READY.

8                   MS. SHREVE: KATE SHREVE, CIRM STAFF. I'M  
9 GOING TO READ THE FOLLOWING RECOMMENDATIONS. FROM  
10 DAVID SERRANO-SEWALL, HARRIET RABB AND ALTA CHARO.  
11 JEFF SHEEHY, BERNARD LO AND PATRICIA KING.

12                   CHAIRMAN KESSLER: HOLD ON A SECOND. GIVE  
13 DINA A CHANCE.

14                   MS. SHREVE: FROM DAVID KESSLER, HARRIET RABB  
15 AND PATRICIA KING. FROM JOAN SAMUELSON, ALTA CHARO AND  
16 TED PETERS. AND FROM JON SHESTACK, BERNARD LO AND  
17 LAURIE ZOLOTH.

18                   MR. SERRANO-SEWALL: CAN YOU READ  
19 MR. SHEEHY'S AGAIN?

20                   MS. SHREVE: REQUEST WAS TO REREAD JEFF  
21 SHEEHY'S RECOMMENDATIONS, WHICH WERE BERNARD LO AND  
22 PATRICIA KING.

23                   MR. SHESTACK: HAVE THEY ALL BEEN READ?  
24 DIDN'T YOU VOTE FOR PETERS?

25                   CHAIRMAN KESSLER: EVERYONE UNDERSTANDS HOW



1 THAT. SO TWO PEOPLE VOTED FOR PATRICIA KING -- NOT  
2 NOTED, BUT SUGGESTED DR. ZOLOTH, TWO FOR HARRIET RABB,  
3 THREE FOR BERNARD LO, TWO FOR ALTA CHARO, ONE FOR TED  
4 PETERS. EVERYONE UNDERSTANDS HOW WE'VE DONE THAT.

5 SO LET'S LOOK AT THOSE SIX NAMES ON THE  
6 BOARD. AND COMMENTS ABOUT THOSE NAMES AND COMFORT  
7 LEVEL WITH THOSE NAMES AND WHAT WE THINK.

8 MR. SHEEHY: I DON'T THINK EVERYBODY HAS  
9 SEEN. I'VE GOT PATRICIA KING'S AND LAURIE ZOLOTH'S  
10 RESUMES RIGHT HERE. SOMETIMES IT'S HELPFUL TO HAVE  
11 THEM OUT.

12 CHAIRMAN KESSLER: IF ANYONE WOULD LIKE TO  
13 SEE THOSE RESUMES.

14 MR. SHESTACK: DOES ANYBODY ELSE NEED  
15 LAURIE'S.

16 MR. SHEEHY: I GOT LAURIE'S. I WONDER MAYBE  
17 IF WE DO WANT TO HAVE A THEOLOGICAL PERSPECTIVE, MAYBE  
18 HAVING A DISCUSSION ABOUT TED PETERS. THEY'RE MUTUALLY  
19 EXCLUSIVE.

20 MR. SHESTACK: I DON'T KNOW LAURIE ZOLOTH,  
21 BUT I HAVE RECENTLY HAD TO REVIEW A MANUSCRIPT THAT SHE  
22 WAS EDITING AND A BUNCH OF HER WRITING. SHE'S ON PAPER  
23 REALLY IMPRESSIVE. WRITES WELL, THINKS WELL, HAS A

24 KIND OF BROAD PERSPECTIVE.

25 CHAIRMAN KESSLER: LET ME POINT OUT FOR THE

60

1 RECORD THAT WE'VE WORKED NOW WITH EIGHT NAMES. WE NOW  
2 HAVE SIX NAMES ON THE BOARD, AND STAFF SHOULD KEEP  
3 TRACK BECAUSE THERE MAY BE EITHER ALTERNATES OR OTHER  
4 PEOPLE OR PEOPLE MAY DROP OUT, SO WE SHOULD -- WE ARE  
5 VERY THANKFUL THAT PEOPLE HAVE SUBMITTED THEIR NAMES  
6 AND GRATEFUL OF THAT, AND WE MAY BE CALLING ON A LOT OF  
7 THESE PEOPLE OVER TIME. PEOPLE SHOULD UNDERSTAND THAT  
8 EVEN THOUGH WE HAVE TO RECOMMEND FOUR, WE'RE GOING TO  
9 HAVE TO GIVE SOME BACKUP NAMES HERE TOO.

10 MR. SHESTACK: PAT KING ALSO HAS A LEGAL  
11 BACKGROUND; IS THAT RIGHT? SHE AND HARRIET RABB ARE  
12 BOTH ATTORNEYS, RIGHT?

13 MR. SERRANO-SEWALL: ALTA IS.

14 MR. SHESTACK: ALTA IS AND LAURIE IS NOT.

15 CHAIRMAN KESSLER: SHE'S A LAWYER. THERE'S  
16 THREE LAWYERS.

17 MR. SHESTACK: IS THERE A CHARGE ABOUT REVIEW  
18 BOARD EXPERIENCE?

19 CHAIRMAN KESSLER: IRB.

20 MR. SHESTACK: THAT'S JUST ONE OF MANY.

21 CHAIRMAN KESSLER: WHAT NUMBER IS IT?

22 MS. HALME: IT'S NOT ACTUALLY LISTED HERE.  
23 IT'S PART OF THE DEFINITIONS.

24 CHAIRMAN KESSLER: IT WAS CLINICAL --

25 MR. HARRISON: THE STANDARD IS ADMINISTERING

61

1 ETHICAL SAFEGUARDS DURING THE CLINICAL TRIAL PROCESS  
2 PARTICULARLY THROUGH SERVICE ON INSTITUTIONAL REVIEW  
3 BOARDS.

4 MR. SHESTACK: SINCE THEY'RE WRITING ON THE  
5 SUBJECT WILL QUALIFY.

6 MR. SHEEHY: DO WE KNOW HOW MANY OF THOSE  
7 HAVE IRB EXPERIENCE? DO WE KNOW HOW MANY OF THOSE HAVE  
8 IRB EXPERIENCE?

9 MR. SHESTACK: NOT REALLY. ALL THE  
10 CLINICIANS AND SCIENTISTS, MANY OF THEM WILL.

11 CHAIRMAN KESSLER: EVERYONE HAS CHECKED OFF  
12 NO. 3, WHICH IS SERVED ON HUMAN SUBJECT RESEARCH  
13 PROTECTIONS.

14 MR. SHESTACK: SO EVERYBODY IS VERSED IN THIS  
15 AND HAS WRITTEN ABOUT IT AND SERVED ON COMMITTEES. IT  
16 MAY NOT BE A HOSPITAL IRB COMMITTEE, BUT IT WOULD BE  
17 PANELS MAKING RECOMMENDATIONS TO ELSI.

18 CHAIRMAN KESSLER: SO NOW WE HAVE THOSE SIX.

19 AGAIN, IN A DELIBERATIVE KIND OF WAY AS A GROUP, ANY  
20 THOUGHTS?

21 MS. SAMUELSON: I GUESS A COUPLE THOUGHTS ON  
22 THE ISSUE OF LAURIE ZOLOTH AND TED PETERS, THEY END UP  
23 KIND OF COMPETING IN A WAY IN MY OWN MIND BECAUSE I  
24 GUESS I HAVE AN INSTINCT THAT WE DON'T HAVE ENOUGH  
25 POSITIONS TO GET THE BENEFIT OF TWO PEOPLE COMING FROM

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1 A THEOLOGICAL PERSPECTIVE, THAT WE NEED A MORE DIVERSE  
2 GROUP, ALTHOUGH THERE'S A BUNCH OF LAWYERS. BUT THAT  
3 IS ONE INSTINCT.

4 I HAD THE EXPERIENCE OF LISTENING TO LAURIE  
5 ZOLOTH AT THE WILLIE BROWN INSTITUTE WORKSHOP, TWO-DAY  
6 WHATEVER IT WAS, ON THE STEM CELL RESEARCH. AND I  
7 FOUND -- I HAVE TO SAY I FOUND HER PRESENTATION STYLE  
8 DIFFICULT TO DEAL WITH. AND THIS IS A VERY  
9 UNCOMFORTABLE THING TO DO IN THIS SORT OF SETTING, IN  
10 PART BECAUSE IT'S SO LIMITED, MY EXPERIENCE. BUT I  
11 WOULD NOT WANT TO NOT SHARE THAT AS WELL.

12 CHAIRMAN KESSLER: LET ME MAKE A SUGGESTION,  
13 JUST TO KEEP TRYING TO STAY TO THE POSITIVE SIDE AND  
14 SEE WHETHER WE CAN WORK FROM THAT DIRECTION. LET ME  
15 SUGGEST, ASK ANY MEMBER OF THE BOARD NOW, LET'S GO  
16 THROUGH IT. AND LET ME ASK THE QUESTION. IS THERE A

17 NAME UP THERE, AND I'LL ASK THIS QUESTION SEVERAL  
18 TIMES, IS THERE A NAME YOU THINK THAT YOU COULD PUT  
19 FORWARD RIGHT NOW THAT YOU'D LIKE TO PUT FORWARD TO  
20 WHICH YOU THINK THERE WOULD BE NEAR CONSENSUS? YOU  
21 MAY NOT KNOW THAT EVERYBODY.

22 BUT ARE THERE NAMES WHERE THERE'S A NEAR  
23 CONSENSUS? AND SEE IF WE CAN ASK STAFF TO MOVE THOSE  
24 NAMES OVER TO THE OTHER SIDE OF THE BOARD IF, IN  
25 FACT -- AND THEN WE'LL JUST POLL THE BOARD AND SEE HOW

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1 MANY PEOPLE THINK THAT THERE WOULD BE AN AGREEMENT. IS  
2 THAT A REASONABLE WAY TO TRY TO GO ONE MORE STEP AND  
3 SEE WHERE WE ARE.

4 SO LET ME ASK ANYBODY HERE ON THE SEARCH  
5 COMMITTEE, ARE THERE ANY NAMES OF THOSE SIX TO WHICH  
6 YOU WOULD LIKE TO SAY LIKE TO TEST WHETHER, IN FACT,  
7 THERE'S A NEAR CONSENSUS.

8 DR. STEWARD: I'D LIKE TO DO THAT WITH BERNIE  
9 LO.

10 CHAIRMAN KESSLER: LET'S ACTUALLY -- AND IF  
11 YOU WOULD RECORD IN SOME OTHER WAY, AND MAYBE WHAT YOU  
12 NEED -- WHY YOU DON'T JUST BRING THAT PAD IN FRONT OF  
13 EVERYONE'S VIEW. DO ME A FAVOR. JUST WRITE THE NAME

14 BERNARD LO. AND LET'S GO UP AND DOWN THE ICOC AND SEE  
15 WHAT PEOPLE, AND WE'LL DO A ROLL CALL VOTE, NOT VOTE,  
16 JUST A STRAW VOTE OF WHETHER YOU THINK YOU WOULD FAVOR  
17 THIS PERSON BEING ON IT. SO JUST GO THROUGH THE NAMES  
18 AND HOW MANY PEOPLE WOULD SAY YES, LITTLE LINES NEXT TO  
19 EACH PERSON.

20 MS. SHREVE: DAVID KESSLER.

21 CHAIRMAN KESSLER: I'M GOING TO RECUSE MYSELF  
22 ON BERNARD LO, BUT THAT SHOULDN'T BE TAKEN AS ANYTHING  
23 AGAINST. SO BE CAREFUL. YOU MAY WANT TO PUT AN A  
24 THERE SO DOESN'T COUNT. I DON'T TIP IT OFF AS ONE  
25 LESS. I'M GOING TO ABSTAIN.

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1 MS. SHREVE: JOAN SAMUELSON.

2 MS. SAMUELSON: YES.

3 MS. SHREVE: DAVID SERRANO-SEWALL.

4 MR. SERRANO-SEWALL: YES.

5 MS. SHREVE: JEFF SHEEHY.

6 MS. SHEEHY: I'M GOING TO DO THE A TOO.

7 MS. SAMUELSON: YOU ALREADY EXPRESSED. I  
8 THINK IT'S HELPFUL.

9 CHAIRMAN KESSLER: I WOULD ALSO -- I THINK --

10 MR. SHEEHY: I'VE HAD A LOT OF PERSONAL  
11 EXPERIENCE.

12 CHAIRMAN KESSLER: I'M JUST TRYING TO DO  
13 THIS.  
14 MS. SHREVE: JONATHAN SHESTACK.  
15 MR. SHESTACK: YES.  
16 MS. SHREVE: OSWALD STEWARD.  
17 DR. STEWARD: YES.  
18 CHAIRMAN KESSLER: OKAY. LET ME ASK A  
19 QUESTION AGAIN TO THE BOARD. IS THERE ANOTHER NAME  
20 THAT A MEMBER WOULD LIKE TO BRING FORWARD AND GO  
21 THROUGH THAT SAME PROCESS WE JUST WENT THROUGH WITH DR.  
22 LO.  
23 MR. SERRANO-SEWALL: I'D LIKE TO SUBMIT THE  
24 NAME HARRIET RABB, PLEASE.  
25 CHAIRMAN KESSLER: KATE, CAN YOU GO THROUGH

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1 THESE.  
2 MS. SHREVE: DAVID KESSLER.  
3 CHAIRMAN KESSLER: YES, I WOULD SUPPORT THAT.  
4 MS. SHREVE: JOAN SAMUELSON.  
5 MS. SAMUELSON: YES.  
6 MS. SHREVE: DAVID SERRANO-SEWALL.  
7 MR. SERRANO-SEWALL: YES.  
8 MS. SHREVE: JEFF SHEEHY.

9 MR. SHEEHY: YES.

10 MS. SHREVE: JONATHAN SHESTACK.

11 MR. SHESTACK: YEAH.

12 MS. SHREVE: OSWALD STEWARD.

13 DR. STEWARD: YES.

14 CHAIRMAN KESSLER: CAN I ASK ANOTHER -- THE

15 BOARD AGAIN, THE SEARCH COMMITTEE AGAIN, IS THERE A

16 NAME THAT YOU'D LIKE TO PUT FORWARD?

17 MR. SERRANO-SEWALL: TED PETERS.

18 MR. SHESTACK: I WOULD JUST LIKE TO POINT OUT

19 THAT IN THE BEGINNING CONSENSUS MAY OFTEN GIVE YOU THE

20 STRONGEST CHOICES; BUT AFTER A CERTAIN POINT IN THE

21 PROCESS CONSENSUS GIVES YOU THE LEAST OBJECTIONABLE.

22 SO --

23 CHAIRMAN KESSLER: AGAIN, WELL, THAT'S FINE.

24 YOU WILL SOME NUMBERS OF --

25 MR. SHESTACK: WHAT YOU'RE TRYING TO DO, I

66

1 THINK, THIS IS AN EXERCISE IN ACTUALLY FORMING A GROUP,

2 RIGHT? OKAY. WE KNOW BERNARD LO'S EXPERIENCED;

3 HARRIET RABB IS A GREAT ETHICIST AND WITH A REGULATORY

4 BACKGROUND; AND SO YOU'RE CASTING FOR THE THEOLOGICAL

5 POSITION PERHAPS NOW.

6 CHAIRMAN KESSLER: LET'S BE CAREFUL. I DON'T



7 THINK WE HAVE POSITIONS. YOU CAN THINK OF IT ANY WAY  
8 YOU WOULD LIKE, BUT IT'S AS A MATTER OF RECORD WE DON'T  
9 HAVE ANY POSITIONS.

