



[Robina Foundation](#)

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ROBINA FOUNDATION
Board Meeting

Conference Call

May 18, 2009
9 a.m. – 11 a.m. (CDT)

Robina Foundation Board of Directors Meeting
Conference Call
May 18, 2009
9 a.m. to 11 a.m. (Central Daylight Savings Time)

Participant Instructions:

1. Dial 1-866-633-3380
2. Dial the room number *3167335* (The star key must be pressed before and after your room number.)
3. Wait to be added to the conference.

Time	Agenda Item	Tab #
9:00 a.m.	Welcome and Call to Order – Aamoth	
9:05 a.m.	Disclosure – Aamoth	
9:10 a.m.	Minutes of February 16-17, 2009 Board Meeting – Schroeder - Action Item	1
9:20 a.m.	President's Report – Aamoth	
	A. President's Report	2
	B. Human Rights Proposal from Frey and Meintjes – Karoff - Action Item	3
	C. Aspen Institute Judges Conference Proposal – Action Item	
	D. D&O and Property Insurance (Chubb)	4
	E. Minnesota Council on Foundations/Association of Small Foundations	
	F. Ethics, Travel and Record Retention Policies – Action Items	
9:40 a.m.	Committee Reports	
	A. Finance Report	
	• 1 st Quarter Financial Statement from CBIZ – Action Item	5
	• Distribution from JP Morgan (\$20M)	
	B. Investment – Crosby	
	C. Grants Program – Schroeder	6
	D. Monitoring/Evaluation Letter – Aamoth	
	E. Audit – Karoff	
	F. Legal Update – Crosby	7
10:50 a.m.	Future Board Meetings – Aamoth	8
10:55 a.m.	Other Business	
10:57 a.m.	Adjournment	

1	Minutes
2	President's Report
3	Human Rights Proposal And Aspen Institute Proposal
4	D&O/Property Insurance Memberships Policy Proposals
5	Committee Reports Finance
6	Committee Reports Grants Program Monitoring/Evaluation
7	Committee Reports Legal Update
8	Future Board Meetings

**Robina Foundation
Meeting Minutes
February 17, 2009**

DRAFT

Executive Sessions

Prior to the start of the business meeting on February 17, 2009 the Board of Directors met in Executive Session twice. The first session was held on the afternoon of February 16 and the second session the morning of February 17. Gordon Aamoth was not present during these meetings of the Board of Directors.

Business Meeting

A meeting of the Board of Directors of the Robina Foundation, a Minnesota nonprofit corporation, was held on February 17, 2009 in LaJolla, California.

The following Directors were present for the meeting: Gordon Aamoth, Thomas Crosby, Peter Karoff, Lois Quam, and Steven Schroeder.

There were no Directors absent.

Jean Sazevich, Foundation managing consultant, was present and served as recorder.

Call to Order and Welcome

Gordon Aamoth, President, called the meeting to order.

Disclosure

Directors provided updates on their status related to any possible conflicts of interest with their service on the Board.

Tom Crosby notified the Board that he has officially retired from Faegre and Benson and has turned over the primary work of the Robina Foundation to a partner at the firm, Gina Kastel. He will no longer bill the Foundation for any work he performs in his capacity as a Director and Officer, rather will request expense reimbursement as appropriate.

Lois Quam noted that she is a member of the Council on Foreign Relations and a Director of the University of Minnesota Foundation. It was agreed that neither of these positions poses a conflict of interest.

Minutes

The Minutes of the November 19, 2008 meeting were reviewed by the Board.

A motion was made and seconded to approve the Minutes as written. A vote was taken and the motion passed unanimously.

President's Report

Gordon informed the Board that his bi-monthly report on recent activities he has undertaken as Executive Director can be found in the board book (Tab 2).

Regarding potential candidates for future positions to the Robina Board of Directors, Lois Quam noted that Diana Farrell, formerly with McKinsey Global Institute, is no longer available due to her acceptance of a new position. She has not raised the possibility of Board candidacy with Nancy LeaMond.

Peter Karoff noted that he will bring forth additional information on a candidate he would like to propose for consideration, Cora Marrett, who is currently with the International Science Foundation.

Tom Crosby noted that a piece of financial information in Gordon's written report was incorrect. The TIFF investment account is down significantly more than the 2% loss Gordon reported for the fourth quarter of 2008.

Finance Committee Report

Gordon Aamoth asked Board Members to review the summary of the Treasurer's report on page 11 of the board book.

Tom Crosby informed the Board that the value of the assets remaining in the Binger estate is roughly \$83 million. This amount, combined with assets Robina has invested at TIFF and US Bank brings total assets for grantmaking and other expenses to roughly \$110 million.

JP Morgan remains reluctant to transfer additional assets from the estate to Robina due to pending tax issues with the IRS. Tom will be attending a meeting with the IRS in early April. The meeting is the first attempt to find a way to settle all disputes except the gift tax return. Tom explained that the IRS may be reluctant to settle other issues prior to settling the gift tax return.

The Board reviewed and approved the Foundation's un-audited financial statements for the quarter ending 12/31/08.

Grants Committee Report

Steve Schroeder led a discussion on the progress of various grants in progress:

Council on Foreign Relations (CFR)

Steve noted that members of the Board have varying opinions regarding the adequacy of reporting by CFR. He stated that he would like to see CFR's include some additional detail regarding progress on their larger objectives of international institutional reform in their reports, rather than simply listing their various activities to date.

Gordon stated that it is his understanding that CFR will provide additional detail regarding benchmarks on larger objectives in their annual report to the board in August of 2009. He

informed the Board that Stewart Patrick, the Director of the International Institutions and Global Governance program funded by Robina has agreed to meet with the Board at that time.

Tom Crosby inquired as to whether the CFR project funded by Robina will result in a "product" or some sort of a report/white paper that will be disseminated.

Peter Karoff requested that the annual report from CFR include a detailed accounting on how grant funds have been used on various activities to date as well as a more detailed analysis of the outcomes of activities. Did they meet expectations? Who came? Were the activities all new and original or were they already in process and simply paid for by the Robina grant?

Lois noted that whenever she has the opportunity to attend CFR meetings, they are always filled to capacity.

Peter Karoff requested that the Board receive a written copy of CFR's annual report in advance of the August meeting.

University of Minnesota Law School

There was agreement among Board members that the University of MN Law School has been able to produce immediate positive results with its grant from Robina. This is evidenced through the faculty hired and changes in curriculum. It was also impressive to hear that the University of MN Law School is well respected in the field of human rights (Garth Mentjes) and that its new Dean, David Wippman, is widely seen as a leader in this area.

It was suggested that Dean Wippman provide a report to the Board by the November 2009 meeting.

It is anticipated that the Board will have further discussions about whether, when and how it may want to integrate the University of Minnesota Law School into any future initiative in the field of human rights.

Yale Drama School

The work funded by the grant to the Yale Drama School continues to impress the Board. It is clearly an area of great strength for Yale.

Yale Law School

The annual report on the human rights scholarships/fellowships funded by Robina will be due later this spring. All appears on track to date.

There was some discussion about how the possible departure of the Dean of the Law School, Harold Koh, might impact the work being funded by Robina and the school's commitment to the field of human rights.

The Board may want to pursue funding Yale to continue its work with the Aspen Institute (judicial training in international law) that had previously been supported by the JEHT Foundation. This could possibly be done through a line-item transfer if they are under-spending or a new, separate grant.

Abbott Northwestern Hospital

Steve noted that the grant proposal from Abbott Northwestern went through multiple iterations before funding. The current program supported by Robina appears to have good prospects and strong leadership. The timeline for program expansion has been moved up and staff hiring is well underway. Patients will be enrolled soon. A more thorough update will be presented at the August Board Meeting.

Overhead Policy

Steve explained that the Foundation has never set a policy regarding the inclusion of overhead expenses in the grants it awards.

Traditionally, foundations set a rate and then provide guidance to grant seekers allowing them to include a percentage of overhead costs in the grant request to the foundation.

The issue of overhead policy has been raised to Robina by Abbott Northwestern Hospital. Abbott has been informed by the University of Minnesota (which Abbott has hired for program evaluation) that the University has a traditional overhead/indirect rate of 53% and that the contracted work would be charged at that rate. Abbott would like to bring the rate down by holding the University to the overhead rate allowed by Robina, thereby freeing up more resources to be used by the evaluators themselves.

The Board reviewed comparative research on the overhead rates allowed by other private foundations in Minnesota. The rate allowed is commonly 8-10%. After some discussion, the Board agreed that, as a general rule, the Robina Foundation will allow grant applicants to request that 10% of their grant award be used to cover overhead/indirect expenses. This policy will be applied on a case by case basis, with the understanding that in some circumstances a lower or higher rate may be allowed.

The Board further agreed that the new policy on overhead funding will not be applied retroactively to grants in process. Staff was instructed to share the policy with Abbott Northwestern Hospital, and to communicate that the policy is not binding to sub-contractors of grantees. It is hoped that the policy may help Abbott be able to negotiate a lower overhead/indirect rate in its contract with the University of Minnesota.

Monitoring and Evaluation

Gordon Aamoth asked the Board to review the draft grantee reporting requirements found in the board book. Jean Sazevich explained that the content of this draft was developed as part of an August 2008 Board discussion on the topic of grantee monitoring, led by Steve Schroeder.

Steve asked the Board for its comments on whether the reporting requirements, as presented, were appropriate and if each of the Foundation's grantees should be asked to address the questions listed in their annual reports.

Tom Crosby suggested that the term "reporting guidelines" be substituted for "reporting requirements" in order to provide a slightly softer tone and some flexibility. The Board agreed to this change.

There was general agreement among Board Members that the questions in the draft were not onerous, but rather fairly generic and should be rather simple for each grantee to address. Moreover, it was agreed that as fiduciaries, the Board has a clear charge to monitor the use of grant funds.

After additional discussion, the Board agreed that draft questions were appropriate and should be shared with grantees. The Board instructed staff to draft a sample cover-letter that would accompany the reporting guidelines. Lois Quam suggested that the letter also include a request that, in its report, the grantee clearly distinguish the work funded by the grant from its broader, ongoing work on the subject.

Other Business

Program:

The Board agreed to conduct further inquiry into a possible initiative in the field of human rights. It was suggested that Garth Meintjes and Barbara Frey be retained to do further assessment and meet with the Board at its Annual Meeting in August 2009.

Prior to the August meeting, it is anticipated that there will be greater clarity on the assets available to Robina for grantmaking. Tom Crosby will work with Gordon Aamo to develop financial projections for the Board.

It was further suggested that the Board consider funding the judicial training program previously funded by the JEHT Foundation to the Aspen Institute, which conducted the training at Yale Law School. Garth Meintjes has agreed to send the Board further information about that program.

Governance:

Tom Crosby reported that during an earlier Executive Session of the meeting, the Board voted to create a new officer position on the Board of the Foundation, that of Chair. The Chair position will be uncompensated.

Lois Quam nominated Tom Crosby to serve as Chair of the Robina Foundation. A nomination was seconded. A vote was taken and the nomination passed unanimously.

Executive Session

The Board went into Executive Session for the third time. Gordon Aamo did not attend this session.

Respectfully Submitted,

Steven A. Schroeder, Secretary

Date

ROBINA FOUNDATION

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DATE: April 30, 2009
TO: Robina Board Members
FROM: Gordy Aamoth
SUBJECT: **PRESIDENT'S REPORT – MAY 2009**

Governance

At the February Board Meeting there was a change in governance for the Foundation. Tom Crosby was elected Chairman of the Board. Tom was given the task of developing a new job description and compensation for the President and CEO as well as the Directors. Susan Boren of SpencerStuart has been retained to do this by the August Annual Meeting. Gordon will remain as staff until this is completed.

Jean Sazevich, who came to Robina in April 2006 as Managing Consultant, has completed her work as of March 31, 2009, and will be available for special consulting projects going forward. Jean and Gordon developed a new model for the Robina Foundation which has served us well, to date. Nancy Gilberg will continue as Administrative Consultant.

The Human Rights Retreat at the February Board Meeting was very successful. This leads us to the next step, as directed by the Board, to focus on legal education, national security, globalization issues of health, climate change and corruption. The Human Rights' Committee, chaired by Peter Karoff, has had several meetings. Barb Frey and Garth Meintjes have been asked to prepare a brief research scan, to include time and budget, that will focus on what is being done in human rights legal education, what funding is currently available, and what role Robina could play - keeping in mind our mission and goals and the possibility of engaging our four dedicated institutions. This report is included under the Committee Reports Section.

The Board showed interest in the Aspen Institute Seminars for Judges which is currently unfunded because of the JEHT Foundation closing. Gordon will direct the discussion at the May Board Meeting.

The Audit is in progress to be acted upon at the August Annual Meeting.

The Foundation has been and is a member of the Minnesota Council on Foundations whose dues are based on annual giving and our renewal would be ^{\$29,500/40M} \$14,000. Gordon is in discussion with them because we believe our needs are less and this is not a good value, but we would like to support this effort and be a good community citizen. An alternative is the Association of Small Foundations, which we have joined, with similar benefits whose dues are \$500/year.

Tom and Gordon have had several calls with J. P. Morgan, McDermitt Wills, and the family attorneys about the ongoing IRS/Binger Estate issues. Tom will discuss this in the Legal report section.

Gordon attended a CFR and University of Minnesota lecture, "Security and Immigration Post 9/11," at the Hubert Humphrey Institute followed by a private luncheon with the speakers. He also plans to attend the Annual Conference on International Institutions and Global Governance in New York on May 7-8, 2009, hosted by CFR and sponsored by Robina. Tom and Gordon also attended a conference at the U of M Humphrey Institute on April 28th by Jane Mayer about the book "The Dark Side," which we all have read as suggested by Steve Schroeder.

Grantmaking

Enclosed you will see the monitoring reports (one page) by each of the four institutions. You will see that Abbott NW is on track and within budget. They will be providing an annual report in August at our Annual Meeting.

The University of Minnesota Law School report shows continued progress with an emphasis on their plan of new curriculum for the 21st century, new courses to fit this curriculum and adding faculty to teach it. They will give an annual report for our August Annual Meeting.

The Yale drama school is busy adding new plays and starting to produce a musical. They also will report in August.

Yale Law School will need watching because Dean Koh has left for Washington to become the lead lawyer for the State Department. Those whom I have spoken to feel he will return to Yale after the State Department job. In the meantime, Professor Silk will administer the Robina project as it was established in 2008.

Finance/Investment

Our first quarter financial statement from CBIZ is in and requires approval.

On March 19, 2009, the Foundation received a \$20M partial distribution from the Binger Estate. After this, Tom and Gordon met with representatives from the USBank to develop an investment strategy for our \$41,735,066 assets in the Bank. It was the Bank's recommendation, and we all agreed, to present to the Board that we have \$10M in cash for distribution in 2009, \$8M in TLGP bonds yielding 1.1%, and \$15.7M is in 3-5 year corporate bonds for our next generation of giving. We have \$5,894,811 in TIFF which has lost ~~28%~~^{37%} since our investment in 2007. This is about market average.

The Binger Estate report shows \$60,827,550 (after deduction of \$20M to us on March 19). This is down about \$2M over the last quarter. Tom will discuss the IRS issues in the legal report.

Future Meetings

Our next Board Meeting will be in Minneapolis on August 24-26 for the Annual meeting. This meeting is shaping up to be very robust with four institution annual reports and the Susan Boren report about the position of President and CEO and the Directors. The 2009 meeting schedule is at the back of the Board Book and we ask that all Directors bring their 2010 calendars in order to set the 2010 meeting schedule.

To: Robina Foundation Board of Directors

From: Barbara Frey

Re: Summary notes from February 16, 2009 discussion on human rights

Date: February 25, 2009

The following is a brief summary of the Board's recent discussion on human rights themes and issues, and proposed next steps.

A. What themes are of most interest to Robina?

1. International Justice/National Security and Human Rights. While Board members expressed interest in several of the themes presented, a consensus emerged around two themes: international justice, and human rights and national security.

The Board specifically expressed interest in addressing the gap in legal education in the areas of international human rights and humanitarian law, as it relates to both themes. Strategic support for legal education and training would help to protect human rights in the context of global counterterrorism efforts, and it would build institutional support and competence in the US legal system on core human rights principles. The board's interest in this particular opportunity was also based on a recognition that the law schools at Yale and U of M are in an excellent position to provide leadership on U.S. legal education with regard to international law.

Specific programmatic opportunities identified in the board's discussion included training of lawyers and judges, development of law school curricula to ensure students graduate with knowledge of international law and its application in domestic cases, creating opportunities for post-graduate study in international human rights and humanitarian law, and supporting placements of graduate students and post-graduate students in human rights institutions. Members of the US legal community, especially federal and state judges, are increasingly called upon to consider international law in their casework and they are not well educated about its content or its application. By supporting initiatives in these areas, the Foundation could have a significant impact in furthering human rights protections in the US and beyond.

In his capacity as program officer on international justice initiatives for the JEHT Foundation, Garth Meintjes was familiar with many of the strategic opportunities for immediately promoting international legal education, as well as the key players involved in this field. Due to its demise, JEHT could not fund several important initiatives in judicial training, including:

- American Society of International Law, state and federal judicial training and resources (3 yr/ \$750,000);
- Aspen Institute's annual federal judicial training seminar on international human rights and humanitarian law (3 yr/ \$324,000);
- International Judicial Academy's Strasbourg Seminars for US Judges (3 yr/ \$234,000);
- International Judicial Academy's seminars on international law and international courts (4 yrs/ \$205,000).

There are also many opportunities for funding human rights and humanitarian law education in law schools, both theoretical and practical. Garth recently shared a background memo prepared by Dorothy Q. Thomas that provides an overview of US-based human rights clinics, mostly in law schools. The memo notes that clinical programs that are able to offer paid fellowships in human rights organizations not only attract and train more talented students but can sustain a more strategic role in the human rights field. Garth related that based on his own experience at Notre Dame, post-graduate placements had a tremendous payoff for the students and the human rights institutions in which they were placed. Robina is already funding scholarships to Yale to attract qualified students who are able to make direct impact as human rights professionals because they are not burdened by debt. This is a beneficial strategy for long-term human rights protection internationally.

On the specific theme of human rights and national security, the Oak Foundation and the Open Society Institute have been important funders of work. These foundations have particularly focused on forward-looking projects to shore up international protections for human rights in relation to counter-terrorism policies and practices in the US and elsewhere.

2. Globalization and Human Rights. Several Board members also expressed interest in the transnational issues raised under this theme, though we did not have a detailed discussion about how to engage directly with these issues. A couple of Board members indicated their interest in the human rights dimensions of migration, but the consensus seemed to be that the political context surrounding the immigration debate as well as the primary role of the federal government on this issue made it difficult to visualize a role for the Foundation in this area. At least two Board members expressed interest in forward-looking work on health and human rights, potentially around pandemics, tobacco-related diseases, and other broad public health issues.

B. What are the possible roles Robina can play as a funder on these themes?

Throughout the discussion, the Board considered ways in which Robina could have a strategic impact in the field of human rights. In the course of the research scan, key informants suggested that the best ways to have a long-lasting impact on human rights were to create institutions designed to carry on the work; to support institutional capacity; to create laws and standards for permanent change; and to create synergies with partners working on similar issues.

Several Board members identified the Foundation's role as a catalyst for carrying out important research and policy discussions on critical issues. Garth suggested that the Foundation was well placed to encourage potential grantee institutions to focus their work on the Foundation's priority objectives. There were differences of opinion on the Board, however, about whether the Council on Foreign Relations would be a good partner in this regard. Peter Karoff highlighted the positive role the foundation may be able to play as a convener and/or fostering "think tank" activities.

One way of proceeding might be for the Foundation to fund parallel work on the same theme at the designated beneficiary institutions and then to convene them to share their findings. The Foundation could also enlist its beneficiary institutions to serve as secondary funders (re-granting) on programs of interest to the Foundation. For instance, Yale or the University of Minnesota could administer legal education programs involving third organizations, such as the Aspen Institute or American Society of International Law.

Whether through direct grants to its beneficiary institutions or others, the Board seemed enthusiastic about funding discrete programs in legal education, including some of those that had already been approved for funding by JEHT.

There was also strong support for the idea of funding emerging human rights thinkers and leaders, in order to build human capital on these critical issues. Yale has described the creation of a "cohort" of future human rights leaders as one of the primary objectives of its Robina grant.

C. What are the next steps for the Board?

Gordon suggested that the Board carry out a deeper inquiry into the themes of interest, and to elaborate more specific opportunities for funding in those areas. The Board seemed motivated to move relatively quickly with regard to some small strategic grants on legal education, without prejudice to its longer range funding priorities.

Based on the Board's discussion, the following recommendations are proposed:

1. On the issue of legal education on human rights and humanitarian law:
 - Build on the information provided by JEHT and look further into what other funders and other legal institutions are doing on the area of legal and judicial education;
 - Engage in discussions with the key faculty at Yale and the University of Minnesota to gauge their interest and capacity for developing programs in this area for law students, lawyers and judges and to encourage them to provide a "menu" of ways they could work together on this issue. Before engaging in any conversation with potential grantees, however, the Board should have a clear sense of its own priority outcomes.
 - Provide funding for high-impact "shovel ready" project, either directly or through the University of Minnesota or Yale.

2. On the theme of national security and human rights:

- Conduct a brief additional scan on funding opportunities for forward-looking programmatic work, given the change in U.S. political leadership. Potential sources of information include the Oak Foundation and the Open Society Institute which are already making significant programmatic grants in this area.

3. On the theme of globalization:

- Poll the Board to see if it would like to gather more information about existing programs and funding on human rights and health or other transnational issues such as climate change or corruption.

In conclusion, the Board seems prepared to move to the next level of discussions especially in the area of legal education on international human rights and humanitarian law. Board members should establish a process to further set its priorities in the field of human rights before entering discussions with potential grantees.

Barbara A. Frey
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ROBINA FOUNDATION
Board of Director's Conference Call
March 10, 2009 – 1:30 -2:00 p.m.

Directors in attendance were: Peter Karoff, Steve Schroeder, Lois Quam, Gordon Aamoth, and Managing Consultant, Jean Sazevich. Absent was Tom Crosby.

Peter Karoff opened the conference call meeting with the agenda to discuss what Barb Frey and Garth Meinjes had left us after the Retreat. Barb had written a summary for this conference call. The BOD was very pleased with the Retreat, particularly with Barb and Garth.

The next steps as outlined on pages 3 and 4 of the summary will be to ask Barb and Garth to present a brief research scan "drilling down" on legal education and human rights and an overview of globalization/human rights with respect to health migration and corruption. Secondly, national security/human rights with respect to opportunities and funding for the August BOD meeting.

Barbara Frey advised that she is available to work as a consultant going forward as did Garth if we choose to pursue this in our next phase of grantmaking.

Barb also advised that she has discussed the Aspen judges' education program with David Weissbrodt, University of Minnesota Law School, who feels if Yale does not want to go forward with the Aspen program, the U of M Law School would be interested.

Peter asked Barb and Garth to conference call next week with their willingness and availability to go forward and plan.

Prepared by: _____


Gordon Aamoth, President

ROBINA FOUNDATION
Conference Call
March 26, 2009

A conference call was held between Peter Karoff, Gordon Aamoeth, Barbara Frey, and Garth Meintjes regarding a "report to the Robina Board of Directors in August 2009.

Before we started that discussion, Peter reminded Barb and Garth that the BOD has not committed to Human Rights as the next phase of giving. The BOD is very interested, they could decide in August that they want to go ahead, but we have not entertained any other subjects. We also may have ongoing commitments to our existing four institutions' projects.

Human Rights Legal Education - Peter requested:

What's being done?

What funding is being done?

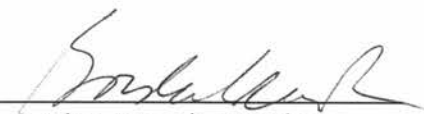
What could Robina do to include students, judges, and practice lawyers?

Discussed what impact Harold Koh leaving Yale for the State Department would have. Likely that Dean Koh will return to Yale in a couple of years and there are faculty to carry on but not as able as Koh. Should not influence our decision (Garth).

Barb was asked and discussed the subject of national security and human rights and she will prepare this subject answering the above questions for August. Likewise she will do the same for global – health, migration and corruption and human rights.

Barb and Garth will prepare RFPs cost for our May BOD meeting.

Prepared by:


Gordon Aamoeth, President

To: The Robina Foundation Board, Gordon Aamoth, President

From: Barbara Frey and Garth Meintjes

Re: Draft Research Plan

Date: April 27, 2009

We are pleased to be working with the Robina Foundation to assist its further exploration within the human rights field of three specific areas of possible interest for its philanthropic focus. Based on the Board's comments at its La Jolla meeting (February 16, 2009) on the human rights research scan by Frey and Sikkink, we have prepared the following draft plan for follow-up research in the areas of human rights legal education, national security, and health and immigration in the context of globalization. Our research will be conducted with the aim of providing the Foundation with our best assessment of the work being done in each area, the funders who are supporting it, and the opportunities where the Foundation's added support could make a difference.

Barbara Frey and Garth Meintjes will conduct this research jointly. Both will contribute equally to the research on national security, while each individually will contribute a little more attention to the other two areas; Frey on health and immigration in the context of globalization; and Meintjes on human rights legal education. Biographical information about the consultant team can be found in Annex 1.

Methodology

Both member of our consulting team is engaged in human rights research, advocacy, and programmatic work that will inform our work on this project. In addition, we will carry out our research for the Foundation through the following means:

- a review of relevant literature in the areas of human rights legal education, national security, and health and immigration in the context of globalization.
- interviews with a select group of experts, including leaders of the most relevant nongovernmental organizations, key human rights advocates and academics, and funders who support work in the three areas of our focus.

Outcomes

We will inform the Foundation of our findings by means of several work products:

- An annotated bibliography and a selected collection of reports, studies, and other materials directly relevant to the three areas of our focus;
- A summary of interviews with our select group of experts;
- A final report providing a general overview of the work being done in the three areas of our focus, a synopsis of current funding in these three areas by major

funders, and a set of recommendations for possible investments aimed at realizing opportunities or confronting challenges in these areas.

- A presentation to Robina's Board at its meeting on August 24-25, 2009 highlighting the potential impacts of our recommended investments.

Background: Summary of Board's interest (as expressed in La Jolla) in the areas of human rights legal education, national security, and health and human rights.

Legal Education:

- The Board expressed interest in addressing the gap in legal education in the areas of international human rights and humanitarian law. Strategic support for legal education and training would help to protect human rights in the context of global counterterrorism efforts, and it would build institutional support and competence in the US legal system on core human rights principles. The board's interest in this particular opportunity was also based on a recognition that the law schools at Yale and U of M are in an excellent position to provide leadership on U.S. legal education with regard to international law.
- Members of the US legal community, especially federal and state judges, are increasingly called upon to consider international law in their casework and they are not well educated about its content or its application. By supporting initiatives in these areas, the Foundation could have a significant impact in furthering human rights protections in the US and beyond.
- Specific programmatic opportunities identified in the board's discussion included:
 - training of lawyers and judges;
 - development of law school curricula on international law and its application in domestic cases;
 - creating opportunities for post-graduate study in international human rights and humanitarian law; and
 - supporting placements of graduate students and post-graduate students in human rights institutions.

