

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

LOCATION: AS INDICATED ON THE AGENDA

DATE: MONDAY, APRIL 27, 2009  
7:30 A.M.

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

BRS FILE NO.: 84429

## BARRISTERS' REPORTING SERVICE

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**BARRISTERS' REPORTING SERVICE**

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MONDAY, APRIL 27, 2009

7:30 A.M.

CHAIRMAN KLEIN: MELISSA, WOULD YOU TAKE THE ROLL, PLEASE.

MS. KING: SUSAN BRYANT. MICHAEL GOLDBERG. BOB KLEIN.

CHAIRMAN KLEIN: HERE.

MS. KING: CLAIRE POMEROY.

DR. POMEROY: HERE.

MS. KING: FRANCISCO PRIETO. JEANNIE FONTANA FOR JOHN REED.

DR. FONTANA: HERE.

MS. KING: DUANE ROTH.

DR. ROTH: HERE.

MS. KING: JOAN SAMUELSON. JEFF SHEEHY.

MR. SHEEHY: HERE.

MS. KING: ART TORRES.

MR. TORRES: HERE.

MS. KING: WE DO NOT YET HAVE A QUORUM. WE'RE WAITING FOR A COUPLE OF OTHER PEOPLE TO JOIN US; BUT GIVEN THAT SOME MEMBERS HAVE A HARD STOP, YOU MIGHT JUST WANT TO BEGIN THE DISCUSSION.

WHO JUST JOINED?

DR. TROUNSON: IT'S ALAN TROUNSON

**BARRISTERS' REPORTING SERVICE**

1 REJOINING.

2 CHAIRMAN KLEIN: ALAN, IF YOU JOIN TWICE,  
3 WE CAN'T COUNT YOU TWICE.

4 ALL RIGHT. DUANE --

5 MR. ROTH: YES.

6 CHAIRMAN KLEIN: -- GIVEN THE HARD STOP,  
7 CLAIRE POMEROY SPECIFICALLY HAS A HARD STOP. AND,  
8 CLAIRE, I WANTED TO MAKE SURE. DID YOU WANT TO BE  
9 ON THE MEDICAL AND ETHICAL STANDARDS NIH TASK FORCE?

10 DR. POMEROY: BOB, I REALLY APPRECIATE THE  
11 OPPORTUNITY, BUT I THINK I SHOULD PASS AND DEFER TO  
12 MY COLLEAGUES.

13 CHAIRMAN KLEIN: KNOWING YOU HAD TO LEAVE,  
14 I WANTED TO JUST MAKE SURE I ASKED THAT  
15 SPECIFICALLY. OKAY. CLAIRE HAS TO LEAVE AT ABOUT  
16 EIGHT. SO, DUANE, COULD YOU LEAD OFF? WE DO NOT  
17 YET HAVE A QUORUM, SO WE'RE NOT GOING TO CONDUCT THE  
18 ROLL CALL YET, BUT WE CAN BEGIN DISCUSSION; IS THAT  
19 RIGHT, COUNSEL?

20 MR. HARRISON: YES.

21 CHAIRMAN KLEIN: COUNSEL AGREES. SO,  
22 DUANE, COULD YOU LEAD OFF ON CONSIDERATION OF THE  
23 FEDERAL LEGISLATION?

24 MR. ROTH: YES. I THINK EVERYBODY HAS  
25 LOOKED AT OR HOPEFULLY HAD A CHANCE TO LOOK AT THE

## BARRISTERS' REPORTING SERVICE

1 COMPETING BILL COMPARISON. THERE ARE TWO BILLS FOR  
2 BIOGENERICS OR BIOSIMILARS, AS THEY'RE NOW CALLED.  
3 ONE IS FROM CHAIRMAN WAXMAN AND OTHER IS FROM  
4 CONGRESSWOMAN ESCHOO. SO WAXMAN IS 1427, HR 1427,  
5 AND ESCHOO IS HR 1548.

6 BOTH OF THESE BILLS ESTABLISH A PATHWAY  
7 FOR GENERIC BIOLOGICALS TO GET ONTO THE MARKET USING  
8 THE INNOVATOR'S DATA. IN OTHER WORDS, THE FIRST  
9 PRODUCT THAT WENT THROUGH THE FOOD AND DRUG  
10 ADMINISTRATION RECEIVED APPROVAL. BOTH ARE  
11 ATTEMPTING AT SOME POINT, OBVIOUSLY AFTER PATENTS  
12 HAVE EXPIRED, WHICH IS A COMPLETELY SEPARATE ISSUE,  
13 THE FDA WOULD BE ABLE TO APPROVE BIOLOGICAL PRODUCTS  
14 WITH THE ORIGINAL INNOVATOR DATA AS THE BASIS FOR  
15 SAFETY AND EFFICACY PROVIDED THEY CAN PROVE THAT THE  
16 PRODUCTS ARE, IN FACT, SIMILAR. THEY DON'T HAVE TO  
17 BE IDENTICAL, BUT SIMILAR.

18 THE DIFFERENCE BETWEEN THESE TWO, THERE  
19 ARE SEVERAL SUBTLE DIFFERENCES, BUT THE MAIN  
20 DIFFERENCE IS THE NUMBER OF YEARS THE INNOVATOR'S  
21 DATA CANNOT BE USED. IN THE WAXMAN BILL, IT VARIES  
22 AND THERE ARE SEVERAL NUANCES TO IT, BUT ESSENTIALLY  
23 I THINK IT'S FIVE YEARS, AND IN THE ESCHOO BILL IT'S  
24 12 YEARS. SO THERE'S A LONGER DATA EXCLUSIVITY WITH  
25 ESCHOO VERSUS WAXMAN.

## BARRISTERS' REPORTING SERVICE

1                   AND THE REASON THAT'S KEY FOR US AND THE  
2                   REASON WE'RE CONSIDERING THIS AND TAKING A POSITION  
3                   ON IT IS IT IS EXTRAORDINARILY DIFFICULT, AS YOU  
4                   KNOW, TO GET SIGNIFICANT INVESTMENT IN NEW  
5                   TECHNOLOGY OR NEW PRODUCT AREAS LIKE THIS. AND THE  
6                   REASON THAT INVESTORS ARE SO RELUCTANT IS THEY  
7                   REALIZE THAT THE INNOVATOR WILL MAKE ALL THE  
8                   MISTAKES, WILL HAVE THE LONGEST DELAY FROM THE FOOD  
9                   AND DRUG ADMINISTRATION, WILL HAVE THE MOST  
10                  DIFFICULT TIME ESTABLISHING PRICING. ALL OF THOSE  
11                  THINGS WILL BE DONE BY THE INNOVATOR. AND THEN,  
12                  BECAUSE THE TIME THAT ELAPSES ON THEIR INTELLECTUAL  
13                  PROPERTY, THEIR CONCERN IS YOU MAY ONLY HAVE THREE  
14                  OR FOUR OR FIVE YEARS LEFT ON YOUR PATENTS BEFORE  
15                  SOMEBODY CAN COME IN AND USE YOUR DATA OR YOUR  
16                  PATENT EXPIRES AND SOMEBODY CAN COME IN LATER, THEN,  
17                  AND USE YOUR DATA. BUT THEY WANT A SIGNIFICANT  
18                  PERIOD OF TIME BEFORE SOMEBODY CAN JUST WALK OVER  
19                  THERE.