10 MR. SHESTACK: I WAS THINKING THERE ARE TWO  
11 PEOPLE THAT THERE'S GREAT CONSENSUS ON, SO LAST TWO  
12 THAT YOU REALLY WANT THINK THE BALANCE OF YOUR GROUP.

13 CHAIRMAN KESSLER: SO THE QUESTION IS IS  
14 THERE A -- YOU PUT FORWARD ANOTHER NAME.

15 MR. SERRANO-SEWALL: I WITHDRAW THAT NAME  
16 BECAUSE I DON'T WANT TO HOG --

17 MR. SHEEHY: ACTUALLY I THINK IT'S USEFUL  
18 BECAUSE I WOULD LIKE TO HAVE A LITTLE DISCUSSION ABOUT  
19 TED PETERS BECAUSE I KNOW BOTH JOAN -- AND YOU TALKED  
20 TO HIM AS WELL, DIDN'T YOU, JON?

21 MR. SHESTACK: I JUST READ A LOT OF HIS WORK,  
22 AND IT WAS REALLY IMPRESSIVE. IT'S VERY DIFFICULT  
23 TO --

24 MR. SHEEHY: HE'S VERY IMPRESSIVE.

25 MR. SHESTACK: I READ A LITTLE BIT MORE OF

1 LAURIE. I DIDN'T TALK TO EITHER OF THEM PERSONALLY. I  
2 PROBABLY DIDN'T DO THE RIGHT KIND OF RESEARCH.

3 MR. SERRANO-SEWALL: AND EARLIER I SAID THAT

4 THE WORK OF THE COMMITTEE IS A LOT OF WORK. AND I GIVE  
5 A LOT OF DEFERENCE, NOT DEFERENCE, BUT CREDIT TO MY  
6 COLLEAGUES. IF THEY'VE SPOKEN TO SOMEONE AND THEY FEEL  
7 COMFORTABLE WITH THEM, AND I THINK WE'VE LOOKED AT ALL  
8 THE RESUMES. WE'VE DONE OUR DUE DILIGENCE. AND, JOAN,  
9 IF YOU HAVE SPOKEN WITH MR. PETERS, YOU STATED HIS  
10 QUALIFICATIONS. I, FOR ONE, I'M GOING TO PAY THAT A  
11 CERTAIN AMOUNT OF RESPECT AND CREDENCE BECAUSE, OKAY,  
12 THAT'S GREAT. I'M NOT OPPOSED PER SE TO HAVING SOMEONE  
13 OF HIS BACKGROUND SERVE ON THIS PARTICULAR WORKING  
14 GROUP. I THINK HE WOULD BRING AN INTERESTING DYNAMIC.

15 CHAIRMAN KESSLER: LET ME ASK A QUESTION. IS  
16 THERE -- MY SENSE IS IN THE TWO NAMES WE'VE PUT UP  
17 THERE, BERNARD LO AND HARRIET RABB, WITH THE EXCEPTIONS  
18 OF THE ABSTAININGS, WHICH ARE NOT MEANT AGAINST, THOSE  
19 ARE UNANIMOUS FEELINGS. IS THAT A FEELING? ARE THOSE  
20 TWO UNANIMOUS? OS, MY SENSE IS THOSE ARE UNANIMOUS.  
21 EVERYONE IS STRONGLY SUPPORTIVE.

22 IS THERE ANY OTHER NAME THAT RISES TO THAT  
23 LEVEL WHERE EVERYBODY WOULD SAY WE ALL AGREE. THIS  
24 PERSON SHOULD DEFINITELY RISE TO THE LEVEL OF HARRIET  
25 RABB AND BERNARD.

1 MR. SHEEHY: I THINK THE QUESTION IS DID WE

2 WANT TWO THEOLOGIANS OR TWO LAWYERS. I THINK I MIGHT  
3 GO WITH GOD MYSELF.

4 CHAIRMAN KESSLER: STAY WITH MY QUESTION  
5 RIGHT NOW. DOES ANYONE WANT TO SAY -- I JUST WANT TO  
6 TEST WHETHER THERE'S ANY OTHER -- I'M TRYING TO GET  
7 TO --

8 MR. SHESTACK: IS THERE ANY --

9 CHAIRMAN KESSLER: IS THERE ANYONE WE ALL  
10 FEEL STRONGLY ABOUT THAT'S GOING TO BE, IN ESSENCE,  
11 THOSE TWO NAMES WERE SLAM DUNKS, AS I JUST SEE IT. IS  
12 THERE ANY OTHER NAME THAT'S A SLAM DUNK?

13 MR. SHESTACK: THOSE WOULD BE, NO MATTER WHO  
14 ELSE IS ON IT, EVERYBODY THINKS THOSE WOULD BE A GOOD  
15 COMBINATION?

16 CHAIRMAN KESSLER: RIGHT.

17 MS. SAMUELSON: IT'S HARD FOR ME TO IMAGINE  
18 NOT INCLUDING ALTA CHARO'S EXPERTISE. I THINK OF HER  
19 THAT WAY.

20 CHAIRMAN KESSLER: LET'S TEST. LET'S ASK  
21 THAT QUESTION. DOES EVERYONE AGREE THAT ALTA CHARO IS  
22 A SLAM DUNK AND HAS TO BE ON THIS?

23 MR. SHEEHY: NO.

24 CHAIRMAN KESSLER: IS THERE ANY OTHER NAME  
25 THAT RISES TO THE LEVEL OF THE NAMES WE'VE JUST DONE?

1                   MR. SHEEHY: I FEEL LIKE IF I HAD HAD A  
2 CONVERSATION WITH PATRICIA KING, SHE WOULD BE ON THERE.

3                   MR. SHESTACK: IF I TALKED TO LAURIE ZOLOTH  
4 SHE WOULD BE OR PETERS, EITHER ONE. THIS IS -- I DO  
5 WISH --

6                   DR. STEWARD: THIS IS OS. CAN WE JUST TRY  
7 ZOLOTH IN THAT LIST AND SEE WHERE WE END UP?

8                   MR. SHESTACK: DO YOU KNOW LAURIE ZOLOTH?

9                   DR. STEWARD: NO. I'M JUST SO IMPRESSED WITH  
10 HER PAPER CREDENTIALS.

11                   MR. SHESTACK: ME TOO.

12                   CHAIRMAN KESSLER: DOES ANYONE -- DOES  
13 EVERYONE FEEL THAT SHE IS A SLAM DUNK AND HAS TO BE ON  
14 THIS? MAYBE THAT'S TOO STRONG A TERM. MAYBE THERE'S A  
15 BETTER WAY.

16                   MS. SAMUELSON: THAT WORKS.

17                   CHAIRMAN KESSLER: DOES EVERYONE FEEL THAT  
18 SHE RISES TO THE LEVEL OF -- AND IS --

19                   MR. SHESTACK: SLAM DUNK IS HARD. IF YOU  
20 WENT DOWN A LEVEL.

21                   CHAIRMAN KESSLER: I'M SAYING IN THE SLAM  
22 DUNK CATEGORY. LET ME MAKE THE FOLLOWING SUGGESTION.  
23 WHY DON'T YOU DRAW A LINE BELOW THOSE NAMES, AND THEN  
24 YOU HAVE ANOTHER PIECE OF PAPER. AND, AGAIN, TO  
25 ADVANCE THIS, THERE'S DIFFERENT WAYS TO ADVANCE THIS,

1 LET ME SUGGEST THAT OF THE FOUR NAMES THAT YOU HAVE NOW  
2 ON THE BOARD, YOU HAVE TWO NAMES -- YOU CAN WRITE DOWN  
3 TWO NAMES ON THE PIECE OF PAPER. LET'S JUST SEE WHERE  
4 THAT BRINGS US JUST AS A POOL.

5 MS. SAMUELSON: HERE'S WHAT BOTHERS ME ABOUT  
6 IT. I THINK WE'RE -- WE CAN TELL A LOT SORT OF TESTING  
7 OUR INSTINCTS, WHICH I THINK ARE WORTH A LOT, AND  
8 BALANCING THEM UP AGAINST EACH OTHER. BUT MY HUNCH IS  
9 THAT WE'RE THIN ON EXTRA EXPERIENCE TO BE GOING ANY  
10 FURTHER TO COMPARE THEM. I FEEL THAT WAY. I HAVE A  
11 SENSE THAT IF WE HAD HALF AN HOUR WITH EACH ONE OF THEM  
12 OR 15 MINUTES MAYBE, IT WOULD JUST BE EASY TO GET  
13 ENOUGH OF A SENSE TO RANK THEM.

14 MR. SHESTACK: IF WE'D DONE OUR HOMEWORK AND  
15 ACTUALLY INTERVIEWED THE PEOPLE ON OUR LIST, WE  
16 WOULDN'T HAVE BEEN ABLE TO HAVE HAD ANY EXPERIENCE OF  
17 THE NOMINEES ON OTHER PEOPLE'S LISTS. AND IT'S A SMALL  
18 GROUP.

19 CHAIRMAN KESSLER: AND THE REALITIES ARE  
20 YOU'RE NOT GOING TO BE ABLE TO BRING PEOPLE IN  
21 CALIFORNIA TO HAVE THAT IN FRONT OF YOU.

22 MR. SHESTACK: OF COURSE NOT. CALL THEM ON  
23 THE PHONE.

24 CHAIRMAN KESSLER: AND IF YOU ARE GOING TO

25 HAVE MORE THAN TWO PEOPLE DO THIS, IT'S BAGLEY-KEENE.

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1 SO YOU SO YOU HAVE --

2 MR. SHESTACK: IF MORE INDIVIDUALS WERE TO --

3 CHAIRMAN KESSLER: MORE THAN TWO MEMBERS OF A  
4 AT A TIME.

5 MR. SHESTACK: WAIT A SECOND. THAT'S NOT  
6 TRUE. IT DOESN'T MAKE ANY SENSES. THIS GROUP HAS TO  
7 VOTE ON ALL THESE PEOPLE. BAGLEY-KEENE FORBIDS US FROM  
8 INTERVIEWING THEM?

9 MR. HARRISON: NO. WHAT BAGLEY-KEENE FORBIDS  
10 YOU FROM DOING IS INTERVIEWING THEM IN A SERIAL FASHION  
11 AND DEVELOPING CONSENSUS BASED ON THAT SERIAL MEETING  
12 OUTSIDE OF PUBLIC VIEW. SO IN OTHER WORDS, YOU  
13 COULD -- YOU'RE A BOARD OR SUBCOMMITTEE, RATHER, OF  
14 SIX. SO IF YOU HAVE TWO PEOPLE INTERVIEW CANDIDATES AS  
15 PART OF YOUR INTERVIEW TEAM, YOU HAVE NOT BECOME AN  
16 ADVISORY COMMITTEE. THERE'S NOT A PROBLEM. IF TWO  
17 MORE PEOPLE THEN INTERVIEW THE SAME CANDIDATE, YOU'VE  
18 ESSENTIALLY HAD A QUORUM OF THE MEMBERS OF THIS  
19 COMMITTEE MEET WITH THE CANDIDATE OUTSIDE OF PUBLIC  
20 VIEW. AND THAT'S WHEN A SERIAL MEETING OCCURS.

21 DR. HALL: POINT OF INFORMATION HERE. JUST  
22 AS A HYPOTHETICAL, IF ONE WERE TO TAKE A LIST OF NAMES

23 AND SAY THAT ANY MEMBER HERE COULD CALL ANY ONE OF THEM  
24 AND TALK TO THEM. AS LONG AS THEY DID NOT DISCUSS THAT  
25 PHONE CALL WITH ANOTHER INDIVIDUAL ON THE COMMITTEE

72

1 UNTIL THE NEXT PUBLIC COMMITTEE MEETING, IS THAT  
2 PERMISSIBLE?

3 MR. HARRISON: I'D HAVE TO GIVE THAT A LITTLE  
4 BIT OF THOUGHT. SO THERE'S NO DISCUSSION AT ALL AMONG  
5 THE MEMBERS.

6 DR. HALL: THEY CAN EVEN DO IT TWO BY TWO --

7 MR. SHESTACK: ON THE GRANTS COMMITTEE WE  
8 WERE ENCOURAGED TO DO THAT.

9 MR. HARRISON: WHAT'S FORBIDDEN IS TAKING  
10 ACTION THAT WORK TOWARD THE DEVELOPMENT OF A  
11 CONCURRENCE OUTSIDE OF PUBLIC VIEW.

12 DR. HALL: THEY CAN COMMUNICATE Laterally.  
13 ANYONE WHO WANTS TO CAN CALL ANY ONE OF THESE  
14 CANDIDATES ON THEIR OWN AND HAVE A DISCUSSION WITH THEM  
15 OF THEY'RE WILLING TO TAKE SIX PHONE CALLS. JUST PUT  
16 THAT FORWARD. WE'RE ALL STRUGGLING HERE WITH  
17 BAGLEY-KEENE IN PRACTICE.

18 CHAIRMAN KESSLER: LET ME SEE HOW FAR -- LET  
19 ME JUST TRY TO SEE HOW FAR I CAN GET AND SEE WHETHER --

20 SO FAR WE'VE GOT TWO. WE HAVE FOUR OTHERS. LET ME  
21 ASK, IF YOU ARE WILLING, TO WRITE DOWN ON A PIECE OF  
22 PAPER THE TWO NAMES THAT YOU WOULD WANT OF THOSE FOUR.  
23 AND LET'S SEE WHERE THOSE GO AND SEE IF WE CAN MOVE  
24 THIS AHEAD. IS THAT A REASONABLE STEP?

25 MR. SHESTACK: I'M NOT GOING TO DO IT.

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1 CHAIRMAN KESSLER: NOT GOING TO DO IT?

