



OFFICE OF THE CHANCELLOR

March 10, 2010

The Honorable Thomas V. Mike Miller, Jr.  
Co-Chair, Legislative Policy Committee  
State House  
Annapolis, MD 21401-1991

The Honorable Michael E. Busch  
Co-Chair, Legislative Policy Committee  
State House  
Annapolis, MD 21401-1991

Dear Chairmen:

In accordance with State Government Article Sections 15-523c concerning the quarterly and annual reporting requirements, I am providing you our report of exemptions granted during the period April 2008 through December 2009. During this period, exemptions were granted by the University of Maryland, Baltimore, the University of Maryland Biotechnology Institute and the University of Maryland Center for Environmental Science, as indicated by the enclosed supporting documentation.

These exemptions are in accord with the Board of Regents' Policy on Conflicts of Interest in Research or Development and procedures developed in accordance with the provisions of the Public/Private Partnership Act.

Sincerely yours,

A handwritten signature in black ink that reads "William E. Kirwan".

William E. Kirwan  
Chancellor

Enclosures

cc: The Honorable Martin O'Malley  
Members of the Legislative Policy Committee  
Members of the State Ethics Commission  
Office of the Attorney General

1807  
University of Maryland,  
Baltimore

1856  
University of Maryland,  
College Park

1865  
Bowie State University

1866  
Towson University

1886  
University of Maryland  
Eastern Shore

1908  
Baltimore State University

1900  
Coppin State University

1925  
Salisbury University

1925  
University of Baltimore

1925  
University of Maryland  
Center for Environmental  
Science

1947  
University of Maryland  
University College

1966  
University of Maryland,  
Baltimore County

1985  
University of Maryland  
Biotechnology Institute



**UNIVERSITY OF MARYLAND**

Office of the President

DAVID J. RAMSAY, DM, DPhil  
President

220 North Arch Street, 14th Floor  
Baltimore, Maryland 21201  
410 706 7002 | 410 706 0500 FAX

**RECEIVED**

JAN 08 2010

**CHANCELLOR'S OFFICE**

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore

**DATE:** January 5, 2010

**RE:** Second Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There were two (2) exemptions granted to UMB personnel between October 1, 2009 and December 31, 2009, pursuant to the Public-Private Partnership Act.

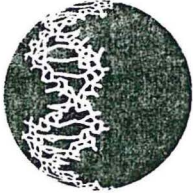
EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Linda Cassard Kenderdine	Treasurer	UMB BioPark	10/26/2009
Jane Shaab	Executive Director Board of Directors	UMB BioPark	10/26/2009

Supporting documentation is enclosed.

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**ENCLOSURES**

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



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OFFICE OF THE PRESIDENT  
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WWW.UMBI.UMD.EDU

October 5, 2009

**RECEIVED**

OCT 14 2009

Dr. William E. Kirwan  
Chancellor  
University System of Maryland  
3300 Metzert Road  
Adelphi, MD 20783

**CHANCELLOR'S OFFICE**

Dear Dr. Kirwan,

As Acting President of UMBI, I am requesting that you and the Board of Regents (BOR) approve an exemption from the Maryland Public Ethics Law under the provisions of the Maryland Public-Private Partnership Act and the University System of Maryland's and UMBI's policies for Conflict of Interest in Research and Development, for Dr. Theodore Roumel, UMBI's Vice President of the Office of Research, Innovation, and Commercialization (ORIC).

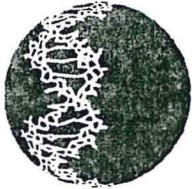
Dr Theodore Roumel, has been invited to serve on the Board of Directors for CytImmune Science. Although Dr Roumel's interaction with CytImmune Science and his responsibilities as the Vice President of Research, Innovation, and Commercialization poses a real conflict of financial interest, I am confident that should you and the BOR approve the requested exemption, that the attached management plan will successfully eliminate such conflict(s).

As required by USM and UMBI Policy, the documents pertaining to this exemption request, including Dr Roumel's disclosure will be maintained on file in UMBI's Office of Education, Professional Advancement, and Training (EPAT) and upon request, are available for public review. A new Disclosure of a Potential Conflict of Interest form will be submitted at such time(s) as the circumstances concerning Dr. Roumel's interest in UMBI and/or CytImmune Science change. At a minimum, an updated disclosure must be submitted annually, beginning in March 2010, and upon termination of the approved activities.

Of course, we understand that an exemption to the Maryland Ethics Law would be dependent upon adherence to the attached Conflict of Interest Management Plan. Additional background information (disclosure form and summary of the review) is also attached.

Sincerely,

Edward Eisenstein, Ph.D.  
Acting President



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Education, Professional Advancement, and Training  
701 East Pratt Street, Suite 200  
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Phone: (410) 385-6311  
Fax: (410) 385-6367  
Email: [rettie@umbi.umd.edu](mailto:rettie@umbi.umd.edu)  
[www.umbi.umd.edu](http://www.umbi.umd.edu)

October 5, 2009

MEMORANDUM

To: Dr. Edward Eisenstein, Acting President UMBI  
From: Dr. Candice S. Rettie, Vice President EPAT  
CC: Dr. Theodore Roumel, Vice President ORIC  
Dr John M Trant, Associate Vice President of Faculty Affairs  
RE: External Consulting: Dr Theodore Roumel's Proposed Relationship with  
CytImmune

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**Review of a Potential Conflict of Interest: Proposed Action**

Dr Theodore Roumel is the Vice President of Research, Innovation and Commercialization (ORIC) and in that capacity oversees all commercialization activities that arise in the migration of UMBI's research findings to commercialization, including but not limited to: negotiations, intellectual property rights, patent activities, developing business plans, marketing and establishment of spin off companies. Dr. Roumel has been asked to serve on the Board of Directors of CytImmune. Dr. Roumel submitted to the Office of Education, Professional Advancement and Training (EPAT), the office of record for disclosures of potential conflict, a notice of disclosure regarding his requested service on the CytImmune BoD. The disclosure was reviewed to determine if UMBI's formal conflict of interest protocol should be implemented. The review process included assessing a real or perceived conflict of interest and the analysis of any subsequent risk to UMBI.