20                         SO THERE'S A BROAD COALITION THAT'S IN  
21                         SUPPORT OF THE ESCHOO BILL. I'M SURE THERE ARE  
22                         THOSE THAT ARE VERY MUCH BEHIND THE WAXMAN BILL, BUT  
23                         I HAVEN'T BEEN ABLE TO FIND MANY OF THOSE. I'LL  
24                         LEAVE IT WITH THAT AND BE HAPPY TO ANSWER QUESTIONS.  
25                         IS NANCY THERE?

**BARRISTERS' REPORTING SERVICE**

1 MS. KOCH: I'M HERE, DUANE.

2 CHAIRMAN KLEIN: SHE IS HERE.

3 MR. ROTH: SO NANCY IS REALLY GOING TO  
4 LEAD THIS DISCUSSION ON THE BOARD SIDE, SO SHE MAY  
5 HAVE SOMETHING TO ADD TO THAT.

6 MR. GOLDBERG: HAVE WE TAKEN ROLL CALL?

7 MS. KING: THANK YOU SO MUCH, MICHAEL.  
8 FOR THE RECORD MICHAEL GOLDBERG HAS JOINED THE  
9 MEETING, AND WE NOW HAVE A QUORUM.

10 CHAIRMAN KLEIN: SO LET'S MAKE A FORMAL  
11 ROLL CALL TO CONFIRM THAT EVERYONE IS ON.

12 MS. KING: SUSAN BRYANT. MICHAEL  
13 GOLDBERG.

14 MR. GOLDBERG: YES, WITH A MEMBER OF THE  
15 PUBLIC.

16 MS. KING: BOB KLEIN.

17 CHAIRMAN KLEIN: HERE.

18 MS. KING: CLAIRE POMEROY.

19 DR. POMEROY: HERE.

20 MS. KING: FRANCISCO PRIETO. JEANNIE  
21 FONTANA FOR JOHN REED.

22 DR. FONTANA: HERE.

23 MS. KING: DUANE ROTH.

24 DR. ROTH: HERE.

25 MS. KING: JOAN SAMUELSON. JEFF SHEEHY.

**BARRISTERS' REPORTING SERVICE**

1 MR. SHEEHY: HERE.

2 MS. KING: ART TORRES.

3 MR. TORRES: HERE.

4 MS. KING: AND WE DO HAVE A QUORUM.

5 CHAIRMAN KLEIN: OKAY. THANK YOU. NANCY,  
6 WOULD YOU LIKE TO MAKE ANY SPECIFIC COMMENTS. MAYBE  
7 JAMES COULD MOVE THAT SPEAKER OVER TOWARDS YOU.

8 MS. KOCH: DUANE WAS PERFECTLY ACCURATE.  
9 I THOUGHT I MIGHT JUST BE ABLE TO GIVE A LITTLE BIT  
10 OF CONTEXT. THE FIRST IS, AS MANY OF YOU KNOW, THIS  
11 IS A SUBJECT THAT HAS BEEN AROUND IN THE HALLS OF  
12 WASHINGTON FOR SOME TIME, ESPECIALLY INTENSIVELY IN  
13 THE LAST YEAR OR TWO.

14 THE INFORMATION WE'RE GETTING FROM OUR  
15 COLLEAGUES IN WASHINGTON IS THAT THINGS ARE MORE  
16 LIKELY TO ACTUALLY COME TO FRUITION THIS YEAR, THAT  
17 THERE IS VERY LIKELY TO BE MOVEMENT HERE BECAUSE OF  
18 THE CHANGE IN THE WHITE HOUSE, BECAUSE OF THE CHANGE  
19 TO A DEMOCRAT MAJORITY, AND BECAUSE THE BILLS THAT  
20 HAVE BEEN INTRODUCED SO FAR, THAT IS, BY ESCHOO AND  
21 BY WAXMAN, BOTH HAVE SORT OF COMPROMISED FORWARD  
22 FASTER IN A WAY THAT HASN'T HAPPENED IN THE PAST.

23 SO THEY'RE STARTING FROM A PLACE THAT'S  
24 MORE SIMILAR THAN THEY HAD BEEN STARTING BEFORE.  
25 THERE'S POLITICAL REASONS WHY IT SHOULD MOVE



## BARRISTERS' REPORTING SERVICE

1 QUICKLY, AND THE OBAMA ADMINISTRATION HAS ACTUALLY  
2 COUNTED IN ITS FISCAL YEAR 2010 BUDGET ON THIS  
3 LEGISLATION GOING THROUGH AND THE COUNTRY BEGINNING  
4 TO EXACT VERY SIGNIFICANT SAVINGS TO THE TUNE OF  
5 SOMETHING LIKE 9.2 OR \$10 BILLION OVER A PERIOD OF  
6 TEN YEARS.

7 SO THIS IS GOING TO GET A LOT OF FOCUS AND  
8 ESPECIALLY A LOT OF FOCUS IN THE NEXT 30 DAYS, WHICH  
9 IS TO SAY IF THE ICOC, AFTER CONSIDERATION, ISN'T  
10 GOING TO DO SOMETHING, THEY MIGHT DO IT NOW. THAT'S  
11 WHY DUANE IS BRINGING THIS TO THE COMMITTEE AND THEN  
12 ON TO THE BOARD.