National Security:

- Board members expressed concern over reports detailing alleged abuses that have resulted from flawed US national security policies. In describing some of the work being done in this area, the guess presenters noted the leadership provided by a core group of funders, particularly the Oak Foundation, Atlantic Philanthropies, and the Open Society Institute. These foundations have particularly focused on forward-looking projects to shore up international protections for human rights in relation to counter-terrorism policies and practices in the US and elsewhere.
- The Board expressed interest in a further examination of the gaps in funding or untapped opportunities in the area of national security and human rights.

Globalization:

- Several Board members expressed interest in the transnational issues raised under this theme, but the Board did not have a detailed discussion about how to engage directly with these issues. Some members indicated their interest in the human rights dimensions of migration, but concerns were raised about the potential role of the Foundation on this issue due to the political context surrounding the immigration debate and the primary role of the federal government. Some members also expressed interest in forward-looking work on health and human rights, potentially around pandemics, tobacco-related diseases, and other broad public health issues.

Timeline for Project

- April 30: Submit final consultancy proposal and budget for May Board meeting. Including a set of preliminary interview questions and a list of experts to be interviewed (Frey & Meintjes). Also for the Board's consideration, submit two written recommendations (along with proposals and budgets) for possible grants to Aspen (Meintjes) and The New Tactics Project of the Center for Victims of Torture (Frey).
- May-June: Undertake a review of relevant literature in the areas of human rights legal education, national security, and health and immigration in the context of globalization. Conduct interviews with a select group of experts, including leaders of the most relevant nongovernmental organizations, key human rights advocates and academics, and funders who support work in the three areas of our focus. All interviews will be conducted by phone (Frey & Meintjes).
- July: Prepare final report to the Foundation (Frey & Meintjes), including:
- An annotated bibliography and a selected collection of reports, studies, and other materials relevant to the three areas of our focus;
 - A summary of interviews with our select group of experts;
 - A general overview of the work being done in the three areas of our focus;
 - A synopsis of funding in these three areas by major funders; and
 - A set of recommendations for possible investments aimed at realizing opportunities or confronting challenges in these areas.
- August 1: Delivery of final report to the Robina Foundation.
- August 24-25: Board meeting presentation by Frey and Meintjes

Project Budget: April – August 2009

The following is a budget to support the above described human rights consulting project for the Robina Foundation. This budget does not include time or expenses related to Barbara Frey's or Garth Meintjes' participation in the August 2009 Board meeting in Minneapolis.

Personnel

Frey (8 days x \$1,200) =	\$ 9,600
Meintjes (8 days x \$1,200) =	\$ 9,600

Office Expenses

Telephone, supplies, printing =	\$ 500
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Total:	\$19,700
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Conclusion

We are honored to assist the Robina Foundation as it continues to deliberate its interest in funding certain areas of work in the human rights field. Please let us know if this research plan adequately addresses the expectations of the Board. We look forward to engaging with the Foundation in a fruitful discussion about a range of strategic human rights initiatives and concrete funding opportunities within the Board's areas of interest.

Thank you again for engaging us in the effort.

Preliminary Interview Questions
For Robina Foundation Human Rights Consultancy (Frey & Meintjes)
April 2009

Legal Education

1. What is your experience with or knowledge about the way students, lawyers, judges and others are educated about the field of international law, particularly international human rights and humanitarian law?
2. Do you think that international legal education is becoming increasingly important to U.S. audiences? Why or why not?
3. Taking each group—students, lawyers, judges, policy-makers, soldiers, and the public—separately, how and where is international legal education being provided? Are the current programs adequate and/or effective?
4. What are the main obstacles affecting the adequacy and effectiveness of international legal education? Do you have thoughts on how these obstacles should be addressed?
5. Looking ahead, in the short-term and in the medium-term (a decade from now), are there particular opportunities for improving international legal education for different audiences? Which of these has the most potential?
6. Who is currently providing funding to support international legal education programs? Do you see possibilities for leveraging this support through the provision of additional funding?

National Security

1. A number of organizations and funders are currently focused on finding ways to protect national security while respecting human rights. How closely are you involved with or following these efforts?
2. What are some of the key areas of focus of these organizations and funders? Are these the most appropriate priorities for obtaining the best balance between national security and human rights? Are there areas or issues that are being overlooked or inadequately covered?
3. Which groups and what strategies appear to be most effective in producing positive policy changes on national security and human rights? Can you give examples of the impacts that they have had?
4. How would you assess the progress that has been made in bringing U.S. national security policy and practices in line with international human rights and humanitarian law? What are some of the indicators of this progress?

5. Looking ahead, what do you think are the most important next steps that need to be taken to improve U.S. national security policies in both the short- and medium-terms?
6. Without duplicating the existing efforts of the main funders in this area, are there needs or opportunities that you think merit the attention of a potential new funder?

Health

1. What is the strategic focus of your (your organization's) work on health and human rights at this time?
2. What is the value of the human rights framework in addressing global public health issues? How do you use human rights standards and advocacy in your work on these issues?
3. Which groups and what strategies appear to be most effective in producing positive policy changes on the right to health? Can you give examples of the impacts that they have had?
4. What do you see as the unmet needs or gaps in protection on the issue of human rights and health? Without duplicating the existing efforts of the main funders in this area, are there needs or opportunities that you think merit the attention of a potential new funder?

Immigration

1. What are the most serious global issues with regard to human migration (and/or particular issue) at this time? What are the most serious issues in this area in the medium-term (ten years out)?
2. What do you see as the gaps in protection or research with regard to migrants that are not being adequately addressed by the international community? Are there issues that are being over-emphasized at the cost of other important needs?
3. Do you find the human rights framework to be helpful in analyzing and addressing global migration issues? Do you use human rights standards and advocacy in your work on these issues?
4. Which groups and what strategies appear to be most effective in producing positive policy changes with regard to global migration issues? Can you give examples of the impacts that they have had?
5. Without duplicating the existing efforts of the main funders in this area, are there needs or opportunities that you think merit the attention of a potential new funder?

Preliminary Interviewee List
For Robina Foundation Human Rights Consultancy (Frey & Meintjes)
April 2009

Legal Education

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Aspen Institute: Justice and Society Program
Judicial Training on International Law

TYPE OF GRANT:	Project Support
PROGRAM'S ANNUAL BUDGET:	\$415,000
PROJECT BUDGET:	\$130,575
AMOUNT REQUESTED:	\$130,575

SUMMARY

The Aspen Institute ("the Institute") is dedicated to informed dialogue and inquiry on issues of global concern. This grant supports a seminar organized by the Institute's Justice and Society Program to introduce U.S. judges to international law, particularly international human rights and humanitarian law. Expert presenters will lead sessions on different topics of the law, focusing on a comprehensive set of preparatory materials distributed in advance to participants. The sessions will be participatory, informal, and off-the-record. The participants will be chosen on the basis of recommendations from former seminar participants and from leading international law advocates and academics. Depending on the approval of funding, the seminar will be held in late 2009 or early 2010 at the Greentree Estate in Long Island.

ORGANIZATIONAL BACKGROUND

The Institute is an international non-profit organization dedicated to informed dialogue and inquiry on issues of global concern. Founded in 1950, it has pursued its mission of fostering enlightened leadership through seminars, policy studies, and fellowship programs. The Institute is headquartered in Washington, D.C., and has campuses in Aspen, Colorado, and Wye, Maryland.

PROJECT DESCRIPTION

The Institute is organizing a two-and-a-half day seminar to introduce approximately 25 U.S. judges to the body of international human rights and humanitarian law, which is largely unfamiliar to them but increasingly relevant to their work. The seminar will introduce the historical and political background of the human rights movement and the development of international human rights law, including treaties and customs. This introduction will be followed by an examination of the implementation of international and foreign law in U.S. case law and in constitutional and federal statutory interpretation. The seminar will also introduce judges to the body of international humanitarian law, particularly the Geneva conventions and the obligations of the United States as a state

party. And finally, the seminar will review the implementation of international human rights law in the European system, the inter-American system, and the UN.

Inaugurated over two decades ago to encourage the implementation of international human rights through judicial enforcement, the Institute's judicial seminars are well regarded. Approximately 300 federal and state court judges and a number of foreign judges have participated in seminars. However, the need to address the continuing pervasive lack of knowledge of international law among U.S. federal judges is now more critical than ever. In an increasingly globalized world, U.S. judges are more and more frequently being called on to render decisions in cases where international law is relevant.

LEADERSHIP

Alice Henkin directs the Institute's Justice and Society Program. She has been involved with Aspen's judicial seminars since she first came to the Institute as the programs' associate director in 1978. Ms. Henkin is the author and editor of numerous publications on human rights. She is a graduate of Bryn Mawr College and Yale Law School.

Several distinguished judges, lawyers, advocates, and academics regularly serve as seminar presenters. Among the regular presenters are: Richard Goldstone, former judge of South Africa's Constitutional Court; Harold Koh, former dean of Yale Law School; Mike Posner, former executive director of Human Rights First; Sarah Cleveland, Louis Henkin Professor of Human and Constitutional Rights at Colombia Law School; and Nicolas Bratza, judge on the European Court of Human Rights.

RELATIONSHIP TO FOUNDATION GOALS

The Institute seminars are unrivaled in content and effectiveness as a way of introducing U.S. judges to international human rights and humanitarian law. The seminars have been shown to foster a better understanding by U.S. judges of the relevance and application of international law in the adjudication and disposition of cases before them.

OTHER FUNDING

The Robina Foundation will be supporting this project in full.

Appendix A Proposal Budget

Conference-Related Expenses		Total
35 guests including staff and moderators		
Accommodations	\$150/person/night for two nights at Greentree	\$10,500
Meals	\$225/person/day for two days	\$15,750
Travel	Average \$500/flight/person	\$17,500
Readings / Copier Charges / Office Supplies		\$3,000
Moderators' Honoraria		\$5,000
Total Conference-Related Costs		\$51,750

Salaries		
Alice Henkin Director (25% of 1 year)		\$24,345
Michael Doyle, Program Coordinator (30% for 1 year)		\$14,968
Mary Holland, Program Consultant (25% of 1 year, part time)		\$6,000
Subtotal		\$45,313
Benefits		\$13,594
Salaries/Benefits Subtotal		\$58,907

Salary/Benefits/Conference Costs Subtotal	\$110,657
18% Overhead to the Aspen Institute	\$19,918

Total Amount Requested	\$130,575
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A PROPOSAL TO THE ROBINA FOUNDATION

From the Justice and Society Program
The Aspen Institute

INTRODUCTION

No institution of government can afford any longer to ignore the rest of the world...This is true of courts as much as it is of any other governmental body...We have...historically, declined to consider international law and the law of other nations when interpreting our own constitution...But the first indicia of change have appeared.¹

The Justice and Society Program of the Aspen Institute requests a grant of \$130,575 (Appendix A) to assist in increasing the “indicia of change”. We propose holding a judicial seminar on *International Human Rights and Humanitarian Laws: Their Application in National Jurisprudence*. The purpose of the program is to introduce United States judges at both the federal and state supreme court levels to the body of international human rights and international humanitarian laws and norms that has developed over the years, territory largely unfamiliar but increasingly relevant to U.S. judges.

BACKGROUND

Although in earlier years it was not critical for U.S. judges to be knowledgeable about international law, today it is not uncommon for U.S. judges to be asked to render decisions in

¹ Speech by Justice Sandra Day O'Connor, Southern Center for International Studies, October 28, 2003

cases that implicate international human rights and humanitarian laws, treaties and norms, a body of law with which they are typically unfamiliar.

The language of international human rights is now in the public domain: bar associations have committees devoted to human rights, briefs are written and argued in cases brought by lawyers for nonprofit organizations, and international human rights and humanitarian law is now an established part of the law school curriculum. It is no longer possible for the judiciary to deny the relevance of this body of law.

The need to engage judges in the larger world of international human rights and humanitarian law has renewed urgency. The United States has come under sharp criticism both nationally and internationally for warrantless arrests, for prolonged detentions without charges, for extraordinary renditions, for hasty and incoherent immigration proceedings with limited appeals, and for executive orders related to the “war on terrorism.”

U.S. courts will be faced with a wide range of cases that require familiarity with international human rights and humanitarian laws, including challenges to the lawfulness of detentions in the United States of permanent residents and citizens deemed to be enemy combatants; the claims of a mistakenly identified German citizen who was rendered by the U.S. to Egypt where he was tortured; the claims of 9 former detainees, picked up in Afghanistan and Iraq, that their torture was authorized by the U.S. Secretary of State; and without doubt the U.S. Supreme Court decision in the Hamdan case holding that the so-called military commissions in Guantanamo were in violation of Common Article 3 of the Geneva Conventions, will generate a host of cases to determine exactly what procedures will satisfy U.S. obligations as a state party to the Convention.

The Alien Tort Claims Act (ACTA), the seminal statute under which perpetrators of gross abuses of human rights are brought to justice, has been under attack, challenging the jurisprudence established a quarter of a century ago in the Filartiga case, and subsequently followed in a long line of cases in the federal courts. Various business organizations, supported by briefs filed by the U.S. government, have argued that ACTA does not confer federal court jurisdiction on claims by foreigners for violation of customary international law. They challenge the use of ACTA in suits brought against corporations doing business in foreign countries, where foreign petitioners claim corporate complicity in gross violations of human rights. These cases call on judges to interpret ACTA and the jurisprudence it has spawned to determine what if any restrictions should be placed on its scope.

Impact of the Aspen Seminars

The Aspen Institute's judicial seminars have a long and well regarded history. We inaugurated "judicial education" series over two decades ago in order to encourage the implementation of international human rights laws and norms through judicial enforcement. Over 300 federal and state court judges plus a number of foreign judges have participated in the Aspen seminars.

Aspen is well positioned to help ensure that the judges learn the law and apply it well. We have already seen some excellent examples of the success of the Aspen seminars. In a range of court opinions, judges have made clear references to the information they learned through the seminars. We have tracked the judicial opinions written subsequent to participating in the seminars and find an unmistakable impact of the program (Appendix B). Specific evidence

include a federal district court judge's decision on the indeterminate detention of an illegal alien. In requiring the INS to grant an immediate fair hearing, the court held that

"this ruling is also consistent with evolving international rights norms, norms which can help shape our own standards of due process ...The United States takes justifiable pride in its Constitution and Bill of Rights, but these international covenants and declarations are reminders of goals yet to be achieved. While not dispositive of the decision in this case, these principles reinforce the conclusion that the statute here.... unconstitutionally deprives [the claimant] of his substantive and procedural due process rights."

In a note to the Director of the Justice and Society Program, the judge wrote, "I added several pages in a plug for also using international human rights law as support. But for your seminar, that wouldn't have happened since I was ignorant (shamefully so) of that whole body of law."

In another instance, a judge who participated in the seminar entered a judgment against former Guatemalan General and defense minister Hector Gramajo, in a suit charging him with responsibility for atrocities committed by soldiers under his command. The lengthy opinion was replete with citations and footnotes to the Aspen seminar material, and specifically to the Resource Guide that we had published and was part of the background material for the seminar. (See letters from participants, Appendix C)

In sum, there has been a progressive incorporation of international human rights jurisprudence in U.S. case law, for which the Aspen Institute judicial seminars can take some credit.

PROJECT DESCRIPTION

We propose organizing a two-and-a-half-day seminar for U.S. judges. The seminar will begin with an introduction to the historical and political background of the international human rights movement and the development of international human rights standards, including treaties, declarations, and customary law. This will be followed by an examination of the implementation of international and foreign law in U.S. case law, including constitutional and federal statutory interpretation. The next part of the agenda will be devoted to international humanitarian law with a particular focus on the Geneva Conventions and the obligations of the U.S. as a state party. The remaining agenda will focus on refugee and immigration law, the implementation of international human rights law in the European system, the Inter-American system, and the United Nations.

Each part of the agenda will be led by a “presenter” chosen from the faculty of the earlier seminars. (These have included professors Alex Aleinikoff, Thomas Buergenthal, Sarah Cleveland, Louis Henkin, Harold Hongju Koh, David Martin, Juan Mendez and Diane Orentlicher; judges Nicolas Bratza, Rosalyn Higgins, Richard Goldstone, Gabrielle McDonald and Jon O. Newman; ICRC legal advisor Jelena Pejic; and nongovernmental advocates Stefanie Grant, Sidney Jones, Anthony Lester, Michael Posner and Jerome Shestack.) The seminar will be held at Greentree Estate in Long Island in late 2009 or early 2010, depending on the availability of funding. We anticipate inviting 35 persons to the seminar, including the faculty and staff.

The sessions will be participatory, informal, and off-the-record. A body of preparatory material distributed in advance will be the focus of the discussion (Appendix D). The participants will be

chosen on the basis of recommendations from former judicial participants and from leading nongovernmental advocates and academics.

CONCLUSION

Former Supreme Court Justice Sandra Day O'Connor in a speech at the 2002 annual meeting of the American Law Institute, said that issues of "international and foreign law are being raised in our courts more often and in more areas than our courts have the knowledge and experiences to address." We intend the Aspen seminar to be one way of expanding knowledge in this field.

We hope the Robina Foundation will support this critical effort to inform the judiciary of international human rights and humanitarian law, to encourage them to make use of it, and to engage them as public servants and leading citizens in the further development of the law.

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Decisions by Judges who have taken the Aspen Institute Justice and Society Program
Seminar on International Human Rights and Humanitarian Laws

The list below are cases that the Aspen “alumni” judges have decided following the Aspen Institute seminar on international human rights law. This list tracks decisions that the judges have written; it does not capture cases that judges have joined on appellate review, and it does not capture every case that could arguably be characterized as touching on international human rights norms.

First Circuit

Gertner, Nancy – District Court, Boston MA

U.S. v. Bakeas, 987 F.Supp. 44 (D. Mass. 1997)

Appeal of the severe sentence of a legal permanent resident of United States, citing, in a footnote, the policies contained in the International Covenant on Civil and Political Rights.

Selya, Bruce M. – 1st Cir.

Ungar v. Palestine Liberation Organization, 402 F.3d 274 (1st Cir 2005)

Interlocutory appeal in case between estate of American citizen killed by PLO terrorists while in Israel and PLO. Judge cites to Report by UN Commission on Human Rights in part of opinion.

Stahl, Norman H. – 1st Cir.

U.S. v. Li, 206 F.3d 56 (1st Cir. 2000)

Case against parties accused of smuggling Chinese citizens into the US. In reviewing stipulations of Vienna Convention on Consular Relations, Stahl’s *en banc* opinion cites a decision of the Inter-American Court of Human Rights.

Torruella, Juan R. – 1st Cir., San Juan, PR

Igartua-De la Rosa v. US, 417 F.3d 145 (Dissent)

Dissent considers at length the impact of US international treaty obligations, including the Universal Declaration, on voting rights of US citizens in Puerto Rico.

Wolf, Mark L. – District Court, Boston MA

U.S. v. Sampson, 275 F.Supp.2d 49 (D. Mass. 2003)

Citing *Lawrence v. Texas* (539 U.S. 538 (2003)) as an example, the court notes appropriateness of considering the experience of other common law countries on death penalty.

Woodlock, Douglas P. – District Court, Boston, MA

Xuncax v. Gramajo, 886 F. Supp. 162 (D. Mass 1995)

Alien Tort Claims Act (ATCA) case against former Guatemalan Defense Minister regarding human rights abuses perpetrated by military. Decision cites to Universal Declaration of Human Rights, European Convention on Prevention of Torture, American Convention on Human Rights and other treaties, though legal conclusions are based on US law.

Second Circuit

Katzmann, Robert – New York

Abdullahi v. Pfizer, Inc., 2009 WL 214649 (2d Cir. January 30, 2009) (Maj.)

Reverses and remands dismissal by District Court of ATCA suit against drug company for involuntary medical testing of antibiotic in Nigeria. It holds that treatment without informed consent constitutes a violation of customary international law. The decision includes an extensive discussion on the relationship between customary international law and US law.

Khulumani v. Barclay Nat. Bank Ltd., 504 F.3d 254 (2d Cir 2007) (Conc.)

ATCA case against multinational corporations doing business in South Africa. Judge Katzmann discusses various issues of international criminal law, including recognition of individual responsibility of a defendant who aids and abets violations of international law.

Newman, Jon O. — Hartford, CT

Smith v. Socialist People's Libyan Arab Jamahiriya, 101 F.3d 239 (2d Cir. 1996)

Dismissal of ATCA suit against Libya for PanAm 103 bombing. Includes analysis of relationship between US and international law.

Kadic v. Karadzic, 70 F.3d 232 (2d Cir. 1995)

ATCA case against Karadzic for war crimes in Bosnia. In reversing District Court's dismissal, Newman conducts an extensive analysis of international customary law and jus cogens norms.

Nickerson, Eugene – USDC – Brooklyn, NY

Filartiga v. Peña-Irala, 577 F. Supp. 860 (EDNY 1984)

Suit on behalf of a torture victim against the former official in the Paraguayan government who committed the torture. Judge Nickerson cites the American Convention on Human Rights, Universal Declaration of Human Rights and resolution against torture by UN General Assembly.

Sack, Robert – 2nd Cir., New York

Arar v. Ashcroft, 532 F.3d 157 (2nd Cir. 2008)

Judge Robert Sack dissented from majority's decision to deny claims of torture survivor in "extraordinary rendition" case; case reheard *en banc* Dec. 9, 2008.

Schwartz, Allen G. – USDC, New York

Presbyterian Church of Sudan v. Talisman Energy, Inc., 244 F.Supp.2d 289 (SDNY 2003)

Denied motion by defendant to dismiss ATCA suit against energy company for perpetrating human rights violations in Sudan. The decision cites international human rights law norms.

Cabiri v. Assasie-Gyimah, 921 F.Supp. 1189 (SDNY 1996)

Denied defendant's motions to dismiss ATCA suit against Ghanaian police officers for torture. Decision cites *Filartiga*, notably section referring to Universal Declaration of Human Rights and other international human rights norms.

Walker, John M. — New York

US v. Yousef, 327 F.3d 56 (2d Cir. 2003)

World Trade Center bombing case, in which judge conducts analysis of international customary law and treaty obligations of US in granting that district court had proper jurisdiction.

Weinstein, Jack B. – USDC – Brooklyn, NY

Nicholson v. Williams, 203 F.Supp.2d 153 (EDNY 2002)

Class action against NYC Child Services for removing children from their mothers. Case cites Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and Convention on Rights of the Child as persuasive authority.

Beharry v. Reno, 183 F.Supp.2d 584 (EDNY 2002)

Habeas writ filed by alien during removal proceedings. Citing numerous US treaty obligations, including the Universal Declaration, the American Convention on Human Rights as well as customary international law.

Maria v. McElroy, 68 F.Supp.2d 206 (EDNY 1999)

Habeas writ filed by alien during removal. Decision cites numerous treaties and customary international law preventing ex post facto application of statutes to plaintiff.

Mojica v. Reno, 970 F.Supp. 130 (EDNY 1997)

Predecessor case to *Beharry* and *Maria*.

US v. Ekwunoh, 888 F. Supp. 369 (EDNY 1994)

Remanded drug conviction, reducing sentence imposed. Cites European Court of Human Rights decision.

Ahmad v. Wigen, 726 F. Supp 389 (EDNY 1989)

Denial of habeas writ in extradition case, citing European Court of Human Rights decision and other international precedents.

Third Circuit

Bassler, William G. – USDC, Newark, NJ

In re Application of Sasson v. Sasson, 327 F.Supp.2d 489 (DNJ 2004)

Child custody case turning on Hague Convention on the Civil Aspects of International Child Abduction.

McKee, Theodore A. – 3rd Cir.

Senathirajah v. I.N.S., 157 F.3d 210 (3rd Cir. 1998)

In appellate review of deportation order, Judge McKee notes that torture is not government investigation, citing Universal Declaration of Human Rights and American Convention on Human Rights.

Robreno, Eduardo – USDC, Philadelphia, PA

Perry v. Levegood, 2005 WL 2296716 (ED Pa. September 21, 2005)

In memorandum opinion, judge cites Universal Declaration of Human Rights in finding for prisoner against two prison nurses who forced prisoner to submit to a tuberculosis test against his will.

Fourth Circuit

Butzner, John D. — Richmond, VA

Breard v. Pruett, 134 F.3d 615 (4th Cir. 1998)

Concurrence in appeal from conviction of murder and rape by foreign national. Majority affirms conviction and holds that defendant waived right to consular communication by not raising the issue at trial. Butzner reviews the relationship between Vienna Convention on Consular Relations and US law.

Selgeka v. Carroll, 184 F.3d 337 (4th Cir. 1999)

Overturning a deportation order, judge cites the UN Protocol Relating to the Status of Refugees.

Motz, Diana Gribbon — Baltimore, MD

Al-Marri v. Pucciarelli, 534 F.3d 213 (4th Cir. 2008)

Concurrence in war on terror case, in which Judge Motz reviews US treaty obligations relative to law of war, including Third and Fourth Geneva Conventions, especially concerning the seizure of civilians in war zones.

US v. Moussaoui, 336 F.3d 335 (4th Cir. 2003)

Judge Motz filed a separate dissent in this *en banc* ruling.

Hamdi v. Rumsfeld, 337 F.3d 335 (4th Cir. 2003)

Judge Motz filed a dissent in this 9/11 case; case was later decided by the Supreme Court.

Ellis, Thomas S., III – USDC, Alexandria VA

Allmond v. Alexandria Sheriff's Dept., 2002 WL 32514956 (June 4, 2002, E.D. Va.)

Granting Defendant's motion to dismiss, judge considers and dismisses plaintiff's argument that assault and battery by police was covered by the Convention on the Prevention and Punishment of the Crime of Genocide.

Hazbun Escaf v. Rodriquez, 200 F.Supp.2d 603 (E.D. Va. 2002)

In child welfare case, Judge Ellis cites the Hague International Child Abduction Convention.

Fifth Circuit

Berrigan, Helen

Mendonca v. Tidewater, Inc., 159 F. Supp.2d 299 (E. D. La. 2001)

Discusses Alien Tort Statute in employment discrimination case, including reference to American Convention on Human Rights.

U.S. v. Fragueta, WL351851 (E.D. La. 1998)

Cites U.N. Universal Declaration on Human Rights, finding that no customary international law violation occurred.

U.S. v. Caplinger, 914 F.Supp. 1374 (E.D. La. 1996)

Cites to international norms in case on indefinite detention of an alien.

Sixth Circuit

Boggs, Danny J. – 6th Cir.

Buell v. Mitchell, 274 F.3d 337 (6th Cir. 2001)

Habeas review containing interpretation of several international agreements and covenants regarding the death penalty.

State of Ala. ex rel. Governor and Atty. Gen. v. Engler, 85 F.3d 1205 (6th Cir. 1996)

In dicta, Judge Boggs refers to chain gangs in Alabama prisons as contrary to international human rights norms.

Spiegel, S. Arthur – USDC, Cincinnati, OH

Jamison v. Collins, 100 F.Supp.2d 647 (S.D. Ohio 2000)

Habeas review containing interpretation of several international agreements and covenants regarding the death penalty.

Seventh Circuit

Aspen, Marvin E. – USDC, Chicago, IL

Rajaratnam v. Moyer, 832 F.Supp. 1219 (N.D. Ill. 1993)

Asylum case overturned because the immigration judge and Bureau of Immigration Appeals failed to properly consider human rights violations.

Castillo, Ruben – USDC, Chicago, IL

Martinez v. Village of Mount Prospect, 92 F.Supp.2d 780 (N.D. Ill. 2000)

National origin discrimination case brought by police trainee against village; the village undertakes a human rights review board.