The potential conflict arises from CytImmune Science's use (for a negotiated fee) of the cGMP facilities at UMBI Shady Grove. The issue is that Dr Roumel has been invited to serve on CytImmune Science's Board of Directors while simultaneously serving as the executive officer in charge of oversight for UMBI's commercialization activities. ORIC is charged with the marketing and approving of agreements for the cGMP facilities. Hence, as the Vice President of ORIC, Dr. Roumel has intrinsic responsibility for the cGMP facilities.

After reviewing Dr Roumel's disclosure of a potential conflict of interest it was determined that since Dr. Roumel is a member of the executive staff, any potential conflict must be handled by the requirements of the Maryland State Ethics Law and UMBI's Conflict of Interest Policy. As such, a request for an exemption from the Ethics Law must first be approved by you, then forwarded to the Chancellor for consideration, and finally presented by the Chancellor to the BoR for approval.

We do believe that it is in the best interest of UMBI to request an exemption from the Ethics Law and to ensure management of the conflict through rigorous adherence to the management plan proposed below. This process requires Dr. Roumel to recuse himself from any situations arising between UMBI and CytImmune Science which may result in a real or perceived conflict of interest. Every effort should be made by all involved to ensure that the intent and 'the letter' of the process be observed.

The proposed management plan for eliminating the appearance or reality of a conflict of interest is summarized as follows:

- Dr Roumel will recuse himself from all positions of influence, including business decisions, between CytImmune Science and UMBI, explicitly any regarding the cGMP facilities.
- The officer in charge of these negotiations will be Mr. Dean Drake, Associate Vice President of Sponsored Research.
  - With regard to these cGMP issues, Mr. Drake will report to the Acting President, Dr. Edward Eisenstein.
- The Acting President of UMBI will ensure, on a quarterly basis, that Dr Roumel has been compliant with the ad hoc process.
- Dr Roumel will inform all members of his office of his potential conflict and they will be made aware of a protocol for reporting any potentially inappropriate use of his influence.

Several documents are attached for your review and/or consideration:

1. Summary report of the review process;
2. Proposed management plan;
3. Draft letter to Dr. Kirwan requesting an exemption from the Ethics Law;
4. Draft memo to Dr. Roumel summarizing the current status of his request;
5. Background information (Dr. Roumel's request and supporting documentation)

**Date: September 23, 2009**

**To: Candice S. Rettie, Ph.D. VP/EPAT**

**From: John Trant, Ph.D. AVP/Faculty Affairs**

**RE: UMBI Conflict of Interest Management Plan: Dr Theodore Roumel – CytImmune Science**

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**Summation of Deliberations: Conflict of Interest (CIO) -- financial:**

Dr. Roumel has submitted a disclosure of a potential conflict of interest. He has been invited to serve as a member of CytImmune Science's Board of Directors while simultaneously continuing his employment with UMBI as the Vice President of UMBI's Office of Research, Innovation and Commercialization.

My review was based on the information provided in Dr. Roumel's disclosure of a conflict of interest and his request to serve as a member of CytImmune Science's Board of Directors. I also reviewed past UMBI Conflict of Interest Review committee recommendations in response to other COI disclosures. The UMBI Conflict of Interest Review committee recognized that the interaction with CytImmune Science is within UMBI's mission and could have a positive impact in meeting UMBI's mission. It was determined that the activity proposed by Dr. Roumel poses a potential conflict of interest as defined by UMBI policy.

It was determined that the conflict can be readily managed with appropriate safeguards. After careful review of Dr. Roumel's disclosure of a potential conflict of financial interest, two actions are recommended:

1. Request an exemption to MD State Ethics Law by the UMBI Acting President on behalf of Dr. Roumel;
2. Implement the proposed conflict of interest management plan as a mandatory condition of the exemption. See attached proposed Management Plan (page 2.)

Although the management plan is not complicated, it does pose some unique issues inherent in UMBI's pending dissolution and the subsequent impact on UMBI Staff. It is imperative that Dr. Roumel remains compliant with the conditions set forth by the plan as approved by the Board of Regents.

**Proposed Conflict of Interest Management Plan  
for Dr. Theodore Roumel**

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- Dr Edward Eisenstein (Acting President, UMBI) is charged with monitoring Dr Roumel's relationship and activities with CytImmune Science.
- Dr Roumel may not participate in decisions concerning UMBI interactions with CytImmune Science, including but not limited to agreements, licenses, and consulting on behalf of UMBI. UMBI's Associate Vice President of ORIC will manage all UMBI negotiations concerning the licensing of UMBI technology, agreements, or any other legal documents in relation to CytImmune Science.
- It is recognized that Dr Roumel, as the Vice President of ORIC, must be informed of CytImmune Science's interactions with UMBI. However, details of the business transactions are to be shared only after the conclusion of the negotiations.
- Any significant change in the relationship between CytImmune and Dr Roumel must be disclosed within 30 days.
- All consulting arrangements need to be described, reviewed, and approved via the existing UMBI policy for Consulting and Outside Professional Service. All external professional activity, such as serving on CytImmune Science's Board of Directors, will be reported to and approved by Dr Eisenstein prior to being submitted to EPAT. **Approval of this management plan should not be interpreted as permission to engage in outside professional activity with CytImmune Science.**
- Dr Roumel will disclose his relationship with CytImmune Science to his staff and administrative personnel. If interactions between CytImmune Science and UMBI faculty and research staff are initiated, Dr Roumel will also disclose this relationship to the researchers and recues himself from the negotiations and management of this interaction.
- All UMBI employees or non-paid support personnel need a line of communication for issues that arise concerning any potential conflict. Dr Eisenstein should act as a confidential arbitrator of such issues. ORIC employees (including temporary interns) should be made aware of this line of communication.