2 MR. SHESTACK: NO. I'M SORRY. I'M NOT  
3 PREPARED, WHICH IS MY FAULT. I CAN'T MAKE --

4 CHAIRMAN KESSLER: BUT, AGAIN, YOU HAD THE  
5 OPTION TO CALL. WE HAVE TO DECIDE WHAT KIND OF  
6 PROCESS, WHETHER IF YOU HAVEN'T ADVANTAGE, DON'T  
7 FEEL -- YOU DON'T HAVE TO VOTE, BUT WE HAVE TO TRY TO  
8 COME UP WITH -- WE CAN JUST CALL FOR A VOTE ON THESE  
9 NAMES AND SEE HOW MANY WE GET AND WE'RE DONE. WE WANT  
10 TO DO THIS DELIBERATIVELY, BUT THERE'S BEEN AN  
11 OPPORTUNITY TO --

12 MR. SHESTACK: WELL, I HAVE TO SAY, AND I  
13 BLAME MYSELF, THAT THERE WAS CONFUSION ON THIS. FOR  
14 INSTANCE, THIS PROCESS DOES NOT WORK THE SAME WAY AS  
15 THE GRANT SUBCOMMITTEE PROCESS. ONE DOES GET THE SAME  
16 AMOUNT OF E-MAIL, THE SAME FORMS, AND MADE THE  
17 ILLOGICAL CONCLUSION THAT IT WORKED THE SAME PROCESS,



18 WHICH WAS THAT THERE WAS A SPECIFIC LONGER PERIOD OF  
19 TIME TO INTERVIEW, THAT WE WEREN'T SUPPOSED TO COME  
20 BACK TO THIS MEETING WITH A LIST.

21 AT THE LAST MEETING OF THE GRANTS COMMITTEE  
22 WAS THE RULES ON HOW TO DO IT. SO I HAD AN EXPECTATION  
23 THAT IT WAS GOING TO BE THE SAME KIND OF THING AND ONLY  
24 MADE MY PAPER REVIEWS. DIDN'T REALIZE. HAD I READ THE  
25 INSTRUCTIONS MORE CAREFULLY, I WOULD HAVE SEEN ACTUALLY

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1 I WAS GIVEN AN OPPORTUNITY TO CALL THESE PEOPLE.

2 DR. STEWARD: EXCUSE ME. THIS IS OS. COULD  
3 I JUST RUN AN IDEA BY? SO WE HAVE TWO THAT WE ALL  
4 THINK ARE SLAM DUNKS AND THEN FOUR THAT ARE ALL IN THE  
5 RUNNING. AND REALLY WE HAVE DIFFERENTIAL INFORMATION  
6 ON THOSE FOUR CANDIDATES. I THINK ALL OF US KNOW ALTA  
7 CHARO VERY WELL, AND REALLY THE REST OF THEM ARE  
8 UNKNOWNNS. LIKE JON, I FEEL A LITTLE BIT UNCOMFORTABLE,  
9 ALTHOUGH I DID WRITE DOWN SOMETHING AND PASSED IT TO MY  
10 STAFF PERSON HERE. WOULD IT BE POSSIBLE TO MOVE  
11 FORWARD BY ACTUALLY TAKING THE TIME TO DO WHATEVER DUE  
12 DILIGENCE ALL OF US WANT ON THESE FOUR CANDIDATES, AND  
13 AT THE END OF THE DAY SIMPLY RANK THEM SO THAT WE COME  
14 TO THE ICOC MEETING WITH TWO THAT ARE CONSIDERED TO BE

15 SLAM DUNKS AND OUR OWN INDIVIDUAL RANKING OF THE OTHER  
16 FOUR AND GO FROM THERE. WE'RE GOING TO END UP ANYWAY  
17 WITH A SITUATION WHERE SOME OF OUR CHOICES MAY END UP  
18 NOT AGREEING TO SERVE. SO IT MIGHT NOT HURT TO HAVE  
19 SOME BACKUPS ANYWAY.

20 MR. SHESTACK: WE'LL ALSO BE AHEAD OF THE  
21 OTHER COMMITTEE, WHICH IN FACT DOESN'T HAVE TO HAVE  
22 THEIR PROCESS DONE UNTIL APRIL 18TH, I THINK.

23 MS. HALME: BUT THE RATIONALE FOR THAT WAS  
24 BECAUSE STANDARDS HAVE TO BE IN PLACE BEFORE GRANTS.  
25 SO BEFORE ANY GRANTS COME IN --

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1 DR. STEWARD: THIS WOULD ONLY DELAY IT BY  
2 REALLY A COUPLE OF DAYS AND --

3 CHAIRMAN KESSLER: YOU RECOMMEND ANOTHER  
4 MEETING?

5 DR. STEWARD: NO. I'M RECOMMENDING THAT WE  
6 DO THIS -- ACTUALLY BRING OUR RANKINGS TO THE ICOC  
7 MEETING NEXT WEEK.

8 CHAIRMAN KESSLER: HOW DO WE ASSEMBLE THE  
9 RANKINGS?

10 MR. SHESTACK: WHY CAN'T WE HUDDLE AT LUNCH?  
11 HUDDLING IS NOT ALLOWED.

12 DR. STEWARD: I THINK WHAT CAN DO AS FAR AS

13 THE RANKINGS IS SIMPLY SEND THEM IN TO THE ICOC STAFF.  
14 WE DON'T NEED TO KNOW THE OUTCOME UNTIL WE ACTUALLY  
15 COME TO THE MEETING.

16 CHAIRMAN KESSLER: THE PROBLEM WITH THAT IS  
17 THAT DOESN'T GIVE AN OPPORTUNITY FOR JOAN'S ORIGINAL  
18 POINT OF DELIBERATIVE WHEN YOU'RE LOOKING AT THIS AS A  
19 GROUP, AS A WHOLE. AND THEN IT BECOMES JUST --  
20 CERTAINLY, AGAIN, STAFF AND LAWYERS CAN SEE WHETHER  
21 THAT'S ACCEPTABLE. THAT'S ONE WAY TO DO IT. IT JUST  
22 DOESN'T GIVE YOU A CHANCE TO LOOK AT THE NAMES AS A  
23 WHOLE. EITHER WAY, IT'S FINE. WE DO NEED TO MAKE  
24 PROGRESS HERE.

25 MR. SHEEHY: CAN I ASK DAVID A POINT OF

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1 INFORMATION? MY UNDERSTANDING IS THAT EVERY NAME WE  
2 HAVE HAS AGREED TO SERVE. OS, I THINK THAT'S ONE  
3 DIFFERENCE. JONATHAN, THAT'S THE DIFFERENCE BETWEEN  
4 THIS AND GRANTS.

5 MR. SHESTACK: THAT'S CORRECT.

6 MR. SHEEHY: EVERYBODY HERE HAS ALREADY SAID  
7 THAT THEY WANT TO DO IT.

8 CHAIRMAN KESSLER: HELP ME UNDERSTAND WHAT A  
9 PROCESS COULD BE. IF PEOPLE WANTED TO DO MORE

10       HOMEWORK, BUT WE STILL WANTED TO BE ABLE TO HAVE A  
11       GROUP THAT WE WOULD PRESENT AT THE ICOC MEETING,  
12       WHAT --

13                 MR. SHESTACK:   APRIL 7TH.

14                 CHAIRMAN KESSLER:  WHAT IS A PROCESS THAT --

15                 MR. SHESTACK:  ACCORDING TO THE LAW WE'RE NOT  
16       ALLOWED TO TALK TO EACH OTHER BETWEEN NOW AND APRIL 7TH  
17       BECAUSE IT WOULDN'T BE A --

18                 CHAIRMAN KESSLER:  NOTICED MEETING.

19                 MR. SHESTACK:  -- NOTICED MEETING.  THE LAW  
20       OF UNINTENDED CONSEQUENCES.

21                 MR. SERRANO-SEWALL:  I THINK THE PROCESS THAT  
22       OS HAS OUTLINED IS INTERESTING.  I JUST -- I THINK IT  
23       MAY BE DIFFICULT TO IMPLEMENT.  CONCEPTUALLY IT'S QUITE  
24       EASY, BUT ONCE WE ACTUALLY GET TO THE MEETING ON THE  
25       7TH, THERE ARE OTHER ITEMS.  DAVID, YOU'RE CHAIR OF

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1       THIS SUBCOMMITTEE.  IT COULD LEAD TO SOME CONFUSION, IN  
2       MY OPINION, AND THAT COULD BE A PROBLEM.

3                 MR. SHESTACK:  AND COULD YOU EXPLAIN, DAVID,  
4       I UNDERSTAND WITH THE GRANTS HOW THERE WILL BE A HUGE  
5       ROLE FOR AD HOC REVIEWERS, IN FACT, MAYBE PREDOMINATES  
6       IT ULTIMATELY BECAUSE THERE WILL BE SO MUCH VOLUME.  
7       WHAT IS THE POTENTIAL ROLE FOR AD HOC MEMBERS OF THIS

8 COMMITTEE? WHAT WOULD BE THE SITUATION WHERE ONE MIGHT  
9 NEED ONE?

10 CHAIRMAN KESSLER: I DON'T HAVE A SPECIFIC  
11 EXPERTISE. I THINK THIS PROBABLY --

12 MR. SHESTACK: IMAGINE A SCENARIO FOR THE  
13 KIND OF THINGS THAT ARE COMING BESIDES DOING STANDARDS  
14 ON --

15 DR. HALL: SO AS I UNDERSTAND THE CHARGE OF  
16 THE COMMITTEE, ITS FIRST TASK WILL BE TO SET INTERIM  
17 STANDARDS THAT WILL ALLOW US TO GO AHEAD. WHAT THIS  
18 MEANS IS MEDICAL AND ETHICAL STANDARDS FOR THE RESEARCH  
19 THAT'S TO BE DONE. AND THEN OVER A MORE EXTENSIVE  
20 PERIOD, I THINK IT'S 270, 280 DAYS, TO CARRY OUT  
21 WHATEVER DELIBERATIONS ARE NECESSARY TO COME UP WITH  
22 WHAT WOULD BE THE MORE SUBSTANTIAL PERMANENT STANDARDS  
23 FOR THE GROUP OVER THAT PERIOD OF TIME.

24 THE PART THAT IS LESS CLEAR TO ME IS THE  
25 ACCOUNTABILITY. AND THERE IS IN PROPOSITION 71, AS I

1 UNDERSTAND IT, THE IDEA THAT SHOULD PROBLEMS ARISE  
2 DURING THE COURSE OF THE RESEARCH, THEY COULD COME TO  
3 THIS COMMITTEE FOR RESOLUTION. LET'S SUPPOSE THERE WAS  
4 SOME QUESTION AT INSTITUTION X ABOUT THE WAY IN WHICH

5 THINGS WERE BEING DONE. DID IT MEET OR NOT MEET  
6 STANDARDS? WHAT ACTION SHOULD BE TAKEN? HOW SERIOUS  
7 IS THIS.

8 AND MY UNDERSTANDING IS THAT WOULD COME TO  
9 THIS COMMITTEE. AND I SUPPOSE ONE COULD IMAGINE  
10 CIRCUMSTANCES. LET'S SAY IT INVOLVED -- MAKE THIS  
11 UP -- BUT IT INVOLVED SOME KIND OF THERAPY, A TEST ON  
12 THE BRAIN. YOU MIGHT WISH TO CALL IN, FOR EXAMPLE, AN  
13 AD HOC MEMBER WHO WAS A NEUROLOGIST OR NEUROSURGEON,  
14 FOR EXAMPLE. OR IF IT WERE SOME OTHER PARTICULAR ORGAN  
15 OR DISEASE, YOU MIGHT WISH TO CALL SOMEBODY SPECIALIZED  
16 IN THAT. PERHAPS THERE WOULD BE ETHICAL SITUATIONS  
17 ALSO WHICH ONE MIGHT NEED EXPERTISE. I'M LESS  
18 KNOWLEDGEABLE ABOUT THAT.

19 MR. SHESTACK: THE GRANTS COMMITTEE WOULD BE  
20 MEETING AT LEAST FOUR TIMES A YEAR REVIEWING VARIOUS  
21 GRANTS, ETC. THIS COMMITTEE'S PRIMARY WORK IS GOING TO  
22 BE A ONE-TIME, TWO-TIME --

23 DR. HALL: WE HOPE IN RATHER SHORT ORDER TO  
24 HAVE STANDARDS THAT WILL LET US GET STARTED. AND THEN  
25 SECONDLY, OVER A LONGER PERIOD OF TIME, CARRY OUT A

1 MORE CAREFUL AND DELIBERATIVE PROCESS. JOAN WOULD LIKE  
2 TO SEE A PROCESS TO REALLY TALK AND DISCUSS THOSE

3 STANDARDS IN DETAIL AND TO MODIFY THEM, AS NECESSARY.  
4 I THINK THAT WOULD BE THE TIME TO GET EXTENSIVE INPUT  
5 FROM VARIOUS SOURCES. AND THE COMMITTEE MIGHT EVEN  
6 CHOOSE TO HAVE SOMEBODY COME IN AND MAKE A REPORT ON  
7 SOME SPECIFIC TOPIC CERTAINLY WITHIN THAT CONNECTION.

8 MR. SHESTACK: AND, JOAN, I ALSO KNOW YOU  
9 ALSO BROUGHT UP WHETHER OR NOT THIS COMMITTEE HAS ANY  
10 ROLE IN SETTING STANDARDS, ETHICAL STANDARDS, ON IP  
11 ISSUES AND --

12 MS. SAMUELSON: MEDICAL OR SCIENTIFIC  
13 STANDARDS, OVERARCHING COMMISSION, AND IT DOES TALK IN  
14 THE LANGUAGE ABOUT FINANCIAL ASPECTS OF THERAPIES,  
15 WHICH THAT SEEMS BROAD ENOUGH TO ME THAT, IF THE PATENT  
16 ISSUES IS GOING TO HAVE A HOME IN ONE WORKING GROUP, IT  
17 MIGHT AS WELL BE THAT, WHICH THERE WOULDN'T BE ENOUGH  
18 EXPERTISE ON THAT, AND MAYBE ON SOME OF OTHER THINGS,  
19 LIKE I DON'T KNOW WHAT, CONFLICT OF INTEREST OR  
20 SOMETHING.

21 DR. HALL: I THINK THIS WILL NOT BE THE  
22 CHARGE OF THIS GROUP TO DETERMINE THE IP POLICY DURING  
23 THE COURSE OF THIS DETERMINATION. THOSE DISCUSSIONS,  
24 THEY MAY ASK FOR OPINION FROM THIS GROUP OF PARTICULAR  
25 ASPECTS. THAT WOULD BE MY UNDERSTANDING.

1                   MS. SAMUELSON:  ALTHOUGH THAT POLICY WOULD  
2   HAVE TO BE DEVELOPED SOMEWHERE BY THIS COMMITTEE.  
3   WE'D, OF COURSE, HAVE TO HAVE HELP, BUT IT'S GOING TO  
4   HAVE SOME SORT OF DELIBERATIVE PROCESS.