Crabb, Barbara B. – USDC Madison, WI

Johnson v. Raemisch, 557 F. Supp. 2d 964 (W.D. Wisc. 2008).

§ 1983 case, holding that prison had no ground to prevent inmates from reading material critical of federal government.

West v. Frank, 2004 WL 848194, (W.D.Wisc., Apr. 19, 2004)

Granting prison inmate's right to proceed under § 1983 in civil suit against prison warden and others for denying him access to medical information sent by family.

Hamilton, David – USDC, Indianapolis, IA

John Roe I v. Bridgestone Corp., 492 F.Supp.2d 988 (S.D. Indiana, 2007)

Alien Tort Statute claim filed by Liberian child laborers in rubber plantations against Bridgestone, Firestone and other corporations. Judge Hamilton denied defendant's motion to dismiss regarding international child labor claims, citing both international and US standards.

Wood, Harlington Jr. — Chicago, IL

Jogi v. Voges, 480 F.3d 822 (7th Cir. 2007)

ATCA case by Indian national against county law enforcement officials who failed to inform the arrested plaintiff of his right to see a consular officer guaranteed under the Vienna Convention on Consular Relations.

Wood, Diane P. — Chicago, IL

Garza v. Lappin, 253 F.3d 918 (7th Cir. 2001)

Habeas review of death penalty sentence. Petitioner alleges that his sentence violates international human rights norms and a decision by the Inter-American Commission on Human Rights. Wood denies petition for stay of execution, holding that commission's ruling didn't give petitioner a judicially cognizable right to stay of execution.

Eighth Circuit

Arnold, Richard S. — 8th Cir.

Chambers v. Bowersox, 157 F.3d 560 (8th Cir. 1998).

Death penalty case considering several Privy Council decisions and a European Court of Human Rights decision, although finding them not dispositive.

Murphy, Diana — USDC, Minneapolis, MN

Habtemicael v. Ashcroft, 370 F.3d 774 (8th Cir. 2008)

Asylum case citing to the Convention against Torture and the Universal Declaration of Human Rights.

Ninth Circuit

Fisher, Raymond

Sarei v. Rio Tinto, PLC, 487 F.3d 1193 (9th Cir. 2007)

ATCA claim against Rio Tinto mining corporation based on its activities in Papua-New Guinea. Judge Fisher reverses the district court's grant of a motion to dismiss.

Fletcher, Betty B.

Hilao v. Estate of Marcos, 103 F.3d 789 (9th Cir. 1996)

ATCA claim against estate of Ferdinand Marcos for human rights violations committed under his regime. The decision cites the Convention against Torture, Universal Declaration of Human Rights and European Convention.

Siderman de Blake v. Republic of Argentina, 965 F.2d 699 (9th Cir. 1992)

Foreign Sovereign Immunities Act exempt claim against Argentina for torturing one of its citizens and expropriating property. Citing Universal Declaration of Human Rights, Convention Against Torture and customary int'l law.

Paez, Richard A. USDC – Los Angeles, CA

Nat'l Coalition Gov't of Union of Burma v. Unocal, 176 F.R.D. 329 (C.D. Cal. 1997)

One of many ATCA claims against UNOCAL in Burma. Judge Paez dismissed several other ATCA claims against UNOCAL, but he ruled that John Doe I's claims of torture were in clear violation of customary international law.

Doe v. UNOCAL, 963 F. Supp. 880 (C.D. Cal. 1997)

Clarifying order in *Doe v. UNOCAL* actions.

Pregerson, Dean — Los Angeles, CA

Mansour v. Ashcroft, 390 F.3d 667 (9th Cir. 2004) (dissenting)

Dissents from majority opinion that applicant, a Coptic Christian, had not proved that he was subject to torture and persecution in Egypt. Judge Pregerson discusses special application of the Convention on the Rights of the Child, UNHCR guidelines, and general international law to the persecution of children; he argues that because victims were children, persecution should be viewed as particularly heinous and sufficient to grant relief.

Reinhardt, Stephen

Gherebi v. Bush, 352 F.3d 1278 (9th Cir. 2003)

In reviewing habeas petition from detainee at Guantanamo, Judge Reinhardt reviews US obligations to prisoners of war under the Third Geneva Convention and the International Covenant on Civil and Political Rights.

Doe I. v. Unocal Corp., 395 F.3d 932 (9th Cir. 2002) (Concurring)

ATCA case against Unocal for human rights violations, including use of slave labor during construction of a pipeline in Burma. In his concurrence, Judge Reinhardt discusses at length the international law on forced labor, including the Universal Declaration and International Covenant on Civil and Political Rights, although he ultimately concludes that international law does not apply.

Kim Ho Ma v. Ashcroft, 257 F.3d 1095 (9th Cir. 2001)

Habeas petition by alien challenging ability of INS to detain him indefinitely. Reinhardt applies the *Charming Betsy* rule to the detention statute to hold that US law must be construed so as not to conflict with international law, noting that the International Covenant on Civil and Political Rights specifically outlaws indefinite detention.

Tenth Circuit – no cases

Eleventh Circuit

Evans, Orinda – USDC, Atlanta GA

Barrera Casimiro v. Pineda Chavez, 2006 WL 2938713 (N.D. Ga. Oct. 13, 2006)

Child custody case decided according to Hague Convention on the Civil Aspects of International Child Abduction.

Gonzalez, Jose A, Jr. – USDC, Fort Lauderdale, FL

U.S. v. Benitez, 28 F.Supp.2d 1361 (S.D. Fla. 1998)

Foreign nationals were charged and convicted in Colombia of assault on US Drug Enforcement Agency agents and were then brought to the US. Judge Gonzalez interpreted the International Covenant on Civil and Political Rights to state that double jeopardy does not apply in trials by two separate countries.

Hatchett, Joseph W. — Tallahassee, FL

Abebe-Jira v. Negewo, 72 F.3d 844 (11th Cir. 1996)

ATCA claim against official of former Ethiopian government. Court upholds awards of compensatory and punitive damages, holding that ATCA provides private right of action and that political questions did not bar claim.

Haitian Refugee Ctr., Inc. v. Baker, 949 F.2d 1109 (11th Cir. 1991) (Dissent)
Applying international customary law, UN Protocol on Refugees and 1951 Convention on the Status of Refugees to US actions to intercept and turn back Haitian refugees in international waters. Judge Hatchett would allow the Center access to refugees held at Guantanamo Bay.

Hoeveler, William M. – USDC, Miami FL

U.S. v. Noriega, 808 F.Supp. 791 (S.D. Fla. 1992)

Court ruling on Geneva Conventions regarding Manuel Noriega's detention. Court held that Noriega could be held in federal penitentiary as long as he was afforded full benefits of the Conventions.

Tjoflat, Gerald Bard — Jacksonville, FL

U.S. v. Duarte-Acero, 208 F.3d 1282 (11th Cir. 2000)

In affirming district court's denial of motion to dismiss on double jeopardy grounds, Tjoflat reviews double jeopardy provisions in several international treaties. Judge Tjoflat notes that double jeopardy does not govern relationships between sovereign states, and that double jeopardy provisions relates only to cases where a final judgment was rendered.

D.C. Circuit

Green, Joyce Hens – USDC, Washington DC

In re Guantanamo Detainee Cases, 355 F.Supp.2d 443 (D.D.C. 2005)

11 different cases regarding Guantanamo detainees

Elahi v. Islamic Republic of Iran, 124 F. Supp.2d 97 (D.D.C. 2000)

Case against Iran for state-sponsored assassination; judgment for plaintiff.

Judge Green cites documentation of Iranian human rights abuses.

Lamberth, Royce C. – USDC, DC

Flatow v. Islamic Republic of Iran, 999 F. Supp. 1 (D.D.C. 1998)

Wrongful death suit by estate of university student killed in suicide bomb attack in Israel.

Mikva, Abner J.

Committee of U.S. Citizens Living in Nicaragua v. Reagan, 859 F.2d 929 (D.C. Cir. 1988).

Appeal from dismissal in the district court of US citizens in Nicaragua against President Reagan for funding the contra rebel forces. Judge Mikva held that: (1) if a statute violates an international obligation, the courts have no authority to remedy the violation; (2) U.N. Charter does not confer rights on private individuals to bring actions to enforce decisions of the International Court of Justice; (3) a statute inconsistent with customary international law modifies or supersedes that law to the extent it is inconsistent; and (4) judgments of the International Court of Justice do not fall within the definition of *jus cogens* or peremptory norms of international law.

Roberts, Richard D. -- USDC, DC

Arias v. Dynacorp, 517 F. Supp.2d 221 (D.D.C. 2007)

ATCA claim against makers of defoliants used in Plan Colombia. Judge Roberts discusses aspects of international law.

Robertson, James – USDC, DC

Hamdan v. Rumsfeld, 344 F. Supp.2d 152 (D.D.C. 2004)

Citing the International Covenant on Civil and Political Rights and the Protocol Additional to the Geneva Convention, Judge Robertson finds that international law supports having a trial “in one’s presence.” Judge Robertson holds that proceedings of enemy combatant detainees must be held in the presence of their counsel and themselves.

Williams, Stephen F.

Belhas v. Ya'alon, 515 F.3d 1279 (D.C. Cir. 2008) (Concurrence)

In concurrence with dismissal of ATCA and Torture Victim Protection Act claims by Lebanese citizens against Israeli general for bombings in

Southern Lebanon in 2006, Judge Williams reviews the application of *jus cogens* in US law (specifically the Foreign Sovereign Immunities Act) and states that violations of *jus cogens* norms do not necessarily represent waiver of FSIA.

Hamdan v. Rumsfeld, 415 F.3d 33 (D.C. Cir. 2005) (Concurrence)

In short concurrence with decision to reverse grant of habeas petition by district court, Williams states that non-state actors cannot sign the Geneva Conventions and are not eligible for its ordinary protections and that Common Article 3, which covers non-state actors, obliges US to provide certain protections to groups like al Qaeda.

Supreme Court of the United States

Justices Anthony Kennedy, Ruth Bader Ginsburg and Stephen Breyer have all taken this Aspen seminar, as have Justices Harry Blackmun and Sandra Day O'Connor, both post-retirement. While it is particularly difficult to trace any unique influence at the Supreme Court level because there are so many other influences, it is worth noting that most of the recent key human rights decisions -- on terrorism, the applicability of the Geneva Conventions, the rights of detainees, the death penalty, racial discrimination, the Alien Tort Statute -- have been authored or joined by the Justices who took the course. We list a few of those decisions.

Boumediene v. Bush, 128 S. Ct. 2229 (2008)

Writing for the majority, Kennedy finds that alien detainees at Guantanamo Bay have the privilege of habeas corpus and are entitled to prompt opportunity to challenge the legality of their detention.

Hamdan v. Rumsfeld, 548 U.S. 557 (2006)

The Court held that the military commissions set up by the Bush administration to try detainees at Guantanamo Bay violate the Uniform Code of Military Justice and the four Geneva Conventions.

Roper v. Simmons, 543 U.S. 551 (2005)

On appeal from the Missouri Supreme Court on a juvenile death penalty case, Justice Breyer affirms the Missouri Supreme Court's decision to commute the death penalty for an individual who committed murder while under 18 years of age, citing the United Nations Convention on the Rights of the Child and American Convention on Human Rights.

Sosa v. Alvarez-Machain, 542 U.S. 692 (2004)

The majority uphold the validity of the Alien Tort Claims Act and the need to harmonize interpretation of US law with international norms.

Grutter v. Bollinger, 539 U.S. 306 (2003)

The Ginsburg concurrence discusses the relevance of international legal standards for affirmative action.

Lawrence v. Texas, 539 U.S. 558 (2003)

On appeal from the Texas Court of Appeals, *Lawrence* finds unconstitutional a Texas statute criminalizing homosexual sodomy. The decision cites decisions by foreign courts, the European Court of Human Rights and the European Convention on Human Rights.

Elledge v. Florida, 525 U.S. 944 (1998)

In a dissent from a denial of a writ of certiorari in a death penalty case, Justice Breyer cites the European Convention on Human Rights and a decision of the European Court on Human Rights.

State Court

O'Hern, Daniel J. — New Jersey Sup. Ct., Red Bank NJ

State v. Nelson, 155 N.J. 487, 715 A.2d 281 (1998)

In reviewing appeal in a capital case, Justice O'Hern notes that US is not party to any international agreement barring the death penalty. He cites to a discussion of public international law and the death penalty in a case before the South African Constitutional Court.

Kennard, Joyce L. — California Sup. Ct.

People v. Mungia, 189 P.3d 880 (Cal. 2008)

In dismissing defendant's argument that death penalty contravenes international law norms and the International Covenant on Civil and Political Rights, Justice Kennard notes the "most serious crimes" clause of the Covenant, as well as US's specific reservation regarding the death penalty upon ratification of the treaty. This line of argument is repeated in multiple California decisions almost verbatim, this being the most recent iteration of a long-standing opinion.



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

JANIS GRAHAM JACK
U.S. DISTRICT JUDGE

1133 N. SHORELINE BLVD.
CORPUS CHRISTI, TEXAS 78401
(361) 888-3525

February 12, 2009

Ms. Alice H. Henkin
The Aspen Institute
1585 Broadway, 16th Floor
New York, NY 10036

Dear Alice:

What can I say! I have had the evaluation form in hand since I left Manhasset and seem to be unable to complete it. I find that my evaluation does not necessarily fit the form.

This incredible seminar with its star presenters has expanded my horizons and given me a new understanding of our nation's place in the arena of human rights issues. Though my husband and I have traveled to every continent and over 100 countries witnessing firsthand human rights concerns that affect the most basic survival issues, I have never until this time understood how so few might address the concerns of so many.

I learned so much from the presenters as well as the other participants. I certainly have a new appreciation of the international Red Cross and the work of Human Rights First.

The calm and compelling presentations of Nick, Harold, Jelena, and Sarah while speaking of such horrendous atrocities made the presentations even more compelling. I do not exaggerate in any way when I say that this was the most educational seminar I have had the privilege of attending since I became an attorney. Somehow John Bellinger's presentation, even though personally brave in his attempt to discuss the policy in which he participated, was particularly chilling.

I will never be able to thank you enough for allowing me to participate in such a powerful event with such incredibly interesting people at a magnificent location. These lessons will stay with me forever and I hope to be invited as a recidivist. Thank you.

Sincerely,


Janis Graham Jack

JGJ:mh

C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
www.iand.uscourts.gov

CHAMBERS OF
MARK W. BENNETT
U.S. District Court Judge
P. O. Box 838
Sioux City, Iowa 51101

712/233-3909
FAX: 712/233-3913

E-mail Address:
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February 3, 2009

Alice Henkin
Program Director
Justice and Society Program
The Aspen Institute
1585 Broadway, 16th Floor
New York, NY 10036-8299

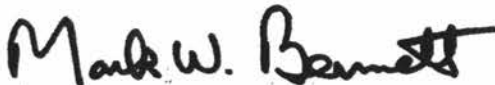
Michael Doyle
Program Coordinator
Justice and Society Program
The Aspen Institute
1585 Broadway, 16th Floor
New York, NY 10036-8299

Dear Alice & Michael:

I want each of you to know how much I learned at the Aspen Institute Seminar on International Human Rights and Humanitarian Law this past weekend. I have spoken at more than 260 continuing legal education seminars and have attended scores more. This was definitely in my top 3! The quality of the speakers and the written materials was exceptional. This is an area of the law where I have been woefully ignorant. This seminar not only sparked my interest, but gave me the analytical framework to study and learn in this area. I already see many opportunities to incorporate foreign human rights law citations into my judicial opinions. I feel like a whole new vista of important information is now readily accessible to me.

One suggestion. It would be nice if all of the written materials were available to us online to download to read and study prior to attending the seminar. Thank you so much for providing me with this truly extraordinary educational opportunity.

Warmest personal regards,



Mark W. Bennett
U.S. District Court Judge

MWB/jg



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

Keith P Ellison
United States District Judge

515 Rusk Street
Houston, Texas 77002
713-250-5806
713-250-5503 Fax

Dear Alvin,

2 February 2009

Please accept my appreciation for enabling me to take part in the Justice & Society Program. It was the best seminar I've ever attended - timely, meticulously organized, full of exactly the information judges need and fun.

I made many new friends and hope I will see much more of them. With their help, and that of many others, I do hope our country will enter a new era in its attitude ~~toward~~ human rights. Still, I fear it will be many years before recent damage is undone.

You have my best wishes and, again, my genuine thanks.

Cordially,
Keith

***International Human Rights and Humanitarian Laws:
Their Application in National Jurisprudence***

Seminar Readings
January 30- February 1, 2009
Greentree, New York

Table of Contents

BACKGROUND

1. International Human Rights

Louis Henkin, *The Age of Rights* 1

*The following documents can be found in the enclosed booklet:
"Columbia University, Center for the Study of Human Rights,
Twenty-Five + Human Rights Documents"*

Charter of the United Nations (Excerpts)	[p. 1]
Universal Declaration of Human Rights.....	[p. 5]
International Covenant on Economic, Social and Cultural Rights...	[p. 9]
International Covenant on Civil and Political Rights.....	[p. 16]
Optional Protocol to the International Covenant on Civil and Political Rights.....	[p. 28]
Convention on the Elimination of All Forms of Discrimination Against Women	[p. 45]
Convention Relating to the Status of Refugees.....	[p.58]
Protocol Relating to the Status of Refugees.....	[p.68]
Convention against Torture and Other Cruel, Inhuman Or Degrading Treatment or Punishment.....	[p. 71]
Convention on the Rights of the Child.....	[p. 80]
Standard Minimum Rules for The Treatment of Prisoners (United Nations).....	[p.109]
Optional Protocol to the International Covenant on Social, Economic, and Cultural Rights.	25
U.S. Ratification of International Human Rights Agreements.....	34
American Law Institute, Restatement of the Law, The Foreign Relations Law of the United States, Part VII, Chapter 1.....	35

IMPLEMENTATION

NATIONAL SYSTEMS: THE UNITED STATES

2. The Role of International and Foreign Law in U.S. Judicial Doctrine

A. The Role of International and Foreign Law in U.S. Constitutional Interpretation

Medellin v. Texas	70
Roper v. Simmons	96
Lawrence v. Texas	105
Atkins v. Virginia.....	116
Grimes v. Kennedy Krieger Inst.	118
People v. Simms, (Harrison, C.J., dissenting)	131

B. The Role of International and Foreign Law in U.S. Federal Statutory Interpretation

Alien Tort Claims Act	134
Torture Victim Protection Act	134
Filartiga v. Pena-Irala	136
Doe v. UNOCAL	148
Sosa v. Alvarez-Machain	150
Crosby v. NFTC.....	167
American Insurance Association v. Garamendi	174

3. The Role of International and Foreign Law in the 9/11 Cases

A. Executive Responses

Military Order, November 13, 2001, Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism	184
Memo for the President from White House Counsel Decision re: Application of the Geneva Convention on Prisoners of War to the Conflict with Al Qaeda and the Taliban, January 25, 2002	189
Military Commission Order No. 1, March 21, 2002, Procedures For Trials by Military Commissions of Certain Non-United States Citizens in the War Against Terrorism.....	193
Justice Department, Office of Legal Counsel, Memo to the White House Counsel, August 1, 2002.....	209
Order Establishing Combatant Status Review Tribunal, July 7, 2004	259
Executive Order 13440 (July 2007)	263
Executive Order: Executive Order Review and Disposition of Individuals Detained at the Guantanamo bay Naval Base and Closure of Detention Facilities (January 2009)	266
Executive Order: Review of Detention Policy Options (January 2009).....	269
Executive Order: Ensuring Lawful Interrogations (January 2009)	271

Anonymous v. State of Israel.....	275
-----------------------------------	-----

B. Legislative Responses

Detainee Treatment Act of 2005.....	289
The Military Commissions Act of 2006.....	296
S.J. Res. 23 Authorization for the Use of Military Force.....	334

C. Judicial Responses

Hamdi v. Rumsfeld	336
Hamdan v. Rumsfeld	346
Padilla v. Hanft	405
Rasul v. Bush	412
Munaf v. Geren.....	423
Boumediene v. Bush.....	437
Al-Marri v. Pucciarelli.....	463

4. International Refugee Legal Principles and Their Application in U.S. Law

*The following documents can be found in the enclosed booklet:
 “Columbia University, Center for the Study of Human Rights,
 Twenty-Five + Human Rights Documents”*

Convention Relating to the Status of Refugees	[p.58]
Protocol Relating to the Status of Refugees	[p.68]

Sale v. Haitian Centers Council	478
---------------------------------------	-----

INTERNATIONAL HUMANITARIAN LAW: PRINCIPAL CONCEPTS AND CURRENT CHALLENGES

The following documents can be found in the International Committee of the Red Cross books available at the Conference

The Geneva Conventions of 12 August 1949
 Protocols Additional to the Geneva Conventions of 12 August 1949

REGIONAL SYSTEMS AND INTERNATIONAL SYSTEMS

A. THE INTER-AMERICAN SYSTEM

American Convention on Human Rights

[Twenty-five Human Rights Documents, p. 130]

Inter-American Commission on Human Rights

Report: The Situation of the Rights of Women in Ciudad Juárez, Mexico,
March 7, 2003.....499

Inter-American Court of Human Rights

Judgment: Case of Ximenes-Lopes v. Brazil, July 4, 2006.....509

Inter-American Court of Human Rights

Advisory Opinion OC-18/03, of September 17, 2003,
Juridical Condition and Rights of the Undocumented Migrants.....517

B. INTERNATIONAL SYSTEMS

The Rome Statute of the International Criminal Court.....532

U.N. Human Rights Committee, International Covenant on Civil and Political Rights,
General Comment No. 32.....546

U.N. Human Rights Committee, International Covenant on Civil and Political Rights,
Consideration of Reports Submitted by State Parties: Concluding Observation,
United States of America.....564

U.N. Security Council Resolution 1593 (2005)576

C. THE EUROPEAN SYSTEM

The European Convention on Human Rights

[Twenty-five + Human Rights Documents, p. 146]

The European Court of Human Rights.....578

Protocol No. 13 to European Convention.....586

Selected Cases

Bankovic v. 17 NATO States590

McCann and Others v. U.K592

Pretty v. U.K596

Ocalan v. Turkey599

Kalashnikov v. Russia.....604

Soering v. U.K606

Al-Adsani v. U.K607

A. v. U.K609

T. and V. v. U.K610

Saunders v. U.K613

Dudgeon v. U.K615

Lustig-Prean, Beckett, Smith and Grady v. U.K.	616
Goodwin v. U.K.	618
Jersild v. Denmark	620
Tolstoy Miloslavsky v. U.K.	622
Refah Party v. Turkey	625
Brannigan and McBride v. U.K.	627
Jalloh v. Germany.....	630
Saadi v. Italy.....	634
N. v. United Kingdom.....	637
Leyla Sahin v. Turkey.....	640
D.H. v. the Czech Republic.....	645
S. and Marper v. the U.K.	648

D. NONGOVERNMENTAL ORGANIZATIONS

<i>Implementation by NGOs.....</i>	652
Diane F. Orentlicher, <i>Bearing Witness:</i> <i>The Art and Science of Human Rights Fact-Finding</i>	653
Peter J. Spiro, <i>New Global Communities: Nongovernmental</i> <i>Organizations in International Decision-Making Institutions.....</i>	657
Kenneth Roth, <i>Human Rights Organizations:</i> <i>A New Force for Social Change</i>	660

DATE: May 21, 2009

FROM: Gordon Aamoth

SUBJECT: Conference call with Barb Frey and Garth Meintjes regarding HUMAN RIGHTS Research Scan, Aspen Institute, Center for Victims of Torture

Robina wants them to go ahead with the research scan but focus mainly on legal education with some research on national security and globalization and human rights.

We would like to know human rights legal education:

1. What's out there - available and needed?
2. What's being done?
3. What funding is available?

Is it possible to develop a program involving Yale, University of Minnesota Law School, and Council on Foreign Relations? Not combining them together but each working separately on specific topic toward a common goal - as Binger wanted.

Aspen Institute – yes we'll fund this year – BUT – one time gift only! Very clear on that.

Center for Victims of Torture "New Tactics" project – outside our four institutions – REJECTED.

Summary: They will revise the proposal and budget and get back to me. Then we will have another conference call to discuss.

file - CVT

Nancy Gilberg

From: Gordon Aamoeth [gaamoeth@robinafoundation.org]
Sent: Tuesday, May 19, 2009 3:12 PM
To: freyx001@umn.edu
Cc: ngilberg@robinafoundation.org
Subject: New Tactics, CVT

Barb:

The Robina BOD considered the proposal from CVT, New Tactics Project, yesterday. We decided that this was outside our stated giving domane, inspite of the fact that we have previously given to CVT through Ed Spencer., and we denied this request.

Gordon Aamoeth

Center for Victims of Torture
New Tactics Project

TYPE OF GRANT:	Project Support
CVT's ANNUAL BUDGET:	\$9.3 Million
NEW TACTICS ANNUAL BUDGET:	\$350,000
AMOUNT REQUESTED:	\$100,000

SUMMARY

The New Tactics in Human Rights project ("New Tactics") provides strategic and tactical resources to support the work of human rights activists around the world. Through in-person training, curriculum development, on-line dialogue and consulting, the New Tactics Project facilitates strategic discussion leading to more innovative and effective interventions to prevent human rights violations. The Center for Victims of Torture has raised over two thirds of its New Tactics budget but is looking for new funding sources for the remaining \$100,000.

ORGANIZATIONAL BACKGROUND

New Tactics is a project of the Center for Victims of Torture, which is one of the leading treatment and research centers in the world. The Center's multidisciplinary healing services provide out-patient treatment, including medical, psychological, and rehabilitative treatment, to 250 torture victims per year. Its treatment services are supported by research and outreach efforts to share knowledge about the impacts of torture and ways of healing. In addition to providing direct health care for victims, the Center engages in advocacy work to support its mission to end torture worldwide. It is located in Minneapolis, Minnesota, and supports offices in Jordan (serving Iraqis), the Democratic Republic of Congo, and the West African region, including Liberia and Sierra Leone.

PROJECT DESCRIPTION

The New Tactics Project was created in 1999 to meet a need for more innovative approaches for promoting human rights and preventing violations. In its initial phase, the project compiled the tactical ideas of hundreds of organizations around the world and presented them in a standardized and accessible format in multiple languages to strengthen the work of human rights advocates. The initial phase culminated in a 2004

international symposium in Ankara, Turkey with 450 human rights activists from 89 countries training each other on a full range of tactical possibilities.

Since the 2004 conference, New Tactics' impact has been amplified through on-line resources that can be found at www.newtactics.org. The website links users from more than 120 countries to an encyclopedic collection of resources, including:

- The *Tactical Workbook*, a conceptual framework for thinking strategically and tactically to promote human rights;
- More than 45 *Tactical Notebooks*, providing first-person, detailed information on the use of a tactic and how it may be adapted to other situations, and
- A bimonthly on-line dialogue that connects experts and the public in live human rights discussions. Examples of recent dialogues include: *Healing of Memories: Overcoming the Wounds of History*; *Human Trafficking: Addressing Modern Day Slavery*; *Election Monitoring*; and *Human Rights in Higher Education: Incorporating practical experience*.