- No UMBI employee shall conduct research or provide services in support of CytImmune Science which is not specified in a contract between UMBI and CytImmune Science.
- Dr. Roumel is not permitted to consult on the scientific merit of UMBI confidential information which has not been made public.
- Reporting:
  - On a **quarterly basis**, Dr Roumel is to meet with Dr Eisenstein to discuss the interactions of CytImmune Science with UMBI's Office of Research Innovation and Commercialization (ORIC), including the GMP facilities located at UMBI/Shady Grove. Dr Roumel is to state in a written report that he has not participated in the negotiations of UMBI intellectual properties or contractual services.
  - **Annually**, Dr Roumel must provide a written report summarizing UMBI's Office of Research Innovation and Commercialization (and the GMP facilities) interactions with CytImmune and declare that he has not participated in the negotiations of UMBI intellectual properties or contractual services.
  - Any sale or purchase of CytImmune Science warrants, ownership, stocks, etc must be reported in the quarterly reports to Dr Eisenstein and summarized in the annual report.
  - All reports are to be approved by Dr Eisenstein and forwarded to the Office of Education, Professional Development, and Training (EPAT) for review and as the office of record.

## CONFLICT OF INTEREST DISCLOSURE AND MANAGEMENT PLAN

### Theodore J. Roumel, VP, ORIC, UMBI

I have been invited to serve on the Board of Directors of CytImmune Sciences, a biotech company located in Rockville, Maryland. CytImmune Sciences is a clinical stage nanomedicine company with a core focus on the discovery, development and commercialization of multifunctional, tumor-targeted therapies. Based on an R&D strategy which harnesses the unique properties of gold nanoparticles, cytotoxic agents, and biology of tumors, the Company is developing a pipeline of proprietary drug candidates binding potent anti-cancer agents -- whose toxicity profiles currently prevent or severely limit clinical use -- to its patented colloidal gold tumor-targeting nanotechnology.

Leveraging its expertise in colloidal gold-based nanomedicines, CytImmune has also developed a patented, semi-synthetic *in vitro* immune system capable of producing fully-human monoclonal antibody (mAb) therapeutics. The Company's ability to produce fully human mAbs provides an additional pathway to develop proprietary anti-cancer therapeutics using its platform technology to create a separate class of nanomedicines.

The goal is to mitigate the risks of drug development and build from these core technologies families of first-in-class therapeutics with accelerated clinical timelines, new commercialization value, and – ultimately – greater patient benefits.

Founded in 1988, CytImmune has emerged as a global leader in the field of nanomedicine with the successful completion of its first-in-man targeted nanotherapeutic clinical trial. The Company has more than 60 issued and pending patents for its colloidal gold nanotechnology and 11 issued and pending patents for its mAb technology in the US, EU, Japan and Canada.

Services will be to advise the company on its operations and activities that require 1 hour per month teleconference call and a 2-3 hour face to face meeting each quarter. Compensation is in the form of ability to purchase warrants from the company once each year. The agreement will be for one year subject to renewal or less if desired by the company and/or me.

CytImmune has signed an agreement with UMBI to use the UMBI GMP facility for production of a new cancer drug. The individual task orders are developed with the Manager of the GMP and the company. Those documents are reviewed by staff in ORIC who I supervise.

In order to avoid any actual or the appearance of a conflict of interest, I will advise my staff of the relationship and recuse myself from any dealings with CytImmune. All dealing with CytImmune that require ORIC involvement will be administered by the Associate VP, ORIC, without consultation or information being provided to me. The COI management plan is for me to meet with my supervisor on a quarterly basis to discuss my activities and any actions I have taken to recuse myself during that period.



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WWW.UMBI.UMD.EDU

October 5, 2009

MEMORANDUM

To: Theodore Roumel, Ph.D.  
From: Edward Eisenstein, Ph.D. *Edward Eisenstein*  
CC: Candice S. Rettie, Ph.D.  
Re: Financial Conflict of Interest – Roumel/CytImmune Science

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Your interaction with CytImmune Science and your responsibilities as the Vice President of Research, Innovation, and Commercialization does pose a real conflict of financial interest. However, I am confident that the attached management plan would successfully eliminate such conflict(s).

Prior to your beginning to serve on the CytImmune BoD, I must make a formal request of the Chancellor of the University System of Maryland, seeking an exemption to the Maryland Public Ethics Law under the provisions of the Maryland Public-Private Partnership Act and the Conflict of Interest in Research and Development Policies of the University System of Maryland and UMBI. This request has been submitted to the Chancellor. Such an exemption is dependent upon approval by the Board of Regents and would require, in part, your agreement to adhere strictly to the attached Conflict of Interest Management Plan. *Please confirm by return email (and cc Dr. Rettie) that you agree to adhere to the formal management plan proposed by EPAT (see attached.)* As soon as possible, I will let you know about the outcome of BOR's deliberations regarding my request for your exemption.

As required by Policy, the documents pertaining to this exemption request, including your disclosure will be maintained on file in the Office of EPAT and copies will be sent to the State Ethics Commission if the exemption is granted. These records are available for public review.

A new Disclosure of a Potential Conflict of Interest form must be completed at such time(s) as the circumstances concerning your interest in UMBI and/or CytImmune Science change. At a minimum, annually, beginning in March 2010 and upon termination of the approved activities, you will need to submit an updated disclosure form to the EPAT Office.

Feel free to contact me or Dr. Rettie if you have any questions. Best wishes in your consultation activities.