5                   MR. SHESTACK:  EXPERTS ON ISSUES OF GENE  
6   PATENTING AND CELL LINE PATENTING.

7                   CHAIRMAN KESSLER:  LET ME JUST GO JUST BACK.  
8   IF WRITING DOWN TWO MORE NAMES DOESN'T WORK, AND  
9   DOESN'T FEEL RIGHT, IS THERE ANY WAY, WHEN YOU LOOK AT  
10  THOSE FOURS NAMES, YOU USE THE WORD, WELL, IF I HAD  
11  ANOTHER CATEGORY, NEXT CATEGORY, WOULD YOU FEEL  
12  COMFORTABLE IF I ASKED THE BOARD ARE THERE ANY NAMES  
13  THAT YOU THINK THAT WOULD FALL IN THE NEXT CATEGORY,  
14  WHICH WOULD BE THE NEXT TWO NAMES, IN ESSENCE.  AND  
15  THEN SEE WHETHER THERE'S A CONSENSUS THAT WHAT WOULD  
16  FALL IN THAT NEXT CATEGORY?  IS THAT A QUESTION THAT'S  
17  WORTH ASKING, OR ARE WE JUST DEADLOCKED AND DON'T HAVE  
18  ENOUGH INFORMATION, AND WE ARE GOING TO HAVE TO GO TO A  
19  DIFFERENT PROCESS?

20                  MR. SERRANO-SEWALL:  CHAIRMAN, IF THE  
21  STANDARD IS WE NEED MORE INFORMATION OR WE DON'T HAVE  
22  ENOUGH INFORMATION, THEN I DON'T KNOW HOW WE'LL EVER  
23  GET TO THE SCIENTISTS, QUITE FRANKLY.  I DON'T KNOW ANY  
24  OF THOSE INDIVIDUALS.  WE HAD THE OPPORTUNITIES TO LOOK  
25  AT THOSE RESUMES, AND I THINK IT GIVES ME A SUFFICIENT



1 AMOUNT OF INFORMATION TO MAKE AN EDUCATED DECISION. SO  
2 WITH REGARDS TO YOUR SUGGESTION, DAVID, THAT WE DO A  
3 SECOND TIER, IF YOU WILL, OF NAMES, I, FOR ONE, AM  
4 SPEAKING FOR MYSELF, IN THIS CONTEXT AND COMFORTABLE  
5 WITH PROCEEDING IN THAT DIRECTION.

6 CHAIRMAN KESSLER: SHALL WE TRY IT?

7 MS. SAMUELSON: I'M COMPARING IT TO THE WORK  
8 WE HAVE YET TO DO TO PICK THE SCIENTISTS AND THE  
9 CLINICIANS, AND WE HAVE 15 MINUTES LEFT OF THIS  
10 MEETING. AND SO I'M NOT SEEING US PREPARED TO TAKE A  
11 WHOLE SLATE OF RECOMMENDATIONS TO THE APRIL 7TH  
12 MEETING, AND I'M NOT CONCERNED ABOUT THAT. I THINK WE  
13 CAN SLIP A MEETING.

14 CHAIRMAN KESSLER: YOU MEAN SLIP A MEETING TO  
15 THE MAY ICOC, THAT'S FINE. WE CAN HAVE MORE MEETINGS.  
16 BUT IF THERE'S NOT INTERIM STANDARDS, THERE'S NO  
17 GRANTS, AS I UNDERSTAND THIS. IF THERE'S NO STANDARDS  
18 COMMITTEE, THERE CAN'T BE ANY INTERIM STANDARDS. SO  
19 YOU'RE MOVING THIS PROCESS. SO, AGAIN, WE ARE IN  
20 THIS --

21 MR. SHESTACK: IS THAT ACTUALLY TRUE ABOUT  
22 INTERIM CONFLICT OF INTEREST STANDARDS. DIDN'T THE  
23 ICOC ADOPT THE MINIMUM NIH --

24 DR. HALL: NO. THE CONFLICT OF INTEREST  
25 STANDARDS WILL BE DECIDED BY THE ICOC.

1                   CHAIRMAN KESSLER:   THE ACTUAL STEM CELL  
2                   STANDARDS WILL BE PROMULGATED BEFORE GRANTS.  AS I  
3                   UNDERSTAND THIS, THAT'S THE JOB OF THE WORKING GROUP.

4                   MR. SHESTACK:   WHEN WILL REQUESTS FOR  
5                   APPLICATIONS ACTUALLY GO OUT?

6                   DR. HALL:   WELL, TRAINING GRANT ONES COULD GO  
7                   OUT, DEPENDING ON THE ACTION OF THE ICOC, AT THE`APRIL  
8                   7TH MEETING.  AND OUR INTENTION THERE IS SIMPLY TO SAY  
9                   THE TRAINING GRANTS ARE NOT SO DIRECTLY INVOLVED IN  
10                  RESEARCH, THAT WHATEVER WORK IS DONE UNDER THE GRANTS  
11                  WILL BE DONE ACCORDING TO STANDARDS WHICH WILL BE  
12                  ESTABLISHED FOR THE GRANT SUBMISSION BEFORE THE MONEY  
13                  IS -- AFTER THE GRANTS -- WE CAN GO AHEAD AND GET  
14                  STARTED ON THAT.  ACCORDING TO ONE SCHEDULE, I THINK WE  
15                  ALL HAVE A GREAT DESIRE TO SEE THE NATIONAL ACADEMY  
16                  STANDARDS IF THEY ARE AVAILABLE.

17                  MR. SHESTACK:   WHICH SHOULD BE THE END OF  
18                  APRIL.

19                  DR. HALL:   MY UNDERSTANDING IS THEY WILL BE  
20                  AVAILABLE EITHER LATE IN APRIL OR -- THAT'S OUR HOPE,  
21                  THAT THEY'LL BE AVAILABLE BY EARLY MAY.  AND IF A  
22                  COMMITTEE WERE NAMED AT THAT POINT, THEN ONE COULD HOPE  
23                  FOR A MID-JUNE MEETING OF THE COMMITTEE WITH THE IDEA

24 THAT ON ONE LONG AND INTENSIVE MEETING, THEY COULD  
25 ESTABLISH INTERIM STANDARDS, THEN I THINK THAT WOULD

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1 LEAVE US FREE TO GO AHEAD. IF, IN FACT, A SECOND  
2 MEETING WAS NEEDED, I THINK THAT COULD EVEN BE DONE.

3 I THINK ACCORDING TO OUR SCHEDULE, EVEN WITH  
4 THE TRAINING GRANTS, IT'S HARD TO IMAGINE A SCENARIO  
5 WHICH MONEY WOULD ACTUALLY GO OUT THE DOOR BEFORE  
6 SEPTEMBER. I THINK WE COULD GO AHEAD AND MOVE AHEAD  
7 EVEN IF THIS COMMITTEE WERE NOT NAMED BEFORE MAY ICOC  
8 MEETING. ANYBODY, IF THAT IS NOT CORRECT, PLEASE SAY  
9 SO. BUT ACCORDING TO OUR CURRENT SCHEDULE, I THINK  
10 THAT WOULD CERTAINLY WORK.

11 MR. SHESTACK: I HATE TO BE ADVOCATING THAT,  
12 I DO, BUT I FEEL SO HAMPERED BY THE FACT THAT -- THE  
13 FACT IS IF WE COULD GET ON THE PHONE, ALL OF US,  
14 TOMORROW AND BY THE NEXT DAY DO A CONFERENCE CALL AND  
15 SORT OF COME TO A VERY RESPONSIBLE DECISION, THAT WOULD  
16 BE AGAINST THE LAW, WHICH IS --

17 DR. HALL: IF YOU TOOK THE MAY OPTION, THAT  
18 IS, YOU AIM TO HAVE A COMPLETE SLATE BY THE MAY  
19 MEETING, THEN YOU WOULD HAVE TO HAVE ANOTHER MEETING OF  
20 THE SUBCOMMITTEE; IS THAT CORRECT, JAMES?

21 MR. HARRISON: CORRECT.

22 DR. HALL: IN ORDER TO COMPARE INFORMATION  
23 AND TO HAVE A TALK. THAT TALK WOULD HAVE TO BE IN  
24 PUBLIC. THERE WOULD HAVE TO BE SOME AGREEMENT NOT TO  
25 SHARE INFORMATION BEFORE THAT MEETING.

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1 MR. HARRISON: CORRECT.

2 CHAIRMAN KESSLER: SO I THINK WHAT YOU'D NEED  
3 TO BALANCE IS MORE INFORMATION THAT YOU WILL GET,  
4 CERTAINLY COULD TALK INDIVIDUALLY AS LONG AS YOU DON'T  
5 TALK TO ANY OTHER MEMBER.

6 MR. HARRISON: SUBJECT TO A CHECK, YES.

7 CHAIRMAN KESSLER: THESE PEOPLE WOULD HAVE TO  
8 BE WILLING TO TAKE PHONE CALLS, I'M SURE THEY WOULD,  
9 FROM YOU. AND THAT COULD INFORM HOW YOU -- WHAT YOU  
10 WRITE DOWN ON A PIECE OF PAPER. MY OWN VIEW IS THESE  
11 ARE JUST SUPERB NAMES. AND WE'RE JUST VERY -- I THINK  
12 STAFF, EVERYONE, DID A TERRIFIC JOB GETTING US TO A  
13 POINT WHERE WE'RE HAVING SUCH A HARD TIME. AND I THINK  
14 THEY'RE ALL JUST ENORMOUSLY QUALIFIED. AND I'M NOT  
15 SURE HOW INDIVIDUAL PHONE CALLS WILL REALLY SORT IT  
16 OUT; BUT IF THAT'S WHAT YOU WOULD LIKE TO DAY, I WOULD  
17 BE HAPPY TO DELAY TILL MAY, AND YOU CAN MAKE THOSE  
18 PHONE CALLS AND THEN WE CAN WRITE DOWN THE NAMES ON A

19       PIECE OF PAPER, OR WE CAN GET A VOTING PROCESS, THERE  
20       CAN BE DISCUSSION, AND THEN WE CAN HAVE A VOTE ON THE  
21       REMAINING FOUR NAMES.

22                   MS. SAMUELSON:  I'D RATHER NOT.  I THINK I'M  
23       INFLUENCED BY THE FACT THAT I DON'T THINK WE'LL HAVE A  
24       FULL SLATE TO RECOMMEND, SO I DON'T SEE THE POINT IN  
25       RECOMMENDING JUST THE ETHICISTS.

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1                   MR. SHESTACK:  YOU DO WANT TO START THE  
2       PROCESS ON THE CLINICIANS, RIGHT?  THIS ISN'T -- THIS  
3       IS HALF DONE BETTER THAN UNDONE TOTALLY.

4                   CHAIRMAN KESSLER:  WE CAN GET THERE.  I  
5       PROMISE WE WILL GET THERE.  THE ISSUE IS ALWAYS IN A  
6       SECOND TIME, JUST LET THE RECORD SHOW THERE'S -- SOME  
7       OF US ARE TRYING TO MOVE AHEAD AND OTHERS ARE SAYING  
8       TAKE MORE TIME, AND THAT'S FINE.  SO WHEN WE SWITCH  
9       ROLES, JOAN --

10                   MR. SHESTACK:  WE'RE TRYING TO MAKE A  
11       DECISION BY WHO EVERYBODY FEELS UNANIMOUS ABOUT.  MAYBE  
12       THERE'S ANOTHER WAY TO ASK THE QUESTION, WHICH IS IS  
13       THERE YOU CAN'T LIVE WITHOUT?  AND TRULY, I MEAN IS  
14       THERE SOMEBODY, JEFF OR JOAN, THAT YOU JUST, LIKE,  
15       REGARDLESS OF CONSENSUS OF EVERYONE ELSE, WE JUST

16 UNDERSTAND REALLY WANT TO SEE ON THERE? I'M JUST  
17 TRYING TO -- I DO FEEL STRONGLY ABOUT LAURIE ZOLOTH,  
18 AND IF I WERE -- BUT I MAY NOT -- BUT I FEEL LIKE  
19 THERE'S SOMETHING YOU REALLY WANT.

20 MS. SAMUELSON: I'M COMFORTABLE MAKING THEM  
21 COMPETE WITH EACH OTHER.

22 CHAIRMAN KESSLER: YOU'RE MAKING PETERS AND  
23 ZOLOTH -- JUST CLARIFY WHAT YOU'RE SAYING. YOU'RE  
24 UNCOMFORTABLE --

25 MR. SHEEHY: I ALMOST FEEL LIKE WE SHOULD

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1 TAKE PETERS AND ZOLOTH AND THANK GOD WE DON'T HAVE A  
2 COMMITTEE FULL OF LAWYERS.

3 MR. SHESTACK: SO WHAT YOU REALLY WANT IS YOU  
4 WANT BOTH OF THOSE?

5 MR. SHEEHY: THAT'S WHO I WAS GOING TO SAY,  
6 YEAH.

7 MR. SHESTACK: YOU REALLY WANT THEM?

8 MR. SHEEHY: I THINK IT'S MORE INTERESTING  
9 THAT WAY. THAT'S JUST ME.

10 MR. SERRANO-SEWALL: LET'S GO BACK TO THE  
11 CHAIRMAN'S SUGGESTION AND WRITE TWO NAMES DOWN.

12 MR. SHESTACK: I WAS JUST GOING TO SAY  
13 SOMEONE IS, LIKE, QUIETLY READY TO FALL ON THEIR SWORD,

14 WE'D GET THAT.

15 MR. SHEEHY: NO, I DON'T FEEL STRONGLY ABOUT  
16 IT.

17 MR. SHESTACK: IT MAY BE TRADING INSTEAD OF  
18 DEFENSIVE.

19 MS. SAMUELSON: WE'RE BEATING THE HORSE TO  
20 DEATH.

21 CHAIRMAN KESSLER: FEEL FREE.

22 MS. SAMUELSON: I THINK WE ARE DEVELOPING A  
23 DELIBERATIVE PROCESS, AND WE'RE HAMPERED BY HAVING TO  
24 SPEND TIME TO AGITATE TO GET THE FULL LIST AND BEING  
25 CONFUSED WITH PAPER AND HAVING A GREAT DEAL TO DO IN A

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1 COMPRESSED AMOUNT OF TIME AND TRYING TO LEARN THE  
2 PROCESS, AND I DON'T THINK WE NEED TO FEEL ASHAMED OF  
3 OUR PROGRESS TO DATE AS A RESULT OF THAT.

4 MR. SHESTACK: WE'VE DONE PRETTY WELL.

5 MS. SAMUELSON: YEAH. YEAH. I THINK SO.

6 CHAIRMAN KESSLER: YOU HAVE TWO DEFINITES AND  
7 YOU HAVE FOUR FOR TWO SLOTS. SO THAT'S WHERE WE ARE ON  
8 THE ETHICIST SIDE. WE'RE A LITTLE BEHIND ON THE  
9 SCIENTISTS. WE HAVE SOME WORK TO DO THERE.