13 CHAIRMAN KLEIN: OKAY.

14 MS. KOCH: THE ONLY OTHER THING I'D SAY IS  
15 THAT DUANE IS ABSOLUTELY RIGHT, THAT THE MAIN FOCUS  
16 HERE IS THE PERIOD DURING WHICH THE INNOVATOR WILL  
17 HAVE EXCLUSIVE USE OF THIS DATA; THAT IS, A PERIOD  
18 OF TIME BEFORE WHICH ANYONE CAN MOVE ON THAT DATA.  
19 THERE ARE OTHER SUBTLE DIFFERENCES; AND WHEN YOU  
20 REALLY DIG DOWN INTO THE WEEDS, WHICH IS WHAT  
21 LAWYERS ARE PAID TO DO -- YOU ARE PAYING, BOB -- THE  
22 DIFFERENCE IN TIMING MAY ACTUALLY BE EVEN MORE  
23 SIGNIFICANT BETWEEN ESCHOO AND WAXMAN THAN THE SORT  
24 OF 12/5 SPLIT THAT DUANE SAID BECAUSE IN THE ESCHOO  
25 BILL, THE FDA IS NOT REALLY ALLOWED TO APPROVE ANY

## BARRISTERS' REPORTING SERVICE

1 BIOSIMILAR PRODUCT UNTIL IT ISSUES FORMAL GUIDANCE  
2 WITH REGARD TO THAT SPECIFIC PRODUCT CLASS OF DRUG.  
3 AND THE PROCESS OF ISSUING GUIDANCE REQUIRES PUBLIC  
4 HEARINGS AND A DETAILED PROCESS, WHICH IN AND OF  
5 ITSELF CAN BE TIME-CONSUMING.

6 AND THEN ESCHOO SPECIFICALLY ALLOWS THE  
7 FDA TO SAY, NO, AT THIS POINT, GIVEN THE SCIENCE, NO  
8 BIOSIMILARS ARE ALLOWED WHATSOEVER. SO THAT HER  
9 THRUST IS TOWARD CONSERVATISM AND MOVING SLOWLY, AND  
10 WAXMAN'S THRUST IS MUCH MORE TOWARD WE'RE GOING TO  
11 GIVE THE FDA DISCRETION, BUT WE WANT TO GET THIS  
12 GOING AND MOVE QUICKLY.

13 MR. TORRES: I WANTED TO CONGRATULATE  
14 DUANE BECAUSE, DUANE, YOU'VE DONE AN EXCELLENT JOB  
15 IN UPDATING, ESPECIALLY ME, IN AN AREA THAT I WAS  
16 NOT VERY SIMILAR WITH. AND I SUPPORT DUANE'S  
17 POSITION ON THIS FOR ONE IMPORTANT REASON. AT THE  
18 END OF THE DAY, AS NANCY SAID, WE'RE GOING TO GET TO  
19 A CONFERENCE COMMITTEE. AND AT THE END OF THE DAY,  
20 WE'RE GOING TO GET TO THE SENATE; BUT I THINK AT THE  
21 END OF THE DAY, WE HAVE TO BE TRUE TO THE PEOPLE  
22 THAT WE WANT TO ENCOURAGE TO EXIST IN THIS STATE,  
23 WHICH ARE THESE COMPANIES. AND MARKET EXCLUSIVITY  
24 IS AN INTEGRAL OF THAT FUTURE AND THAT VISION, AS  
25 DUANE HAS SAID, AND YOU AND I HAVE TALKED ABOUT IT

## BARRISTERS' REPORTING SERVICE

1 AS WELL, BOB.

2 SO IF THIS BOARD MOVES TOWARD A POSITION,  
3 I WOULD PREFER THAT WE SUPPORT THE ESCHOO BILL IF WE  
4 CAN DO THAT, IF THERE ARE VOTES TO DO THAT, BECAUSE  
5 AT THE END OF THE DAY, HENRY WILL BE COMING TO US TO  
6 WORK OUT A COMPROMISE ANYWAY. AND AT THE END OF THE  
7 DAY, THERE'S GOING TO BE, BECAUSE OF THE INTENSITY  
8 OF THIS DEBATE, THERE'S GOING TO BE A CONFERENCE  
9 COMMITTEE OF BOTH SENATE AND HOUSE MEMBERS, I WOULD  
10 THINK. AT THAT POINT EVERYBODY WILL COME TOGETHER,  
11 BUT AT LEAST WE'VE TAKEN A STAND WHERE WE THINK WE  
12 NEED TO BE FROM OUR POSITION AND PROTECTING THE  
13 INTEGRITY OF COMPANIES THAT REALLY NEED HELP.

14 CHAIRMAN KLEIN: THANK YOU VERY MUCH, ART.  
15 LET ME ASK DID WE INVITE THE LEGISLATORS TO HAVE  
16 REPRESENTATIVES AND COMMENTS?

17 MS. KING: WE DID INVITE THEM TO BE BOTH  
18 ON THIS CALL AND ALSO TO BE AT THE MEETING. I  
19 UNDERSTAND THAT THERE'S MORE POTENTIAL INTEREST FOR  
20 THEM TO ACTUALLY COME TO THE BOARD MEETING, AND IT  
21 MAY NOT ACTUALLY BE THE MEMBERS BECAUSE THEY'LL BE  
22 IN WASHINGTON, BUT THEY MAY HAVE REPRESENTATIVES  
23 THAT COME TO THE MEETING IN L.A.

24 CHAIRMAN KLEIN: OKAY.

25 MS. KING: WE INVITED THEM A COUPLE WEEKS

## BARRISTERS' REPORTING SERVICE

1 AGO.

2 CHAIRMAN KLEIN: THAT WAS MY  
3 UNDERSTANDING. JUST WANTED TO CONFIRM IT FOR THE  
4 PUBLIC AND FOR THE MEMBERS.

5 MS. KING: WE ALSO INVITED THEM TO INVITE  
6 GROUPS, OTHER THAN THEMSELVES AND THEIR STAFF  
7 MEMBERS, TO INVITE GROUPS THAT WERE IN SUPPORT OF  
8 THEIR OWN BILLS.

9 CHAIRMAN KLEIN: ALL RIGHT. SO ADDITIONAL  
10 COMMENTS FROM MEMBERS?

11 DR. FONTANA: I JUST HAVE A CLARIFICATION.  
12 THE REASON WHY WE'RE MAKING A POSITION, THAT CIRM IS  
13 MAKING A POSITION ON THESE TWO BILLS IS?

14 CHAIRMAN KLEIN: IS BECAUSE OF THE  
15 POTENTIAL IMPORTANCE OF THE LONGER PERIOD OF  
16 EXCLUSIVITY TO BE ABLE TO GET CAPITAL IN THIS NEW  
17 AREA OF RELATIVELY HIGH RISK OF CELLULAR THERAPIES  
18 AND STEM CELL-DERIVED THERAPIES.