Att (1): Management Plan

**Proposed Conflict of Interest Management Plan:  
for Dr. Theodore Roumel**

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- Dr. Edward Eisenstein (Acting President, UMBI) is charged with monitoring Dr. Roumel's relationship and activities with CytImmune Science.
- Dr. Roumel may not participate in decisions concerning UMBI interactions with CytImmune Science, including but not limited to agreements, licenses, and consulting on behalf of UMBI. UMBI's Associate Vice President of ORIC will oversee all UMBI negotiations concerning the licensing of UMBI technology, agreements, or any other legal documents in relation to CytImmune Science.
- It is recognized that Dr. Roumel, as the Vice President of ORIC, must be informed of CytImmune Science's interactions with UMBI. However, details of the business transactions are to be shared only after the conclusion of the negotiations.
- Any significant change in the relationship between CytImmune and Dr. Roumel must be disclosed within 30 days.
- All consulting arrangements need to be described, reviewed, and approved via the existing UMBI policy for Consulting and Outside Professional Service. All external professional activity, such as serving on CytImmune Science's Board of Directors, will be reported to and approved by Dr. Eisenstein prior to being submitted to EPAT. **Approval of this management plan should not be interpreted as permission to engage in outside professional activity with CytImmune Science.**
- Dr. Roumel will disclose his relationship with CytImmune Science to his staff and administrative personnel. If interactions between CytImmune Science and UMBI faculty and research staff are initiated, Dr. Roumel will also disclose this relationship to the researchers and recues himself from the negotiations and management of this interaction.
- All UMBI employees or non-paid support personnel need a line of communication for issues that arise concerning any potential conflict. Dr. Eisenstein should act as a confidential arbitrator of such issues. ORIC employees (including temporary interns) should be made aware of this line of communication.

- No UMBI employee shall conduct research or provide services in support of CytImmune Science which is not specified in a contract between UMBI and CytImmune Science.
- Dr. Roumel is not permitted to consult with CytImmune on the scientific merit of UMBI confidential information which has not been made public to avoid the appearance or reality of providing CytImmune with an unacceptable business advantage.
- Reporting:
  - On a **quarterly basis**, Dr. Roumel is to meet with Dr. Eisenstein to discuss the interactions of CytImmune Science with UMBI's Office of Research Innovation and Commercialization (ORIC), including the GMP facilities located at UMBI/Shady Grove. Dr. Roumel is to state in a written report confirming that he has not participated in the negotiations of UMBI intellectual properties or contractual services.
  - **Annually**, Dr. Roumel, as the VP of ORIC and the UMBI officer responsible for ORIC activities, must provide a written report summarizing ORIC's interactions (including the GMP facilities) with CytImmune and declare that he has neither participated nor influenced the negotiations of UMBI's intellectual properties or contractual services with CytImmune.
  - Any sale or purchase of CytImmune Science warrants, ownership, stocks, etc must be reported in the quarterly reports to Dr. Eisenstein and summarized in the annual report.
  - All reports are to be approved by Dr. Eisenstein and forwarded to the Office of Education, Professional Development, and Training (EPAT) for review and as the office of record.

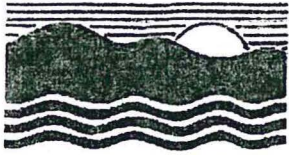
Accepted:

  
 \_\_\_\_\_  
 Dr. Theodore Roumel, VP ORIC

10/8/2009  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Dr. Edward Eisenstein, Acting President UMBI

10/09/09  
 \_\_\_\_\_  
 Date



University of Maryland  
CENTER FOR ENVIRONMENTAL SCIENCE

POST OFFICE BOX 775  
CAMBRIDGE, MD 21613-0775  
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MEMORANDUM

**To:** Dr. Donald Boesch  
President

**From:** Dr. Raleigh Hood  
Chair, COI Committee

**Date:** October 28, 2009

**Subject:** Conflict of Interest Disclosure for Deborah C. Hinkle - #10-02

In accordance with UMCES Policies and Procedures on Conflict of Interest (COI) and Commitment, the President's Conflict of Interest committee has reviewed the COI disclosure from Deborah C. Hinkle. Our recommendation is described below for your review and determination.

COI Committee Meeting

The COI committee members, Drs. Eshleman and Rowe, Ms. Janet Stevens, Ms. Erica Kropp and I, conducted a conference call on Tuesday, October 20, 2009 to review the COI disclosure for Deborah C. Hinkle, #10-02. After reviewing and discussing this case, the committee reached a unanimous decision for recommendation. The summary of the review and decision is presented below.

Conflict

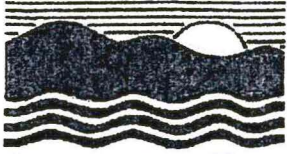
Ms. Hinkle is currently a part-time faculty research assistant at the UMCES Horn Point Laboratory (HPL). She is also working as an hourly employee for Green Eyes LLC, a company that collaborates with and does contracted work to and for UMCES HPL.

Disclosure Summary

Ms. Hinkle works for Dr. Laura Murray, HPL Professor, assisting with implementation of her educational grants. Her duties include preparation of teacher workshops and middle and high school field trips to HPL. Ms. Hinkle's duties at Green Eyes LLC are data management and instrument calibration and deployment. She was asked to work on the Green Eyes LLC project for Dr. Codisposti, HPL Professor, to assist with work on his Arctic nutrient database and analysis program.

Conditions for Approval

Ms. Hinkle's responsibilities in her part-time position at UMCES are distinctly different than her responsibilities in her part-time position involving the UMCES funded Green Eyes LLC project. With that, we see this potential conflict as managed. However, the COI Committee will have a notice issued to Ms. Hinkle to remind her that it is her legal duty to disclose again to this committee for consideration any change in her role and responsibilities with Green Eyes LLC involving any future projects funded by UMCES.



**University of Maryland  
CENTER FOR ENVIRONMENTAL SCIENCE**

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Recommendation

The COI committee has concluded that the disclosed conflict, managed with the conditions above, does not constitute a harmful interest, and recommends that this disclosure be approved for exemption from the provisions of the State of Maryland Public Ethics Law.

Please indicate (below) whether or not you approve our recommendation. Please return your recommendation to the COI Administrator, Ms. Erica Kropp, and we will notify the faculty member and other appropriate parties of your determination. As required, any exemptions granted will also be reported to the Maryland State Ethics Commission and the Chancellor for the USM.