New Tactics publications have been translated into 20 languages by activists who use them in their campaigns. Its materials have been used in human rights courses at universities in six countries, and its staff has carried out consultations and trainings for human rights organizations in more than a dozen countries. New Tactics is planning its next training initiative in the Arabic-speaking Middle East/North Africa region.

LEADERSHIP

Doug Johnson has served as director of the Center for Victims of Torture since 1988. He pioneered the New Tactics Project and its Tactical Mapping methodology. Johnson received his Masters in Public and Private Management at the School of Organization and Management at Yale University. He has been an Associate Fellow of the Institute for Policy Studies, Washington D.C. and a Fellow of the Albert Einstein Institute, Cambridge, Mass.

The New Tactics Project has two core staff, Nancy Pearson, MSW, who directs training and outreach programs, and Kristin Antin, who manages web-based resources. Several technology staff persons also contribute to the Project. A working group of human rights leaders from 18 countries oversees the direction of the Project.

New Tactics has a distinguished advisory board, including Morton I. Abramowitz, former U.S. Ambassador; J. Brian Atwood, Dean of the Humphrey Institute for Public Affairs; Kim Campbell, former Prime Minister of Canada; Richard J. Goldstone, former Justice of the Constitutional Court of South Africa; Vice-President Walter F. Mondale; Orhan Pamuk, Turkish novelist and Nobel laureate; Edson W. Spencer, Mario Vargas Llosa, Peruvian novelist; and Elie Wiesel, among others.

RELATIONSHIP TO FOUNDATION GOALS

The New Tactics Project is a cost effective driver of innovation in the field of human rights. It connects and trains organizations and advocates around the world on tactical approaches to prevent human rights violations and to promote human rights protections.

OTHER FUNDING

The Holthues Trust and Jacob & Hilda Blaustein Foundation provide general operating support for New Tactics in the amount of \$150,000. American Jewish World Services provided a two-year \$90,000 grant for New Tactics to work with their grantees in Guatemala and Thailand/Burma. Other previous funders included the National Endowment for Democracy, Nathan Cummings Foundation, and the Moriah Fund, though renewals are unlikely because of the financial crisis. New Tactics also brings in smaller revenues from the sales of its publications and from consultancies.

Local human rights activists throughout the world struggle with a sense of isolation, are forced to “reinvent the wheel,” and choose tactics not because they are the best fit for the strategic situation, but because they are the only tactics they know. At the same time, innovative practitioners have devised a wide range of creative approaches for promoting human rights, but these are too-often known only by their closest allies.

Since 1999, the **New Tactics in Human Rights project** has created unique resources -- organized around analysis of potential solutions rather than that of specific issues, geographic regions or target groups -- that allow activists to clearly recognize the unique elements of their situation, and to seek promising approaches that have worked elsewhere and apply them to new regions or issues. It also improves activists’ ability to combine diverse tactics into complex strategies.

The New Tactics Project’s methods have included:

1. In-person trainings, such as:

- *Regional workshops* in which 10-50 innovative activists train each other in the diverse tactics they have used, and develop “tactical portfolios” of practical tools for applying new tactics. Seven workshops have been held, the most recent in Liberia in February 2007, focusing on post-conflict tactics for rebuilding civil society.
- *An International Symposium* held in 2004 in Ankara, Turkey, including 450 human rights activists from 89 countries to focus on a full range of tactical possibilities, from fields as diverse as domestic violence and sustainable development.

Project staff have carried out other types of presentations or consultations in more than a dozen countries.

2. Publications, including:

- The book *New Tactics in Human Rights: A Resource for Practitioners* offers a conceptual framework for thinking strategically and tactically to promote human rights, and gives dozens of examples of innovative tactics, categorized by the strategic situation in which they were used.
- More than 45 *Tactical Notebooks*, created by participants from the regional cross-training workshops, that provide first-person, detailed information on the use of a tactic and how it may be adapted to other situations. Examples of tactical notebooks produced to date include:
 - *Recipe for Dialogue: Corporate Training for Building Relationships with Indigenous Communities* By Jo Render, First Peoples Worldwide, USA
 - *Using Popular Theater to Break the Silence around Violence Against Women*, by Oulimata Gaye, Réseau Africain de Développement Intégré (RADI), Senegal
 - *Access to Justice: Creating Local Level, Citizen Action Mediation Bodies to Ensure Human Rights*, by Dinesh Narayan Suddhakar, Center for Victims of Torture (CVICT), Nepal

New Tactics materials have been translated into twenty languages by local human rights advocates and distributed to thousands of activists around the world.

3. Tactical Mapping, a methodology to help identify the relationships surrounding a human rights abuse, and the points in which the system can be interrupted or transformed, ranging from highly local, personal relationships (e.g., the perpetrator’s professional associations) to international institutions (e.g., the UN system). It allows a coalition of advocates to see where each is working on the system, and where there are gaps that need to be addressed, either by creating new tactics or finding new allies.

The New Tactics in Human Rights Project at the Center for Victims of Torture

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4. *Electronic Resources and Curricula*, including the project's website www.newtactics.org, online discussion courses, and an *e-newsletter* that highlights specific tactics and information for inspiring innovation. A revised version of the project website was launched in September 2007, featuring: new tools for sharing and networking; the blog *InterTactica*; and regular Online Dialogues featuring practitioners of specific types of tactic (for example: unarmed accompaniment; engaging the media; or using historical sites to spark discussion of current issues).

II. Evidence of Success

One sign of the success of the project is the growing demand for the project from activists around the world. Website traffic has more than doubled since the revision of the project website in September 2007, and activists from more than 120 countries have become members. We have also seen significant increases in applications for the project's in-person trainings and other activities – e.g., a small partnership initiative in 2007 drew more than twice the applications than that of a similar initiative in 2005.

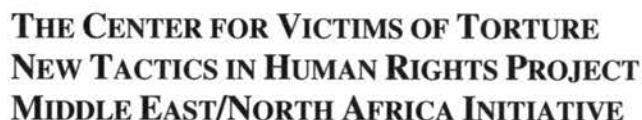
With these accomplishments have come greater indications of the New Tactics project's real-world impact. Dozens of project participants have told us how they used the project's ideas and materials to strengthen their work in a number of ways. In formal evaluations, informal follow-ups, and reports from subgrantees and partners, they have told us that the project has helped them:

- *Analyze their strategic situation*, such as the Sri Lankan organization that abandoned “energy sapping” activities and turned to collaboration with allies who were better positioned for these approaches; or the coalition of women's rights groups in Nigeria that launched a new microcredit initiative after they recognized that economic dependency was at the core of wife-beating and widowhood practices.
- *Reach out to potential partners*, such as the Turkish activists who used tactical mapping to engage hundreds of other activists in strategies to end torture (www.stramap.org), or an Armenian participant that says New Tactics resources helped a group of activists come to quicker agreement on efforts to defend political prisoners, including the freeing of a soldier falsely accused of murder.
- *Transfer a tactic first used elsewhere*, such as the Salvadoran group that adapted a Nigerian tactic for preventing violence against women; a Slovak organization that used a Korean approach for preventing corruption in local governments; a Macedonian group that increased the representation of women in Parliament by modifying a Dutch mobile phone tactic; or the activists in Zimbabwe that adapted a Serbian method for rapidly freeing political prisoners.

The New Tactics project emerged from CVT's own experience as a creator of new tactics, a leader of coalitions, and as a center that also advocates for the protection of human rights from a unique position – one of healing and of reclaiming civic leadership. In addition to the New Tactics project, CVT's international work includes projects to create community mental health and trauma healing capacity in Liberia, Sierra Leone, Jordan and the Democratic Republic of Congo, and a capacity-building project that has strengthened torture treatment organizations in 19 countries.



Participants using the “tactical map” and “spectrum of allies” tools at a New Tactics workshop on post-conflict tactics held in February 2007 in Monrovia, Liberia.



When this situation exists, there are opportunities to make greater progress in human rights, and one of the best such opportunities now is in the Middle East/North Africa (MENA) region, which is home to a large number of dedicated and sophisticated human rights advocates, but which also faces numerous and complex human rights concerns.

A hand-drawn diagram illustrating a complex system architecture. The diagram features numerous rectangular boxes, some labeled with Cyrillic text, connected by a network of arrows indicating data flow or system interactions. Key components include:

- Top Left:** A box labeled "Монитор" (Monitor) connected to "ЦАП" (DAC) and "Микропроцессор" (Microprocessor).
- Top Center:** A box labeled "Микропроцессор" (Microprocessor) connected to "Память" (Memory) and "Система" (System).
- Top Right:** A box labeled "ОС" (OS) connected to "Микропроцессор" (Microprocessor) and "Система" (System).
- Center:** A box labeled "КЭВ" (KEV) connected to "Микропроцессор" (Microprocessor) and "Система" (System).
- Bottom Left:** A box labeled "ПРАВО" (Right) connected to "Микропроцессор" (Microprocessor) and "Система" (System).
- Bottom Center:** A box labeled "СМ" (SM) connected to "Микропроцессор" (Microprocessor) and "Система" (System).
- Bottom Right:** A box labeled "НПО" (NPO) connected to "Микропроцессор" (Microprocessor) and "Система" (System).

The diagram also includes several handwritten notes and labels, such as "Микропроцессор" (Microprocessor), "Память" (Memory), "Система" (System), "ОС" (OS), "КЭВ" (KEV), "Микропроцессор" (Microprocessor), "Система" (System), "ПРАВО" (Right), "СМ" (SM), "НПО" (NPO), "Микропроцессор" (Microprocessor), "Память" (Memory), "Система" (System), "ОС" (OS), "КЭВ" (KEV), "Микропроцессор" (Microprocessor), "Система" (System), "ПРАВО" (Right), "СМ" (SM), "НПО" (NPO).

One of the New Tactics project's most popular tools is *tactical mapping*, used to analyze the relationships supporting a human rights abuse, and to map existing or potential interventions. Participants at a New Tactics workshop in Kyrgyzstan in 2008 developed this tactical map analyzing the issue of children being detained in prisons. For an extensive interactive map of systems surrounding torture in Turkey, see: <http://harita.stramap.org> (created by New Tactics partner Helsinki Citizens Assembly, Istanbul).

The target audience is a diverse group of human rights advocates in the region; particularly, those who have implemented innovative tactics, and/or who reach a broad number of other activists, and have potential to grow as influential voices for human rights and leaders of strong networks for sustainable change. The geographic focus is on the Arabic-speaking Middle East/North Africa region, with as wide a set of human rights-related issues as is possible. The expected time frame is three years.

The New Tactics in Human Rights Project at the Center for Victims of Torture
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1. *A Regional Network to Lead the Initiative.* An early task will be to form a Working Group of core partners to guide the project. We anticipate approximately 10 respected advocates, representing a range of human rights issues and different countries; several will have participated in past New Tactics project activities. The Working Group will serve as the main partners for implementing this initiative, and will be the activists best equipped to continue to independently use and promote the project's resources after the initiative is concluded.

This Working Group will meet in the first workshop, where we will secure the commitment of individual members to carry out various roles in the initiative, including agreeing to co-host subsequent workshops, select project materials for translation into Arabic (print and online), and recommend/recruit a broader network of participants.

2. *Workshops.* The general model is to start with "training of trainer" type workshops with our initial partners, and then to give the local partners greater control, autonomy and support for subsequent workshops that are increasingly focused on specific campaigns. The workshops are based on the New Tactics project's experience with various in-person trainings in 20 countries since 2002.

Phase One Workshops

- The first workshop (*Working Group workshop*) of 10-15 participants will be used to: recruit a core group of local and regional partners; orient this group to the New Tactics project's resources and methods; share tactical experiences and innovations of the participants; refine plans about the later components of the initiative; and secure commitments for subsequent activities.
- The next three *Regional Workshops*, each held jointly with one of the Working Group members' organizations, will recruit a broader group of 20-30 local activists each, and provide in-depth training on New Tactics methods and resources (and each others' experiences). These workshops are tentatively planned for the three major subregions of the Arabic-speaking MENA region (North Africa, Gulf region, and countries in the center of the region – e.g., Egypt, Syria, Lebanon). Note that we anticipate bringing one or two New Tactics presenters from outside the region (probably the broader Muslim world) to each workshop, to complement regional expertise and highlight global experiences or approaches identified by the Working Group as important.

Phase Two Workshops

Unlike the Phase One workshops, which New Tactics staff will organize directly in collaboration with local partners, the Phase Two workshops will be designed and run by local groups who receive financial and technical assistance from the New Tactics staff. We anticipate that the organizers of these workshops will all have participated in one or two of the Phase One workshops. The objective of each workshop will also be different: whereas the Phase One workshops focus on general training in New Tactics tools, the Phase Two workshops will use New Tactics methods to address specific human rights concerns. Specifically, we expect:

- *Strategic Workshops* that identify and coordinate multiple tactical approaches and groups to create or strengthen campaigns on a specific human rights issue (for example, treatment of guest workers in the Gulf region). We have planned for up to 5 Strategic Workshops.
- *Tactical Workshops* designed to help local groups develop and implement a specific tactical approach (for example, developing pro bono legal services in Algeria). We have planned for up to 10 Tactical Workshops.

New Tactics technical and financial assistance of this type has helped more than 60 local groups improve their work and expand their networks. From 2004-2008, subgrantees reported that they held meetings or forums reaching more than 7500 colleagues from more than 1100 organizations, and used

mass media methods to reach general audiences estimated at more than 80,000 people. The quality of the activities has also been exceptional and diverse, including: new collaborative networks that have continued for 2-3 years after the initial activity; election monitoring; mobilizing thousands for peaceful demonstrations; and emergency responses to political crises in countries such as Kenya, East Timor and Zimbabwe.

3. Resources for Regional Activists Internet-based resources or other electronic communications tools are integrated into this initiative in several ways, including: reaching activists who (for various reasons) cannot participate in in-person events; continuing discussions started at in-person events; providing easy access to project materials and translations; and facilitating broader discussions with a global network of activists who have faced similar strategic challenges and experiences.

One example of the diversity of tactics needed to make progress in one issue area can be seen in Amnesty International's 2000 report *Torture Worldwide: An Affront to Human Dignity*. In the last chapter "Fighting Torture; An Agenda for Action," AI outlines a number of specific actions needed to create lasting change – including safeguards for people in custody, employing international legal mechanisms, ending the trade in the tools of torture, and treating torture survivors. No single organization is capable of carrying out all of the report's 29 specific recommendations at once; the New Tactics resources for combining and coordinating actions of numerous advocates can help.

Thus we will develop Arabic-language Information and Communications Technology (ICT) tools that parallel the resources available on the current website www.newtactics.org, including: Online Dialogues; featured blogs; a database of tactical examples; interactive tools for activists to form private online groups to coordinate specific campaigns or exchange information. The New Tactics website will also be the main mechanism for distribution of print publications that can be downloaded from the site. The book *New Tactics in Human Rights: A Resource for Practitioners* is already available in Arabic; we expect to produce 8-12 new tactical notebooks highlighting cases from the region, and to produce 400 more pages of project materials translated into Arabic.

Resources

The total expense budget for the three-year initiative is approximately US\$2.75 million. Major expense categories include:

Personnel, including a small staff (5.15 FTE) working in Amman, Jordan, and coordinating activities with staff (2.50 FTE) in the CVT/New Tactics headquarters (*total*: \$1.25 million)

Subgrants to local partners. The co-organizers of the three Regional Workshops in Phase One will receive \$25,000 each. Each of the organizers of the Strategic Workshops will receive \$25,000 each for their own organization's expenses and will be eligible for up to \$10,000 in additional subgrants to cover the travel expenses of participants. Each of the organizers of the Tactical Workshops will receive \$10,000 each for all expenses (*total*: \$350,000).

Travel Expenses

CVT will pay the travel expenses for participants for the four Phase One workshops, for which the budget anticipates approximately 120 trips. The travel budget also includes expenses for CVT staff traveling within the region and to/from headquarters for implementation and monitoring of the initiative; 10 trips between Amman and Minneapolis, and 28 trips within the region, are expected over three years (*total*: \$420,000).

Contract Expenses, including: honoraria for tactical notebook writers (\$1500 each) and bloggers (\$5000 each per year); translators; editors of tactical notebooks and other print materials; an evaluation consultant; and software developers (400 hours per year) to enact changes in the New Tactics ICT tools -- e.g., to accommodate Arabic language resources or easier interaction with text messaging (total: \$200,000).

Other Expenses for remaining program expenses -- rent, utilities, office supplies, communications, printing, equipment, and indirect costs (total: \$525,000).

Organizational Qualifications

CVT and the New Tactics Project are well-positioned for a new initiative in the region. The book *New Tactics in Human Rights: A Resource for Practitioners* is now available in Arabic, Farsi and Turkish (various other project resources have been translated into twenty different languages). In 2008, CVT's International Services Program opened a clinic in Amman working with Iraqi refugees. The largest previous initiatives of the project -- such as the International Symposium, a series of in-country workshops, and the most complex tactical mapping project yet implemented, -- took place nearby in Turkey, led or co-led by New Tactics partner the Istanbul branch of Helsinki Citizens Assembly (HCA).

A past New Tactics subgrant was used to form a network of human rights and civil society groups in the state of Kaduna in Nigeria. Members of the network have transferred several tactics learned from the project (e.g., how to use government budgets for transferability and accountability; collaborating with law students to improve community access to justice; engaging religious leaders to change perceptions of the human rights of women). They also report that the network continues to use New Tactics resources regularly for planning and analysis, and has played a part in a review of the Nigerian Constitution, including contentious issues such as gender-bias, citizenship and residency rights, and social and economic rights.

More generally, CVT has leveraged its expertise in mental health, post-conflict situations and human rights to develop significant expertise building and managing coalitions. For example, in the Trauma Healing Initiative, CVT and a local NGO have facilitated a core group of Cambodian health and human services providers working to improve care for survivors of the Khmer Rouge atrocities. And in the Campaign to Ban Torture, we have mobilized hundreds of opinion leaders from religious communities and the national security sector to support a presidential Executive Order that ends the use of torture by all U.S. personnel.

In the end, we expect this initiative to provide 80 activists with methods to improve their human rights work, and to engage hundreds of additional activists via in-person trainings, publications, and electronic communications tools. We expect 10-15 human rights campaigns to be created or strengthened as a result of the initiative, and that dozens of project participants will credit the initiative as they share anecdotes of new strategic insights, new cooperative work, and new approaches that were inspired by the project's tools and by the opportunity to connect with colleagues in the region and around the world.

"It is hard to point to another human rights initiative that has accomplished more or been more appreciated by those who have had an opportunity to participate....The human rights struggle needs the outcomes and results that New Tactics has produced so far." *-Luis Moreno Ocampo, Argentina; Prosecutor, International Criminal Court*

"I've participated in other workshops but the way of looking at the problem was weaker, the facilitator was looking at it from his own perspective, but not what I could use. This is special work -- it makes ideas stronger and creates new ideas that can be applied. We need new ideas as leaders."

-participant, New Tactics workshop, Guatemala, July 2008

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Robina Foundation Not-For-Profit Organizations Liability Policy 2009 Renewal Proposal

Renewal Highlights

The below proposed renewal program is "as expiring" for the overall scope of coverage; however, the proposal also includes additional subtle coverage enhancements by endorsement with a flat (no change) renewal premium. The policy will remain "Claims Made" meaning coverage applies to claims that are first made during the policy period or extended reporting period. Defense costs remain "inside the limit of liability" meaning those costs will erode the retention and limit of liability.

Issuing Company: Federal Insurance Company

Policy Period: May 11, 2009 to May 11, 2010

Pending or Prior Litigation Date: 5/11/2005

Aggregate Limit of Liability)

	Expiring Chubb 08-09 Policy	Chubb 09-10 Policy Renewal
Directors & Officers Liability and Entity Liability	\$5,000,000	\$5,000,000
Employment Practices Liability	\$5,000,000	\$5,000,000
Combined Maximum Aggregate Liability (D&O and EPL)	\$5,000,000	\$5,000,000

Retention per Claim

	Expiring Chubb 08-09 Policy	Chubb 09-10 Policy Renewal
Individual Non-Indemnified Liability Coverage (D&O)	None	None
Individual Indemnified Liability Coverage (D&O)	\$10,000	\$10,000
Entity Liability Coverage (D&O)	\$10,000	\$10,000
Employment Practices Liability	\$10,000	\$10,000
Employment Practices Liability – Third Party Liability	\$10,000	\$10,000

Premium Summary

	Expiring Chubb 08-09 Policy	Chubb 09-10 Policy Renewal
Annual Premium	\$4,800	\$4,800
	15.5% commission included	18% commission included

Endorsements to Policy (additional enhancements in bold)

1. Minnesota Amendatory Endorsement to the Forefront Portfolio for Not-for-profit Organizations General Terms & Conditions Section
2. Minnesota Amendatory Endorsement to the Forefront Portfolio for Not-for-profit Organizations Director & Officers Liability and Entity Liability Coverage Section
3. Minnesota Amendatory Endorsement to the Forefront Portfolio for Not-for-profit Organizations Employment Practices Liability Coverage Section
4. Amend Subsection 19 Representations and Severability Endorsement
5. Amend Definition of Organization Endorsement
6. Amend Definition of Loss Endorsement
7. Amended Exclusion 5(c) Endorsement
8. Amend Definition of Loss to Include Coverage for Multiplied Damages Endorsement
9. Claim Reporting Incentive for Employment Practices Liability Only Endorsement
10. Amend Insured Person Definition Endorsement
11. **Amend Exclusion 5(j) Endorsement**
12. **Whistleblower Endorsement**
13. **Amend Subsection 10., Defense and Settlement Endorsement**
14. **Delete Exclusion 4(o) Endorsement**
15. **Amend Defense & Settlement Endorsement**

This proposal provides only a highlight of proposed coverage. The insurance contract should be consulted for the exact terms, conditions and exclusions applicable to the policy.



2008 Membership Investment Schedule

We are pleased that the Council has been able to serve its members without raising its membership investment schedule since 2000.

Minnesota-based organizations calculate their membership investment on total U.S. charitable contributions.

Organizations based outside Minnesota calculate their membership investment on total grants made to recipients located in Minnesota only.

NOTE: MCF is a 501(c)(3) organization; therefore, membership investments may be paid in the form of a grant.

Level of Contributions/ Grants Paid	Membership Investment
(1) Under \$50,000	\$500
(2) \$50,000 - \$99,999	\$725
(3) \$100,000 - \$249,999	\$965
(4) \$250,000 - \$499,999	\$1,450
(5) \$500,000 - \$749,999	\$2,175
(6) \$750,000 - \$999,999	\$2,900
(7) \$1 million - \$1,999,999	\$4,225
(8) \$2 million - \$2,999,999	\$5,555
(9) \$3 million - \$3,999,999	\$7,250
(10) \$4 million - \$4,999,999	\$9,650
(11) \$5 million - \$5,999,999	\$12,050
(12) \$6 million - \$8,999,999	\$14,500
(13) \$9 million - \$11,999,999	\$16,950
(14) \$12 million - \$14,999,999	\$19,400
(15) \$15 million - \$19,999,999	\$21,900
(16) \$20 million - \$29,999,999	\$24,500
(17) \$30 million - \$39,999,999	\$27,100
(18) \$40 million - \$49,999,999	\$29,700
(19) \$50 million - \$59,999,999	\$32,300
(20) \$60 million - \$69,999,999	\$34,900
(21) \$70 million - \$79,999,999	\$37,500
(22) \$80 million - \$89,999,999	\$40,100
(23) \$90 million - \$99,999,999	\$42,700
(24) >\$100 million	\$45,300

Associate Member: \$500

Organization Category

The Minnesota Council on Foundations membership is comprised of several types of organizations. Please indicate the appropriate category for your organization:

- ☐ Private family foundation
- ☒ Private independent foundation
- ☐ Private operating foundation
- ☐ Community foundation
- ☐ Public charity grantmaking foundation
- ☐ Corporate foundation and/or corporate/business giving program
- ☐ Tribal foundation or giving program
- ☐ Other public charity organization that meets *all* of the following criteria:
 - Has as its primary charitable activity the making of grants for religious, educational or scientific purposes; *and*
 - Makes grants to multiple, unrelated organizations rather than to one institution or its affiliates or subsidiaries or to a group of pre-selected recipients; *and*
 - Devotes a significant portion of its charitable budget to its grantmaking program and activities rather than to fundraising
- ☐ Donor-advised fund* (see associate member definition)

* **Associate members** are grantmaking organizations located outside Minnesota with no grantmaking in Minnesota, or donor-advised funds of member community/public foundations.



**ASSOCIATION OF
SMALL FOUNDATIONS**
for foundations with few or no staff

1720 N Street, NW ♦ Washington, DC 20036
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3781

Gordon M. Aamoth
President
Robina Foundation
4900 Ids Center
80 S 8th St
Minneapolis MN 55402-2100

January 1, 2009

Dear Colleague,

These times are uncertain and troubling. No doubt, you're taking a hard look at your foundation's investments and wondering about the long-range impact on your philanthropic support. I certainly have been, and I want to share a valuable resource that I'm turning to now more than ever – my membership in the Association of Small Foundations (ASF).

ASF is the place for foundations like yours and mine. At ASF, *small* means small in staff size. Most member foundations are run by fewer than two staff, and many by volunteers alone. We have limited time and diverse backgrounds. ASF keeps me informed about investment management strategies and approaches to make the most of my foundation's grants. I've also made connections with other small foundation leaders who inspire me, and who understand that we need each other most right now. I can attend educational programs, post a question to the listserv, call fellow members listed in the Colleague to Colleague Guide, or go online for tips on grantmaking in tough times.

We don't have to go it alone, and we don't have to spend a lot of precious resources to benefit from membership in the ASF community. In fact, for many ASF members, the cost of membership is more than offset by member discounts, time savings, and valuable advice that leads to even better grants. As one ASF member recently stated,

"It is obvious when you look at the low price of membership that ASF isn't looking to exploit possibility. Clearly, it is here to help." – Woody McCally, Finnegan Family Foundation

Please consider an investment in you, your foundation, *and* your community by joining ASF. Among philanthropy support organizations of our size and scale, we have one of the lowest membership fees and the highest quality of service. For \$495 each year, you get instant access to the essentials for running a small foundation – from sample policy statements to legal updates to staff on hand to take your calls. You also get advice and ideas from more than 3,000 member foundations who are dealing with the same uncertainty and immense community need.

I encourage you to join me in one of the strongest networks of philanthropists in the country. Complete the enclosed membership application, or to learn more about the benefits of membership, contact Karen Engstrom at 888-212-9922 or visit www.smallfoundations.org/Join. Armed with information and inspiration, we will be better positioned to support our communities in 2009 and beyond.

Sincerely,

Henry Berman, President and Co-trustee
The Edith Glick Shoolman Children's Foundation
ASF member since 2003

Board of Directors: Chair: Marlene J. Fluharty, **The Americana Foundation**, Michigan; Vice Chair: Patrick S. DeMoon, **The Kara Foundation**, Illinois; Secretary: Jane Leighy Justis, **The Leighty Foundation**, Colorado; Assistant Secretary: Heather Carroll, **The Joseph Henry Edmondson Foundation**, Colorado; Treasurer: Anne L. Gunsteens, **The J. Willard and Alice S. Marriott Foundation**, Washington, DC; Henry Berman, **Edith Glick Shoolman Children's Foundation**, Massachusetts; Thomas F. Blaney, **McCaddin McQuigley Foundation**, New York; Kathy Bradley, **Mid-Iowa Health Foundation**, Iowa; Eliot P. Green, **The Bravest Fund**, New York; Christyne B. Hamilton, **Hubert Leroy Brown Foundation**, Florida; Floyd Keene, **The Triple EEE Foundation**, Illinois; Carolyn O'Malley, **The Dorrance Family Foundation**, Arizona.