19 DR. FONTANA: STEM CELL, ANY THERAPEUTICS  
20 DERIVED FROM STEM CELLS WILL FALL UNDER THIS  
21 LEGISLATION?

22 MR. ROTH: YES.

23 MS. KOCH: YES. DEFINITIONS OF BIOLOGICS  
24 ARE CURRENTLY DEFINED, AND AS WE EXPECT THAT WILL  
25 BE. THE ANSWER TO THAT IS YES.

## BARRISTERS' REPORTING SERVICE

1 CHAIRMAN KLEIN: SO I WOULD LIKE NANCY AND  
2 DUANE, AS WE GO FORWARD ON THIS, IF WE TAKE AN  
3 ACTION TODAY, AT THE BOARD MEETING WE HAVE SOME  
4 ADDITIONAL INFORMATION ON SUBPOINT 3 OF THE ESCHOO  
5 BILL THAT DEALS WITH THE CRITERIA FOR MEETING A  
6 BIOSIMILAR AS TO THE ISSUE OF IDENTICAL APPLICATIONS  
7 AS IN A STUDY SESSION THAT THE STAFF HAD LAST WEEK.  
8 ALAN IS FAMILIAR WITH THAT, WITH THAT SUMMARY AS TO  
9 THOSE CRITERIA, AND I THINK IT WOULD BE IMPORTANT TO  
10 GET DOWN INTO THE DEEP WEEDS ON THIS ONE. AND TO  
11 THE EXTENT THAT WE HAVE A POLICY APPROVAL GOING  
12 FORWARD, WE HAVE A COMMENTARY POTENTIALLY ABOUT THAT  
13 SUBSECTION, WHICH WE NEED SOME MORE INFORMATION ON.

14 SO ARE THERE PUBLIC COMMENTS ON THESE TWO  
15 BILLS? HEARING NO PUBLIC COMMENT, IS THERE A MOTION  
16 FOR APPROVAL OF EITHER BILL, ENDORSEMENT?

17 MR. GOLDBERG: I'D LIKE TO MAKE A MOTION  
18 TO ENDORSE THE ESCHOO BILL.

19 CHAIRMAN KLEIN: ALL RIGHT. IS THERE A  
20 SECOND?

21 MR. TORRES: SECOND.

22 DR. FONTANA: SECOND THAT.

23 CHAIRMAN KLEIN: SECOND BY BOTH JEANNIE  
24 FONTANA AND ART TORRES. SO DISCUSSION ON THE  
25 MOTION? HEARING NO DISCUSSION ON THE MOTION, ANY

## BARRISTERS' REPORTING SERVICE

1 PUBLIC COMMENT ON THE MOTION? NO PUBLIC COMMENT ON  
2 THE MOTION, CALL THE ROLL CALL, PLEASE.

3 MS. KING: MICHAEL GOLDBERG.

4 MR. GOLDBERG: YES.

5 MS. KING: BOB KLEIN.

6 CHAIRMAN KLEIN: YES.

7 MS. KING: CLAIRE POMEROY.

8 DR. POMEROY: YES.

9 MS. KING: JEANNIE FONTANA.

10 DR. FONTANA: YES.

11 MS. KING: DUANE ROTH.

12 DR. ROTH: YES.

13 MS. KING: JEFF SHEEHY.

14 MR. SHEEHY: I'M GOING TO ABSTAIN.

15 MS. KING: ART TORRES.

16 MR. TORRES: AYE.

17 MS. KING: AND FOR THE RECORD THAT MOTION  
18 CARRIES WITH ONE ABSTENTION.

19 CHAIRMAN KLEIN: ALL RIGHT. THANK YOU  
20 AND, AGAIN, HOPEFULLY WE WILL HAVE REPRESENTATIVES  
21 OF BOTH LEGISLATORS AT THE BOARD MEETING TO COMMENT  
22 ON THIS. SO THIS IS A RECOMMENDATION AT THIS POINT  
23 SUBJECT TO ADDITIONAL INFORMATION AND THE SPECIFIC  
24 DETAIL REPORT THAT I'VE ASKED ON ONE SUBSECTION OF  
25 COMPARISON.

## BARRISTERS' REPORTING SERVICE

1 THE NEXT ITEM ON THE AGENDA IS THE NIH  
2 DRAFT GUIDELINES. AND WHAT I'D LIKE TO DO IS, FIRST  
3 OF ALL, START WITH, DR. TROUNSON, WOULD YOU LIKE TO  
4 JUST GIVE A SUMMARY OF THE KIND OF RECEPTION THAT WE  
5 GOT IN WASHINGTON, D.C., RELATED TO NIH'S OPENNESS  
6 TO THE COMMENTS PROCESS? AND THEN I'M GOING TO ASK  
7 GEOFF LOMAX TO GIVE US A REPORT.

8 DR. TROUNSON: THANKS, BOB. BOB KLEIN AND  
9 I HAD A MEETING WITH THE ACTING DIRECTOR OF NIH AND  
10 STORY LANDIS, WHO HEADS THE STEM CELL INITIATIVE  
11 CURRENTLY FOR THEM. AND WE WERE VERY WELL RECEIVED  
12 FOR THE COMMENTS THAT WE MADE.

13 THERE WAS A CONCERN BY NIH THAT PEOPLE HAD  
14 REACTED TOO QUICKLY TO THEIR DRAFT GUIDELINES, AND  
15 WE WERE ABLE TO GET SOME EXPLANATION OF SOME OF THE  
16 ISSUES THAT ARE DIRECTLY AFFECTING THEM. BUT THEY  
17 CONGRATULATED US ON TAKING A PRODUCTIVE INITIAL  
18 STANCE ON IT AND GAVE US SOME INSIGHTS INTO THE WAY  
19 WE COULD PREPARE A FORMAL DOCUMENT THAT WOULD BE  
20 EFFECTIVE OR WOULD BE HELPFUL IN ADDRESSING THE  
21 ISSUES THAT WE HAD SOME CONCERNS ABOUT.