Approve of COI Committee recommendation:      Yes       No

*Donald J Boesch*

*10/29/09*

Signature: UMCES President Boesch

Date

Attachment:  
Hinkle Disclosure

**UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE  
RESEARCH OR DEVELOPMENT INTEREST DISCLOSURE FORM**

This form is submitted for the purpose of obtaining an exemption from certain conflict of interest provisions of the Maryland Public Ethics Law, section 15-523 of the State Government Article of the Annotated Code of Maryland. I acknowledge that this form may be maintained as a public record at the University and, if approved, will be filed with the State Ethics Commission. I hereby state that the contents of this disclosure statement are true and correct to the best of my knowledge, information, and belief.

Name: Deborah C Hinkle Lab/Unit: Horn Point Laboratory

Signature: Deborah C. Hinkle Date: 9/17/09

Mailing Address: 6128 Twin Point Cove Rd., Cambridge, MD 21613

Telephone: 410-221-8257 (W) E-mail: hinkle@hpl.umces.edu

**ADMINISTRATIVE REVIEW**

Review by the Laboratory Director or Unit Head is required before this form is submitted to ORAA for processing. The Laboratory Director is responsible for conducting the initial review of this disclosure and making the assessment below.

Based on the activity reported, to the best of my knowledge and in my judgment:

- 1. No real or potential conflict of interest exists.
- 2. A real or potential conflict of interest exists, as described in the "Summary of Real or Potential Conflict", page 2.
- 3. The management plan described on page 2 should permit the conflict to be managed in accordance with UMCES.

Michael Roman / Eliza Spalen  
Laboratory Director's Signature

Date 9/17/09

**Note:** This form and any supporting material must be forwarded to the attention of Erica Kropp, Director, Office of Research Administration and Advancement (ORAA), at UMCES Center Administration. Conflicts that have not been eliminated will be reviewed by the Conflict of Interest Committee (COI Committee), which will make its recommendation to the President. When a conflict of interest is approved, ORAA will notify the University of Maryland System, and the Maryland State Ethics Commission, as required by law and sponsor as required by sponsor specific regulations.

### **SUMMARY OF THE REAL OR POTENTIAL CONFLICT**

Provide a brief description of the conflict or potential conflict of interest.

While employed on a part-time basis at UMCES Horn Point Laboratory I have also worked on an hourly basis for Green Eyes LLC since June 2009. My duties at HPL are assisting Dr. Laura Murray with implementation of her educational grants. These include preparations for and implementation of teacher workshops and middle and high school field trips to HPL. My duties at Green Eyes LLC are data management and instrument calibration and deployment. While working for Green Eyes LLC, we were asked by Dr. Codispoti of HPL, to assist with the addition of data to his Arctic nutrient database and to run analysis programs of the nutrient data to estimate Arctic Primary Production. Green Eyes accepted the work and I was assigned to the project. The potential conflict exists because I am paid as an UMCES employee for Dr. Murray and by Green Eyes that is on a separate UMCES job.

### **MITIGATING FACTORS AND MANAGEMENT PLAN**

Describe the means by which the conflict or potential conflict can be eliminated, reduced, or managed. If the conflict cannot be eliminated, provide a management plan that will permit approval of an exemption, in accordance with the provisions of the State Ethics Law (attach additional sheets if necessary).

The duties for each entity are performed in totally separate places on the Horn Point Laboratory campus specifically the Arctic nutrient work is performed at the Green Eyes designated

laboratory and the educational work is conducted at various buildings on the HPL campus. Hours worked for Green Eyes LLC are reported via a time log directly to Green Eyes LLC with specific tasks outlined and UMCES Horn Point Laboratory duties are reported directly to Dr. Laura Murray.

### OWNERSHIP/FINANCIAL INTEREST

Report below any interest that you, or your spouse, parent, child, or sibling have in any corporation, partnership, or non-corporate entity that is or will be engaged in research or development, or has a direct interest in the outcome of research or development involving the University of Maryland Center for Environmental Science.

1. Name and address of entity (list all names and addresses where more than one is used):

NA

2. Describe the research or development in which the entity is engaged:

NA

3. Describe the entity's interest in the research to be conducted by the University:

NA

4. Describe your interest in the entity, and any interest held by your spouse, parent, child, or sibling—whether owned wholly by you or held jointly with others, and whether held directly or through another entity or entities. Describe the percentage of the entity owned, and any conditions and encumbrances affecting the interest.

NA

5. Provide the date that the interest was acquired, and from whom.

NA

6. Describe the purchase price, or the nature of the consideration and the fair market value at the time of acquisition.

NA

7. Describe any options you hold pertaining to the entity.

NA

8. Describe any existing or potential licensing agreements.

NA

9. If this form is being submitted to update a previous disclosure, describe any changes that have transpired since the date of the previous disclosure. If any part of an interest that was previously reported has been transferred, describe what was transferred, the consideration received, the fair market value at the time of transfer, and the identity of the transferee. List any related conflict of interest actions.

NA

### EMPLOYMENT INTEREST

Report below any employment, office, board membership, service, or other working relationship that you, or your spouse, parent, child, or sibling have in any corporation, partnership, or non-corporate entity that is or will be engaged in research or development, or has a direct interest in the outcome of research or development involving the University of Maryland.

1. Name and address of entity (list all names and addresses where more than one are used):

Green Eyes LLC,  
28034 Holly Rd  
Easton, MD 21601

2. Describe the research or development in which the entity is engaged:

Aquatic monitoring, Data management, autonomous monitoring systems

3. Describe the entity's interest in the research to be conducted by the University:

Subcontractor performing data management services

4. Describe the titles and duties of all positions held or expected to be held in the entity by you, or your spouse, parent, child, or sibling, and give the date each relationship was established.

Environmental Scientist

Data management, instrument testing and quality control

June 2009

5. Describe the compensation for the positions listed above.

\$26/hr

6. If a relationship has changed since it was last reported, describe the change. List any related conflict of interest actions.