10 MS. SAMUELSON: INDEED. FOR EXAMPLE, MAYBE

11 WE NEED MORE LAWYERS IF WE WITH A MAGIC WAND WE GO  
12 AHEAD AND LOOK BACK AT WHAT WE'VE DONE AND END UP  
13 SPENDING A LOT OF TIME AS A GROUP WORKING ON CONFLICT  
14 OF INTEREST AND MAYBE WRESTLING WITH THE PATENT ISSUES,  
15 AND MAYBE WE WOULD NEED OTHER EXPERIENCE FOR THAT.

16 MR. SHEEHY: I WAS JUST KIDDING.

17 CHAIRMAN KESSLER: SO WE NEED TO MOVE  
18 FORWARD. LET'S A MAKE A DECISION. DOES SOMEONE WANT  
19 TO MAKE A MOTION WHAT WE SHOULD DO NEXT?

20 MR. SERRANO-SEWALL: ARE WE DONE POLLING THE  
21 MEMBERS, DAVID? I'M SORRY. SO, JEFF, WERE YOU BEING  
22 SERIOUS WHEN YOU SAID PETERS AND LAURIE OR NO?

23 MR. SHEEHY: I THINK IT'S AN INTERESTING  
24 CHOICE. I THINK IF YOU WANTED TO TRY AND MAYBE LOOK AT  
25 DIFFERENT COMBINATIONS, BUT I KIND OF AGREE WITH JOAN,

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1 THAT WE'RE JUST KIND OF BEATING A DEAD HORSE TRYING TO  
2 GET OUT OF HERE WITH FOUR NAMES, AND WE'VE GOT TWO.

3 MS. SAMUELSON: I WOULD RECOMMEND WE JUMP TO  
4 SCIENTISTS AND CLINICIANS AND MAKE PROGRESS THERE, AND  
5 THEN SEE WHERE WE ARE.

6 MR. SERRANO-SEWALL: JUST AS A COMMENT, IT  
7 MAY NOT BE TRUE, IT WILL TAKE US 40 MINUTES FOR EACH,  
8 MAYBE NOT THAT LONG, MAYBE 25, 30 MINUTES.



9 MR. SHESTACK: I THINK THERE ARE SOME STAR  
10 NAMES ON THAT LIST TOO.

11 MR. SERRANO-SEWALL: WELL, THERE'S STAR NAMES  
12 ON ALL THE LISTS.

13 MR. SHESTACK: NO, BUT THEY'RE GOING TO POP  
14 OUT, AT LEAST THE TOP THREE.

15 MR. SERRANO-SEWALL: IT WILL TAKE AT A  
16 MINIMUM SOME TIME FOR EACH REVIEW TEAM TO WRITE THE  
17 NAMES ON THE BOARD. JUST THAT FRONT-END PROCESS IS  
18 GOING TO TAKE SOME TIME, WHICH COULD BRING US TO 11  
19 O'CLOCK. I DON'T KNOW IF WE'LL HAVE THE OPPORTUNITY TO  
20 HAVE A FULL DISCUSSION ON THE SCIENTISTS AT THIS TIME;  
21 WHEREAS, WE DO HAVE SOME TIME ON THE CLOCK NOW, AND WE  
22 COULD PURSUE BEATING OF A DEAD HORSE.

23 CHAIRMAN KESSLER: I GUESS THE QUESTION: IS  
24 THERE HARM IF WE WROTE DOWN, AND I'M WILLING TO NOT DO  
25 THIS, IF WE EACH WROTE DOWN TWO NAMES, AND WE JUST KNEW

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1 HOW THAT CAME OUT, AND THEN LOOKED AT THAT, AND THEN WE  
2 SIT AND STOP AND NOT UNDERSTAND, JUST SO KNOW WHERE WE  
3 ALL STAND -- WHAT THAT PROCESS PRODUCED. IT DOESN'T  
4 NECESSARILY MEAN THAT IT'S GOING TO BE THE ANSWER. WE  
5 HAVE TO VOTE AGAIN ON THE WHOLE THING. AND THE

6 QUESTION IS DOES THAT MOVE US FURTHER, OR WOULD WE JUST  
7 WANT TO CALL IT QUILTS RIGHT NOW ON THIS? WHAT'S YOUR  
8 PLEASURE?

9 MR. SERRANO-SEWALL: I ALREADY STATED MY  
10 OPINION. I THINK THAT PROCESS HAS MERIT.

11 MS. SAMUELSON: AND JON DIDN'T LIKE IT.

12 MR. SHESTACK: BECAUSE I DIDN'T HAVE -- IT'S  
13 NOT THAT -- I JUST FELT I DIDN'T HAVE ENOUGH  
14 INFORMATION TO BE -- I FEEL CONFIDENT ABOUT THOSE TWO;  
15 BUT IF I HAD TO GIVE UP THE LAST TWO SPOTS, I DON'T  
16 HAVE ENOUGH INFORMATION. I'M SORRY ABOUT IT, BUT I  
17 DON'T. I CAN LIVE WITH -- WE COULD ALL PROBABLY LIVE  
18 WITH ANY OF THEM, BUT CAN WE MAKE THE BEST CHOICES? I  
19 DON'T KNOW. I WOULD SAY I CAN'T.

20 CHAIRMAN KESSLER: SO LET ME ASK FOR -- LET  
21 ME MAKE THE FOLLOWING SUGGESTION. WE CAN EITHER STOP  
22 HERE, AND PEOPLE CAN CALL PEOPLE AND WE HAVE ANOTHER  
23 MEETING, OR WE COULD HAVE THE PEOPLE WRITE DOWN TWO  
24 NAMES. THOSE ARE THE TWO CHOICES WE HAVE. AND EITHER  
25 ONE IS FINE. LET'S JUST GO UP AND DOWN. WE DON'T HAVE

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1 TO TAKE A FORMAL VOTE. WHICH WOULD YOU PREFER AND  
2 LET'S SEE THE MAJORITY WHICH WOULD YOU PREFER.

3 JEFF, WHICH WOULD YOU PREFER? ANOTHER

4 MEETING OR WRITE DOWN TWO NAMES?

5 MR. SHEEHY: CAN YOU COME BACK TO ME ON THAT.

6 MS. SAMUELSON: ANOTHER MEETING.

7 MR. SHESTACK: WRITING DOWN TWO NAMES MEANS  
8 VOTING ON THE LAST TWO.

9 CHAIRMAN KESSLER: WE'RE NOT VOTING. AGAIN,  
10 IT'S A STRAW VOTE. THESE ARE NOT THE FINAL VOTE, BUT  
11 IT WILL GIVE YOU SENSE OF WHERE PEOPLE ARE.

12 MR. SHESTACK: IT WILL GET YOU THE THIRD  
13 NAME, BUT IT WON'T GET YOU --

14 CHAIRMAN KESSLER: SO IT GIVES US A THIRD  
15 NAME. I HAVE NO IDEA WHERE THIS IS COMING OUT. I'M  
16 JUST TRYING TO MOVE US AHEAD, KEEP THE PROCESS GOING.

17 DR. STEWARD: THIS IS OS AGAIN. I GUESS I'M  
18 GOING TO GO BACK TO MY SUGGESTION A WHILE AGO. DAVID,  
19 I'M NOT SURE WHAT THE PROBLEMS WOULD BE IF WE CAME TO  
20 THE ICOC MEETING IN, WHATEVER, NINE DAYS WITH A LIST OF  
21 CANDIDATES WITH SOME RANK.

22 MR. SERRANO-SEWALL: OS, THIS IS DAVID  
23 RESPONDING. I'M NOT SURE -- THAT'S A GOOD PROCESS, AND  
24 I SAID EARLIER CONCEPTUALLY WE COULD DO IT, BUT WE  
25 WOULD HAVE TO DO IT WITHIN THE CONFINES OF THE ICOC

1 MEETING ITSELF. I'M SURE WE COULD INCORPORATE THAT  
2 INTO CHAIRMAN KESSLER'S REPORT, WHICH IS ALREADY ON THE  
3 AGENDA. BUT HERE COMES THE PROBLEM. WE ARE EACH  
4 GIVING OUR CHAIRMAN OUR OWN RANKING. THEN IT'S THE  
5 CHAIRMAN'S RESPONSIBILITY TO QUICKLY RANK THEM, WITH  
6 DINA'S ASSISTANCE PERHAPS, GIVE CONSENSUS. THEN EACH  
7 ONE OF US WILL WANT TO LOOK AT IT, OPINE ON IT, DISCUSS  
8 IT, AND THEN THAT COULD TURN INTO A VERY LONG  
9 DISCUSSION. SO I THINK PRAGMATICALLY IT POSES  
10 PROBLEMS; BUT IF THAT'S THE COMMITTEE'S CONSENSUS --

11 CHAIRMAN KESSLER: IT DOESN'T WORK  
12 LOGISTICALLY HOW I GET THOSE NAMES AND BE ABLE TO ADD  
13 IT UP.

14 MR. SHESTACK: I WOULD BE MORE THAN WILLING  
15 TO A TRADE OFF DOING ANOTHER MEETING IF I FELT THAT WE  
16 COULD ACTUALLY WORK HARD AT TRYING TO GET THROUGH SOME  
17 OF THE SCIENTIST CLINICIANS TODAY. I MEAN I WOULD.

18 CHAIRMAN KESSLER: YOU HAVE 35 MINUTES.

19 DR. HALL: COULD I JUST MAKE A SUGGESTION.  
20 IT SEEMS TO ME WHAT ONE WANTS TO DO TO GET SOME SORT OF  
21 RANKING, AND THEN ONE WANTS TO LOOK AT THE MIX, MAYBE  
22 EVEN THE OVERALL THING. AND THEN DO THE KIND OF THING  
23 THAT JON SUGGESTED. IF THESE PEOPLE ARE GOING TO WORK  
24 TOGETHER, WHAT ARE WE MISSING? HOW DOES IT ALL  
25 COMPLEMENT? AND THEN MAYBE MAKE SOME ADJUSTMENTS; THAT

1 IS, NOT BE BOUND BY SAYING HERE'S OUR VOTE, BUT THERE  
2 MAY BE TWO PEOPLE AT THE BORDERLINE ONCE YOU SEE THE  
3 WHOLE PROCESS, WHICH YOU MAY WISH TO ADJUST. IN THE  
4 INTEREST OF THE OVERALL COMMITTEE, IT WOULD BE BETTER  
5 IF WE ACTUALLY TOOK THIS PERSON.

6 SO YOU WOULD HAVE WITH A RANKING PROCESS, AND  
7 THEN YOU WOULD HAVE A FINAL ADJUSTMENT PROCESS BEFORE  
8 YOU TAKE IT TO THE ICOC. ANY ATTEMPT TO DO THAT  
9 ADJUSTMENT PROCESS IN THE ICOC WOULD BE DISASTER.

10 MR. SHESTACK: RIGHT. BECAUSE WE ARE  
11 ACTUALLY LOOKING FOR THIS GROUP TO HAVE OVERALL LEVELS  
12 OF EXPERTISE. IT'S NOT JUST THAT THE ETHICISTS HAVE TO  
13 KNOW THESE THINGS. A LOT OF THE CLINICIAN SCIENTISTS  
14 HAVE EXPERIENCE THAT CROSSES THESE SAME LINES. THE  
15 OVERALL MIX IS ACTUALLY A MORE USEFUL AND EASIER  
16 DELIBERATION THAN THE MIX OF FOUR.

17 MR. SHEEHY: SO MAYBE ANOTHER MEETING.

18 CHAIRMAN KESSLER: IT LOOKS LIKE WE'RE GOING  
19 TO ANOTHER MEETING.

20 DR. HALL: THESE ARE WITH THE PATIENT  
21 ADVOCATES. I MEAN THE QUESTION OF HOW MUCH LEGAL  
22 EXPERTISE YOU WANT OR HAVE, THE PATIENT ADVOCATES ALSO  
23 FIT INTO THAT OVERALL MIX TO GET BALANCE.

24 CHAIRMAN KESSLER: SO --

25 MR. SHEEHY: THE ONLY THING I WOULD SAY FOR

1 ANOTHER MEETING, I'D ACTUALLY LIKE TO SEE PAUL BILLINGS  
2 THROWN BACK IN.

3 MR. SHESTACK: BY THE WAY, REMEMBER, CHAIRMAN  
4 KESSLER ASKED US TO PUT TWO NAMES, NOT FOUR NAMES, TWO  
5 NAMES. SO I AGREE.

6 MR. SHEEHY: I WOULD BE VERY HAPPY ANOTHER  
7 MEETING WE THROW PAUL BILLINGS IN AND WE ALL  
8 INDIVIDUALLY, OR CAN WE DO THAT WITHIN THE CONTEXT OF  
9 TWO-MAN TEAMS, STILL MAINTAIN THOSE TWO-MAN TEAMS?

10 MR. HARRISON: THIS IS AN ISSUE THAT I NEED  
11 TO TAKE A LOOK AT AND GET BACK TO THE COMMITTEE ON.

12 CHAIRMAN KESSLER: SO IT LOOKS LIKE WE'RE  
13 MOVING TO ANOTHER MEETING. WHY DON'T WE MOVE ON TO  
14 SCIENTISTS AND --

15 MR. SERRANO-SEWALL: SINCE THERE IS SOME  
16 CONSENSUS ON THESE NAMES, BERNARD LO AND HARRIET RABB,  
17 I WOULD LIKE TO MAKE THE MOTION THAT THOSE TWO, THE  
18 AFOREMENTIONED INDIVIDUALS, BE APPOINTED OR  
19 RECOMMENDATION FOR APPOINTMENT TO THE ETHICIST MEMBERS  
20 OF THE SCIENTIFIC AND MEDICAL ACCOUNTABILITY STANDARDS  
21 WORKING GROUP. SO AT THE MEETING WE WOULD COME WITH  
22 THE PATIENT -- AS DAVID'S REPORT WOULD BE THE FIVE  
23 PATIENT AND TWO ETHICISTS THAT WE'VE ALL AGREED ON.

24 MS. SAMUELSON: I FEEL FRAGMENTED.

25

MR. SHESTACK: I THINK WHAT DAVID IS PROBABLY

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1 TRYING TO DO IS, EVEN TAKING ZACH'S SUGGESTION OF  
2 LOOKING AT THE OVERALL NAMES OF HOW MANY PEOPLE WE CAN  
3 STILL -- I MEAN I CERTAINLY WOULD FEEL COMFORTABLE FOR  
4 SAYING I WILL HAPPILY HAVE THESE TWO PEOPLE IN THE  
5 OVERALL MIX, AND I WOULD LIKE TO AVOID SHAME BY COMING  
6 TO THE MEETING WITH SOMETHING ACCOMPLISHED. AND IF  
7 IT'S A CERTAIN NUMBER OF ADVOCATES AND THE BEGINNING OF  
8 THIS, AND WE HAVE TO HAVE A SECOND MEETING, I  
9 PERSONALLY WOULD PREFER THAT, SO I WOULD SECOND THAT  
10 MOTION.