22 SO WE'RE IN THE PROCESS OF COMBINING THE  
23 NOTES THAT BOB AND I TOOK, AND WE'VE GOT THOSE NOTES  
24 TO GEOFF LOMAX AND TO ELONA BAUM, WHO'S THE NEW  
25 GENERAL COUNSEL. AND WE WOULD LIKE THEM TO PREPARE

## BARRISTERS' REPORTING SERVICE

1 A DOCUMENT ALONG THE KIND OF GUIDELINES OR THE  
2 SUGGESTIONS THAT WERE MADE BY NIH.

3 AND I THINK OVERALL IS A VIEW THAT NIH  
4 NEEDS TO BE ABLE TO ACHIEVE EVERYTHING THAT THE  
5 INDUSTRY REALLY, THAT IS THE RESEARCHERS, REALLY  
6 NEED, BUT THEY WILL HAVE TO DO THAT WITH SOME  
7 COMPROMISES. ONE OF THOSE WHICH IS NOT WELL  
8 RECOGNIZED IS THE BUSH ETHICS COMMITTEE IS STILL IN  
9 PLACE. AND THAT WOULD ESSENTIALLY PREVENT ANY WORK  
10 GOING ON ON EMBRYONIC STEM CELL LINES DERIVED FROM  
11 PARTHENOGENETICS OR NUCLEAR TRANSFER AT THIS POINT.  
12 I THINK THERE'S AN OPPORTUNITY TO REVISE THAT WHEN  
13 THAT ETHICS COMMITTEE ACTUALLY DISSOLVES. I THINK  
14 THAT WAS IN SEPTEMBER.

15 I THINK SOME OF THE OTHER ISSUES WE WERE  
16 HELPED IN THINKING ABOUT PREPARING THAT, BUT IT WAS  
17 VERY CLEAR, IF WE'RE ABLE TO GET STRONG SUPPORT FROM  
18 THE SCIENTIFIC COMMUNITY IN TERMS OF NUMBERS OF  
19 SUPPORTIVE APPLICATIONS PARTICULARLY OR LETTERS TO  
20 THE NIH, THAT WOULD BE VERY EFFECTIVE. AND THEIR  
21 RECOMMENDATION WAS TO BE VERY CLEAR ABOUT THE IMPACT  
22 THAT THE REGULATIONS WOULD HAVE IN THE FUTURE.

23 SO I THINK THAT WAS A VERY REWARDING  
24 MEETING, I THINK, WITH A LOT OF SUPPORT FROM NIH,  
25 AND I THINK WE GOT A LOT FROM THEM AS A RESULT.



## BARRISTERS' REPORTING SERVICE

1 CHAIRMAN KLEIN: SO JUST TO SUPPLEMENT  
2 ALAN'S COMMENTS, THE INSIGHTS ALAN IS REFERRING TO  
3 IS REALLY OF PROCESS. AND AFTER A GOOD SUBSTANTIVE  
4 DISCUSSION ON THE REASONS THAT GRANDFATHERING NEEDED  
5 TO REACH, NOT JUST THE PRESIDENTIAL LINES, WHICH THE  
6 NEW STANDARDS, IN FACT, KNOCK OUT MANY OF THOSE, BUT  
7 IN TERMS OF REACHING THE STATE LINES THAT HAVE BEEN  
8 APPROVED, STATES AND UNIVERSITIES LINES HAVE BEEN  
9 APPROVED, BUT ALSO INTERNATIONAL LINES, THAT THE  
10 FEEDBACK WAS THAT THE SCIENTIFIC JUSTIFICATIONS WE  
11 WERE GIVEN WERE APT TO BE WELL RECEIVED BECAUSE OF  
12 THE NECESSITY OF CONSERVING THE TREMENDOUS VALUE OF  
13 THE RESEARCH THAT'S BEEN DONE ON THAT SCOPE OF  
14 LINES.

15 SO ONE OF THE SPECIFIC AREAS THAT REALLY  
16 HADN'T BEEN BROUGHT UP TO THEM PREVIOUSLY WAS THE  
17 VALUE OF THESE INTERNATIONAL LINES. WE POINTED OUT  
18 THAT WHILE WE ARE IN BILATERAL AGREEMENTS WITH FIVE  
19 DIFFERENT COUNTRIES, WHETHER THE SPECIFIC WORK BY  
20 EXAMPLE ON RETINAL PIGMENT EPITHELIAL CELLS AT THE  
21 UNITED KINGDOM ARE BASED UPON UK STEM CELL BANK OR A  
22 HOST OF MANY OTHER AREAS OF DISEASE BEING STUDIED ON  
23 DISEASE-SPECIFIC LINES IN LEGITIMATELY, PROPERLY  
24 TRANSPARENTLY CREATED STEM CELL BANKS AND OTHER  
25 INTERNATIONALLY RESPECTED LINES MUST BE PRESERVED IN

## BARRISTERS' REPORTING SERVICE

1 ORDER TO SUSTAIN INTERNATIONAL COLLABORATIONS THAT  
2 ARE SO IMPORTANT IN MOVING THIS RESEARCH FORWARD.

3 WITH THAT BACKGROUND, I'D LIKE TO GET  
4 GEOFF LOMAX TO GIVE US -- BY SECTION WALK US THROUGH  
5 THE HIGH POINTS OF A VERY WELL-CONSTRUCTED REPORT  
6 THAT HE'S PUT TOGETHER ON THIS ISSUE.

7 DR. LOMAX: THANK YOU, BOB. WHAT WE'VE  
8 DONE YOU WILL SEE THERE'S A DRAFT DOCUMENT THAT WE  
9 PUT TOGETHER THAT REALLY REFLECTS THE WORK OF LAST  
10 WEEK, WHICH WAS OUR, I THINK, OUR FIRST SORT OF CUT  
11 THROUGH BOTH THE GUIDELINES AND I THINK, MOST  
12 IMPORTANTLY, AS WE TALKED ABOUT A FORMAL EVALUATION  
13 PROCESS. I THINK ONE OF THE HIGHLIGHTS OF THAT  
14 PROCESS WAS A SERIES OF KEY INFORMANT INTERVIEWS  
15 ACROSS THE STATE AND ACROSS THE COUNTRY.

16 I THINK TO HIGHLIGHT WHAT WE DID IN THE  
17 FRONT END OF THAT DOCUMENT, I THINK THERE'S SORT OF  
18 THREE LEVELS TO IT. THE FIRST LEVEL IS KIND OF A  
19 HIGH LEVEL KIND OF A SCOPING AND A CONCEPTUAL  
20 OVERVIEW, WHAT'S IN, WHAT'S OUT. WE COULD HAVE DONE  
21 THAT, WHICH WE ALL ARE AWARE THAT THE NIH POLICY  
22 ALLOWS SOME MATERIALS TO BE IN, SOME MATERIALS TO BE  
23 OUT. AND I SORT OF SEE THAT AS A HIGH LEVEL POLICY  
24 ISSUE WHERE WE KIND OF LAID OUT SOME OF THE  
25 OVERARCHING CONSTRAINTS THAT NIH IS WORKING UNDER

## BARRISTERS' REPORTING SERVICE

1 AND TO TRY GIVE EVERYONE A SENSE OF EXACTLY WHAT THE  
2 LIMITATIONS ARE. FOR EXAMPLE, WE HAVE THE  
3 DICKEY-WICKER LANGUAGE IN THERE, AND WE HAVE  
4 LANGUAGE FROM THE EXECUTIVE ORDER. AND WE'VE  
5 HIGHLIGHTED WHERE THERE WAS DISCRETION USED BY THE  
6 NIH AND OBVIOUSLY WOULD LOOK FORWARD TO THIS  
7 COMMITTEE AND THE ICOC TO SORT OF COME TO AN OPINION  
8 ON THE USE OF THAT DISCRETION. AND THAT WOULD HELP  
9 FORMULATE OUR RESPONSE AT THE SORT OF HIGH LEVEL  
10 CONCEPTUAL LEVEL.