ROBINA FOUNDATION

GENERAL PRINCIPLES FOR GRANTMAKING FOR THE ROBINA FOUNDATION

1. **Ethics and Law Principle**
To sustain public trust by adhering to the highest ethical principles and practices and abiding by all state and federal laws that govern philanthropy.
2. **Effective Governance Principle**
To achieve effective governance by ensuring performance in the areas of stewardship of assets, founder's intent, fiduciary responsibility and sound decision-making.
3. **Mission and Goals Principle**
To be purposeful in our philanthropy by having a clearly stated mission and explicit goals as stated in our Bylaws.
4. **Engaged Learning Principle**
To foster continuous learning and reflection by engaging board members, consultants, and grantees in thoughtful dialogue and education.
5. **Respectful Relationship Principle**
To build constructive relationships with grantees by ensuring mutual respect, candor, confidentiality and understanding, and by being clear, consistent, and timely in our communications with them.
6. **Self-Assessment and Commitment Principle**
To uphold the highest standards by regularly assessing ourselves against these principles and committing to implement them.

ROBINA FOUNDATION

ROBINA FOUNDATION TRAVEL POLICY

The Robina Foundation has established the following guidelines for travel. In implementing these guidelines, the Robina Foundation relies on the integrity and judgment of its consultants and Board Members in determining what is necessary and reasonable to effectively carry out their responsibilities.

- Business expenses incurred by Board Members and consultants are reimbursed on an actual cost basis and thus it is important that requests for expense reimbursement of any item be accompanied by all appropriate and available receipts (an Expense Form will be provided). The Expense Form and receipts for all expenses shall be given to the Administrative Consultant as soon as practical after the expense is incurred. (When a receipt is not attached, a brief explanation should be noted for that expense.)
- Regarding mileage, the current IRS allowable rate will be used. Parking expenses, as required, will be reimbursed. Reimbursement for travel by hotel courtesy cars, airport shuttle, or taxi, when necessary for business purposes, will be based on actual cost including tip.
- Travel arrangements should take advantage of the most cost-efficient airfare (without unduly inconveniencing the traveler). When possible, air transportation should be arranged in sufficient time to obtain the best available discount. First/Business class transportation may not be used while traveling on Robina Foundation business; any traveler wishing to upgrade must pay the cost differential personally.
- The Robina Foundation will reimburse the costs of accommodations, meals, tips, and incidental expenses (phone calls/fax/copying) for Robina-related business travel. When attending conferences, reimbursement will be made for accommodations at the conference hotel for a single room or the individual's share of a double room, and those reservations will generally be made by the individual. In most instances, the Administrative Consultant will make hotel reservations for Board Members as well as consultants/guests for the Robina Foundation Board Meetings.
- Travel/entertainment expenses should be reasonable and will not be reimbursed if they are extravagant or lavish. An unusual or large expenditure for travel/entertainment must be approved prior to the event by the President of the Robina Foundation. Expenses associated with travel of an individual's spouse or domestic partner ordinarily will not be reimbursable by the Foundation.

ROBINA FOUNDATION

RECORD RETENTION POLICY

It is the policy of the Robina Foundation to retain records (hardcopy, online, or other media) and to destroy them when appropriate even though as a private foundation it is not required by law. The following types of documents will be retained for the following periods of time.

CORPORATE RECORDS	RETENTION PERIOD
Articles of Incorporation	Permanent
Bylaws	Permanent
Certificate of Incorporation	Permanent
Annual Reports	Permanent
Board Policies	Permanent
Board Resolutions	Permanent
Board Minutes	Permanent
Board Books for Board Meetings	Permanent
Founder's (Jim Binger) Estate Papers	Permanent
Sales Tax Certificate of Exemption (#42623)	Permanent

FINANCIAL RECORDS	RETENTION PERIOD
Fiscal Policies and Procedures	Permanent
Audit Reports	Permanent
Financial Statements	Permanent
Investment Records (deposits, earnings, withdrawals)	7 years
Check Register, Cancelled Checks,	7 years
Bank Statements, Deposit Slips	7 years
Invoices	7 years

TAX RECORDS	RETENTION PERIOD
Form 990-PF	Permanent
W-9 Forms	Permanent
Letter of Determination (recognized as exempt from Federal income tax)	Permanent
Filings of Fees Paid to Consultants (Forms 1099)	7 years
W-2 Statements	7 years

CONTRACTS	RETENTION PERIOD
Consultant Contracts	Permanent
Consultant Applicant Resumes and Evaluations	Permanent
Lease Agreements	Permanent
Vendor Contracts	7 years
Time Reports	3 years after termination
Job Descriptions and Salary	7 years after termination

INSURANCE RECORDS	RETENTION PERIOD
Director's and Officer's Insurance Policy (renew annually)	Permanent
Property/Liability Insurance Policy (renew annually)	Permanent

GRANTS/DONATIONS	RETENTION PERIOD
Lake Robina Property Donation to Minnesota Department of Natural Resources (appraisals, acceptance letter, correspondence)	Permanent
Grant Spread Sheet	Permanent
Grant Application Proposal	7 years
Grant Acceptance/Denial Letter	7 years
Grant Monitoring and Evaluation Reports	7 years

CBIZ 1ST QUARTER FINANCIAL STATEMENT

IN BACK OF BOOK.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DIVISION
PROBATE-MENTAL HEALTH DIVISION

Court File Nos. 27-PA-PR-05-279
27-PA-PR-05-371
27-TR-CV-05-58

In Re: Estate of James H. Binger,

**RECEIPT FOR PARTIAL
DISTRIBUTION**

Deceased.

1. Robina Foundation ("Robina") hereby **ACKNOWLEDGES RECEIPT** of twenty million dollars (\$20,000,000.00) in cash ("Partial Distribution"), from JPMorgan Chase Bank, N.A. as Trustee ("J.P. Morgan, as Trustee") of the James H. Binger Revocable Trust dated December 14, 1993, as restated on June 9, 2004 and as amended on September 23, 2004 (the "Trust"). Robina accepts the Partial Distribution in partial satisfaction of the residuary devise given to Robina under paragraph 3.07 of the Trust.

2. In consideration of the Partial Distribution prior to the completion of administering Decedent's Estate and the Trust, Robina **RELEASES, DISCHARGES AND COVENANTS NOT TO SUE**, J.P. Morgan, as Trustee, as well as any subsidiary or affiliated company or entity of J.P. Morgan, as Trustee (collectively, the "related entities"), the directors, officers, trustees, employees, consultants, agents, successors and assigns of J.P. Morgan, as Trustee, and the directors, officers, trustees, employees, consultants, agents, successors and assigns of any one or more of the related entities, from and for any and all claims, demands, agreements, actions, injunctions, restraints, suits, causes of action, losses, liabilities, obligations, and damages, arising at any time, whether before, during or after completion of the administration of the above-referenced estate and the Trust, in any manner, in any jurisdiction, at law or in equity, arising from, based upon, or in any way relating to the Partial Distribution,

acknowledging that it is appropriate and proper for J.P. Morgan, as Trustee, to make only the Partial Distribution at this time.

ROBINA FOUNDATION

Dated: 3/19/09, 2009


By:
Its: President

VERIFICATION

STATE OF MINNESOTA

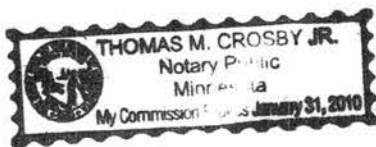
COUNTY OF Kennebec

The foregoing instrument was subscribed and sworn to before me, a Notary Public in and for said County and State, by Garen Dama K an Officer of Robina Foundation, on this 19 day of March, 2009.

Subscribed and sworn to before me this
19 day of May, 2009.

Notary Public

CHI99 5099571-1.071212.0015



McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich
New York Orange County Rome San Diego Silicon Valley Washington, D.C.
Strategic alliance with MWE China Law Offices (Shanghai)

Peggy A. Halfman
Attorney at Law
phalfman@mwe.com
312.984.3363

March 17, 2009

Thomas M. Crosby, Jr.
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901

Dear Tom:

As you know, on July 16, 2008, the Internal Revenue Service issued a deficiency notice to the Estate of James H. Binger asserting an estate and generation-skipping tax deficiency of \$16,294,089.00. JPMorgan Chase Bank, N.A., as Executor of the Estate, filed a petition disputing the deficiency assessment with the United States Tax Court in October. As we have discussed, the Internal Revenue Service is free to assert tax deficiencies over and above those asserted in the deficiency notice during the Tax Court litigation. Taking this into account, along with other potential liabilities and expenses, JPMorgan proposes to make an interim distribution to Robina of \$20,000,000.00 in cash at this time. Before making the proposed distributions, J.P. Morgan will need to obtain a receipt from Robina.

By letter of July 21, 2006 to David Potter and by letter of July 26, 2007 to you, we relayed JPMorgan's proposal to immediately distribute to Robina the Estate's venture capital investments. Following those proposals, we were informed that Robina preferred to hold off on such distributions. In Ed Spencer's October 13, 2008 letter to JPMorgan, which you received by carbon copy, Mr. Spencer indicated that Robina was interested in receiving distribution of the Estate's venture capital investments. JPMorgan stands ready to proceed with such distributions. Please confirm that Robina desires such distributions at this time, as Mr. Spencer's letter indicated that he had retired from the Robina board. We expect that transfer efforts will require the involvement of Robina's counsel, as the venture capital funds likely will ask Robina to sign subscription agreements and other documentation. JPMorgan will contact you directly regarding these matters. We also ask that you analyze the proposed distributions from Robina's perspective to determine whether any of these assets raises adverse tax or other consequences for Robina, including consequences arising from potential jeopardy investments, excess business holdings and unrelated business taxable income.

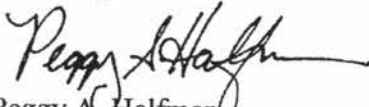
U.S. practice conducted through McDermott Will & Emery LLP.

227 West Monroe Street Chicago, Illinois 60606-5096 Telephone: 312.372.2000 Facsimile: 312.984.7700 www.mwe.com

Thomas M. Crosby, Jr.
March 17, 2009
Page 2

In the past, Robina also has asked JPMorgan to hold off on distributing the Marion Bazal condominium. Mr. Spencer's October 13 letter also requests a distribution of the condominium. Please confirm whether Robina wants us to proceed with this request. I understand that you were working with Terry Slye regarding certain issues related to that distribution.

Cordially,


Peggy A. Halfman

cc: Anita Medina Tyson
David A. Baker

CHI99 5049727-2.071212.0017

Email to Gordon dated April 22, 2009

Tom and Gordon:

As a recap of our meeting conversation last Tuesday:

The Foundation had received an additional \$20MM from the estate. Our discussion outlined what the income yield and safety expectations should be for these funds. You had indicated that the goal is to not lose principal and then to get the best yield available. We discussed the safety of the various types of instruments given your time horizon for using the funds.

- 1) It was agreed that \$10,000,000 would be held in cash equivalents, as these funds would be needed in the very near future.
- 2) For 2010 grants we are recommending investing those funds in the TLGP bonds offered by national banks. These are backed by the FDIC.
- 3) The remaining funds will be invested in 3-5 year bonds. The Foundation expects to receive additional funds may have a change in investment direction or distribution policy within the next three years. We will continue to discuss the investment objectives and will have a better idea of the funds available and economic expectations as these bonds come due.

The amount that we have to invest is:

\$ 33,700,000 current cash balance
(10,000,000) current needs
(8,000,000) one year treasury protected notes
\$ 15,700,000 remaining for investment

One item we did not discuss during our meeting. The current yield on our taxable money market fund is 0.35%. Due to the current banking issues the FDIC has extended its guarantee program to cover all checking or savings accounts that pay less than 0.5% interest. US Bank has initiated a checking account that will pay 0.5% interest on deposits of over \$100,000. All fund in this account would be covered by the FDIC guarantee. If your short term cash were going to be invested in the checking account verses the money market for even one month you would earn about \$1,200 more interest, plus you would receive FDIC coverage. There are fees associated with this checking account if the balance falls below \$20,000 so we would want to ensure that we have you in the correct checking account when a substantial amount of these funds are distributed or when the FDIC program is terminated.

Our recommendations for the available funds would be:

- 1) Transfer \$10,000,000 to the checking account and change the type of account to ensure FDIC protection and 0.5% interest.
- 2) \$8,000,000 in TLGP bonds. These are currently yielding 1.1%
- 3) The remaining cash, \$15,000,000, would be invested in 3-5 years bonds. I have attached an example of the bonds that are currently available that Lucille put together. Note that we can't guarantee that those names and certainly those levels will be available. That should be used simply as a clue as what will be bought. In order to provide as much diversity as possible we would buy twice as many names, rather than twice as much in each name, in order to fill the current order.

I know that you were going to share this with the rest of the board members. Please let us know if there are additional questions or comments and if you would like to proceed as outlined.



Selected Period Performance
ROBINA FOUNDATION MGMT AGY

Period Ending: 03/31/2009

<u>Sector</u>	<u>Market Value</u>	<u>Year to Date (3 Months)</u>	<u>12 Months</u>	<u>Inception to Date (22 Months)</u>
Total Mgd Assets	41,735,066	.72	2.31	3.45
Total Fixed Income	8,218,466	1.49	3.05	
Barclays Capital 1-3 Yr Gov/Credi		.57	2.78	5.79
Lipper Short Inv-Gr Debt Index		1.16	-3.65	-.31
Total Cash Equiv	33,516,600	.17	1.84	3.04

Account Inception: 06/01/2007

Not A Deposit, Not FDIC Insured, May Lose Value, Not Bank Guaranteed, Not Insured By Any Federal Government Agency

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which would reduce returns. Information is deemed reliable but may be subject to change.



Selected Period Performance
ROBINA FOUNDATION MGMT AGY

Period Ending: 12/31/2008

Sector	Market Value	Year to Date (12 Months)	13 Months	Inception to Date (19 Months)
Total Mgd Assets	21,654,673	2.78	2.93	3.56
Total Fixed Income	13,526,074	3.23	3.38	
Barclays Capital 1-3 Yr Gov/Credi		4.98	4.87	6.35
Lipper Short Inv-Gr Debt Index		-4.61	-4.23	-1.08
Total Cash Equiv	8,128,599	2.56	2.73	3.42

74

Account Inception: 06/01/2007

Not A Deposit, Not FDIC Insured, May Lose Value, Not Bank Guaranteed, Not Insured By Any Federal Government Agency

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which would reduce returns. Information is deemed reliable but may be subject to change.

Description	Credit Considerations	Liquidity	Ratings	Current Yields ¹	Comments
First American Tax-Free Obligations Fund	Bank VRDN Letter of Credit Providers Municipal Issuers	Very High	AAA / Aaa	Daily 0.00%	Redeem all shares at \$1.00 Tax equiv Yld is .57%
First American Prime Obligations Fund	Agencies/Treasuries, CD's, & Corporate Notes	Very High	AAA / Aaa	Daily 0.39%	Redeem all shares at \$1.00
USBank Demand Deposit Account	100% backed by FDIC	Very High	NA	Daily 0.25%	Used as an alternative to Treasury's
U.S. Treasury Bills / Notes	Obligations of U.S. Treasury	Very High	Treasury	3 Months 0.27% 6 Months 0.43% 9 Months 0.62% 1 Year 0.75% 18 Months 0.86% 2 Year 0.94% 30 Months 1.23%	Lowest Credit Risk Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield.
TLGP or FDIC Notes - Temporary Liquidity Guarantee Program	100% backed by FDIC	High	FDIC	18 Months 2.00% 2 Year 2.25% 30 Months 3.00%	Notes range from 20 months to 3.5 years Temporary program to provide confidence in the banking sector Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield.
Brokered CDs	100% backed by FDIC	Med/High	FDIC	6 Months 0.70% 9 Months 1.00% 1 Year 1.40% 18 Months 1.80% 2 Year 2.25% 30 Months 2.75%	No credit risk on issues under \$250,000 Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield. - not as liquid as other securities listed on this page
U.S. Government-Sponsored Entities - Discount Notes	Obligations of GSEs	Very High	AAA / Aaa	3 Months 0.35% 6 Months 0.58% 9 Months 0.70% 1 Year 1.00%	GSE debt is not backed by the full faith & credit of the U.S. Treasury. Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield.
Corporate Bonds	Obligations of large public companies	Med/High	AA/Aa	6 Months 2.75% 1 Year 3.75% 18 Months 4.00% 2 Year 4.25% 30 Months 4.75%	Yield spreads to Treasury and Muni's are currently very high Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield.
Direct Municipal AAA-Rated Obligations	General Obligations of States and other Municipalities. Pre-Refunded Bonds Select Insured deals (Ex: Texas PSF)	High	AAA / Aaa	Weeklies 0.50% 1 Year 0.57% 2 Year 1.20% 30 Month 1.31%	All yields are pre-tax; After-tax yields @ 35% tax rate Weeklies .77% 1 Year .88% 2 Year 1.85% 30 Month 2.02% Basis risk exists if securities are sold in a rising rate environment - losses could be realized if securities are sold at a yield lower than the purchase yield. Weekly VRDNs have 7-day put and exposure to bank liquidity provider.

¹ = Yields are as of March 15, 2009. All yields are gross, except for the Money Market Funds and the USBank account yield which is net. Management fees would not apply to FAF money market funds or USBank deposit accounts. See fee schedule for management fees on all other securities.

ROBINA FOUNDATION MGMT AGY

PV / SHARES HELD	SECURITY DESCRIPTION	TICKER SYMBOL	TOTAL MARKET VALUE	% OF TOTAL PORTF	YIELD TO MATURITY	YIELD ON MARKET	CURRENT INDICATED ANNUAL INCOME	TOTAL ORIGINAL COST
			41677,413T	100.0T	1.3325	1.18	490,357T	41,801,028T
<u>C/E AND SHORT TERMS</u>								
<u>CASH EQUIVALENTS</u>								
*****	FIRST AMER PRIME OBLIG FUND CL Y	FAIXX	33533,589	80.5	0.3457	0.35	115,926	33,533,589
<u>TAXABLE FIXED INCOME</u>								
<u>U.S. GOVERNMENT AGENCY</u>								
1000000	F H L B DEB	3133XRAF7	1,003,130	2.4	3.0898	3.28	32,900	1,000,000
750,000	F H L B DEB	3133XPXN9	757,500	1.8	0.4229	2.97	22,500	750,000
			1,760,630T	4.2T	1.9424	3.15	55,400T	1,750,000T
<u>CORPORATES</u>								
600,000	GOLDMAN SACHS GROUP	38141GAA2	601,596	1.4	3.5509	6.63	39,900	618,294
600,000	MORGAN STANLEY	61746SBC2	596,808	1.4	4.7170	4.02	24,000	596,700
600,000	INTL LEASE FIN CORP	45974VZN1	543,924	1.3	23.4811	4.83	26,250	596,940
500,000	BELLSOUTH CORP	079860AF9	504,770	1.2	1.9159	4.16	21,000	495,000
500,000	CRED SUIS FB USA	22541LAN3	501,625	1.2	2.2170	4.68	23,500	499,190
500,000	AMER EXPR CENTUR	02581FYM5	479,680	1.2	7.9169	5.42	26,000	512,145
			3,228,403T	7.7T	7.3101	4.98	160,650T	3,318,269T
<u>CORPORATE ASSET BACK</u>								
600,000	HOUSEHOLD AUTO TR	40431CAD0	585,198	1.4	6.5110	5.48	32,040	614,625
519,376	NISSAN AUTO LEASE TR	6547EMAB6	513,518	1.2	5.5787	4.32	22,177	519,559
500,000	GE CAPITAL CR CD	36159JAR2	499,900	1.2	5.0838	5.08	25,400	503,065
497,211	HARLEY DAVIDSON	41283UAC9	495,317	1.2	5.4740	5.24	25,954	502,339
209,584	USAA AUTO OWNER TR	90327LAC4	211,827	0.5	4.0294	4.96	10,500	209,322
198,672	HOUSEHOLD AUTO TRUST	40431CAC2	199,311	0.5	5.0041	5.26	10,490	199,325
192,781	NISSAN AUTO REC	NAR4110	193,069	0.5	3.9746	4.17	8,058	192,669
166,764	FORD CREDIT AUTO	FCA5210	167,528	0.4	4.6552	5.24	8,772	167,416
131,889	TRIAD AUTOMOBILE REC	TAR5411	129,415	0.3	7.0176	5.51	7,135	131,642
115,045	CAPITAL ONE PRIME	14042JAC3	116,183	0.3	4.1653	4.84	5,626	115,454
43,442	NISSAN AUTO REC	654746AB2	43,525	0.1	4.7190	5.12	2,229	43,754
			3,154,791T	7.6T	5.3644	5.02	158,381T	3,199,170T
			8,143,824T	19.5T	5.3959	4.60	374,431T	8,267,439T



Four Tower Bridge
200 Barr Harbor Drive, Suite 100
West Conshohocken, PA 19428

cc to Lisa
4-28-09

Account Statement
03/01/2009 - 03/31/2009
Page 1 of 6

Member Inquiries: (610) 684-8200
Member Services Fax: (610) 684-8210
Website Inquiries: www.tiff.org
Registration: ROBINA FOUNDATION
Account Number: 11361

520934 F001 565 10Z 1/3 ----- 189
DR. GORDON AAMOTH
PRESIDENT
ROBINA FOUNDATION
4900 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402

Account Summary - Current Month

Fund Name	Beginning Market Value	Purchases	Redemptions	Distributions	Share Balance	03/31/2009 NAV	Ending Market Value	Average Cost Basis
TIFF MULTI-ASSET FUND	\$5,541,665.67	\$0.00	(\$0.00)	\$70,629.07	549,889.089	\$10.72	\$5,894,811.03	\$9,385,988.14
Account Total	\$5,541,665.67	\$0.00	(\$0.00)	\$70,629.07			\$5,894,811.03	

Distributions may be reinvested or paid in cash at the election of the member. See the Transaction History section for information specific to each fund investment.

The average cost basis is calculated using the single-category average basis method, one of four common methods approved by the IRS. It takes into account all purchases and redemptions, including shares acquired through reinvested dividends and capital gains distributions. This information is not reported to the IRS.

Numbers may not add to totals due to rounding.

Account Summary - YTD

Fund Name	Purchases	Redemptions	Distributions	Dividend Option	Cap Gain Option	Account Inception
TIFF MULTI-ASSET FUND	\$0.00	(\$0.00)	\$70,629.07	Reinvest	Reinvest	05/22/2007
Account Total	\$0.00	(\$0.00)	\$70,629.07			

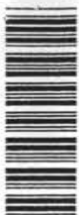
ROBINA FOUNDATION



Four Tower Bridge
200 Barr Harbor Drive, Suite 100
West Conshohocken, PA 19428

Transaction History - YTD

Trade Date	Transaction Type	Gross Amount	Net Amount	Transaction NAV	Transaction Shares	Share Balance
TIFF MULTI-ASSET FUND						
	BEGINNING BALANCE					543,300.556
03/31/2009	Return of Capital - Reinvest (\$0.130000 per share)	\$70,629.07	\$70,629.07	\$10.72	6,588.533	549,889.089



Four Tower Bridge
200 Barr Harbor Drive, Suite 100
West Conshohocken, PA 19428

Account Statement
03/01/2009 - 03/31/2009
Page 3 of 6

Performance data quoted represent past performance; past performance does not guarantee future results. The investment return and principal value of an investment will fluctuate so that an investor's shares, when redeemed, may be worth more or less than their original cost. During some periods, total return would have been lower had certain expenses not been waived or reimbursed. Current performance of a fund may be lower or higher than the performance quoted.

Total return assumes the reinvestment of dividends. Since inception member specific returns can be found in the secured content portion of the TIFF website under the account monitor section. If you need to obtain an access code and password, please contact TIFF's member services team at memberservices@tiff.org. Please note that passive indices such as those comprising the benchmarks against which the funds' net returns are compared do not incur expenses. Moreover, one cannot invest directly in an index. Annualized expense ratios are provided below. Mutual fund investing involves risk. Principal loss is possible.

Quasar Distributors, LLC, distributor. April 2009.

The fund returns in the Fund Summary do not reflect the deduction of the entry and exit fees currently levied by certain of the funds on member purchases and redemptions. The entry and exit fees in question are paid to the funds themselves rather than to any vendors employed by them, TIFF Advisory Services not excepted. Were such fees to be deducted from the performance of the TIFF funds that levy them, these funds' reported performance would be reduced, as indeed it has been in the Standard Fund Performance table below, which reflects the deduction of such fees. Returns denoted as "After Entry and Exit Fees" reflect the deduction of the entry and exit fees currently levied on member purchases and redemptions. Returns denoted as "Before Entry and Exit Fees" do not. The deductions in question assume a single purchase at the start of each reporting period and a single redemption at its end, with no intra-period member transactions.

TIFF Multi-Asset Fund charges entry fees on purchases and exit fees on redemptions in the amount of 0.50%. The current month's return for CPI + 5% per annum is estimated.

79

Fund Summary - Performance through 03/31/2009

Fund Name	Monthly Return	Year-to-Date Return	Annualized Total Returns				Inception Return	Inception Date
			1 year Return	3 Year Return	5 Year Return	10 Year Return		
TIFF MULTI-ASSET FUND	6.37%	(7.26)%	(28.94)%	(4.89)%	2.29%	5.05%	6.17%	03/31/1995
CPI + 5%	0.41%	2.17%	4.35%	7.12%	7.63%	7.66%	7.55%	
CONSTRUCTED INDEX	6.19%	(7.11)%	(31.24)%	(6.70)%	0.46%	2.88%	5.75%	

Standard Fund Performance through quarter ending 03/31/2009

Fund Name	1 Year Return	3 Year Return	5 Year Return	10 Year Return	Inception Return	Inception Date
TIFF MULTI-ASSET FUND						03/31/1995
BEFORE ENTRY AND EXIT FEES OF 0.50%	(28.94)%	(4.89)%	2.29%	5.05%	6.17%	
AFTER ENTRY AND EXIT FEES OF 0.50%	(29.65)%	(5.21)%	2.09%	4.94%	6.10%	
CPI + 5%	4.35%	7.12%	7.63%	7.66%	7.55%	
CONSTRUCTED INDEX	(31.24)%	(6.70)%	0.46%	2.88%	5.75%	

ROBINA FOUNDATION



Four Tower Bridge
200 Barr Harbor Drive, Suite 100
West Conshohocken, PA 19428

Annualized Expense Ratios (%)

Fund Name	CY 2007 with CIVs	CY 2007 without CIVs
TIFF MULTI-ASSET FUND	1.96%	0.60%

The Calendar Year (CY) 2007 expense ratios reflect the funds' expenses for the year ended December 31, 2007, and either include or exclude, as indicated, the approximate fees and expenses indirectly incurred by the fund as a result of the fund's investments in commingled investment vehicles (CIVs).

To the extent applicable, expense ratios without CIV fees and expenses also exclude interest expense and dividends paid on securities sold short. The expense ratios are expected to vary over time.