11 CHAIRMAN KESSLER: THERE IS A SECOND.  
12 DISCUSSION ON THE MOTION FROM THE BOARD?

13 MS. SAMUELSON: IN DEFERENCE TO MY  
14 COLLEAGUES' GREATER WISDOM, I AGREE.

15 CHAIRMAN KESSLER: ANY OTHER FURTHER COMMENT  
16 FROM THE BOARD, ANY BOARD MEMBERS? PUBLIC COMMENT IN  
17 IRVINE?

18 DR. STEWARD: NONE HERE.

19 CHAIRMAN KESSLER: PUBLIC COMMENT IN SAN  
20 FRANCISCO ON THAT MOTION? WOULD YOU CALL THE ROLL?

21 MS. SHREVE: DAVID KESSLER.

22 CHAIRMAN KESSLER: AYE.  
23 MS. SHREVE: JOAN SAMUELSON.  
24 MS. SAMUELSON: AYE.  
25 MS. SHREVE: DAVID SERRANO-SEWALL.

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1 MR. SERRANO-SEWALL: AYE.  
2 CHAIRMAN KESSLER: NO. NO. NO. HOLD ON A  
3 SECOND. I APOLOGIZE. CAN -- IT'S A HALF AYE BECAUSE I  
4 HAVE TO ABSTAIN. I ABSTAIN ON BERNARD LO; I VOTE YES  
5 ON HARRIET RABB. I'M SORRY ABOUT THAT.  
6 MR. SERRANO-SEWALL: DAVID SERRANO-SEWALL  
7 VOTES AYE.  
8 MS. SHREVE: JEFF SHEEHY.  
9 MR. SHEEHY: I'LL ABSTAIN SAME REASON.  
10 MS. SHREVE: JONATHAN SHESTACK.  
11 MR. SHESTACK: AYE.  
12 MS. SHREVE: OSWALD STEWARD.  
13 DR. STEWARD: AYE.  
14 CHAIRMAN KESSLER: MOTION PASSES. COULD WE  
15 MOVE ON TO THE SCIENTISTS AND CLINICIANS. CAN I ASK  
16 EACH REVIEW TEAM NOW TO TALK TO -- PRESENT NAMES THEY  
17 FEEL MOST STRONGLY ABOUT. SHALL START WITH JOAN AND  
18 JEFF.  
19 MR. SHEEHY: KENNETH OLDEN, I THINK, WAS ONE



20 THAT WE FELT GOOD ABOUT, AND ROBERT TAYLOR IS ANOTHER.  
21 WE'RE NOT GOING TO HAVE NINE, I DON'T THINK.

22 CHAIRMAN KESSLER: THESE ARE ONES YOU FEEL  
23 MOST STRONGLY ABOUT, WHATEVER THAT IS.

24 MS. SAMUELSON: HAVING SAID THAT, I HAVE NOT  
25 COMPLETED MY REVIEW ENOUGH TO HAVE A RECOMMENDATION ON

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1 MORE THAN TWO.

2 CHAIRMAN KESSLER: CAN WE ASK YOU FOR THOSE  
3 TWO, AND THEN YOU CAN ALWAYS --

4 MS. SAMUELSON: IT'S THOSE TWO. AND I CAN  
5 SPEAK TO KEN OLDEN. HE IS RECOMMENDED NOT BECAUSE OF  
6 SPECIFIC EXPERTISE IN STEM CELL RESEARCH, ALTHOUGH I  
7 THINK HE PROBABLY HAS A SIGNIFICANT OVERALL  
8 UNDERSTANDING, BUT OTHER QUALITIES HE BRINGS THAT I  
9 THINK WOULD ENHANCE THE WORKING GROUP'S DELIBERATIONS  
10 ON BOTH THE STEM CELL ISSUES AND THE ENTIRE SPECTRUM OF  
11 ISSUES BEFORE US.

12 HE IS, I BELIEVE, THE FIRST AFRICAN AMERICAN  
13 DIRECTOR OF A NATIONAL INSTITUTE OF HEALTH, INSTITUTE  
14 ON ENVIRONMENTAL HEALTH SCIENCES. HE BRINGS TO THAT --  
15 I'VE WORKED WITH HIM EXTENSIVELY. HE BRINGS TO THAT A  
16 PASSION FOR DELIVERY OF EFFECTIVE THERAPIES AND CURES

17 FROM RESEARCH, WHICH I THINK IS AN IMPORTANT QUALITY TO  
18 BRING TO THE WORK. HE BRINGS A GREAT CONCERN ABOUT  
19 ENVIRONMENTAL JUSTICE. AND I'M NOT SURE EXACTLY HOW  
20 THAT WOULD FIT IN WITH THE SCOPE OF THE COMMITTEE, BUT  
21 MY HUNCH IS THAT IT WILL PLAY A ROLE. AND HE DOES --  
22 HE HAS LEFT THE INSTITUTE AND AMONG OTHER THINGS NOW IS  
23 THE SCIENTIFIC DIRECTOR OF THE MICHAEL FOX FOUNDATION'S  
24 SCIENTIFIC ADVISORY BOARD. AND STEM CELL RESEARCH AND  
25 RELATED TECHNOLOGIES PLAY AN IMPORTANT ROLE THERE, SO

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1 HE IS HELPING GUIDE DEVELOPMENT OF THAT FIELD FROM THAT  
2 PERSPECTIVE OF PARKINSON'S DISEASE.

3 AND, IN GENERAL, I FIND HIM TO BE SMART, HAVE  
4 GREAT INTEGRITY, HAVE A GREAT WORKING STYLE, AND TO BE  
5 ALWAYS PUSHING THE PROGRAM, AND I ADMIRE THAT.

6 CHAIRMAN KESSLER: ANY COMMENTS, ANY OTHER  
7 COMMENTS? ROB TAYLOR, YOU WANT TO TALK ABOUT THAT?

8 MR. SHEEHY: I FEEL KIND OF GUILTY BECAUSE  
9 HE'S ANOTHER UCSF PERSON. THAT WAS SOMEONE I COULD ASK  
10 ABOUT FAIRLY EASILY. SO WE HAVE -- WE DID NOT REALLY  
11 SIT DOWN WITH OUR LIST AND GO THROUGH THEM. HE MET THE  
12 MINIMUM CRITERIA. HE'S VERY WELL RESPECTED ON CAMPUS  
13 AS A SCIENTIST, AND HIS SPECIALTY, OB-GYN AND  
14 REPRODUCTIVE SCIENCE IS SOMETHING WE'RE GOING TO NEED

15 EXPERTISE ON AS A MEMBER OF THIS COMMITTEE. SO, YOU  
16 KNOW, SORT OF US HAVING REALLY BEEN ABLE TO REALLY  
17 DIGEST THE ENTIRE LIST, HE EMERGES STRONGER PEOPLE ON  
18 OUR LIST.

19 CHAIRMAN KESSLER: JONATHAN AND OSSIE.

20 MR. SHESTACK: OS, YOU GO FIRST?

21 DR. STEWARD: SURE. THE NAMES THAT SEEMED  
22 APPROPRIATE FROM OUR LIST WOULD INCLUDE -- HANG ON JUST  
23 A SECOND. I'M SORRY. I'M HAVING A LITTLE COMPUTER  
24 PROBLEM HERE. HERE WE GO. JOHN KESSLER. HE IS  
25 INVOLVED IN STEM CELL RESEARCH AT NORTHWESTERN

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1 UNIVERSITY. ACTUALLY I PULLED UP THE WRONG THING HERE.  
2 I'LL GIVE YOU MORE ON THAT LATER ON.

3 AND THE OTHER PERSON IS ROBERT PRETI,  
4 ALTHOUGH I HAVE TO SAY I AT LEAST DON'T HAVE TERRIBLY  
5 STRONG FEELINGS ABOUT THESE FOLKS. I THINK THAT IN  
6 COMPARISON TO JOAN'S CANDIDATE, MAYBE THESE FOLKS ARE A  
7 LITTLE BIT MORE UNKNOWN, CERTAINLY MORE UNKNOWN IN  
8 TERMS OF THEIR ACTIVITIES. JUST TO SAY THIS, ROBERT  
9 PRETI IS PRESIDENT AND CEO OF PROGENITOR CELL THERAPY,  
10 SERVES ON A NUMBER OF DIFFERENT STATE AND FEDERAL  
11 REGULATORY COMMITTEES THAT ARE INVOLVED IN DEVELOPING

12 REGULATIONS FOR CELL THERAPY. I WOULD JUST RAISE AGAIN  
13 THE ISSUE OF WHETHER SOMEONE FROM A TECHNOLOGY  
14 BACKGROUND WOULD BE APPROPRIATE FOR THIS.

15 MR. SHESTACK: YOU LIKED DR. KESSLER BECAUSE  
16 HE WAS THE PARTICULARLY INTERESTED IN NEUROREGENERATIVE  
17 DISORDERS AND HAD A PARTICULAR EXPERTISE IN THAT. I  
18 ALSO WAS IMPRESSED WITH HIM AND THOUGHT THAT WAS A GOOD  
19 REPRESENTATION ON THIS GROUP AND A KNOWLEDGE BASE THAT  
20 WE WOULD LIKE TO HAVE.

21 DR. HALL: COULD I SUGGEST THAT EACH OF THE  
22 CANDIDATES BE IDENTIFIED BY M.D., PH.D., OR BOTH?

23 MR. SHESTACK: JOHN IS A --

24 DR. STEWARD: HE'S AN M.D.

25 MR. SHESTACK: HE'S AN M.D.

1 I ALSO HAD A QUESTION. THERE WAS SOMEBODY  
2 WHO I WAS VERY IMPRESSED WITH, BUT I WONDERED IF HE WAS  
3 ACTUALLY UP FOR THE GRANTS GROUP AS WELL WHERE I  
4 THOUGHT HE MIGHT ACTUALLY BE BETTER, WHICH WAS JOSE  
5 CIBELLI. IS THAT HOW HIS NAME IS PRONOUNCED? I MEAN  
6 HE REALLY SEEMS TO BE LIKE ONE OF THE -- HAS INCREDIBLE  
7 KNOWLEDGE ON BASIC STEM CELL WORK, ON STEM CELL WORK  
8 WITH PRIMATES, THE KIND OF EXPERTISE THAT YOU WOULD  
9 REALLY WANT IN BASIC SCIENCE ON THE GRANTS WORK GROUP,

10 BUT HE WASN'T ON MY LIST OF PEOPLE. SO I WONDER IF HE  
11 WAS ON ANYONE ELSE'S.

12 MS. SHREVE: ANYONE WHO SELF-NOMINATED FOR  
13 THE STANDARDS WORKING GROUP WAS NOT TAKEN OFF THE  
14 GRANTS CONSIDERATION TO SERVE ON THIS GROUP.

15 MR. SHESTACK: I'M JUST GOING TO LEAVE IT AT  
16 THAT FOR NOW. I'LL JUST WAIT TILL EVERYONE IS DONE.  
17 I'LL JUST THINK ABOUT IT.

18 MS. HALME: DO YOU KNOW IF HE'S A PH.D. OR  
19 ANYTHING?

20 MR. SHESTACK: HE IS A PH.D.

21 DR. HALL: OLDEN IS ALSO A PH.D., IF I'M NOT  
22 MISTAKEN.

23 MR. SHESTACK: PH.D.

24 MS. HALME: AND ROBERT PRETI?

25 MR. SHESTACK: REALLY HE IS -- SOUNDS CRAZY,

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1 BUT HE IS ALSO A DOCTOR OF VETERINARY MEDICINE AND HAVE  
2 BEEN -- COMES FROM INDUSTRY. ALSO IS VICE PRESIDENT OF  
3 RESEARCH FOR ADVANCED CELL TECHNOLOGY. HE WAS, I  
4 THINK, IN EARLY PIONEER CLONING WITH TRANSGENIC SOMATIC  
5 CELLS FOR PRODUCTION OF ANIMALS AND EMBRYONIC STEM  
6 CELLS. I FEEL THAT HE HAS BEEN -- HE HAS PRODUCED

7 FIRST EMBRYONIC STEM CELLS BY PARTHENOGENESIS IN  
8 PRIMATES, WHICH DOESN'T SAY WHY IT WORKS, BUT IT DOES.  
9 I JUST THINK THIS IS A PERSON WHO HAS BEEN THINKING  
10 ABOUT SOME OF THE THORNIER ISSUES INVOLVED IN THIS  
11 TECHNOLOGY FOR A LONG TIME AND COULD ADD -- THERE'S  
12 CONCERN ABOUT CHIMERIC RESEARCH AND THINGS THAT ARE  
13 PARTICULARLY ALARMING, PERHAPS, TO THE PUBLIC, THAT I  
14 THINK THIS MAN MIGHT OFFER A DEPTH OF KNOWLEDGE AND  
15 INFORMATION THAT COULD BE USEFUL TO THE GROUP, BUT I  
16 HAVE NO DIRECT EXPERIENCE WITH HIM.

17 MS. SAMUELSON: AND THAT WAS WHO?

18 MR. SHESTACK: HIS NAME IS CIBELLI,  
19 C-I-B-E-L-L-I. I DON'T KNOW HOW TO PRONOUNCE IT.

20 CHAIRMAN KESSLER: DAVID.

21 MR. SERRANO-SEWALL: WE WENT THROUGH OUR  
22 LIST, DAVID AND I, AND WE HAVE THREE NAMES. THE FIRST  
23 ONE IS KEVIN EGAN. HE IS A PH.D., IS A JUNIOR FELLOW  
24 AT THE HARVARD SOCIETY OF FELLOWS AT HARVARD  
25 UNIVERSITY, AND WILL BE ASSISTANT PROFESSOR OF BIOLOGY

1 AT HARVARD THIS FALL. EGAN HAS DEVOTED THE LAST SEVEN  
2 YEARS TO PERFORMING STEM CELL RESEARCH. HE IS  
3 CURRENTLY LEADING A RESEARCH GROUP THAT WILL  
4 INVESTIGATE THE MECHANISMS REGULATING EPIGENETIC

5 REPROGRAMMING AFTER SOMATIC CELL NUCLEAR TRANSFER,  
6 USING NUCLEAR TRANSFER TO DERIVE DISEASE-SPECIFIC HUMAN  
7 EMBRYONIC STEM CELL LINES FROM DIABETIC AND PARKINSON'S  
8 PATIENTS.