11 WHERE I THINK WE SPENT MOST OF OUR TIME  
12 WHERE WE THINK WE CAN BE OF MOST BENEFIT TO THE  
13 PROCESS IS SORT OF MORE AT THE MORE DETAILED LEVEL  
14 OF THESE GUIDELINES IN TERMS OF POSING VERY FOCUSED  
15 FEEDBACK BACK TO THE NIH, PARTICULARLY FOR AREAS  
16 WHERE WE THINK WE NEED CLARIFICATION AND TO  
17 HIGHLIGHT VERY SPECIFIC POLICY IMPACTS WHICH HAVE  
18 BEARING ON THE SCIENCE.

19 AND CALL YOUR ATTENTION TO ATTACHMENT B,  
20 WHICH IS THE TABLE WHERE WE'VE GONE THROUGH AND  
21 INITIATED A SORT OF POINT-BY-POINT ANALYSIS ONLY OF  
22 THOSE POINTS WHERE WE THINK THERE IS THE BASIS FOR  
23 COMMENTS. WE HAVEN'T TRIED TO PUT EVERY SINGLE  
24 POINT OF THE GUIDELINES INTO THIS TABLE, BUT WE'VE  
25 STARTED TO FORMULATE AN ANALYSIS WHICH I THINK WILL

## BARRISTERS' REPORTING SERVICE

1 INFORM WHAT I'M CALLING NOW THE SECOND LEVEL, WHICH  
2 IS THE MORE NUANCED FEEDBACK TO NIH ABOUT WHERE WE  
3 MIGHT LOOK FOR CLARIFICATION OR ABOUT WHERE THERE  
4 MAY BE IMPACTS WHICH ARE OF CONCERN TO THE  
5 SCIENTIFIC COMMUNITY. BOB, YOU SORT OF TOUCHED ON  
6 THAT.

7 I THINK ONE OF THE BIG HIGHLIGHTS IS THE  
8 POTENTIAL FOR THIS POLICY TO TAKE MATERIALS OFF THE  
9 TABLE THAT ARE SCIENTIFICALLY IMPORTANT. I THINK  
10 THERE'S A BROAD AND CONSISTENT CONCERN ACROSS THE  
11 COMMUNITY THAT THAT IMPACT IS REAL. AND OVER THE  
12 WEEKEND, WE GOT CLARIFICATION FROM A NUMBER OF  
13 INSTITUTIONS THAT HAVE THINGS LIKE CONSENT FORMS AT  
14 THEIR DISPOSAL TO SAY, YES, A NUMBER OF MATERIALS OF  
15 SCIENTIFIC RELEVANCE WILL NOT PASS THE BAR HERE. SO  
16 WE NEED SOME FEEDBACK ABOUT THE IMPORTANCE OF THOSE  
17 MATERIALS.

18 CHAIRMAN KLEIN: AND AT THIS MOMENT, SO  
19 THAT WE MAKE SURE WE MAINTAIN A QUORUM FOR THIS  
20 VOTE, CLAIRE, YOU STILL WITH US?

21 DR. POMEROY: YES, I AM FOR A FEW MORE  
22 MINUTES.

23 CHAIRMAN KLEIN: LET ME ASK THIS. I THINK  
24 IT WOULD BE WELL ADVISED IF, AS I'VE RECOMMENDED  
25 HERE IN THE MATERIALS WE'VE SENT OUT, THAT WE CREATE

## BARRISTERS' REPORTING SERVICE

1 A TASK FORCE THAT WORKS WITH DR. TROUNSON, WORKS  
2 WITH GEOFF LOMAX, HAS THE ADVICE OF THE INTERSTATE  
3 ALLIANCE ON MEDICAL AND ETHICAL STANDARDS, AND MAJOR  
4 INSTITUTIONS THROUGHOUT THE STATE TO IMMEDIATELY  
5 COMMENCE A PROCESS, INCLUDING A PUBLIC HEARING OR  
6 HEARINGS, WHERE WE REALLY DO A THOUGHTFUL JOB OF  
7 INTEGRATING COMMENTS, INCLUDING THOSE OF THE PUBLIC,  
8 FOR OUR COMMENTS TO WASHINGTON.

9 AND I WILL INDICATE TOO THAT IT IS  
10 SUGGESTED THAT IT IS VERY HELPFUL IN WASHINGTON TO  
11 DEVELOP WITHIN REGIONS AT LEAST A CONSISTENT  
12 TEMPLATE OF COMMENTS WITH A HIGH CONSENSUS SO YOU  
13 HAVE HUNDREDS, IF NOT THOUSANDS OF LETTERS THAT  
14 FOLLOW THE SAME TEMPLATE. SO TO THE EXTENT WE CAN  
15 DEVELOP A GOOD CONSENSUS THAT FOLLOWS A TEMPLATE  
16 THAT OTHERS CAN PICK UP, THERE WILL BE LETTERS  
17 COUNTED IN THE PRESS. ACCORDING TO THE NIH, THE  
18 PRESS VIEW OF THIS AND EVEN UP TO THE WHITE HOUSE  
19 LEVEL OFTEN FOCUSES ON HOW MANY INDIVIDUALS OR  
20 SCIENTIFIC AUTHORITIES AGREED ON THE SAME MESSAGE.