NA

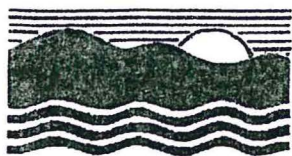
## PARTICIPATION IN THE RESEARCH

1. Describe your responsibilities or role in the research to be conducted by UMCES:  
None
2. Are the Co-Investigators for this project independent from your control, within the structure of your campus department or business entity?  
Yes
3. Describe your responsibilities or role in the research to be conducted by the entity:  
Taking Nutrient data from multiple databases; formatting and inserting said data into Dr. Codispoti's Arctic database to then perform Arctic Primary Productivity calculations
4. Will University of Maryland students participate in the research to be conducted by the entity? If so, will their faculty advisors have any involvement with the entity, whether directly or through another business entity or family relationship?  
No

## SELECTION OF SUBAWARDEE

If this disclosure pertains to an entity that will receive a subaward in connection with a UMCES project, the following information about the selection of the subawardee must be provided:

1. If the subawardee was selected as the lowest responsible bidder, please provide a summary of the bids and the analysis thereof.  
NA
2. If the subawardee was selected because it is the only provider of the product or services required, please provide the sole source justification that supported the selection.  
Copy on file with UMCES



University of Maryland  
CENTER FOR ENVIRONMENTAL SCIENCE

POST OFFICE BOX 775  
CAMBRIDGE, MD 21613-0775  
(410) 228-9250  
FAX (410) 228-3843  
<http://www.umces.edu>

MEMORANDUM

**To:** Dr. Donald Boesch  
President

**From:** Dr. Raleigh Hood *Raleigh Hood*  
Chair, COI Committee

**Date:** July 20, 2009

**Subject:** Conflict of Interest Disclosure for Mary Lisa Kellogg - #10-01

In accordance with UMCES Policies and Procedures on Conflict of Interest (COI) and Commitment, the President's Conflict of Interest committee has reviewed the COI disclosure from Mary Lisa Kellogg. Our recommendation is described below for your review and determination.

COI Committee Meeting

The COI committee members, Drs. Eshleman and Rowe, Ms. Janet Stevens, Ms. Erica Kropp and I conducted a conference call on Thursday, July 9, 2009 to review the COI disclosure for Mary Lisa Kellogg, #10-01. After reviewing and discussing this case, the committee reached a unanimous decision for recommendation. The summary of the review and decision is presented below.

Conflict

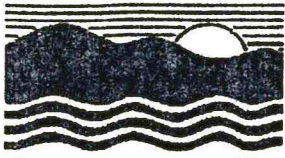
Mary Lisa Kellogg is part-time (65%) Assistant Research Scientist with the Horn Point Laboratory (HPL) and principal investigator on a subaward from the College of William & Mary Virginia Institute of Marine Science (VIMS). Dr. Mark Luckenbach is the VIMS principal investigator, and therefore responsible for the UMCES subaward for this project funded by the Campbell Foundation. Dr. Luckenbach is Dr. Kellogg's husband.

Disclosure Summary

Campbell Foundation proposal for this UMCES/VIMS collaborative project came out of previous collaborative work when Dr. Kellogg was as at UMCP and other PI's were involved. This now modified research plan was submitted to the Campbell Foundation and was the basis for award. At the time the proposal was submitted, husband/Dr. Luckenbach/VIMS informed the Executive Director of the Campbell Foundation of his relationship with the PI of the subaward to UMCES and requested that separate awards be made to VIMS and UMCES. The Campbell Foundation chose to issue a single award.

Conditions for Approval

With full disclosure of the relationship between the UMCES and VIMS principal investigators to UMCES, VIMS and the Campbell Foundation, the COI committee does not see the need for any additional management plan. UMCES has notice from VIMS that such a disclosure has been made, but before releasing the project account number to Dr. Kellogg for spending, we would require copy of written notice of such disclosure to the Campbell Foundation for the file.



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Recommendation

The COI committee has concluded that the disclosed conflict, managed with the conditions above, does not constitute a harmful interest, and recommends that this disclosure be approved for exemption from the provisions of the State of Maryland Public Ethics Law.

Please indicate (below) whether or not you approve our recommendation. Please return your recommendation to the COI Administrator, Ms. Erica Kropp, and we will notify the faculty member and other appropriate parties of your determination. As required, any exemptions granted will also be reported to the Maryland State Ethics Commission and the Chancellor for the USM.

Approve of COI Committee recommendation:      Yes X                  No     



July 21, 2009

Signature: UMCES President Boesch

Date

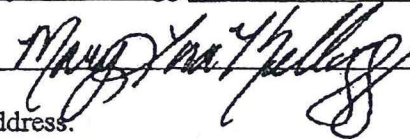
Attachment:  
Kellogg Disclosure

UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE  
RESEARCH OR DEVELOPMENT INTEREST DISCLOSURE FORM

This form is submitted for the purpose of obtaining an exemption from certain conflict of interest provisions of the Maryland Public Ethics Law, section 15-523 of the State Government Article of the Annotated Code of Maryland. I acknowledge that this form may be maintained as a public record at the University and, if approved, will be filed with the State Ethics Commission. I hereby state that the contents of this disclosure statement are true and correct to the best of my knowledge, information, and belief.

Name: Mary Lisa Kellogg

Lab/Unit: Horn Point Lab

Signature: 

Date: 6/24/09

Mailing Address:  
2020 Horns Point Road  
Cambridge, MD 21613

Telephone: 757-710-4574


E-mail: lkellogg@hpl.umces.edu

ADMINISTRATIVE REVIEW

Review by the Laboratory Director or Unit Head is required before this form is submitted to ORAA for processing. The Laboratory Director is responsible for conducting the initial review of this disclosure and making the assessment below.

Based on the activity reported, to the best of my knowledge and in my judgment:

- 1. No real or potential conflict of interest exists.
- 2. A real or potential conflict of interest exists, as described in the "Summary of Real or Potential Conflict", page 2.
- 3. The management plan described on page 2 should permit the conflict to be managed in accordance with UMCES.

  
Laboratory Director's Signature

Date 7/3/09

**Note:** This form and any supporting material must be forwarded to the attention of Erica Kropp, Director, Office of Research Administration and Advancement (ORAA), at UMCES Center Administration. Conflicts that have not been eliminated will be reviewed by the Conflict of Interest Committee (COI Committee), which will make its recommendation to the President. When a conflict of interest is approved, ORAA will notify the University of Maryland System, and the Maryland State Ethics Commission, as required by law and sponsor as required by sponsor specific regulations.