[Show Header](#)[Print](#) [Hide Envelope](#)

From: Leik, Shannon [Add to Address Book](#)
To: Member Services
Date: Tuesday, March 10, 2009 2:22:33 PM
Subject: Important Bulletin for Multi-Asset Fund Members

 [MAF Bulletin_3.10.09_FINAL.pdf](#)

In the enclosed bulletin to endowed charities that have invested capital in the TIFF Multi-Asset Fund (MAF), TIFF Advisory Services reviews the fund's objectives and explains why it is giving active consideration to shifting more of the fund's capital into equities and other securities whose prices have fallen materially in recent quarters. We're transmitting this bulletin to you in your capacity as a key contact of one such endowed charity and would be grateful if you'd forward it to other persons (including that organization's trustees and/or officers) who may find it of interest. As indicated by our simultaneous posting of this bulletin on the public portion of our website (www.tiff.org), there are no restrictions on the forwarding or reproduction of the enclosed document. Thanks for your ongoing help and support.

*

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*

Mutual fund investing involves risk. Principal loss is possible.

Investors should consider the investment objectives, risks, and charges and expenses of a fund carefully before investing. The prospectus contains this and other information about the funds. A prospectus may be obtained by contacting TIFF at 610-684-8200 or by visiting TIFF's Website at www.tiff.org. Please read the prospectus carefully before investing.

TIFF Funds are distributed by Quasar Distributors, LLC (3/09)

The Investment Fund for Foundations
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THE INVESTMENT FUND FOR FOUNDATIONS
Pursuing investment excellence

To: TIFF Multi-Asset Fund Members
From: TIFF Staff
Date: March 10, 2009
Re: Evolving Exposures

Solemn Duty. We're acutely aware that the trustees and officers of the more than 300 endowed charities that have invested capital in the TIFF Multi-Asset Fund (MAF) are busy folks indeed. Accordingly, we're wary of burdening them with excessively frequent or prolix updates on the fund's evolving performance or exposures. Having furnished multiple such updates since global stock prices peaked in 2007 — some of which necessarily have been quite long — we're especially wary of issuing yet another lengthy missive at this time. So we won't. That said, we're also acutely aware that many of our member charities have invested substantial portions, and in some cases all, of their endowments via MAF. We're honored by this fact. Moreover, while we're not at all embarrassed by the fund's performance of late (or indeed since its inception),¹ we're humbled by the trust that so many governing boards have reposed in us — and more determined than ever to do the right thing. "Right" in this context means two things: first, we're determined to exert our best efforts to compound MAF's capital at a satisfactory rate; second, we're determined to keep MAF members apprised of noteworthy changes in the fund's exposures. As readers who've been monitoring closely such exposures know, the fund's capital has been shifting gradually but discernibly in recent months from the relatively defensive posture respecting equities and corporate bonds that the fund maintained throughout much of 2007 and 2008 to a less defensive posture. MAF has also jettisoned (starting in late 2008 and continuing throughout 2009) substantially all of its conventional (a/k/a "nominal") US Treasury bonds, with most of the proceeds being shifted into inflation-linked US Treasuries. We've outlined the reasons why in prior publications, and via the many phone calls we've conducted of late with MAF members, and would be pleased to elaborate further upon request.

Heads Up. We'd also be pleased to discuss at greater length than we're permitting ourselves here the reasons why we're now actively considering a shift of an even larger fraction of MAF's capital into what for lack of a better term we'll refer to here as "risky" assets. Of course, the riskiness of any asset is primarily a function of its current price tag, as no less an authority on investing than Warren Buffett underscored when noting in his recently released letter to Berkshire Hathaway's shareholders that he thinks long-term US Treasury bonds purchased at today's prices are extraordinarily overvalued. What do we mean by "risky" assets as used above? We mean assets that have fallen materially in price in recent years — including but not limited to common stocks and high yield bonds — and that could keep falling in price even after MAF makes fresh purchases of them. Some of the stocks and bonds to which we're alluding are securities of US-based issuers. Many are not. Indeed, some of the "risky" assets we're targeting for potential purchase are securities of issuers domiciled in emerging markets (with some such issuers being sovereign nations *per se*). To be sure, we're not going to keep shifting MAF's capital on the margin into such "risky" assets if their expected returns fall, i.e., if their fundamentals deteriorate

¹ Performance data for MAF may be obtained by visiting TIFF's website at www.tiff.org. Past performance does not guarantee future results.

and/or their prices rise. That said, consistent with MAF's long-term goal of helping participating non-profits maintain their investable assets' purchasing power while distributing roughly 5% of such assets per annum, we feel compelled to shift capital on the margin into "risky" assets if their expected returns continue rising. In general, we prefer to boost MAF's exposure to "risky" assets via external managers, but we're also willing and able to boost such exposures via direct purchases of passive or indexed exposures and we intend to do precisely this when we perceive that "going direct" is the optimal means of enhancing MAF's expected net returns.

Salient Facts. We don't know precisely how each of MAF's more than 300 member charities will respond to this missive, although we hope that all will feel free to call us if they want our potentially flawed opinion on how they should apply the "heads up" furnished above to their own particular situations. What we do know with certainty is that MAF has attracted of late both new members and incremental assets, as documented in the table furnished immediately below:

TIFF Multi-Asset Fund Member Count and Cash Flows

	2008	YTD 2009 *
New Members	70	5
Members Redeeming Fully	5	5
Net Change in Members	65	0
Purchases	\$ 749 million	\$ 41 million
Redemptions	\$ 128 million	\$ 47 million
Net Cash Flow	\$ 621 million	\$ -6 million

* Through March 9, 2009.

We're gratified by these data — and encouraged by them to "stay the course" respecting the deployment of that portion of MAF's roughly \$1.8 billion in net assets currently allocated to total return as distinct from hedging strategies. More specifically, precisely because so many "risky" assets have fallen so materially in price in recent years, we expect to keep acquiring them on MAF's behalf for the foreseeable future, directly or via external managers, on the assumption that they'll generate satisfactory returns over the long term. At the same time, we'll keep doing what we've done since MAF's inception and adjust dynamically both the size and character of the fund's disaster hedges (e.g., TIPS) to optimize the ongoing opportunity costs of such hedges. Obviously, the "costs" of holding US Treasury bonds or indeed cash were negative in 2008, i.e., one got paid to hold such "insurance" last year. Over the long term, however, we believe that portfolios tilted heavily toward government debt have an intolerably high probability of underperforming well-designed and well-managed portfolios tilted more heavily toward equities broadly defined. In short, we believe that capitalism will not only survive but thrive in the future no less than it has — more often than not — in the past.

Spanning the Globe. This isn't to say that we think capitalism will rebound more rapidly or materially in the US than it will in some (if not most) other capitalist regimes. Truth be told, we think the US economy is likely to rebound less rapidly and less materially than many economies outside the US, especially those deemed "emerging" by most observers. Perhaps more importantly, we think that the relatively low valuations at which stocks and bonds of issuers domiciled in these non-US locales appear to be trading make them potentially attractive purchase candidates. Accordingly, MAF members should not be surprised to see the fund's holdings morph discernibly if not materially in coming weeks and months — especially if the global bear market in "risky" assets continues. We hope it won't, for obvious reasons, but we assume that it

might, and we'll continue giving very careful thought to the risks inherent in shifting even small fractions of MAF's capital into assets whose prices could fall further. But there's a big and important difference between **managing** price risk and **eschewing** it altogether. MAF's mandate, and hence this staff's mandate in stewarding its assets, is not to eschew price risk altogether but to incur it intelligently and in proportions commensurate with the fund's long-term objectives. Without in any way promising that we'll keep rotating MAF's capital into certain stocks and bonds whose prices have fallen materially in recent quarters, we wanted MAF members to know that we stand poised to do so. We also want them to know that while we can't guarantee that the fund will generate satisfactory returns moving forward, we do pledge to continue exerting our best efforts on its behalf.

Coming Attractions. Before closing, we'll answer preemptively a question that we're receiving often these days: "When, if ever, does TIFF intend to change MAF's long-term asset allocation guidelines (a/k/a MAF's policy portfolio or Constructed Index²)?" As many readers know, we've modified this policy portfolio seven times since MAF's inception in 1995, most recently as 2005 commenced. Some observers view the latter fact — our decision to **not** change MAF's policy portfolio since year-end 2004 as a manifestation of either stubbornness or sloth on this staff's part. Obviously, we don't view it as such. In fact, we've spent countless man-hours since 2005 pondering changes to this policy portfolio (documented at <https://www.tiff.org/TAS/maf.aspx>) and very substantial man-hours in recent months applying a wide range of quantitative and qualitative methods to the challenge of determining an optimal policy portfolio for MAF. The fruits of such labors are being documented in a necessarily lengthy "white paper" that we hope to release soon. How materially will MAF's future policy portfolio differ from the one employed since January 2005? We don't want to circumscribe our future flexibility by answering this question too precisely at this time, but we will note that the policy review alluded to here has not thus far indicated that MAF's current policies are inherently flawed. This statement might strike some readers as dubious in light of the approximately 40% decline in the Constructed Index's hypothetical value from its all-time peak on May 19, 2008 through March 5, 2009. But policy portfolios of this sort — i.e., comprising fixed asset class weights — cannot be crafted in a manner that seeks to ensure **both** achievement of MAF's long-term return goal of CPI inflation plus 5% annualized **and** the avoidance of losses during environments as ugly for equity investing broadly defined as the one that's unfolded since mid-2008. Again, this doesn't mean that there's not room for improvement in MAF's investment policies, especially as these relate to strategic or tactical tilts around whatever long-term norms MAF's evolving policy portfolio might entail at a given point in time. We mention such tilts because the fund's stewards have been and remain free to dial in asset class or segment tilts that cause MAF's actual exposures to differ from policy, and indeed to essentially "zero out" certain segments when the securities comprising them seem way overvalued. (Cf. the opinion advanced above that long-term US Treasuries are excessively risky at today's prices.) In other words, while MAF's policy portfolio remains a relevant measure of the long-term risks to which MAF members' capital might be exposed — and arguably the least-worst means of assessing over any given market cycle how the fund is performing relative to the markets in which it's invested — it doesn't bind unduly this staff's degrees of freedom to deploy MAF's capital in what we subjectively (and perhaps erroneously) believe to be a sound and prudent manner.

² The Constructed Index reflects returns on passive indices appropriate to each fund segment, weighted by policy norms and rebalanced monthly. These norms have changed over time, with such adjustments intended to enhance the fund's risk-adjusted expected returns. Performance for the Constructed Index reflects the segment weights that were in place at the time the performance was generated.

The Big Picture. During the roughly 18 months between TIFF's initial staffing in early 1993 and its commencement of money management activities *per se*, its then-tiny staff gave numerous presentations discussing TIFF's mission and strategic plan. These presentations commenced with a review of the perceived prerequisites for investment success: (1) an asset base sufficient to gain cost-effective access to superior investment talent (i.e., a critical mass of dollars to deploy); (2) investment expertise; (3) time (measured in man-hours needed to apply such expertise to the task at hand); (4) sound governance arrangements (a/k/a oversight broadly defined); (5) a proper alignment of interests (a/k/a mitigation of the principal vs. agent tensions that are pervasive in money management); and (6) a sound and sensible investment philosophy. TIFF was brought into being by a nationwide network of grantmaking foundations because these foundations perceived that many endowed charities lacked some or all of these attributes in sufficient measure. Many still do. This staff and the non-executive directors who oversee our labors have worked very hard over the years to build an organization that displays all of these attributes in sufficient measure. We'll leave it to the trustees and officers of the endowed charities eligible to invest via TIFF to determine whether we've succeeded in this aim. Without in any way suggesting that there's not room for improvement in virtually all aspects of what we do here at TIFF, we'll note that we believe we've assembled an organization that does indeed display the aforementioned attributes in sufficient measure.

Standing By. We encourage trustees and officers of endowed charities to contact us to learn more about MAF — whether or not such organizations utilize MAF at present. And we encourage all readers of this missive to contact us via phone (610-684-8200) or email (memberservices@tiff.org) if you have questions or comments about it. Thanks for your attention and your ongoing support.

*

*

*

Past performance is not a guarantee of future results.

Mutual fund investing involves risk. Principal loss is possible. The fund invests in illiquid securities. The fund or certain of its money managers may invest routinely and, at times, heavily in derivatives, certain of which are deemed by the SEC to be highly speculative. Short selling of securities may increase the potential for loss if a manager has difficulty covering a short position. Leverage may accelerate the velocity and magnitude of potential losses. The fund invests in non-US securities, which may entail political, economic, and currency risks different from those of US securities and may be issued by entities adhering to different accounting standards than those governing US issuers.

Members should consider the investment objectives, risk and charges and expenses of a fund carefully before investing. The prospectus contains this and other important information about the funds. The prospectus may be obtained by calling 610-684-8200 or visiting TIFF's website at www.tiff.org. Please read the prospectus carefully before investing.

Opinions expressed are subject to change, are not guaranteed and should not be considered investment advice.

The funds are distributed by Quasar Distributors, LLC. March 2009.

Current Residuary Assets on Hand (as of March 31, 2009)

Cash and Short Term

	Market
James H. Binger Revocable Trust [REDACTED]	\$ 12,935,852.75
James H. Binger Revocable Trust - Income Account [REDACTED]	7,149,116.75
Estate of James H. Binger [REDACTED]	13,840,597.88
Estate of James H. Binger - Income Account [REDACTED]	444,288.04
Total Cash and Short Term:	\$ 34,369,855.42

Tartan I LP (as of 12/31/08)

	Total Market	% Owned	JHB Trust	
Tartan I LP - Scotch I	17,801,623.59	43.4%	7,725,904.64	
Tartan I LP - ScotchGard	13,260,763.98	33.3%	4,415,834.41	
Tartan I LP - Post It	20,654,746.70	19.8%	4,089,639.85	
Total:	51,717,134.27		16,231,378.89	\$ 16,231,378.89 (Liquidation Value)

Other Assets:

James H. Binger Revocable Trust [REDACTED]		
Tomsten Inc.	125,001.00	
301 Clifton	420,000.00	
MN Community Dev. Bond	100,000.00	
Jason McLean Prom. Note	50,000.00	
Venture Capital	9,129,204.00	
Eridon	60,000	
Loring Pasta Bar	66,576	
Myfitlife Inc.	275,000	
Project Apple	-	
Raymedica Inc.	535	
Total:	10,226,316.00	\$ 10,226,316.00
Estate of James H. Binger [REDACTED]		
Note (\$1MM face due 12/31/2010)	1,000,000.00	
Total:	1,000,000.00	

TOTAL ASSETS FOR DISTRIBUTION FOR TAXES AND EXPENSES AND ROBINA:

\$ 60,827,550.31

Note: Interim distribution of \$27MM was made 10/4/07

Note: Robert Pennell devise of \$584,575.34 on 1/22/09

ROBINA FOUNDATION GRANTS AND GRANT REQUESTS

April 28, 2009

ORGANIZATION	DATE OF REQUEST AMOUNT REQUESTED	PURPOSE	STATUS OF REQUEST Amount and Date of approval or declination	GRANT PAYMENTS Amount Paid/Date	MONITORING AND EVALUATION	SCHEDULED PAYMENTS/REPORTS
Abbott Northwestern		Planning Grants 2005, 2006	Approved	\$75,000 – 2005 \$50,000 - 2006		Paid in Full
Abbott Northwestern	11/14/07 \$5,244,500/3 years	Project: Transforming Health Care Delivery	Declined Request being revised. New request to be submitted 7/08			
Abbott Northwestern	7/08 \$5,995,070/3 years	Project: Care Guides in the Primary Care Office	Approved \$6 million/3 years 8/08	\$1,253,535 paid 9/08		2009 - \$2,373,233 2010 - \$2,373,232 - Note that 2009 and 2010 grants are contingent on continuation of project beyond initial pilot phase - Financial and narrative report due annually - Robina has asked for revised program budgets annually
Council on Foreign Relations		Planning Grant 2006	Approved	\$50,000 – 2006		Paid in Full
Council on Foreign Relations	1/14/07 \$10M/5 years	Project: International Institutions and Global Governance	Approved \$6 million/3 years 1/08	\$2 million paid 2/08		2009 - \$2 million (after receipt and approval of first year report – due 7/09) 2010 - \$2 million - Evaluation “benchmarks” memo received 11/08 - Financial and narrative report due annually (CFR suggests sending first year report in 7/09, after fiscal year and first year of grant ends 6/30/09) 3 year final report due 2011, prior to consideration of additional 2 year grant
U of MN Law School		Planning Grants 2005, 2006	Approved	\$75,000 – 2005 \$50,000 – 2006		Paid in Full
U of MN Law School	10/08 \$6,061,339 (revised amount exclusive of endowment support)	Project: Program on Law, Public Policy, and Society	Approved \$6,061,399/5 years 11/08	\$1.4 million paid 12/08		2009 - \$1,436,750 2010 - \$1,480,338 2011 - \$850,854 2012 - \$893,397 Financial and narrative report due annually
U of MN Law School	3/08	Special request from Dean Wippman for faculty retention and other initiatives	Approved \$250,000 3/08	\$250,000 paid 4/08		July 2008 - Brief financial and narrative report due Report was received and reviewed by board 5/08 Paid in Full
Yale University		Planning Grant	Approved	\$50,000 – 2006		Paid in Full
Yale University – Drama School	11/15/07 \$2.2M/3 years	Program: Yale Center for New Theatre	Approved \$2.85million/3 years 3/08	\$750,000 paid 4/08 (Grant period is July 1, 2008 to June 30, 2009)		2009 - \$750,000 (after receipt and approval of first year report – due 7/09) 2010 - \$1.35 million - Financial and narrative report due annually - Yale states that first year of grant will be completed on 6/30/09 (Yale’s fiscal year end).

Yale University – Law School	5/14/08 \$3M/3 years	Robina Human Rights Fellowship Initiative	Approved \$3 million/3 years	\$1 million paid 6/08 (Grant period is July 1, 2008 to June 30, 2009)		June 2009 - \$1 M June 2010 - \$1 M • Financial and narrative report due annually
TOTALS			\$24,511,399 grants approved • includes planning grants of \$350K	\$7,003,535 paid through 12/11/08		\$17,507,804 million committed for future payment

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Miner, Robert, M.D.
Director

Faculty
Richard Adair, MD
Lisa Callies, MD
Anya Lukasewycz, MD
Peter Lund, MD
Bryan Post, MD
Paul Sutter, MD

Abbott



ABBOTT
NORTHWESTERN
HOSPITAL
Allina Hospitals & Clinics

4/28/09

Gordon Aamoth, MD
Robina Foundation
IDS Center
Minneapolis, MN 55402

Dear Gordy:

Here is an update on the ANW Care Guide Project for the Robina Board. I will be happy to provide more detail or answer any questions that you or Board members may have.

December 08

Hired 2 project managers, both experienced RNs, one with special expertise in building EMR tools, one with special expertise in starting up a new clinic-based research project.

January 09

Hired 4 care guides, all recent college grads, multilingual, multicultural, with average salary \$16/h.

Made workplace modifications to create work spaces for care guides, significantly below budget.

February 09

2 week intensive training curriculum for care guides using existing Allina resources.

Primary (clinical) endpoints defined in detail by PI, assistant PI, project managers. Intensive meetings with U of M School of Public Health team to define secondary endpoints and how to collect data on such questions as characteristics of patients who benefit; how and how often care guides interact with doctors and patients (telephone, in person, in hospital); how the program is implemented including problems; reactions of patients, doctors, clinic staff, care guides.

Mar 09

Enrollment began March 1; will end on May 31, 2009.

Allina IS finalized tools for project within electronic medical record, including initial Care Contract, ongoing Care Goals Report, and Quarterly Report.

April 28 Current enrollment is 270 patients (power estimate: need 324 to detect a 10% change). Resident and staff doctors moderately to very cooperative in referring patients.

What's going well:

Hires are of exceptional quality, very enthusiastic and capable.

Baseline data gathering seems accurate and EMR tools are working well.

Clinic nursing staff, resident and attending physicians, front desk staff, and management all seem integrated into project.

Patients seem accepting, with high enrollment percentage when done in person.

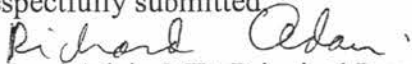
Problems:

Enrollment by phone doesn't work (enrollment at time of office visit works well, but pace is slower, leading us to extend enrollment period slightly).

Patients who enroll seem healthier and more compliant than mean.

One care guide is moving to Chicago; we believe the remaining three can absorb his work.

Respectfully submitted



Richard Adair, MD, Principal Investigator

General Medicine Associates
Graduate Medical Education
800 East 28th Street
Minneapolis, MN 55407-3799
612-863-4212

Faculty

Richard Adair, MD
Kathleen Ayaz, MD
Debra Burg, MD
Lisa Callies, MD
Michael Cummings, MD
William Dickey, MD
Laurel Drevlow, MD
Kelly Flynn, MD
Robert Haug, MD
Ayesha Khalil, MD
Anya Lukasewicz, MD
Peter Lund, MD
Sabeeha Nagarwala, MD
Noelle Nelson, MD
Paul Qdenbach, MD

Amber Paddock, MD
Paul Phillips, MD
Bryce Pierson, MD
Charles Pogemiller, MD
Bryan Post, MD
Hallie Richards, MD
Donna Rodel, MD
Daniel Ruppman, MD
Terry Skiba, MD
Paul Sutter, MD
Jean Watson, MD
Benjamin Whitten, MD
Lori Witter, MD
Carrie Wolke, MD
Tod Worner, MD

Terry Rosborough, MD
Director of Graduate Medical Education

Robert Miner, MD
Program Director

Michael Ornes, MD
Associate Program Director



March 4, 2009

Gordon Aamoth, MD
Robina Foundation
4900 IDS Center
Minneapolis, MN 55402

Dear Gordy:

Thank you for your letter of last week and the continuing support of our project.

Please reassure the board that we entirely understand that undertaking Phase II is dependent on demonstrating results in Phase I, and obtaining approval from the Foundation. This has been our understanding from the start. We hired Jean Berquist as assistant manager for her technical skills in building Excellian tools for Phase I. If we proceed with Phase II, it is our intent to use her as manager for that phase, realizing the efficiency of not training in another person at that point. She understands that her current employment may terminate at the end of Phase I.

I will be available to report in person to the Board August 24-26.

We have communicated with Edward Wink at the University of Minnesota and provided him with a copy of the Robina Foundation Grantee Overhead Expense Policy.

We enrolled our first patients this week on schedule, and things are going smoothly so far.

Sincerely,

Dick

Richard Adair, MD

Cc: Richard Meyer, ANW Hospital Foundation

**International Institutions and Global Governance:
World Order in the Twenty-First Century**

A Program of the Council on Foreign Relations

UPDATE

February–April 2009

Since our last update to Robina on January 30th, 2009, the International Institutions and Global Governance (IIGG) program has undertaken the following:

- Launched the IIGG webpage, which houses all of our program's research and activities, and ties them to current events as they pertain to multilateral cooperation and institutional reform.
- Planned for the inaugural IIGG annual conference May 7-8th (see attached agenda), which will highlight the research that has come out of the program over the last year on the role of the United States in a multipolar world, as well as the effectiveness of international cooperation in addressing today's crucial transnational challenges, such as the global economic crisis, climate change, nuclear nonproliferation, and the use of force and accountability in international law.
- Conducted research and designed the Global Governance Monitor, and finalized content for the first issue package to come out under the Monitor—nuclear nonproliferation. The Monitor will track and assess the main global challenges, and the strength of existing institutional arrangements, as well as the role of the United States, to combat these challenges. The Monitor is anticipated to be launched by the end of May 2009.
- Continued to hold ongoing CFR roundtable series on the U.S. and the Future of Global Governance, International Law, Multilateral Nuclear Fuel Initiatives, and Oceans Governance.
- Senior Fellow and Director Stewart Patrick completed a national book tour to promote *Best Laid Plans: The Origins of American Multilateralism and the Dawn of the Cold War*.
- Held a successful CFR Symposium on NATO at 60.
- Published Council Special Reports on Lessons of the Financial Crisis (March), Global Imbalances and the Financial Crisis (March), and The National Interest and the Law of the Sea (April). For your interest we will be sending you hard copies of this latest report on the Law of the Sea.
- Contributed to the publication co-written by IIGG CFR fellow Shannon O'Neil, Blueprint for a Sustainable Energy Partnership of the Americas, in the lead up to the April Summit of the Americas.
- Convened a Track II workshop on United States-Europe-Japan Cooperation on Climate Strategy toward Developing Countries.
- Co-sponsored an event on Building a More Effective United Nations: Opportunities for the Obama Administration.

For the remainder of the fiscal year, the IIGG program will:

- Hold a Nuclear Nonproliferation workshop in May 2009.
- Launch an online Financial Crisis Guide.
- Publish an online survey of U.S. and International Public Attitudes toward Global Governance.
- Hold a workshop on the Emerging Security Architecture in Northeast Asia in May 2009.
- Hold a conference on Nuclear Weapons in May/June 2009.
- Produce a final draft of a Council Special Report on Strengthening the Nuclear Nonproliferation Regime.
- Develop the FY10 research agenda, including convening expert group meetings and development of a book project.

We would be happy to provide you with more information about any of these projects and activities.

UNIVERSITY OF MINNESOTA

*Twin Cities Campus**Office of the Dean
The Law School
Walter F. Mondale Hall**Room 381
229-19th Avenue South
Minneapolis, MN 55455
612-625-4841
Fax: 612-625-2019*

April 20, 2009

Dr. Gordon Aamoth
President, Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

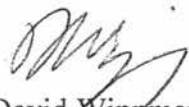
Dear Dr. Aamoth:

Thanks again for the Robina Foundation's generous commitment of \$6 million to support the Law School's Program on Law, Public Policy, and Society. Your support has already enabled the Law School to hire John Borrows from the University of Victoria, a lateral hire that will substantially strengthen our international human rights program. We have also been able to provide faculty with \$476,000 in funding for policy-oriented research and conferences in the areas of criminal justice, human rights, and law and science; we have awarded 20 Robina public policy summer internships to first and second year law students, at an average of roughly \$5,000 per fellowship; and we are moving ahead with four capstone courses for next year.

I am attaching a handout that I hope will be suitable for inclusion in the board book for the May board of directors meeting.

Please let me know if you have any questions concerning our update.

All best regards,



David Wippman

jj

Enclosure

c: E. Thomas Sullivan
L. Steven Goldstein

University of Minnesota Law School
Interim Report to the Robina Foundation
April 20, 2009

A. Robina Research Chairs in Law, Public Policy, and Society

The Law School has hired John Borrows, one of Canada's leading experts on indigenous rights, as its first Robina chair holder. Borrows will start on September 1. Amount allocated (first year salary, fringe, other): \$300,000.

B. Robina Clinical Chair in Law, Public Policy, and Society

The Law School has conducted a search for a human rights clinical faculty member. We are in the final stages of consideration of the leading candidate from the search.

C. Research Fund

- Michael Tonry, Richard Frase, Kevin Reitz, Barry Feld, Fionnuala Ní Aoláin, Comparative Studies of Judicial and Prosecution Systems, \$75,000.
- Susan Wolf, Consortium on Law, Values, and Health project on Cutting Edge Issues in Reprogenomics, \$88,000.
- Greg Shaffer, Empirical Studies of International Law: Challenges that Developing Countries Face in Using the World Trade Organization (WTO) Legal System, \$17,000.
- Stephen Meili, Applying International Human Rights Law to Asylum Cases in the United States, \$17,000.
- Myron Orfield, Kevin Reitz, Effects of Neighborhood and School Characteristics on Incarceration Rates in Minneapolis, Especially People of Color, \$100,000.
- Fionnuala Ní Aoláin, David Weissbrodt, Oren Gross, Transitional Justice, \$100,000.