21 SO A TASK FORCE COULD CERTAINLY HELP DO  
22 THAT. AT THIS POINT, I WOULD ASK IS THERE A MOTION  
23 TO HAVE A TASK FORCE WHILE WE'RE GOING FORWARD WITH  
24 THIS CONSIDERATION? AND THAT TASK FORCE MIGHT,  
25 SUBJECT TO THE BOARD, RESULT IN A BOARD TELEPHONIC

## BARRISTERS' REPORTING SERVICE

1 MEETING WITHIN THE 30-DAY PERIOD TO APPROVE THE  
2 FINAL REPORT OF THE TASK FORCE.

3 DR. FONTANA: I MOVE THAT.

4 CHAIRMAN KLEIN: IS THERE A SECOND?

5 MR. TORRES: SECOND.

6 CHAIRMAN KLEIN: SECOND BY ART TORRES. IS  
7 THERE DISCUSSION ON THAT?

8 DR. POMEROY: BOB, CAN YOU JUST CLARIFY  
9 THE DELIVERABLE FROM THE TASK FORCE?

10 CHAIRMAN KLEIN: THE DELIVERABLE FROM THE  
11 TASK FORCE WOULD BE A SPECIFIC SET OF COMMENTS ON  
12 THE NIH PROPOSED MEDICAL AND ETHICAL STANDARDS ON  
13 EMBRYONIC STEM CELL RESEARCH.

14 DR. POMEROY: BY SOME DATE?

15 CHAIRMAN KLEIN: WITHIN THE 30-DAY COMMENT  
16 PERIOD WITH A TELEPHONIC BOARD CALL TO APPROVE THAT  
17 DELIVERABLE.

18 DR. POMEROY: SOUNDS GOOD.

19 DR. TROUNSON: WE JUST NEED IT DONE IN  
20 SUFFICIENT TIME THAT WE CAN ENCOURAGE OUR COLLEAGUES  
21 TO SUPPORT THE MATERIAL THAT WE'RE PUTTING FORWARD  
22 SO THAT WE GET A STRONG SUPPORT FROM THE SCIENTIFIC  
23 COMMUNITY REALLY ACROSS THE STATES.

24 CHAIRMAN KLEIN: AND SO I WOULD HOPE THAT  
25 THE TASK FORCE CAN QUICKLY DEVELOP A DRAFT THAT IT

## BARRISTERS' REPORTING SERVICE

1 CIRCULATES FOR COMMENT WHILE THE PUBLIC PROCESS IS  
2 PROCEEDING.

3 ADDITIONAL COMMENTS? GEOFF.

4 DR. LOMAX: I THINK THE OTHER THING, IF IT  
5 FALLS WITHIN THIS MOTION AND IS APPROPRIATE, I THINK  
6 THE COMMUNITY IS LOOKING TOWARDS OUR SUBSTANTIVE  
7 ANALYSIS TO HELP INFORM THEIR OWN COMMENTS. IF  
8 WE'RE ABLE TO, AT THE WILL OF THE COMMITTEE, PROVIDE  
9 OUR SUBSTANTIVE BREAKDOWN, THINGS LIKE APPENDIX B,  
10 ON AN ONGOING BASIS, THE MEMBERS OF THE PUBLIC, IF  
11 THAT'S APPROPRIATE, WE CAN CONTINUE TO DO THAT. I  
12 KNOW THE STAKEHOLDER COMMUNITY IS LOOKING FOR US FOR  
13 THAT LEVEL OF ANALYSIS, THE RIGOR WE CAN BRING TO  
14 THE PROCESS.

15 CHAIRMAN KLEIN: I THINK THE PUBLIC AND  
16 THE STAKEHOLDER COMMUNITY ALL BENEFIT BY THE  
17 TREMENDOUS WORK YOU'VE DONE WITH INTERSTATE  
18 ALLIANCE. SO ADDITIONAL -- IS THERE PUBLIC COMMENT?  
19 HEARING NONE, COULD I HAVE A ROLL CALL, PLEASE.

20 MS. KING: MICHAEL GOLDBERG.

21 MR. GOLDBERG: YES.

22 MS. KING: BOB KLEIN.

23 CHAIRMAN KLEIN: YES.

24 MS. KING: CLAIRE POMEROY.

25 DR. POMEROY: YES.

**BARRISTERS' REPORTING SERVICE**

1 MS. KING: JEANNIE FONTANA.

2 DR. FONTANA: YES.

3 MS. KING: DUANE ROTH.

4 DR. ROTH: YES.

5 MS. KING: JEFF SHEEHY.

6 MR. SHEEHY: YES.

7 MS. KING: ART TORRES.

8 MR. TORRES: AYE.

9 MS. KING: AND THAT MOTION CARRIES. AND I  
10 JUST WANTED TO CHECK VERY QUICKLY. IS THERE ANYONE  
11 ON THE SUBCOMMITTEE THAT I'M NOT CALLING THAT HAS  
12 JOINED THE CALL? NO.

13 CHAIRMAN KLEIN: THANK YOU. SO, GEOFF,  
14 COULD YOU PROCEED TO THE NEXT LEVEL OF DEPTH YOU  
15 HAVE IN YOUR COMMENTS?

16 DR. LOMAX: AGAIN, TO SUMMARIZE, WE'VE  
17 TALKED ABOUT THIS. WE'VE DESCRIBED THE SCOPE.  
18 WE'VE GIVEN A VERY SORT OF DETAILED BREAKDOWN IN  
19 APPENDIX B.

20 AND THEN FINALLY, I JUST WANT TO HIGHLIGHT  
21 SOME OF THE NEXT STEPS, THE SORT OF THINGS I THINK  
22 THAT WILL HELP NIH SORT OF NAVIGATE IN THE LONGER  
23 RUN. TWO ITEMS, FIRST, THERE'S AN ATTACHMENT B,  
24 WHICH IS SORT OF A DOCUMENT SORT OF HIGHLIGHTING  
25 WAYS IN WHICH WE CAN BRING THE RESEARCH COMMUNITY IN



## BARRISTERS' REPORTING SERVICE

1 TO HELP VALIDATE STEM CELL LINES. I THINK THERE'S A  
2 GREAT CONCERN OUT THERE THAT IF THERE'S NOT A  
3 REGISTRY OR SOME TYPE OF MECHANISM FOR REGISTRATION  
4 OF LINES, THAT WILL POSE A GREAT CHALLENGE TO THE  
5 FIELD, PARTICULARLY IF WE START SEEING INSTITUTIONS  
6 TAKING DIFFERENT SIDES ON PARTICULAR CELL LINES,  
7 WHETHER THEY'RE IN OR OUT.