### **SUMMARY OF THE REAL OR POTENTIAL CONFLICT**

Provide a brief description of the conflict or potential conflict of interest.

My husband, Mark W. Luckenbach, is the Principal Investigator on the award to the Virginia Institute of Marine Science (VIMS). I am the Principal Investigator on the subaward from VIMS to UMCES.

### **MITIGATING FACTORS AND MANAGEMENT PLAN**

Describe the means by which the conflict or potential conflict can be eliminated, reduced, or managed. If the conflict cannot be eliminated, provide a management plan that will permit approval of an exemption, in accordance with the provisions of the State Ethics Law (attach additional sheets if necessary).

The Campbell Foundation is providing funding for this research. At the time the proposal was submitted, Mark Luckenbach spoke to Verna Harrison, Executive Director of the Campbell Foundation, and informed her of our relationship. At that time, he requested that the Campbell Foundation make separate awards to VIMS and UMCES, however, the Campbell Foundation chose to send a single check to VIMS.

The current research project grew out of companion proposals submitted to Maryland and Virginia Sea Grants during the last funding cycle. For the Maryland proposal, I was the lead PI and Mark Luckenbach (VIMS), Peter Van Veld (VIMS) and Ken Paynter (UMD-CP) were co-PIs. For the Virginia proposal, Mark Luckenbach was the lead PI and Peter Van Veld, Ken Paynter and I were co-PIs. At the time these proposals were submitted, the Campbell Foundation provided a letter of support and agreed to provide \$40,000 in matching funds each year if Maryland or Virginia Sea Grant funded these proposals. Funding was not provided by either Maryland or Virginia Sea Grant but the Campbell Foundation remained interested in supporting research on this topic. As a result, a modified research plan, combining elements of the Kellogg et al. proposal to MDSG and the Luckenbach et al. proposal to VASG, was submitted to the Campbell Foundation and the present funds were awarded.

## OWNERSHIP/FINANCIAL INTEREST

Report below any interest that you, or your spouse, parent, child, or sibling have in any corporation, partnership, or non-corporate entity that is or will be engaged in research or development, or has a direct interest in the outcome of research or development involving the University of Maryland Center for Environmental Science.

1. Name and address of entity (list all names and addresses where more than one is used):  
This entire section is not applicable.
  
2. Describe the research or development in which the entity is engaged:
  
3. Describe the entity's interest in the research to be conducted by the University:
  
4. Describe your interest in the entity, and any interest held by your spouse, parent, child, or sibling—whether owned wholly by you or held jointly with others, and whether held directly or through another entity or entities. Describe the percentage of the entity owned, and any conditions and encumbrances affecting the interest.
  
5. Provide the date that the interest was acquired, and from whom.
  
6. Describe the purchase price, or the nature of the consideration and the fair market value at the time of acquisition.
  
7. Describe any options you hold pertaining to the entity.
  
8. Describe any existing or potential licensing agreements.

9. If this form is being submitted to update a previous disclosure, describe any changes that have transpired since the date of the previous disclosure. If any part of an interest that was previously reported has been transferred, describe what was transferred, the consideration received, the fair market value at the time of transfer, and the identity of the transferee. List any related conflict of interest actions.

### EMPLOYMENT INTEREST

Report below any employment, office, board membership, service, or other working relationship that you, or your spouse, parent, child, or sibling have in any corporation, partnership, or non-corporate entity that is or will be engaged in research or development, or has a direct interest in the outcome of research or development involving the University of Maryland.

1. Name and address of entity (list all names and addresses where more than one are used):  
This entire section is not applicable.

2. Describe the research or development in which the entity is engaged:

3. Describe the entity's interest in the research to be conducted by the University:

4. Describe the titles and duties of all positions held or expected to be held in the entity by you, or your spouse, parent, child, or sibling, and give the date each relationship was established.

5. Describe the compensation for the positions listed above.

6. If a relationship has changed since it was last reported, describe the change. List any related conflict of interest actions.

## PARTICIPATION IN THE RESEARCH

1. Describe your responsibilities or role in the research to be conducted by UMCES:

I am the Principal Investigator on the subaward to UMCES

2. Are the Co-Investigators for this project independent from your control, within the structure of your campus department or business entity?

N/A

3. Describe your responsibilities or role in the research to be conducted by the entity:

None

4. Will University of Maryland students participate in the research to be conducted by the entity?

If so, will their faculty advisors have any involvement with the entity, whether directly or through another business entity or family relationship?

No

## SELECTION OF SUBAWARDEE

If this disclosure pertains to an entity that will receive a subaward in connection with a UMCES project, the following information about the selection of the subawardee must be provided:

1. If the subawardee was selected as the lowest responsible bidder, please provide a summary of the bids and the analysis thereof.

This entire section is not applicable.

2. If the subawardee was selected because it is the only provider of the product or services required, please provide the sole source justification that supported the selection.



**UNIVERSITY OF MARYLAND**  
Office of the President

DAVID J. RAMSAY, DM, DPhil  
President

220 North Arch Street, 14th Floor  
Baltimore, Maryland 21201  
410 706 7002 | 410 706 0500 FAX

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NOV 03 2009

CHANCELLOR'S OFFICE

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore

**DATE:** October 28, 2009

**RE:** First Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There were two (2) exemptions granted to UMB personnel between July 1, 2009 and September 30, 2009, pursuant to the Public-Private Partnership Act.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Douglas Barnes, DDS, MS	Paid Speaker	Dentsply International Corp.	7/13/2009
Howard Dubowitz, M.B., Ch.B.	Author	Sage Publication	9/30/2009

Supporting documentation is enclosed.