9 THE HIGHLIGHTS OF HIS SCIENTIFIC  
10 ACCOMPLISHMENTS INCLUDE CLONING MICE FROM OLFACTORY  
11 SENSORY NEURONS. BESIDES HIS OUTSTANDING  
12 QUALIFICATIONS WITH RESPECT TO SCIENTIFIC BACKGROUND IN  
13 STEM CELL RESEARCH, HE HAS SOME EXPERIENCE AND A LOT OF  
14 EXPERIENCE IN THE BIOMEDICAL ETHICS OF STEM CELL  
15 RESEARCH AND INFORMED CONSENT, CONTROLS ON RESEARCH  
16 INVOLVING HUMAN SUBJECTS, NIH STANDARDS FOR RESEARCH,  
17 AND THE NATIONAL ACADEMY STANDARDS FOR BIOMEDICAL  
18 RESEARCH. NOT ONLY IS HE A QUALIFIED INDIVIDUAL, I  
19 LIKED HIS NAME, I'M SPEAKING FOR MYSELF, BECAUSE HE WAS  
20 A YOUNGER GENTLEMAN, YOUNGER GUY. SO I THOUGHT IT  
21 WOULD BE FUN SOMEONE YOUNG INTO THE MIX.

22 MR. SHESTACK: YOU HAVE TO SAY THE WORD  
23 "CONTEMPORARY."

24 MR. SERRANO-SEWALL: CONTEMPORARY, IS THAT  
25 IT? THE SECOND NAME IS DR. WARREN OLANOW. I THINK

1 HE'S AN M.D., YES. HE IS PROFESSOR AND CHAIRMAN OF THE

2 DEPARTMENT OF NEUROLOGY AT MOUNT SINAI SCHOOL OF  
3 MEDICINE IN NEW YORK. HE IS AN EXTREMELY DISTINGUISHED  
4 CLINICIAN AND RESEARCHER, WHO HAS SPENT THE LAST 30  
5 YEARS STUDYING NEUROLOGICAL DISORDERS. HE HAS  
6 PIONEERED THE USE OF FETAL CELL TRANSPLANTS TO TREAT  
7 PARKINSON'S DISEASE. HE HAS PUBLISHED STUDIES  
8 DEMONSTRATING THAT FETAL GRAFTS SURVIVE AND HAVE SOME  
9 CLINICAL BENEFIT IN PATIENTS WITH PARKINSON'S DISEASE,  
10 AND THE USE OF TRANSPLANTATION OF EMBRYONIC NEURONS FOR  
11 SEVERE PARKINSON'S DISEASE.

12 DR. OLANOW HAS AND CONTINUES TO SERVE ON MANY  
13 NATIONAL COMMITTEES WITH DISTINCTION, INCLUDING THE  
14 MEDICAL ADVISORY BOARDS OF THE UNITED PARKINSON'S  
15 FOUNDATION, THE INTERNATIONAL TREMOR FOUNDATION, THE  
16 AMERICAN PARKINSON'S DISEASE ASSOCIATION. HE SERVES ON  
17 THE SCIENTIFIC ADVISORY BOARD OF THE MICHAEL J. FOX  
18 FOUNDATION AS WELL, AND THE SAFETY MONITORING COMMITTEE  
19 FOR A TRIAL THAT DEALT WITH PARKINSON'S.

20 HE HAS A HIGHLY DISTINGUISHED CAREER. HE HAS  
21 MANY PUBLISHED ITEMS, INCLUDING 245 PEER REVIEWED  
22 RESEARCH ARTICLES AND 61 CHAPTERS IN SCIENTIFIC OR  
23 CLINICAL BOOKS. ONE SUCH IS TITLED "TRANSPLANTATION  
24 FOR PARKINSON'S DISEASE." FINALLY, IN ADDITION TO HIS  
25 MANY QUALIFICATIONS, HE HAS SOME KNOWLEDGE IN INFORMED



1 CONSENT, CONTROLS ON RESEARCH INVOLVING HUMAN SUBJECTS,  
2 NIH STANDARDS FOR RESEARCH, MEDICAL REGULATORY  
3 AGENCIES, SUCH AS THE FDA. MOST IMPORTANTLY TO THIS  
4 GROUP, HE HAS EXPERTISE IN THE DESIGN AND  
5 IMPLEMENTATION OF CLINICAL TRIALS FOR CELL-BASED  
6 THERAPIES.

7 THE LAST NAME WE WANTED TO BRING TO THE  
8 GROUP'S ATTENTION, AND I'M GOING TO GO OVER REALLY  
9 QUICKLY BECAUSE WE'RE RUNNING OUT OF TIME, AND THAT'S  
10 DR. BERTRAM LUBIN, WHO CURRENTLY SERVES AS THE  
11 PRESIDENT AND DIRECTOR OF THE MEDICAL RESEARCH AT  
12 CHILDREN'S HOSPITAL IN OAKLAND HERE RIGHT ACROSS THE  
13 BAY. HE HAS AN EXTREMELY DISTINGUISHED CAREER AS A  
14 CLINICIAN. HE SPENT OVER 35 YEARS STUDYING BLOOD  
15 DISORDERS SUCH AS SICKLE CELL ANEMIA.

16 IN ADDITION TO THAT, HE'S SERVED ON  
17 COMMITTEES DEALING WITH HUMAN CLONING, MARROW DONOR  
18 PROGRAMS, AS WELL AS THE CHILDREN'S HOSPITAL  
19 INSTITUTIONAL REVIEW BOARD. HIS PUBLISHED ARTICLES  
20 CENTER AROUND SIBLING DONOR CORD BLOOD AND THE USE OF  
21 RELATED UMBILICAL CORD BLOOD TRANSPLANTATION TO TREAT  
22 PATIENTS WITH SICKLE CELL DISEASE. HIS CAREER INCLUDES  
23 PUBLICATION OF OVER 160 PEER REVIEWED ITEMS.

24 CHAIRMAN KESSLER: ARE THERE ANY OTHERS NAMES  
25 THAT ANY BOARD MEMBER FEELS MOST STRONGLY ABOUT? OTHER

1 NAMES THAT ANY BOARD MEMBER FEELS STRONGLY ABOUT?

2 ARE THERE ANY OTHER NAMES THAT ANY OF THE  
3 BOARD MEMBERS FEEL STRONGLY ABOUT?

4 MS. SAMUELSON: I GUESS I'M CURIOUS BECAUSE  
5 EVEN IF I HAD THE RESUMES, I THINK I WOULD BE CURIOUS,  
6 FOR EXAMPLE, WHAT DR. HALL THINKS ABOUT WHETHER -- I'M  
7 ASKING WHETHER DR. HALL MIGHT HAVE ANY INPUT ON THIS  
8 LIST AND WHETHER WE'RE MISSING SOMEONE WITH  
9 PARTICULARLY DISTINGUISHED CREDENTIALS GIVEN THAT I'M  
10 NOT IN THE SCIENTIFIC FIELD.

11 DR. HALL: I THINK IT'S A VERY GOOD LIST.

12 MR. SHESTACK: IS THERE SOMEONE WE MISSED?

13 DR. HALL: YES. ONE PERSON I DON'T KNOW  
14 PERSONALLY VERY MUCH ABOUT, BUT I KNOW OF HER, ANN  
15 KIESSLING.

16 MR. SHESTACK: ANN KIESSLING.

17 DR. HALL: SHE'S VERY INTERESTED IN  
18 PARTHENOGENESIS AS A METHOD OF CREATING STEM CELL  
19 LINES. I DO NOT RECALL -- I'M SORRY. IT WOULD BE A  
20 MORE EFFICIENT MEANS OF (INAUDIBLE). SHE'S BEEN  
21 INVOLVED -- VERY ACTIVE RESEARCHER. SHE'S A VERY  
22 ACTIVE RESEARCHER, AND HAS BEEN INVOLVED IN  
23 (INAUDIBLE). SHE HAS A DEGREE IN NURSING AND  
24 CHEMISTRY. MASTER'S AND PH.D. ALSO FROM OREGON STATE.  
25 BEEN AT SEVERAL GOOD LABORATORIES IN TERMS OF HER

1 POSTDOCTORAL WORK. STARTED OUT AT (INAUDIBLE)  
2 UNIVERSITY AND NAMED TO HARVARD, I THINK, 1985 WHERE  
3 SHE WAS ASSOCIATE PROFESSOR OF OBSTETRICS, GYNECOLOGY,  
4 AND REPRODUCTIVE BIOLOGY, AND ALSO SERVED (INAUDIBLE).  
5 EXTENSIVE PUBLICATION LIST, AND I DON'T KNOW HER --  
6 COURSE CO-DIRECTOR, JUST TO PICK A RANDOM THING HERE,  
7 "TECHNOLOGICAL ADVANCES IN INFERTILITY TREATMENT."  
8 SHE'S VERY MUCH INTERESTED IN WOMEN'S REPRODUCTIVE  
9 HEALTH AND ARTIFICIAL REPRODUCTION.

10 AT ANY RATE, THAT'S A QUICK -- I THINK IT  
11 MIGHT BE INTERESTING TO HAVE HER IN THE GROUP.

12 CHAIRMAN KESSLER: LET ME ASK NOW, WE HAVE  
13 ABOUT 12 MINUTES LEFT, COMMENTS FROM THE PUBLIC ON  
14 THESE SCIENTIST CLINICIAN NAMES. LET ME START WITH  
15 IRVINE IF I MAY.

16 DR. STEWARD: NO COMMENTS FROM HERE.

17 CHAIRMAN KESSLER: COMMENTS FROM SAN  
18 FRANCISCO ON THE SCIENTIST CLINICIAN NAMES? ANY  
19 COMMENTS IN SAN FRANCISCO? NO COMMENTS FROM SAN  
20 FRANCISCO.

21 I UNDERSTAND THIS, IF I'M COUNTING RIGHT, WE  
22 HAVE NINE NAMES LISTED. WE HAVE NINE NAMES LISTED.

23 OUR JOB IS TO RECOMMEND NINE. THAT'S WHAT'S ON THE  
24 BOARD. WE HAVE 12 MINUTES LEFT IN THIS MEETING.  
25 ADVICE FROM THE COMMITTEE ON HOW YOU WOULD LIKE ME TO

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1 PROCEED?

2 DR. STEWARD: THIS IS OS FROM IRVINE. I  
3 THINK OUR -- I THINK IT MIGHT BE WISE TO CAST THE NET A  
4 BIT MORE BROADLY.

5 MR. SHESTACK: WHAT DO YOU MEAN, OS?

6 DR. STEWARD: I JUST HAVE THE SENSE THAT  
7 THERE ARE MORE PEOPLE OUT THERE HIGHLY QUALIFIED THAN  
8 ARE SHOWING UP ON THE LIST THAT WE HAVE RIGHT NOW.

9 MR. SHESTACK: RIGHT. OF COURSE, THERE'S NO  
10 PROSCRIPTION FROM PEOPLE FROM CALIFORNIA IN THIS  
11 COMMITTEE.

12 CHAIRMAN KESSLER: NOTHING AGAINST. BUT IF  
13 YOU ARE A SCIENTIST IN THE STEM CELL AREA, YOU WON'T BE  
14 ABLE TO COMPETE FOR AWARDS.

15 MS. SAMUELSON: EVEN IF YOU ARE JUST ON THE  
16 STANDARDS COMMITTEE.

17 CHAIRMAN KESSLER: EVEN IF YOU'RE ON THE  
18 STANDARDS COMMITTEE. AM I WRONG? AM I RIGHT, COUNSEL?

19 MR. HARRISON: I DON'T KNOW THE ANSWER TO  
20 THAT QUESTION.

21 MR. SHESTACK: KATE'S MEMO SAID THAT.

22 DR. STEWARD: I JUST HAVE THE SENSE THAT IN  
23 CALIFORNIA THERE'S A LARGE NUMBER OF CLINICIAN  
24 SCIENTISTS WHO HAVE RUN LARGE CLINICAL TRIALS, BEEN  
25 HIGHLY ACTIVE THAT WOULD NOT BE INVOLVED IN STEM CELL

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1 RESEARCH PER SE AND THAT AREN'T SHOWING UP ON OUR LIST.

2 CHAIRMAN KESSLER: BUT THE REQUIREMENTS, IF  
3 I'M CORRECT, THEY HAVE TO HAVE EXPERTISE IN EITHER  
4 PLURIPOTENT OR PROGENITOR STEM CELLS. SO IT CAN'T JUST  
5 BE ANY SCIENTIST CLINICIAN.

6 MS. SAMUELSON: OR RELATED.

7 DR. STEWARD: I THOUGHT WE WERE ABLE TO DO  
8 RELATED THINGS.

9 MR. SHESTACK: PICK SOMEONE WHO IS ALWAYS  
10 GOING TO HAVE EXPERIENCE IN STEM CELL CLINICAL TRIALS.

11 DR. STEWARD: RIGHT.

12 DR. HALL: DR. OLANOW. I'D JUST LIKE TO MAKE  
13 A COMMENT ON THE EXPERTISE THAT YOU HAVE REPRESENTED  
14 ONLY IN THAT DR. OLANOW. HAS EXPERIENCE IN RUNNING  
15 LARGE-SCALE CLINICAL TRIAL. AND IF IT WERE POSSIBLE, I  
16 DON'T KNOW IN TERMS OF THE OTHER PLACES THAT STEM CELLS  
17 HAVE BEEN USED, OF COURSE, IS HAEMOPOIETIC. THE

18 QUESTION IS WHETHER THERE WOULD BE PEOPLE -- LUBIN HAS  
19 THE SAME EXPERTISE.

20 MS. HALME: THE DONOR CORD BLOOD PROGRAM IN  
21 SIBLINGS, AND HE'S USED IT TO TREAT PATIENTS WITH  
22 SICKLE CELL ANEMIA.

23 DR. HALL:

24 MR. SHESTACK: AMY WAGERS.

25 DR. HALL: CLINICAL TRIALS, LARGE CLINICAL

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1 TRIALS.

2 MS. HALME: I DON'T KNOW IF THEY'VE BEEN  
3 LARGE, BUT HE'S PUBLISHED PAPERS ON TREATING PATIENTS  
4 IN THIS MANNER.

5 DR. HALL: BECAUSE CERTAINLY DOWNSTREAM ONE  
6 OF THE QUESTIONS WILL BE IN TERMS OF CLINICAL TRIAL  
7 ISSUES. I THINK THERE THAT EXPERTISE WILL BE VERY,  
8 VERY IMPORTANT AND MAYBE COVERS THAT. I'M NOT SURE. I  
9 WOULD IMAGINE. OLANOW, I THINK, IS AN EXCELLENT  
10 CLINICIAN.

11 IN TERMS OF WHAT OS SAID, IF THERE WERE  
12 ANYTHING THAT ONE WOULD SAY MIGHT BE BETTER REPRESENTED  
13 ON THAT GROUP, THAT WOULD BE MY THOUGHT ABOUT IT.