D. Capstone Courses

Preliminary/Anticipated FY2010: \$261,412

- Capstone in Labor & Employment Law;
- Capstone in Environmental Remediation & Redevelopment;
- Capstone in Health Law Compliance;
- Capstone in Law & Domestic Violence.

E. Law Student Public Policy Internships

The Law School has awarded 20 Robina Public Policy Summer Internships to first and second year students. In some instances, Robina Foundation funding was supplemented with funding from the Otto Bremer Foundation and private donors. \$70,000.

F. Annual Conferences

- What's Next in Law, Health & the Life Sciences: Debating Openness, Access & Accountability, March 6, 2009, \$29,000.
- Human Trafficking in the 21st Century, November 2009, \$25,000.
- Comparative Study of Prosecution Systems, November-December 2009, \$25,000.

Total Expended or Allocated to Date: \$1,107,412.

**Robina Phase I Measures
Quarter 0 (Baseline)**

Measure	Count	Minimum	Maximum	Mean	Median	Mode
Patients Enrolled	300	--	--	--	--	--
Last HBA1c	128	5.0	15.9	7.5	7.2	6.8
Sys BP	297	90	207	133.9	132.0	140
Dias BP	297	50	118	75.5	74.0	80
Goals Met	298	0	11	3.5	2.5	1
Goals Not Met	298	0	8	1.7	1.0	1
Phone Contacts	297	0	0	0.0	0.0	0
F-to-F Contacts	297	0	0	0.0	0.0	0
Care Guide Contacts	297	0	0	0.0	0.0	0
ED Visits	298	0	9	0.3	0.0	0
Hosp Visits	298	0	3	0.2	0.0	0
Cost of Meds	298	0	387	57.0	15.0	6

UNIVERSITY OF MINNESOTA

Twin Cities Campus

Office of the Dean

*381 Walter F Mondale Hall
229 - 19th Avenue South
Minneapolis, MN 55455*

*Office: 612-625-4841
Fax: 612-625-2019*

May 15, 2009

Dr. Gordon Aamoth
President, Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Dear Dr. Aamoth:

I enjoyed the opportunity to meet with you on Monday, and wanted to follow up on our conversation that morning. I appreciate very much the Foundation's willingness to reallocate \$125,000 from summer internships to post-J.D. fellowships. That will address a serious need among our graduating class and, I believe, provide important legal services to the community.

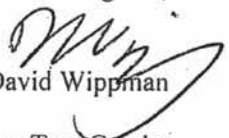
I also wanted to let you know that earlier this week the faculty voted to extend an offer to one of the country's leading human rights litigators (currently with the Center for Constitutional Rights) to create the human rights clinic envisioned in our LaPPS proposal. She has tried or served as co-counsel in many of the most significant human rights cases litigated in the United States in the last 15 or so years. I hope in the next week or two to conclude my discussions with her; if successful in recruiting her, we will expend approximately \$145,000 on first year salary and benefits and plan to use the funds associated with the Robina clinical chair for that purpose.

If I understood correctly, there might also be an opportunity either to reallocate or to provide some additional funding above that already committed, to assist the Law School with its current retention and recruitment efforts as they relate to the already funded Program on Law, Public Policy, and Society. We have several retention efforts and one recruitment effort that fall into that category. Two of the retentions involve faculty who teach public international law and human rights. To retain them involves a new commitment of \$92,000, which provides for increased salary, travel support, and funding for a Transitional Justice program. The recruitment effort involves a leading empiricist whose work we hope will support that of many of our faculty working on law and public policy issues. The initial commitment for next year for his salary and benefits amounts to \$291,000.

Of the funds received from the Foundation this year, we have \$409,000 not yet expended (assuming we are successful in filling the human rights clinic position); we would like to use the unexpended balance for the purposes noted above. Of course, if new funds are available, that would be greatly welcomed.

I'd be happy to provide further information on our efforts in this area if that would be helpful. As always, we are very grateful for the Foundation's support.

All best regards,


David Wippman

cc: Tom Crosby

Driven to DiscoverSM

Nancy Gilberg

From: David Wippman [dwippman@umn.edu]
Sent: Wednesday, May 06, 2009 4:24 PM
To: 'Gordon Aamoth'
Cc: ngilberg@robinafoundation.org; jaj@umn.edu
Subject: RE: Robina
Attachments: Public Interest Fellows Program May 2009.docx

Thanks, Gordon. I look forward to seeing you on Monday. One question I'd like to raise with you then is whether the Foundation might be amenable to reprogramming some of the funds (perhaps \$125,000 or so) currently allocated to student internships to post-graduate JD fellowships. Our career services office has just developed a proposal to place 20-30 graduating students with area legal aid providers and judges, to help them fill gaps created by their own funding shortfalls. In this way, the assisted organizations would be able to continue to provide services to people in need, students would gain valuable skills while searching for permanent employment, and would then hopefully bring a commitment to public service with them when they eventually join law firms and corporate law offices. I am attaching a brief description of the proposed program. I realize this comes too late to be included in the other materials sent to the board, but hope it might be of interest nonetheless.

All best regards, David

From: Gordon Aamoth [mailto:gaamoth@robinafoundation.org]
Sent: Wednesday, May 06, 2009 10:46 AM
To: dwippman@umn.edu
Cc: ngilberg@robinafoundation.org
Subject: RE: Robina

David,

Let us meet same place same time on Monday, 5/11.

Gordon

From: David Wippman [mailto:dwippman@umn.edu]
Sent: Tuesday, May 05, 2009 2:48 PM
To: 'Gordon Aamoth'
Subject: RE: Robina

Gordon,

I'm sorry if I misread your initial email, but May 12 is the only morning that week I am unavailable. Could we choose another morning?

David

From: Gordon Aamoth [mailto:gaamoth@robinafoundation.org]
Sent: Tuesday, May 05, 2009 2:23 PM
To: David Wippman
Subject: Re: Robina

University of Minnesota Law School
Public Interest Fellows (PIF) Program
May 6, 2009

NEED FOR LEGAL SERVICES

As a result of the economic downturn, legal services to disadvantaged communities have been severely curtailed, straining already-strapped legal services providers and leaving those who most need legal services without access to justice. In addition, the courts have been strained by recent budget cuts limiting the ability of judges to hire new clerks. Given the need to increase support to the state's legal services providers and the state judicial system, the University of Minnesota Law School proposes a partnership which will allow recent law school graduates to build their skills while providing legal services to the community.

Accordingly, we would like to fund a number of Public Interest Fellowships, to be administered by the Law School's Career and Professional Development Center (CPDC). The fellowships would enable recipients to gain valuable experience and networking opportunities, while simultaneously providing legal services to disadvantaged members of the community.

The Law School will provide the necessary training so that these recent graduates will be able to provide services immediately. The Fellows will either have the opportunity to work with judges in civil, criminal, or family court or to counsel clients in need of legal services. Examples of service opportunities include, but would not be limited to, assisting victims of domestic violence, asylum seekers, tenants illegally threatened with eviction, indigent accused facing criminal charges, individuals facing discriminatory practices in the community, or low-income homeowners facing possible foreclosure. The proposed Public Interest Fellowships (PIF) will support graduates from the class of 2009 with specific interests in public service or an interest in providing support to local judges.

Each Fellow would be expected to work at least 20 hours a week for a minimum of 400 hours under the supervision of a licensed attorney. Each Fellow would receive a stipend of \$4000 - \$5000. Half the stipend would be paid at the beginning of the fellowship; the other half would be paid upon completion of 400 hours of service. Each Fellow would commit to a minimum of twenty hours per week with the employer. If a Fellow receives a job offer for permanent employment during the fellowship period, employers shall agree to allow the Fellow to accelerate the completion of the 400 hours of service. All Fellows must agree to start service no later than September 30. As a result of working with these public service employers, Fellows would enhance their legal skills while seeking permanent employment.

QUALIFICATIONS

In order to qualify for a fellowship, a graduating student must have a demonstrated commitment to public service or an interest in providing support to a district court judge and:

1. Complete an application form

2. Find an organization or judge willing to employ the Fellow for 400 hours beginning September 2009, or apply to the courts program.
3. Provide a resume and a statement of interest
4. Provide a list of three references
5. Complete all forms by August 15, 2009
6. Agree to perform a minimum of 400 hours of service for the employer
7. Students should list three (3) potential employers/organizations

Priority for fellowships will go to graduates who have not secured employment or a promise of employment at the time of application.

POTENTIAL PARTICIPATING ORGANIZATIONS

Second Judicial District, St. Paul – Public Defender

Central Minnesota Legal Services (CMLS)

The Immigrant Law Center of Minnesota (ILCM)

The Indian Child Welfare Law Center

Legal Aid Society of Minneapolis – Housing Discrimination Law Project

Legal Rights Center

Minnesota AIDS Project (MAP)

Minnesota Center for Environmental Advocacy

MN Coalition of Battered Women

Minnesota Department of Human Rights

Minnesota Disability Law Center

Sierra Club's North Star Chapter

Southern Minnesota Regional Legal Services, St. Paul Office – Family law

Southern Minnesota Regional Legal Services, St. Paul Office – Refugee, Immigration and Migrant Services

Ramsey County Attorney's Office

Hennepin County Attorney's Office

Hennepin County Public Defender

2nd, 4th and 10th Judicial Districts

In order to participate in the Fellowship Program, employers must agree to:

1. Ensure supervision of the Fellow by a licensed attorney
2. Provide meaningful legal work
3. Agree that if a Fellow receives a permanent offer for employment during the fellowship, the employer will allow the student to accelerate the service

Show Header

From: Barrett, Kenna Add to Address Book
To: Gordon Aamoth
Date: Wednesday, April 29, 2009 11:23:20 AM
Subject: YLS update

Dear Gordon,

I hope that you are doing well. I am pleased to provide you with the following update on the Robina program at Yale Law School, and would like to thank you again for your generous support of our human rights programs. I think that you'll be pleased with this most recent update; you should also expect to receive a more comprehensive report from the Law School within the next month.

Thank you again,
Kenna

Update for the Robina Foundation
4/24/09

The Law School is pleased to announce that we have completed appointing a new slate of Fellows for the coming 2009-10 academic year. Lucas Guttentag will be appointed the Senior Robina Foundation Fellow. Lucas is currently the national director of the Immigrants' Rights Project of the American Civil Liberties Union Foundation.

We have also appointed Sam Ferguson, Brittan Heller, and Matiangai Sirleaf as the first three Robina Foundation Post-Doctoral Fellows. Sam will spend his fellowship year conducting independent research in Argentina for a book he is writing about the trials of officials responsible for human rights abuses during Argentina's "Dirty War"; Matiangai will serve as a law clerk for Justice S. Sandile Ngcobo of the Constitutional Court of South Africa; and Brittan will serve as a legal intern with the Office of the Prosecutor at the International Criminal Court.

We are also continuing in our search for a new Project Director who will help to coordinate the fellowship program. While Alisha Bjerregaard, a 2008 graduate of the Law School, filled this role for several months in the fall of 2008, we are actively working to hire a new Project Director within the coming months. As you know, Jim Silk, the Executive Director of the Schell Center for International Human Rights, is filling this role during the interim period.

As you know, the following scholars were appointed as 2008-09 Robina Foundation Fellows:

- Ryan Goodman, who taught *Laws of War* during the Fall 2008 semester
- Luzius Wilhaber, who taught *European Convention Human Rights* during the Fall 2008 semester
- Dapo Akande, who taught *International Law and Armed Conflicts* during the Fall 2008 semester

More information about each of the 2008-09 Fellows is available on the Yale Law School Faculty and Lecturers website at <http://www.law.yale.edu/faculty/faculty.htm> and <http://www.law.yale.edu/faculty/Lecturers&Affiliates.htm>.

Kenna Barrett
Director of Corporate and Foundation Relations
Associate Director of Major Gifts

Yale Law School
PO Box 208215
New Haven, CT 06520-8215
203.432.0557 nh

April 27, 2009

Via e-mail: gaamoth@robinafoundation.org

Dear Dr. Aamoth:

It is my pleasure to provide the Board of the Robina Foundation with this quarterly update on the activities of the Yale Center for New Theatre. The past three months have been eventful ones: we presented the first world premiere of a Center-commissioned play, awarded two new commissions, and continued to share the news of the Center's work with our colleagues across the country.

Commissioning Efforts

Since we reported to you in January, the Yale Center for New Theatre awarded two commissions to playwrights Will Eno and Ann Marie Healy to author original plays.

Mr. Eno's work has been produced in London, New York, Paris, and Los Angeles. His play *Thom Pain (based on nothing)* was a finalist for the 2005 Pulitzer Prize in Drama, and he has received a Guggenheim Fellowship and an Oppenheimer Award. Charles Isherwood, theatre critic for *The New York Times*, called Mr. Eno "a Samuel Beckett for the Jon Stewart generation."

Ann Marie Healy's plays have been published through Samuel French, Smith & Kraus, Playscripts, and *The Kenyon Review*. Her play *What Once We Felt* was a finalist for the Susan Smith Blackburn Prize and the Jane Chambers Playwriting Award. Ms. Healy is a member of the OBIE Award-winning collectives 13P and Clubbed Thumb, and she completed her MFA with Paula Vogel at Brown University.

Biographies of Mr. Eno and Ms. Healy are attached. I anticipate that the Center will award one to two additional commissions by the end of June 2009.

Workshops

The Center conducted a two-day workshop (April 17 and 20, 2009) of *We Have Always Lived in the Castle*, which culminated in a studio recording session in New York. As mentioned in previous reports, *We Have Always Lived in the Castle* is a Center-commissioned musical adaptation of Shirley Jackson's novel of the same title. To support playwright Adam Bock and composer Todd Almond in their continued development of this project, the Center brought together a company of ten professional singer/actors to record six of the songs from the project. The recording will be used to pursue potential co-producing partners among other nonprofit theatres. We expect to produce a one to two week workshop (our second) of this musical in the late summer or early fall of 2009, and the project is under serious consideration as the opening production of our 2010-11 season at Yale Rep.

We are planning to host readings and residencies to support the ongoing work of the Center's commissioned writers throughout this summer and the 2009-10 season. The timing of these

activities depends upon the submission of drafts of the commissioned plays and availability of artists. I look forward to sharing more information about these events with you in future reports.

New Play Production

As we introduced in the January 2009 report, Yale Repertory Theatre presented the world premiere of *Notes from Underground*, the first commission developed and produced by the Center. The production was well attended and critically acclaimed, and we are currently pursuing the possibility of touring it internationally. *The Boston Globe* said of the production, "Brutally funny, agonizing, and profound, 'Notes from Underground' at the Yale Repertory Theatre possesses a harsh and indelible beauty. It is at once a faithful adaptation of Fyodor Dostoevsky's strangely modern novel and a brilliantly original and theatrical work of art."

Selected reviews of the Yale Rep production are attached.

Production Enhancement Fund

Since the start of this year, Associate Artistic Director Jennifer Kiger and Literary Manager Amy Boratko attended the Denver Center New Play Summit, the Humana Festival of New Plays, and several readings at sister theatres in New York. Ms. Kiger also participated in a national forum on new plays and productions, held in conjunction with the Humana Festival at Actors Theatre of Louisville. At each event, they met with producers, literary managers, dramaturgs, and leaders of playwright service organizations to solicit input on developing an appropriate process for funding productions of Center-developed work. I am pleased to report that these conversations will continue this spring and summer through a series of focused meetings and teleconferences.

It is astonishing that we are almost at the end of the first year of activity at the Yale Center for New Theatre and I want to thank you, once again, for the support you have provided to make this advancement of new theatre possible. I eagerly anticipate working with you to bring the Robina Board to Yale for a meeting next season and have attached the 2009-2010 season announcement so we may plan the Board's visit to include a play at Yale Rep.

I look forward to submitting the year's final report this summer. As always, I hope you will call or write should you have any questions.

Sincerely,
James Bundy

**Yale Repertory Theatre
Yale Center for New Theatre
May 2009 Quarterly Report for the Robina Foundation**

Biographies of Newly Commissioned Playwrights

Will Eno is an American playwright based in Brooklyn, New York. His plays include *Tragedy: a tragedy*, *The Flu Season*, *Kid Blanco*, *King: a problem play*, *Thom Pain (based on nothing)* and, most recently, an adaptation of Ibsen's *Peer Gynt*. Although mostly produced in Britain, Mr. Eno is making headway in the New York City theatre landscape. Charles Isherwood, theatre critic for *The New York Times*, called Mr. Eno "a Samuel Beckett for the Jon Stewart generation."

Born in 1965 in Lowell, Massachusetts, Mr. Eno is a Helen Merrill Playwriting Fellow, a recipient of a Guggenheim Fellowship, and an Edward F. Albee Foundation Fellow. In 2004, he was awarded the first-ever Marian Seldes-Garson Kanin Fellowship by the Theatre Hall of Fame. His play *The Flu Season* won the 2004 George Oppenheimer Award, honored by New York's *Newsday* as Best New York Debut by an American playwright for a non-musical play. *Thom Pain (based on nothing)* was a finalist for the 2005 Pulitzer Prize in Drama. Mr. Eno's work has been produced by the Gate Theatre, the SOHO Theatre, and BBC Radio in London; Rude Mechanicals, NY Power Company, and Naked Angels in New York; Quebracho Théâtre in Paris; Circle X Theatre Company in Los Angeles; and in Berlin, Sydney, and Sao Paulo. His plays are published by Oberon Books, and have appeared in *Harper's Magazine*, *The Antioch Review*, *The Quarterly*, and *Best Ten-Minute Plays for Two Actors*.

Ann Marie Healy's play *The Legend of Minnie Willet* was recently developed at the National Playwrights Conference at the Eugene O'Neill Theater Center. Her play *What Once We Felt* was a finalist for the Jane Chambers Playwriting Award, was recently nominated for the Susan Smith Blackburn Prize, and was workshopped at the Playwrights' Foundation in San Francisco. *Have You Seen Steve Steven?* was developed at the Sundance Theatre Institute in 2007, and was subsequently produced last fall by 13P, the OBIE Award winning collective, directed by Anne Kauffman (*Time Out NY* and *FlavorPill* picks). *The Night That Roger Went to Visit the Parents of His Old High School Girlfriend* premiered in the 2006 EST Marathon of One-Act Plays, directed by Andrew McCarthy. *Now That's What I Call a Storm* was the recipient of a development fellowship with MCC Theater, directed by Jo Bonney, and was produced by Edge Theatre Company in 2004, directed by Carolyn Cantor and featuring Marylouise Burke (*Time Out NY* picks). *Dearest Eugenia Haggis* was developed at LAByrinth Theater Company's 2004 summer intensive and The Cape Cod Theater Project. It was also published in the anthology *Funny, Strange, Provocative: Seven Plays by Clubbed Thumb*.

Ms. Healy's plays are published through Samuel French, Smith & Kraus, Playscripts, and *The Kenyon Review*. She is an affiliated artist with the OBIE Award-winning theatre company Clubbed Thumb; a member of MCC's Playwrights Coalition; a member of 13P; a former member of the Soho Rep Writer/Director Lab and EST's Youngblood; and a writing fellow at New River Dramatists. Ms. Healy was awarded a 2006-07 Sloan Commission and a 2006 New York State Council on the Arts' commissioning grant for her play with Clubbed Thumb, *The Gentleman Caller*. She recently completed her MFA with Paula Vogel and Bonnie Metzgar at Brown University.

boston.com

THIS STORY HAS BEEN FORMATTED FOR EASY PRINTING

STAGE REVIEW

The Boston Globe

Emotional journey for all concerned

By Louise Kennedy, Globe Staff | March 30, 2009

NEW HAVEN - Brutal, funny, agonizing, and profound, "Notes From Underground" at the Yale Repertory Theatre possesses a harsh and indelible beauty. It is at once a faithful adaptation of Fyodor Dostoevsky's strangely modern novel and a brilliantly original and theatrical work of art.

It is, in short, precisely the kind of work that Robert Woodruff, former artistic director of Cambridge's American Repertory Theatre, does at his best. And so the dark joy I felt in experiencing its bleak and bracing world was tempered only by a renewed sense of the loss that our local theater scene suffered when Woodruff left.

"Joy" may sound like a strange word for this particular work, which Woodruff and his frequent collaborator, the actor Bill Camp, adapted from the novel. It certainly wasn't the emotion expressed by assorted audience members who stalked out during Thursday's press opening, and it's not the most likely reaction to Dostoevsky's willfully nasty, aggressively negative Underground Man, a character who practically single-handedly invented the idea of the antihero, decades before Camus got around to it.

And yet joy is what I felt - first as Camp delivered a long, angry, bitingly self-mocking rant into a tiny camera, which then projected his tightly toothy grimaces hugely onto the back wall of the stage, and then later as this claustrophobic interior consciousness expanded to include the nameless Man's memories of a humiliating, cruel incident from his youth. Partly it was the joy of craft, of seeing an actor at once completely in control and completely free.

And Camp's work is enhanced and complemented by his two accomplices onstage: Michael Attias, who composed the appropriately jarring score and plays a small role as the Man's servant in addition to performing the music, and Merritt Janson, who sings and, unforgettably, performs as Liza, the prostitute whom the Man charms, insults, and all but destroys in the play's second half. Janson's work here is almost unbearably raw and intense, yet it retains a delicacy that renders Liza's pain all the sharper. She is a wounded wonder to behold.



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The New Haven Register (nhregister.com), Serving New Haven, CT

Entertainment

Rep's 'Underground' an acting tour de force

Sunday, March 29, 2009

By E. Kyle Minor

NEW HAVEN — Late in the progression of Yale Rep's brave and mostly compelling stage adaptation of Fyodor Dostoevsky's "Notes from Underground," the Man, impeccably played by Bill Camp, embraces Liza (the beautifully vulnerable Merritt Janson) as if clutching a lifeboat after bobbing in a shark-infested sea of humanity. At last, it appears that he has seized the unconditional love so elusive in his lonely, insignificant existence. Yet, just as he proves capable of fulfillment, he is still more likely to throw it away in a fit of self-sabotage and destruction.

"Notes from Underground," an adaptation by Camp and director Robert Woodruff receiving its world premiere at the Rep through April 11, is an often visually and aurally arresting study in what society does to man. It, in fact, begs the question as to whether humanity's moral and emotional corruption is socially generated or self-inflicted. Either way, Dostoevsky's Underground Man shoots himself so often in the feet that, if he waved them in a stiff breeze, they'd harmonize like dueling woodwinds.

Working from a translation by Richard Pevear and Larissa Volokhonsky, adaptors Woodruff and Camp bridge the dramatic unities of time, place and action of Dostoevsky's 1864 novella to trappings of today. Often flanked by musician/actors Janson and Michael Attias (who also serves as composer), and surrounded by projection designer Peter Nigrini's post-modern, impressionistic images, Camp's Man rails against his physical and emotional pain, his contemporaries, his former job and, mostly, himself. He abuses his peers ("friends" simply doesn't fit here), a young prostitute name Liza (Janson, again) and still he doesn't shake his audience off his trail. Theatergoers know he's a train wreck just waiting to happen and they want to see how it happens.



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'Notes From The Underground' Astonishing In World Premiere At Yale Rep

By SUSAN HOOD

Special to the Courant

March 28, 2009

Bill Camp's astonishing, sustained white-heat performance as the hyper-conscious, riddling and nihilistic anti-hero of "Notes from the Underground," which had its world premiere Thursday at Yale Repertory Theatre, is likely to become a defining role in this notable actor's career.

Clearly Camp was eager for the vocal and physical challenges of the two-hour play — performed without intermission — because he and director Robert Woodruff were collaborators on this adaptation of Fyodor Dostoevsky's short existential novel of the same name. (The text is based on a recent translation by Richard Pevear and Larissa Volokhonsky.) So some background is in order.

Ever since "Notes from the Underground" was published in 1864, Dostoevsky's anti-hero, a mid-19th-century former civil servant who is reduced to paranoia and inertia, has been viewed by succeeding generations of thinkers and fiction writers as a character contemporaneous with their times.

Likewise, Camp and Woodruff's vision of a character who is identified simply as "Man" is up-to-the-minute. Seated at a table before a laptop computer and a live video-cam that projects his face onto the back of the set, the Man is documenting his first monologue, which he describes as his vivid consciousness of the pleasures he finds in his own humiliation.

Does he intend his narrative for broadcast on YouTube?

The contemporaneous nature of the Man is defined again when he reviles perceived tautologies and inaccuracies in philosophy, statistics and art and asserts that the key element of humankind's pursuit of "profitable profits" never enters those disciplines' arguments and equations. It brought to this viewer's mind scandals surrounding Bernard Madoff and AIG, and how few individuals control the world's wealth in contrast to its mind-boggling population. Indeed, poverty, and the lack of position and power, are among the inequities the Man keenly feels and rages against.



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April 22, 2009

FOR IMMEDIATE RELEASE

From: Steven Padla / 203 432 1574 / steven.padla@yale.edu

**YALE REPERTORY THEATRE
ANNOUNCES 2009-10 SEASON**

THE MASTER BUILDER

By HENRIK IBSEN

Directed by EVAN YIONOULIS

ECLIPSED

By DANAI GURIRA

Directed by LIESL TOMMY

World Premiere

COMPULSION

By RINNE GROFF

Directed by OSKAR EUSTIS

THE SERVANT OF TWO MASTERS

By CARLO GOLDONI

Adapted by CONSTANCE CONGDON

From a translation by CHRISTINA SIBUL

Directed by CHRISTOPHER BAYES

BATTLE OF BLACK AND DOGS

By BERNARD-MARIE KOLTÈS

Translated by MICHAËL ATTIAS

Directed by ROBERT WOODRUFF

AND A SIXTH PLAY TO BE ANNOUNCED

YALE REPERTORY THEATRE (James Bundy, Artistic Director; Victoria Nolan, Managing Director) is pleased to announce its **2009-10 Season**, which will include **Henrik Ibsen's *The Master Builder*** directed by OBIE Award winner **Evan Yionoulis** (Yale Rep's *Richard II* and *Black Snow*); ***Eclipsed***, a new play by **Danai Gurira**, co-author of the acclaimed *In the Continuum*, directed by **Liesl Tommy** (the world premiere of *The Good Negro*); the world premiere of ***Compulsion*** by Rinne Groff directed by **Oskar Eustis**; **Carlo Goldoni's** *commedia dell'arte* masterpiece ***The Servant of Two Masters*** directed by **Christopher Bayes** (choreographer of the hit Broadway production of Alfred Hitchcock's *The 39 Steps*); and ***Battle of Black and Dogs*** by **Bernard-Marie Koltès** directed by **Robert Woodruff** (co-adaptor and director of 2009's *Notes from Underground* at Yale Rep). A sixth production will be announced.

ABOUT THE SEASON

THE MASTER BUILDER

By Henrik Ibsen

Directed by Evan Yionoulis

University Theatre (222 York Street)

September 18-October 10, 2009

Opening Night: September 24

Halvard Solness, a brilliantly successful architect, has willed his unspoken desire into reality at every turn—but not without a price. Now he lives in fear that the next generation will rise up and cast him aside. When Hilda Wangel, a bewitching young woman, arrives to collect on a decade-old debt, she breathes new life into the Solness home but also rekindles painful memories. Will she help him reach the pinnacle, or will she be the one to finally knock the Master Builder from his tower?