8 WE TRIED TO POINT TO SOME OF THE  
9 INNOVATIVE THINKING WE'VE DONE BOTH HERE AT CIRM AND  
10 WITHIN THE INTERSTATE ALLIANCE WHICH CONSTITUTES THE  
11 STATE STEM CELL PROGRAMS AND INTERNATIONAL PARTNERS.  
12 SO IN ADDITION TO COMMENTING ON THE GUIDELINES  
13 SPECIFICALLY, MY UNDERSTANDING FROM NIH IS THEY  
14 WOULD GREATLY BENEFIT FROM OUR EXPERIENCE IN THIS  
15 WORK, TRYING TO POINT TO PATHWAYS FOR THE FUTURE IN  
16 WHICH WE CAN REALLY FACILITATE THE FLOW OF MATERIALS  
17 INTO THE RESEARCH STREAM.

18 SO I WOULD SUGGEST THERE'S AN OPPORTUNITY  
19 FOR A THIRD LEVEL HERE, WHICH IS TO MOVE BEYOND THE  
20 SPECIFIC COMMENTS AND HIGHLIGHT OPPORTUNITIES FOR  
21 THE FUTURE THAT WILL REALLY MOVE THE FIELD FORWARD  
22 IN A PRODUCTIVE WAY. SO THAT IS REALLY REFLECTED AS  
23 ATTACHMENT C AND THE ONGOING COMMUNICATION WITH  
24 NATIONAL PARTNERS, WHICH WE HAVE A MEETING SCHEDULED  
25 FOR MAY 5TH IN WASHINGTON WITH THE INTERSTATE GROUP,

## BARRISTERS' REPORTING SERVICE

1 AND WE'LL DO SOME BRAINSTORMING THERE AS WELL AND  
2 MAYBE HIGHLIGHT SOME OTHER OPPORTUNITIES AND BRING  
3 THAT BACK AS FEEDBACK IN THE PROCESS.

4 CHAIRMAN KLEIN: ALL RIGHT. AND MY  
5 UNDERSTANDING AS WELL FROM THE DISCUSSION WITH IRV  
6 WEISSMAN OVER THE WEEKEND IS THAT OBAMA IS GOING TO  
7 ADDRESS THE NATIONAL ACADEMY THIS WEEK POTENTIALLY  
8 ON THIS SUBJECT. HE DID THIS MORNING.

9 MR. ROTH: I JUST LOOKED AT IT. I CAN  
10 TELL YOU IF THERE'S ANYTHING IN IT.

11 CHAIRMAN KLEIN: IT'S GOING TO BE A  
12 SUBJECT OF SIGNIFICANT FOCUS.

13 ALL RIGHT. ANY ADDITIONAL COMMENTS WE'D  
14 LIKE TO MAKE DURING THIS MEETING?

15 MR. JENSEN: PUBLIC COMMENT.

16 CHAIRMAN KLEIN: PUBLIC COMMENT.

17 MR. JENSEN: THIS IS DAVID JENSEN FROM THE  
18 CALIFORNIA STEM CELL REPORT. COULD GEOFF SEND OR  
19 E-MAIL ME THE COPY OF THE DOCUMENTS HE REFERS TO,  
20 PLEASE?

21 CHAIRMAN KLEIN: GEOFF, COULD YOU SEND --

22 MS. KING: I MIGHT BE ABLE TO HELP.  
23 DAVID, THIS IS MELISSA KING. AND ARE YOU TALKING  
24 ABOUT THE DOCUMENTS THAT WE'VE BEEN LOOKING AT  
25 DURING THE MEETING?

## BARRISTERS' REPORTING SERVICE

1 MR. JENSEN: THE DOCUMENT THAT GEOFF LOMAX  
2 REFERRED TO.

3 MS. KING: WHICH IS ONE OF OUR  
4 ATTACHMENTS. I WOULD BE HAPPY TO E-MAIL ALL OF  
5 THOSE TO YOU. ALSO, I'M HOPING THAT THEY WILL BE  
6 POSTED ON THE WEBSITE THIS MORNING. I JUST  
7 UNFORTUNATELY DIDN'T GET THEM UNTIL THE AFTERNOON  
8 FOR VARIOUS REASONS ON FRIDAY. AND BECAUSE WE WORK  
9 WITH THE STATE DATA CENTER, I COULDN'T GET THEM  
10 POSTED. I REALLY APOLOGIZE FOR THAT.

11 MR. JENSEN: THANK YOU. I APPRECIATE  
12 WHATEVER YOU CAN DO.

13 DR. LOMAX: WE'LL GET THEM TO YOU ONE WAY  
14 OR THE OTHER. THIS HAS BEEN KIND OF REAL-TIME  
15 PROCESSING, AND MELISSA HAS BEEN DOING EVERYTHING  
16 SHE CAN, BUT WE RAN INTO A TIME CRUNCH.

17 MR. JENSEN: THANK YOU.

18 CHAIRMAN KLEIN: OKAY.

19 MR. ROTH: BOB, I DON'T SEE ANYTHING ON  
20 HERE ABOUT NIH IN HIS SPEECH. I THINK SWINE FLU  
21 TOOK IT OFF THE COVER.

22 CHAIRMAN KLEIN: I SEE. TRUMPED THE  
23 PROCESS. OKAY. I DO KNOW THAT HE WAS GOING TO TALK  
24 WITH SEVERAL SCIENTISTS IN TERMS OF THEIR COMMENTS  
25 ON THIS, BUT HOPEFULLY THE COUNTRY AND THE WORLD

**BARRISTERS' REPORTING SERVICE**

1 GETS THROUGH THIS SWINE FLU ISSUE WHILE WE PROCEED  
2 ON THE LONGER TERM RESEARCH AGENDAS.

3 ANY ADDITIONAL COMMENTS? HEARING NONE,  
4 ADJOURN THIS MEETING. AND WE THANK YOU VERY MUCH  
5 FOR GETTING UP EARLY.

6 MS. KING: THANKS, EVERYBODY.

7 (THE MEETING WAS THEN ADJOURNED AT  
8 08:06 A.M)

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**BARRISTERS' REPORTING SERVICE**

**REPORTER'S CERTIFICATE**

I, BETH C. DRAIN, A CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT OF THE TELEPHONIC PROCEEDINGS BEFORE THE LEGISLATIVE SUBCOMMITTEE TO THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE OF THE CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE IN THE MATTER OF ITS REGULAR ON MONDAY, APRIL 27, 2009, WAS HELD AS HEREIN APPEARS AND THAT THIS IS THE ORIGINAL TRANSCRIPT THEREOF AND THAT THE STATEMENTS THAT APPEAR IN THIS TRANSCRIPT WERE REPORTED STENOGRAPHICALLY BY ME AND TRANSCRIBED BY ME. I ALSO CERTIFY THAT THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD OF THE PROCEEDING.

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