14 MR. SHESTACK: BUT WHAT I WAS SAYING IS THAT  
15 THERE MIGHT BE PEOPLE WITH GREAT CLINICAL TRIALS FROM

16 SOMETHING NOT STEM CELL RELATED.

17 DR. HALL: YES. BUT THE POINT IS THE ONE  
18 THAT DR. KESSLER MADE, AND THAT IS THAT INSOFAR AS ONE  
19 GOES BY THE PROPOSITION 71, ONE CAN BEND THAT PERHAPS A  
20 BIT, BUT NOT IGNORE IT.

21 MR. HARRISON: THAT'S CORRECT.

22 MS. SAMUELSON: MY INTERPRETATION OF THAT, TO  
23 CHECK IT WITH THE REST OF YOU, IS THAT IT WOULD INCLUDE  
24 EXPERTISE IN AREAS THAT WILL NEED TO BE EXAMINED AND  
25 RESEARCHED TO ARRIVE AT ULTIMATE THERAPIES THAT WOULD

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1 HAVE STEM CELL THERAPY COMPONENTS OR VITAL RESEARCH  
2 TECHNOLOGIES, WHATEVER THE OTHER PHRASE IS, BUT I THINK  
3 IT'S IMPORTANT TO KEEP THAT IN MIND, ALTHOUGH THAT  
4 SHOULDN'T JUST BE A WAY TO BRING IN EVERY OTHER  
5 SCIENTIST ON THE PLANET.

6 DR. HALL: I THINK THE REAL ISSUE, IT SEEMS  
7 TO ME, THAT ONE OF THE CORE GROUP OF ISSUES. I SEE  
8 THEM AS CENTERING ON TWO THINGS. ONE IS EGG DONATION  
9 ISSUES IN AND AROUND THAT AND STORING EGG OR DONORS.  
10 BUT THE OTHER ISSUES WILL BE ISSUES OF INFORMED CONSENT  
11 AND PATIENT PROTECTION AROUND THE CLINICAL TRIALS.  
12 THAT, IT SEEMS TO ME, IN TERMS OF ETHICAL ISSUES THAT

13 ONE WILL NEED TO THINK VERY CAREFULLY ABOUT. I'M  
14 UNDERLINING THAT. HOW YOU GET TO THE CLINICAL TRIALS  
15 IS VERY MUCH A SCIENTIFIC QUESTION AND I THINK ONE  
16 NEEDS HELP ON. IT'S I'M NOT CLEAR TO ME WHAT THE  
17 MAJOR ETHICS (INAUDIBLE).

18 MS. SAMUELSON: BUT I GUESS I SEE THAT THE  
19 MISSION OF THIS COMMITTEE, THIS WORKING GROUP, IS TO BE  
20 QUITE A BIT POTENTIALLY BROADER THAN THAT BECAUSE THERE  
21 IS LANGUAGE SAYING THAT WE ARE TO ESTABLISH MEDICAL AND  
22 SCIENTIFIC STANDARDS, AND IT GOES ON TO SPECIFY IN  
23 ADDITION SOME OF THE SUBSETS OF THAT AND PATIENT  
24 PRIVACY AND CONFLICT OF INTEREST, I THINK. AND IT  
25 TALKS ABOUT FINANCIAL ASPECTS OF DEVELOPMENT OF

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1 THERAPIES AND DELIVERY OF THERAPIES. AND IT SEEMS TO  
2 ME IT COULD BE (INAUDIBLE) THAT REQUIRE SOME OF  
3 (INAUDIBLE).

4 CHAIRMAN KESSLER: WITH SIX MINUTES  
5 REMAINING, LET ME ASK THE QUESTION OF WHETHER WE'RE  
6 GOING TO -- THERE WAS A RECOMMENDATION THAT WE KEEP  
7 THE -- WE WILL HAVE ANOTHER MEETING, A LOT OF PROGRESS  
8 TODAY.

9 MR. SHESTACK: WHY DON'T WE JUST DO TWO NAMES  
10 OR THREE NAMES THROUGH THE SAME PROCESS?



11 DR. STEWARD: THIS IS OS. I WOULD ASK  
12 REALLY --

13 MR. SHESTACK: I WAS JUST SAYING NOT TO DO  
14 THAT.

15 CHAIRMAN KESSLER: THE QUESTION THAT I HEARD  
16 OS SAY WAS SHALL WE KEEP ON LOOKING ON SCIENTIST  
17 CLINICIANS; IS THAT CORRECT, OS?

18 DR. STEWARD: THAT IS CORRECT. YOU KNOW, THE  
19 POINT, I GUESS, I WOULD MAKE IS THAT OUR LIST OF  
20 MEDICAL ETHICISTS INCLUDED PEOPLE THAT JUST WERE  
21 ABSOLUTELY EXTRAORDINARY. I THINK WE ALL RECOGNIZE  
22 THAT EVEN THOUGH CERTAINLY I'M NOT IN THE FIELD OF  
23 MEDICAL ETHICS AT ALL, BUT THESE ARE PEOPLE THAT I  
24 KNEW. SO I'M A SCIENTIST, AND I KNOW LOTS OF  
25 CLINICIANS. AND IT SEEMS TO ME THAT WE'RE NOT IN THE

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1 SAME BOAT WITH THE SCIENTIST CLINICIAN CATEGORY HERE.

2 CHAIRMAN KESSLER: EITHER THAT OR THE  
3 ETHICISTS ARE JUST MORE WELL-KNOWN, AND THEY HAVE  
4 SOMETIMES BROADER VISIBILITY. I THINK WE'RE MOST  
5 FORTUNATE WITH BOTH SETS OF LISTS. AND I THINK WE'RE  
6 VERY THANKFUL FOR EVERYONE WHO'S BEEN WILLING TO PUT  
7 THEIR NAMES FORWARD. LET'S JUST STAY WITH OS' POINT.

8                   SHOULD WE KEEP OPEN FOR A PERIOD OF TIME THE  
9                   OTHER NAMES, OR IS DO WE SAY THE DEADLINE HAS PAST?  
10                  GIVE ME GUIDANCE ON THAT QUESTION.   AND IF YOU WANT  
11                  MORE NAMES, WHAT'S THE PROCESS BY WHICH THEY WILL GET  
12                  REVIEWED?  DO THEY GET -- ARE THERE REVIEW TEAMS AND WE  
13                  ASK THAT THEY BE ADDED TO REVIEW TEAMS?  AND WE KEEP  
14                  THIS LIST OF NINE, AND THEN AT THE NEXT MEETING WE ASK  
15                  IF THERE'S ANY OTHERS?  I'D BE HAPPY TO DO WHATEVER THE  
16                  WISHES ARE.  TELL ME WHETHER YOU WANT TO KEEP THE  
17                  NAMES.

18                  MR. SHESTACK:  OS, HOW WOULD YOU SUGGEST  
19                  GETTING MORE NAMES INTO CONSIDERATION?

20                  CHAIRMAN KESSLER:  LET ME ASK DINA JUST TO  
21                  REVIEW THE PROCESS BY WHICH WE SORT OF WRESTLE.

22                  MS. HALME:  WE DID A LOT OF WRESTLING.  AND I  
23                  THINK THAT ONE OF THE ISSUES THAT JON SHESTACK RAISED  
24                  IS THAT THERE IS THIS CONFLICT BETWEEN PEOPLE WANTING  
25                  TO BE ON STANDARDS OR ON GRANTS.  AND I THINK THAT THAT

1                  IS SOMETHING TO KEEP IN MIND IN TERMS OF THE NUMBER AND  
2                  CALIBER OF SCIENTISTS.  SO WHAT WE DID WAS WE POSTED A  
3                  CALL FOR APPLICATIONS ON THE INTERNET, THE NATIONAL  
4                  SOCIETY OF STEM CELL RESEARCH WEBSITE AND HAD A LOT OF  
5                  THE PROMINENT PEOPLE THERE CONTACTED DIRECTLY TO LET

6 THEM KNOW, AND THEY SENT IN NAMES. AND I WOULD HAVE TO  
7 SAY THAT MANY, MANY, MANY, MANY MORE PEOPLE WERE  
8 NOMINATED THAN CHOSE TO PUT THEIR NAMES IN THE HAT TO  
9 BE CONSIDERED, PROBABLY FOUR OR FIVE TIMES THE NUMBER.

10 I SENT A NOMINATION E-MAIL TO EVERYONE WHO  
11 SERVED ON A STEM CELL COMMITTEE AT A MAJOR INSTITUTION  
12 THAT HAS ONE, THE ROCKEFELLER IN MINNESOTA AND  
13 WISCONSIN AND HARVARD, ETC.

14 SO MY CONCERN IN DELAY IS THAT THERE MAY BE  
15 OTHER TERRIFIC PEOPLE OUT THERE, BUT IT'S NOT A VAST  
16 NUMBER BECAUSE WE, IN FACT, DID SO MUCH CONTACTING, AND  
17 I ASKED, FOR INSTANCE, INDIVIDUALS SUCH AS DOUG MELTON,  
18 WHO IS PROBABLY ONE OF THE MOST FOREMOST STEM CELL GUYS  
19 IN THE COUNTRY, TO GIVE ME A LIST OF ALL THE PEOPLE HE  
20 NOMINATED. AND I CONTACTED ALL OF THEM. THOSE  
21 RESOURCES HAVE BEEN TAPPED. THERE MAY BE OTHERS, BUT  
22 MOST OF THE MAJOR NAMES HAVE BEEN PUT INTO PLAY.

23 CHAIRMAN KESSLER: AND I WANT TO JUST THANK  
24 STAFF. I THINK THEY'VE DONE AN ABSOLUTELY TERRIFIC JOB  
25 TO GET US TO THIS POINT AT ONE MEETING.

1 SO LET'S JUST ASK THE QUESTION. DO WE WANT  
2 TO KEEP THE NAMES THIS PERIOD OF TIME OPEN AND SOLICIT

3 MORE NAMES? WHAT'S THE FEELING OF THE COMMITTEE ON  
4 THAT POINT ON THE SCIENTIST CLINICIAN, NOT THE  
5 ETHICIST? SCIENTIST CLINICIAN, SHOULD WE HAVE MORE --  
6 AN EXTENDED PERIOD OF TIME WHERE FOR NAMES CAN COME IN  
7 AND AGAIN REVIEW TEAMS AND --

8 MR. SHESTACK: WHAT'S THE DOWNSIDE OF IT  
9 SINCE WE'RE OBVIOUSLY HAVING AN EXTENDED TIME ON THE  
10 NEXT ROUND? WE HAVE TO HAVE ANOTHER MEETING BECAUSE OS  
11 OR SOMEONE ELSE HAS SOME OTHER NAMES. WE WANT TO ASK  
12 AROUND THE NETWORK. IS THERE ANY DOWNSIDE TO KEEPING  
13 IT OPEN A LITTLE BIT, ANY LIKE PROCEDURAL BENEFIT SINCE  
14 WE MADE THE DECISION TO HAVE ANOTHER MEETING?

15 MR. SERRANO-SEWALL: I THINK SOLICITING MORE  
16 NAMES IS FINE. I THINK IT WOULD BE CUMBERSOME TO  
17 REQUEST THAT STAFF GO THROUGH THAT SAME PROCESS AGAIN.  
18 THEY'VE DONE AN EXHAUSTIVE JOB. THEY'VE TAPPED EVERY  
19 COMMITTEE NATIONALLY, AND THIS IS WHAT WE HAVE. SO  
20 THAT BEING SAID, IF THERE ARE OTHER NAMES THAT  
21 COMMITTEE MEMBERS WANT TO BRING TO THE BOARD --

22 CHAIRMAN KESSLER: THEY CAN FEEL FREE TO DO  
23 THAT.

24 MR. SHESTACK: IS IT REASONABLE TO ASK STAFF  
25 TO JUST DO THE SAME PROCESS, IF SOMEONE COMES UP WITH

1 THREE MORE NAMES, TO JUST DO THE SAME PROCESS OF  
2 PROVIDING US WITH THE BIOSKETCH, BUT NOT TO ASK THEM TO  
3 GO CAST THE NET AGAIN.

4 CHAIRMAN KESSLER: SO LET'S UNDERSTAND WHERE  
5 WE'RE MOVING AHEAD. WE WILL ASK STAFF TO SCHEDULE  
6 ANOTHER MEETING AND TO AGENDA THAT MEETING AND PUBLICLY  
7 NOTICE THAT MEETING APPROPRIATELY. IT IS LIKELY THAT  
8 THAT MEETING WILL BE, WHEN?

9 MS. HALME: MID TO LATE APRIL.

10 CHAIRMAN KESSLER: SOMETIME IN APRIL.

11 MS. HALME: 15TH TO THE 21ST.

12 CHAIRMAN KESSLER: IS WHAT WE WILL AIM FOR.  
13 BEFORE THAT MEETING, EACH MEMBER OF THE COMMITTEE WILL  
14 MAKE SURE YOU GET WRITTEN INSTRUCTIONS, SO NO ONE WILL  
15 MISSTEP. COUNSEL AND STAFF WILL GIVE YOU INSTRUCTIONS  
16 ON WHO YOU MAY TALK TO WITH REGARD TO DOING ANY MORE  
17 HOMEWORK ON THE MEDICAL ETHICIST/SCIENTIST CLINICIANS.  
18 DON'T DO ANYTHING UNTIL YOU GET THOSE INSTRUCTIONS.  
19 AND THEN WE WILL RECONVENE AT THAT MEETING. WE WILL  
20 PUT BACK EXACTLY, REMEMBER WHAT'S ON THE BOARDS,  
21 REMEMBER WHAT'S ON THE FLIP CHARTS, WE WILL RECREATE  
22 THIS, AND WE WILL PICK UP WITH WHERE WE HAVE TO GO AT  
23 THE NEXT MEETING. IS THAT AGREED TO.

24 ALL IN FAVOR OF THAT -- ANY OBJECTION TO THAT  
25 PROCESS? ANY PUBLIC COMMENT, ANY FURTHER PUBLIC

1 COMMENT IN CLOSING IN IRVINE?

2 DR. STEWARD: NONE FROM IRVINE.

3 CHAIRMAN KESSLER: ANY FURTHER PUBLIC COMMENT  
4 IN CLOSING IN SAN FRANCISCO? ANY FURTHER COMMENT FROM  
5 THE BOARD IN EITHER IRVINE OR SAN FRANCISCO?

6 MS. SAMUELSON: I WOULD LIKE TO THANK THE  
7 CHAIR FOR HIS PERSISTENT EFFORTS TO MOVE IT FORWARD.

8 CHAIRMAN KESSLER: IS THERE A MOTION TO  
9 ADJOURN?

10 MR. SERRANO-SEWALL: SO MOVED.

11 CHAIRMAN KESSLER: ANY OPPOSITION? ALL IN  
12 FAVOR. WE'RE STAND ADJOURNED. THANK YOU VERY MUCH.

13 (THE MEETING WAS THEN ADJOURNED AT 11:01 A.M.)

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