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**ENCLOSURES**

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



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Office of the President

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JUL 10 2009

**CHANCELLOR'S OFFICE**

DAVID J. RAMSAY, DM, DPhil  
President

220 North Arch Street, 14th Floor  
Baltimore, Maryland 21201  
410 706 7002 | 410 706 0500 FAX

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore *David Ramsay*

**DATE:** July 1, 2009

**RE:** Fourth Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There were four (4) exemptions granted to UMB personnel between April 1, 2009 and June 30, 2009 pursuant to the Public-Private Partnership Act.

Supporting documentation is enclosed.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Raymond Cross, M.D.	Consultant	Elan Pharmaceuticals, Inc.	04/10/09
Aldo Iacono, M.D.	Consultant, Inventor	APT Pharmaceuticals, Inc.	04/13/09
Scott Jerome, D.O.	Consultant, Scientific Advisory Board	Astellas Pharma US, Inc.	04/15/09
Susan Keay, M.D, Ph.D.	Consultant, Scientific Advisory Board, Inventor	Trillium Therapeutics, Inc.	06/05/09

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President for Academic Affairs at (410) 706-1853.

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



UMBI

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JUL 10 2009

CHANCELLOR'S OFFICE

Education, Professional Advancement, and Training  
701 East Pratt Street, Suite 200  
Baltimore, Maryland 21202  
410-385-6311 Tel  
410-385-6367 Fax  
rettie@umbi.umd.edu

MEMORANDUM

TO: *Janice*  
Janice Doyle  
Office of the Chancellor

FROM: Candice Rettie, Ph.D.  
Vice President, Education, Professional Advancement, and Training *CSR*  
UMBI

DATE: July 2, 2009

RE: 4th Quarter Report on Exemptions Granted Pursuant to the Public-Private  
Partnership Act

\*\*\*\*\*

During the period of April 1, 2009 – June 30, 2009 there was one exemption granted to UMBI personnel, as detailed in the chart below.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Dr. Chris Geddes	Plasmonix (start- up company)	Part ownership and Chief Science Officer	June 26, 2009



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Office of the President

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APR 08 2009

DAVID J. RAMSAY, DM, DPhil  
President

CHANCELLOR'S OFFICE

220 North Arch Street, 14th Floor  
Baltimore, Maryland 21201  
410 706 7002 | 410 706 0500 FAX

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore *D. J. Ramsay*

**DATE:** April 2, 2009

**RE:** Third Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There was one (1) exemption granted to UMB personnel between January 1, 2009 and March 31, 2009, pursuant to the Public-Private Partnership Act.

Supporting documentation is enclosed.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Raj Shekhar, Ph.D.	Owner, Inventor	IGI Technologies	1/26/2009

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**ENCLOSURES**

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



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JAN 20 2009

**CHANCELLOR'S OFFICE**

DAVID J. RAMSAY, DM, DPhil  
President

520 West Lombard Street  
Baltimore, Maryland 21201-1627

410 706 7002 | 410 706 0500 fax

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore

**DATE:** January 13, 2009

**RE:** Second Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There were 2 exemptions granted to UMB personnel between October 1 and December 31, 2008 pursuant to the Public-Private Partnership Act.

Supporting documentation is enclosed.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Louis DePaola, DDS	Consultant	Colgate-Palmolive	10/20/08
Cedric Yu, PhD	Equity, Employee and Officer, Inventor, Spouse Interests	Xcision Medical Systems	10/28/08

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



**UNIVERSITY OF MARYLAND**

Office of the President

DAVID J. RAMSAY, DM, DPhil  
President

520 West Lombard Street  
Baltimore, Maryland 21201-1627

410 706 7002 | 410 706 0500 fax

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore

**DATE:** October 6, 2008

**RE:** First Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

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OCT 08 2008

CHANCELLOR'S OFFICE

*D. Ramsay*

There were four (4) exemptions granted to UMB personnel between July 1, 2008 and September 30, 2008, pursuant to the Public-Private Partnership Act.

Supporting documentation is enclosed.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Anthony Devico, Ph.D.	Equity, Inventor, Consultant	Profectus Biosciences, Inc.	7/1/2008
George Lewis, Ph.D.	Equity, Inventor, Consultant	Profectus Biosciences, Inc.	7/1/2008
Myung Park, M.D.	Consultant	Gilead Sciences, Inc.	8/25/2008
Myung Park, M.D.	Consultant	United Therapeutics, Inc.	8/25/2008

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**ENCLOSURES**

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission



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JUL 10 2008

CHANCELLOR'S OFFICE

DAVID J. RAMSAY, DM, DPhil  
President

520 West Lombard Street  
Baltimore, Maryland 21201-1627  
410 706 7002 | 410 706 0500 fax

**MEMORANDUM**

**TO:** William E. Kirwan, Ph.D.  
Chancellor

**FROM:** David J. Ramsay, D.M., D.Phil.  
President, University of Maryland, Baltimore *[Signature]*

**DATE:** July 9, 2008

**RE:** Fourth Quarter Report on Exemptions Granted Pursuant  
To the Public-Private Partnership Act

There were six (6) exemptions granted to UMB personnel between April 1, 2008 and June 30, 2008, pursuant to the Public-Private Partnership Act.

Supporting documentation is enclosed.

EMPLOYEE	INTEREST	ENTITY	DATE OF EXEMPTION
Stephen Gottlieb, M.D.	Consultant	Cardiokine, Inc.	4/28/2008
Raymond Cross, M.D.	Paid Speaker	Centocor, Inc.	4/28/2008
Bruce Greenwald, M.D.	Consultant	CSA Medical, Inc.	5/06/2008
Stephen Gottlieb, M.D.	Consultant	Cytokinetics, Inc.	5/06/2008
Raymond Cross, M.D.	Paid Speaker	Abbott Laboratories	6/04/2008
Robert Gallo, M.D.	Equity, Inventor, Consultant	Profectus Biosciences, Inc.	6/10/2008

If any further information is required, please do not hesitate to contact Mr. Joe Giffels in the Office of the Vice President of Academic Affairs at (410) 706-1853.

**ENCLOSURES**

**PC:** Mr. Joe Giffels  
Dr. Malinda Orlin  
State Ethics Commission