Directed by OBIE Award winner Evan Yionoulis (Yale Rep's *Richard II* and *Black Snow*), *The Master Builder* is a taut psychological drama by Henrik Ibsen, author of *A Doll's House* and *Hedda Gabler*.

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Directed by Liesl Tommy

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by the arrival of two newcomers and the unceremonious return of a former “wife” turned rebel soldier. Each woman finds her own means of survival, but at what cost?

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COMPULSION

By Rinne Groff

Directed by Oskar Eustis

A co-production with The Public Theater and Berkeley Repertory Theatre

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Sid Silver wants nothing more than to bring Anne Frank’s story to an American audience, and he believes he’s the right man to translate the young girl’s diary and adapt it for the stage. But his passion spirals into a lifelong obsession when a New York publishing house reveals its own plans for what would become one of the most powerful and enduring documents of the 20th century.

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From a translation by Christina Sibul

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The virtuosic physical comedy and mayhem of *The Servant of Two Masters* is directed by Christopher Bayes, whose hilarious choreography is featured in Alfred Hitchcock's *The 39 Steps* on Broadway.

Please note: *The Servant of Two Masters* is Yale Rep's 2009-10 WILL POWER! production. The run includes three 10:30AM performances available only to middle and high school student groups. For information on WILL POWER! performances, please contact Ruth M. Feldman at (203) 432-8425 or rm.feldman@yale.edu.

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Directed by Robert Woodruff

Yale Repertory Theatre (1120 Chapel Street)

April 16-May 8, 2010

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Set in a remote corner of Africa, *Battle of Black and Dogs* is a politically, sexually, and culturally charged tale of psychological warfare that erupts on an isolated construction compound. When a local man arrives to claim the body of his brother, the site manager, his fiancée, and a young soldier become embroiled in the cover up of the hired hand's mysterious death.

The haunting thriller by acclaimed French writer Bernard-Marie Koltès is directed by visionary theatre artist Robert Woodruff, whose 2009 production of *Notes from Underground* was hailed as "a brilliantly original work of art" (*The Boston Globe*).

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Group Sales will be available beginning April 24 by calling (203) 432-1572.

Individual tickets for the entire season will be available beginning August 31.

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www.yalerep.org

ROBINA FOUNDATION

4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Phone: 612-333-2313
Fax: 612-333-0182
www.robinafoundation.org

Date:

Inside Address:

Dear _____

The Robina Foundation is requesting an annual evaluation report to complement your quarterly monitoring reports so that we can evaluate your grant in more detail. This report is due on the anniversary or fiscal yearend of your grant which is _____.

Foundations traditionally ask for monitoring and evaluation reports that look for variances in the grantee's activities and changes in the external context from the original proposals. These reports provide a method for our Board of Directors to have a better understanding of the work you are doing.

In addition to the monitoring and annual evaluation reports we will do onsite visits during the year which will provide a more real-time evaluation and provide you with general operating support as well as an opportunity for you to hear about our long-term philosophy.

Enclosed are the Robina Foundation Annual Evaluation Report Guidelines to help you with consistency in your reporting.

Sincerely,

Gordon M. Aamoth
President

Enclosure

ROBINA FOUNDATION

ROBINA FOUNDATION ANNUAL EVALUATION REPORT GUIDELINES

1. Briefly outline your original goals and objectives as stated in your proposal.
2. Please summarize your progress in meeting these goals and objectives, and describe how your activities relate to achieving the ultimate goal/purpose of the program.
3. Were there any unanticipated results, either positive or negative? What have you learned? Will you make any changes based on these results?
4. What are your plans to share your results or findings?
5. Please attach an income and expense statement for this grant period. Also, include your original budget. A narrative explanation should be included for any line item differences between the original budget and actual expenses.
6. Please distinguish the work funded by the Robina Grant from your broader, ongoing work on the subject. Also include a list of additional funders (if any), including amounts received, for this program.

Gordon Aamoth

From: Thomas Crosby [tcrosby@tcrosbylaw.com]
Sent: Monday, April 06, 2009 4:45 PM
To: gaamoth@robinafoundation.org; schroeder@medicine.ucsf.edu; 'H. Peter Karoff';
lois.e.quam@pjc.com
Cc: ngilberg@robinafoundation.org
Subject: IRS

The appellate conference took place in St. Paul last Wednesday. Not having heard from anyone by Friday, I called Peggy Halfman at MWE and got the following report:

- although no decisions were made, she felt the conference went well
- on the family trust issues, the IRS was prepared to give more than previously offered:
 - a 1% blockage discount on the block of 3M stock (the family was at 3 and the IRS at 0), and
 - a 28% discount on the Tartan Partnership (the family filed at 35+ and the IRS was previously at 10 to 15)
- on the Sherry Netherland New York apartment, the tentative agreement with the IRS agents in St. Paul still holds – which applies a small discount to the actual sale price which sale took place well after Jim's death.
- the Robina issues:
 - the IRS is inclined to give on the Dorsey fee issue which is a \$3+ million issue for Robina
 - there was no discussion about gift valuations and the potential reopening of issues which the IRS had not previously raised which means that the possible horrors that J. P. Morgan was worrying about are not likely to happen
 - there was no specific discussion about the gift tax refund issue because the IRS representatives had not yet received information/instructions from their audit division to which this matter has been sent. As a result, a global settlement along the lines I outlined in a prior email did not take place although the MWE team did note that they would be amenable to such a settlement.

Apparently the tone of the meeting was cordial, the IRS had done its homework, was prepared to discuss specific numbers and appears to be willing to make decisions when all facts are known.

All of these discussions are tentative and things can change. Although I have not talked to family representatives, my guess is that they would be willing to settle on the terms outlined above – leaving the gift tax issue as the main open item.

This particular meeting was the formal appellate conference which IRS procedures dictate for an appeal. I asked Peggy what the next step would be now that there is no formal requirement going forward. She said that they would continue to press the IRS – which means that we need to continue to press J P Morgan and MWE.

**Best Case / Worst Case Scenario Comparison
Binger Estate's Estate and GST Tax Liability**

Federal

	Worst Case Scenario*	Best Case Scenario**	Difference
Federal Estate Tax, as Filed	\$ 31,691,556.94	\$ 31,691,556.94	\$ -
Federal Estate Tax	\$ 35,925,333.06	\$ 23,450,063.66	\$ 12,475,269.40
Federal Tax Deficiency/(Refund) before GST	\$ 4,233,776.13	\$ (8,241,493.27)	\$ 12,475,269.40
Plus GST taxes payable	\$ 240,000.00	\$ 240,000.00	\$ -
Total Federal Tax Deficiency/(Refund)	\$ 4,473,776.13	\$ (8,001,493.27)	\$ 12,475,269.40
Federal Gift Tax Refund	\$ -	\$ (7,680,000.00)	\$ 7,680,000.00
Total Federal Gift and Estate Tax Deficiency/(Refund)	\$ 4,473,776.13	\$ (15,681,493.27)	\$ 20,155,269.40

State

State Estate Tax, as Filed	\$ 11,018,893.43	\$ 11,018,893.43	\$ -
State Estate Tax	\$ 12,559,802.07	\$ 8,023,340.70	\$ 4,536,461.37
State Tax Deficiency/(Refund)	\$ 1,540,908.63	\$ (2,995,552.73)	\$ 4,536,461.37

Federal + State

Total Federal Tax Deficiency/(Refund)	\$ 4,473,776.13	\$ (8,001,493.27)	\$ 12,475,269.40
State Tax Deficiency/(Refund)	\$ 1,540,908.63	\$ (2,995,552.73)	\$ 4,536,461.37
Total Federal + State Estate Tax Deficiency/(Refund)	\$ 6,014,684.76	\$ (10,997,046.01)	\$ 17,011,730.77
Federal Gift Tax Refund	\$ -	\$ (7,680,000.00)	\$ 7,680,000.00
Total Fed. + State Gift and Estate Tax Deficiency/(Refund)	\$ 6,014,684.76	\$ (18,677,046.01)	\$ 24,691,730.77

*Estate loses both disputed deficiency assessments alleged by IRS in 90-day letter relative to the Estate's tax liability (Sherry-Netherland valuation and disallowance of deduction for Dorsey fees). Corrections are made to estate and GST Tax computations relative to Bazal life estate, GST Tax calculation, and gift tax payable amount. Estate loses all gift and estate tax claims for refund relative to the Estate's tax liability (Mauer settlement payment and Sherry-Netherland valuation based on discounted sales proceeds).

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FUTURE BOARD MEETING DATES

2009

DATE	TIME
February 16-17, 2009 (Monday and Tuesday) Winter Board Meeting (Human Rights Discussion)	La Jolla, CA – La Valencia Hotel
May 18, 2009 (Monday) Conference Call	9:00 a.m. to 11 a.m. (Central Daylight Savings Time)
August 24-26, 2009 (Monday, Tuesday, Wednesday) Annual Meeting	Minneapolis, MN
November 16, 2009 (Monday) Conference Call	9:00 a.m. to 11 a.m. (Central Standard Time)

*



April 22, 2009

FOR IMMEDIATE RELEASE

From: Steven Padla / 203 432 1574 / steven.padla@yale.edu

**YALE REPERTORY THEATRE
ANNOUNCES 2009-10 SEASON**

THE MASTER BUILDER
By HENRIK IBSEN
Directed by EVAN YIONOULIS

ECLIPSED
By DANAI GURIRA
Directed by LIESL TOMMY

World Premiere
COMPULSION
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From a translation by CHRISTINA SIBUL
Directed by CHRISTOPHER BAYES

BATTLE OF BLACK AND DOGS
By BERNARD-MARIE KOLTÈS
Translated by MICHAËL ATTIAS
Directed by ROBERT WOODRUFF

AND A SIXTH PLAY TO BE ANNOUNCED

YALE REPERTORY THEATRE (James Bundy, Artistic Director; Victoria Nolan, Managing Director) is pleased to announce its **2009-10 Season**, which will include **Henrik Ibsen's *The Master Builder*** directed by OBIE Award winner **Evan Yionoulis** (Yale Rep's *Richard II* and *Black Snow*); ***Eclipsed***, a new play by **Danai Gurira**, co-author of the acclaimed *In the Continuum*, directed by **Liesl Tommy** (the world premiere of *The Good Negro*); the world premiere of ***Compulsion*** by Rinne Groff directed by **Oskar Eustis**; **Carlo Goldoni's** *commedia dell'arte* masterpiece ***The Servant of Two Masters*** directed by **Christopher Bayes** (choreographer of the hit Broadway production of Alfred Hitchcock's *The 39 Steps*); and ***Battle of Black and Dogs*** by **Bernard-Marie Koltès** directed by **Robert Woodruff** (co-adaptor and director of 2009's *Notes from Underground* at Yale Rep). A sixth production will be announced.

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COUNCIL *on*
FOREIGN
RELATIONS

Thursday, May 7, 2009

5:30 to 8:30 PM

Friday, May 8, 2009

8:45 AM to 6:00 PM

check out ITGG Website = new monitoring

File

New York Conference

**THE UNITED STATES AND THE FUTURE
OF GLOBAL GOVERNANCE**

This conference is made possible through the generous support of the Robina Foundation.

MEETING COURTESIES

THE PRESENTATIONS, DISCUSSIONS, AND QUESTION-AND-ANSWER PERIODS OF ALL SESSIONS ARE ON THE RECORD.

Please refrain from leaving meetings early or arriving late.
It is discourteous to our speakers and disruptive to the audience.

Please remember to **turn off** all electronic devices including cell phones, BlackBerrys, and other PDAs. In addition to generating unwanted noise, these devices interfere with CFR's wireless sound system.

If you are called upon by the presider to ask a question during the question-and-answer sessions, please stand, wait for the microphone, and state your name and affiliation. Limit yourself to one concise question to allow as many people as possible to participate.

Common Theme

- US major player is all
- in kind problem are 2 cogitations
to get it done
and we do need multilateral
to get it done

PROGRAM

Thursday, May 7, 2009

Reception

5:30 to 6:00 PM

*R. H. asent
one of problem is making rights/SSP Regent
CFR center in very few members
Would Chris & Josh like this?*

Session One

AMERICAN LEADERSHIP AND GLOBAL GOVERNANCE IN AN AGE OF NONPOLARITY

6:00 to 7:30 PM

Welcoming Remarks

RICHARD N. HAASS

President, Council on Foreign Relations

Speakers

R. NICHOLAS BURNS

Professor in the Practice of Diplomacy and International Politics,
John F. Kennedy School of Government, Harvard University;
Former Undersecretary of State for Political Affairs, U.S. Department of State

DAVID F. GORDON

Head of Research and Director, Global Macroanalysis, Eurasia Group;
Former Director of Policy Planning, U.S. Department of State

ELLEN LAIPSON

President and Chief Executive Officer, Henry L. Stimson Center

Presider

STEWART M. PATRICK

Senior Fellow and Director, Program on International Institutions and
Global Governance, Council on Foreign Relations

Cocktail Dinner Buffet

7:30 to 8:30 PM

*which include meeting
"I writing" "corpsus" "after crisis coming"
U.K., NATO, EU
7 and 120*

PROGRAM

Friday, May 8, 2009

Breakfast Reception

8:45 to 9:15 AM

Session Two

STRENGTHENING THE NUCLEAR NONPROLIFERATION REGIME

9:15 to 10:30 AM

Speakers

CHARLES D. FERGUSON II

"I can't National pride"

Philip D. Reed Senior Fellow for Science and Technology, Council on Foreign Relations

CHRISTOPHER A. FORD

Director, Center for Technology and Global Security, and Senior Fellow, Hudson Institute

PAUL LETTOW

Adjunct Senior Fellow, Council on Foreign Relations;

Former Senior Director for Strategic Planning, National Security Council

Presider

HENRY D. SOKOLSKI

Executive Director, Nonproliferation Policy Education Center

Break

10:30 to 10:45 AM

*Mallaby
interesting -*

*aid to poor countries promote more
spending because more money goes
going to developed countries also
very slow in these times.*

PROGRAM

*By three who spend
China & Germany & Japan
China has more capacity*

*Japan has a tough labor
force - women but would
take a great cultural change.*

Session Three

THE FINANCIAL CRISIS AND GLOBAL FINANCIAL AND MONETARY COOPERATION

*Europe is really not
being current crisis they
are spending water on large
fire - it won't last*

10:45 AM to 12:00 PM

*Unstable world situation
now not for them
if it affects them is
short term*

Speakers

DANIEL W. DREZNER

Professor of International Politics, Fletcher School of Law and Diplomacy,
Tufts University

*"We have flooded world economy in dollars
to the point we are near to not
having enough gold to back dollar
and world will start trading
dollar for gold and we will have
to stop this, what will happen"*

STEVEN DUNAWAY

Adjunct Senior Fellow for International Economics, Council on Foreign Relations;
Former Deputy Director, Asia and Pacific Department, International Monetary Fund

*"Stagnation time"
China a problem
because they want
prosperity but unable
to make commitment.*

SEBASTIAN MALLABY

Director, Maurice R. Greenberg Center for Geoeconomic Studies, Deputy Director, David Rockefeller
Studies Program, and Paul A. Volcker Senior Fellow for International Economics,
Council on Foreign Relations

"There is always another wisdom who say we another group of wisdom"

Presider

MICHAEL ELLIOTT

Editor, Time International

*me of advantage
of US... it depends who to win*

*the world is a B1 world not a B20
US why does world depend on
US consumption what for my reasons is not
going to happen because only boomers have experienced
massive loss (stock market) which affects their retirement
and only way to reconstitute their retirement is
through saving not spending*

Luncheon Reception

12:00 to 1:00 PM

*China trying to take
Keep interest rate low*

*The gov has stopped spending on health, Edu
+ pension so people are doing
not ready to consume*

*in this country 12 trillion dollar wealth
has been lost to households*

*If the change to consume the
world is in trouble because US not do
gov to do*

PROGRAM

Session Four

TACKLING CLIMATE CHANGE

1:00 to 2:15 PM

Speakers

WILLIAM J. ANTHOLIS

Managing Director, Brookings Institution

PAULA J. DOBRIANSKY

Senior International Affairs and Trade Adviser, Baker & Hostetler LLP; Senior Fellow, Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University; Former Undersecretary of State for Democracy and Global Affairs, U.S. Department of State

MICHAEL A. LEVI

David M. Rubenstein Senior Fellow for Energy and the Environment, Council on Foreign Relations

Presider

JESSICA T. MATHEWS

President, Carnegie Endowment for International Peace

Break

2:15 to 2:30 PM

PROGRAM

Session Five

THE USE OF FORCE AND ACCOUNTABILITY IN INTERNATIONAL LAW: A U.S. PERSPECTIVE

2:30 to 3:45 PM

Speakers

JOHN B. BELLINGER III

Adjunct Senior Fellow in International and National Security Law, Council on Foreign Relations;
Partner, Arnold & Porter, LLP; Former Legal Adviser, U.S. Department of State

DAVID J. SCHEFFER

Professor of Law, Northwestern University School of Law;

Former Ambassador at Large for War Crimes Issues, U.S. Department of State

MATTHEW C. WAXMAN

Adjunct Senior Fellow for Law and U.S. Foreign Policy, Council on Foreign Relations;

Associate Professor of Law, Columbia University School of Law

Presider

JEFFREY R. TOOBIN

Staff Writer, New Yorker

*Bush and military force
2003 I don't think of international law
Now will have to agree to what
Church amendment - but that
allows opportunity to defend*

*premature self defense was legal under UN 1441
Bush II? Security - 2003
What about rules for use of force
are there threats to war
preemption
can you use force against non-state actors - al Qaeda
This is a new international law -
can you use it when people are being harmed -*

*Liberal. - Law of the Sea full
in gridlock of senate and now
This may pass to Specter + Franken*

military force Obama - now Pakistan is a not-so-hot topic about air force base now

Identical human rights law - used to apply to other countries now it applies to us

Hired by Bush to defend decision of detainee treatment

Break

3:45 to 4:00 PM

FOIA Memble under Bush

PROGRAM

in large livestock pr^{nt} activities became more than heavier
calm and corner resistant strains

Henry Clinton adn - worked on microbes that could endanger species
she doesn't think science that far along
The problem is that you can't contain the virus so
they would kill their own

Spent in industrial pr^{nt} operation

5 cases from pig flu in US
→ mess in people
migrant farm
labors

Session Six

H1N1: THE GLOBAL RESPONSE TO THE SWINE INFLUENZA

4:00 to 5:15 PM
the virus in pigs as host allows mutation and genetic information that is not
this virus had 3 contributors people, pig + birds this virus so potent because it
has all 3 contributors Why no more death? not genetic make up of 1918 virus
but we don't know that yet because we don't have 30
we didn't know this
at first this was
more
began
all
idea
30

Speaker

LAURIE A. GARRETT

Senior Fellow for Global Health, Council on Foreign Relations
Chair 2003 SARS Council & up for bios

pleasantly did cover story Newsweek
read her bio.

also they shut down schools, sports
rest at cost of billions of \$ which
he would not have been able
to do. also were made & tempt
maybe much work because they
alarm people around you to measure

President

JAMES TRAUB

Contributing Writer, New York Times Magazine

the reason virus flu don't tolerate
heat, UV light (long days) very dry service

Concluding Remarks

STEWART M. PATRICK

Senior Fellow and Director, Program on International Institutions and
Global Governance, Council on Foreign Relations

* VIRUS are very virulent when they jump from one species to another
pig → humans

WHO - set pandemic system problem it caused economic
what happen next - die out
- focus to Southern hemisphere (cool & flu season)
Return to US in Fall (flu season)
so what to for next fall - decide to make \$400 million vaccine which are really
risk contamination - whole product
Can you have seasonal vac + N1H1
flu vaccine of 0.1 ml

ie stocks
except drugs
killing
people shopping
a eating out, pig
- Pen would cover only US
not would - however, pen
which takes all any
flu vaccine of 0.1 ml

Council involved in setting up H8 - no power but

Org that deal with all together

Reception

5:15 to 6:00 PM

Why is this Global Governance became pandemics effort Health dept, vets,
agriculture, 2005 etc but all states departments are above don't talk
to each other within their states or within Int'l Inst.

WILLIAM J. ANTHOLIS

William J. Antholis serves as the managing director of the Brookings Institution. In that capacity, he works directly with the president and vice presidents of Brookings to help manage the full range of policy studies, develop new initiatives, coordinate research across programs, strengthen the policy impact of Brookings research, and ensure the quality and independence of that research.

Prior to joining Brookings, he served for five years as director of studies and senior fellow at the German Marshall Fund. In that capacity, Antholis was project director of the Trade and Poverty Forum, a six-country dialogue of leading private citizens and legislators focused on using the global economy to help address persistent global poverty and inequality.

From 1995 to 1999, Antholis served in government at both the White House and State Department. He was director of international economic affairs at the National Security Council and National Economic Council, where he served as the chief staff person for the G8 summits in 1997 and 1998, and also was deputy director of the White House climate change policy team. He also was an international affairs fellow at the Council on Foreign Relations and a visiting fellow at the Center of International Studies at Princeton University from 1999 to 2000. In 1991, Antholis cofounded the Civic Education Project, a nonprofit organization that supports Western-trained social science instructors at universities in twenty-three Central and Eastern European countries. He continues to serve on its board of directors.

JOHN B. BELLINGER III

John B. Bellinger III is a partner in the international and national security practices of Arnold & Partner, LLP, in Washington, DC. He is also an adjunct senior fellow in international and national security law at the Council on Foreign Relations. Bellinger served as legal adviser to Secretary of State Condoleezza Rice from April 2005 to January 2009, having previously managed her Senate confirmation and codirected her State Department transition team. As legal adviser, he directed a staff of 170 lawyers who advise the secretary of state, U.S. ambassadors, and the State Department on U.S. and international law applicable to U.S. foreign policy. Bellinger negotiated a number of treaties and international agreements, including the third additional protocol to the Geneva Conventions; represented the United States before the International Court of Justice in the Medellin case and Iran-U.S. Claims Tribunal; and promoted an active dialogue with U.S. allies and international organizations on human rights and international humanitarian law issues. Bellinger received the Secretary of State's Distinguished Service Award for his efforts to promote international law.

Bellinger served from February 2001 to January 2005 as senior associate counsel to the president and legal adviser to the National Security Council at the White House. He previously served as counsel for national security matters in the criminal division of the Justice Department during the Clinton administration (1997–2001), as special counsel to the Senate Select Committee on Intelligence (1996), and as special assistant to Director of Central Intelligence William H. Webster (1988–91).

Bellinger received his AB from Princeton University's Woodrow Wilson School of Public and International Affairs, his JD from Harvard Law School, and his MA in foreign affairs from the University of Virginia.

R. NICHOLAS BURNS

R. Nicholas Burns is professor in the practice of diplomacy and international politics at the Harvard Kennedy School. He is also a member of the boards of directors of the Rockefeller Brothers Fund, the Atlantic Council, the Center for the Study of the Presidency and Congress, and the Appeal of Conscience Foundation. In summer 2008, he was a visiting scholar at the Woodrow Wilson Center for International Scholars. Burns served in the U.S. Foreign Service for twenty-seven years until his retirement in April 2008. He was undersecretary of state for political affairs from 2005 to 2008. In this position, he led negotiations on Iran, India, Kosovo, and oversaw U.S. diplomatic efforts in each region of the world. Prior to that, he was U.S. ambassador to NATO from 2001 to 2005 and ambassador to Greece from 1997 to 2001.

During his career in the State Department, Burns was State Department spokesman for secretaries of state Madeleine K. Albright and Warren Christopher (1995–97). During the collapse of the Soviet Union, he served for five years (1990–95) at the White House where he was special assistant to the president for Russia, Ukraine, and Eurasia Affairs and a member of the National Security Council staff. Burns also served in the American Consulate General in Jerusalem in 1985–87 when he coordinated U.S. economic assistance to the Palestinian people in the West Bank, and at the American embassies in Egypt and Mauritania.

He has received honorary doctorates from ten American universities, the Secretary of State's Distinguished Service Award (from Condoleezza Rice), the Woodrow Wilson Award for Public Service from the Johns Hopkins University, and the Boston College Alumni Achievement Award. Burns has a BA in history from Boston College, from which he graduated summa cum laude and Phi Beta Kappa. He has an MA from the Johns Hopkins School of Advanced International Studies. He also earned the *Certificat Pratique de Langue Francaise* at the Sorbonne.

PAULA J. DOBRIANSKY

Paula J. Dobriansky is a senior fellow at the Harvard Kennedy School's Belfer Center for Science and International Affairs and is a senior international affairs and trade adviser at the law firm of Baker Hostetler. From May 2001 to January 2009, she served as undersecretary of state for democracy and global affairs. In February 2007, she was appointed the president's special envoy on Northern Ireland. She received the secretary of state's highest honor, the Distinguished Service Medal, for her work on global issues and the Northern Ireland peace process.

Previous government appointments include associate director for policy and programs at the United States Information Agency, deputy assistant secretary of state for human rights and humanitarian affairs, deputy head of the U.S. delegation to the 1990 Copenhagen Conference on Security and Cooperation in Europe (CSCE), and director of European and Soviet affairs at the National Security Council. From 1997 to 2001, she served on the presidentially-appointed U.S. Advisory Commission on Public Diplomacy. Dobriansky also served as senior vice president and director of the Washington office of the Council on Foreign Relations (CFR) and was the first CFR George F. Kennan senior fellow for Russian and Eurasian studies.

Dobriansky received a BSFS, summa cum laude, in international politics from Georgetown University School of Foreign Service and an MA and PhD in Soviet political/military affairs from Harvard University. She is a Fulbright-Hays scholar, Ford and Rotary Foundation fellow, and a member of Phi Beta Kappa.

DANIEL W. DREZNER

Daniel W. Drezner is professor of international politics at the Fletcher School of Law and Diplomacy at Tufts University and a senior editor at the *National Interest*. Prior to Fletcher, he taught at the University of Chicago and the University of Colorado at Boulder. Drezner has received fellowships from the German Marshall Fund of the United States, the Council on Foreign Relations, and Harvard University. He has worked previously with Civic Education Project, the RAND Corporation, and the U.S. Department of the Treasury.

Drezner is the author, most recently, of *All Politics is Global: Explaining International Regulatory Regimes* (2007). His previous books include *U.S. Trade Strategy: Free Versus Fair* (2006), *Locating the Proper Authorities: The Interaction of Domestic and International Institutions* (2003), and *The Sanctions Paradox: Economic Statecraft and International Relations* (1999). His next book, *An Unclean Slate*, will examine the tangled future of global governance. Drezner has published articles in numerous scholarly journals as well as in the *New York Times*, *Wall Street Journal*, *Washington Post*, *Foreign Policy*, and *Foreign Affairs*. He has provided expert commentary on U.S. foreign policy and the global political economy for C-SPAN, CNNfn, CNN International, and ABC's *World News Tonight*. He is a regular commentator for *Newsweek International* and NPR's *Marketplace*. He keeps a daily weblog at www.danieldrezner.com.

STEVEN DUNAWAY

Steven Dunaway is an adjunct senior fellow for international economics at the Council on Foreign Relations (CFR). He is a former deputy director of the Asia and Pacific department at the International Monetary Fund (IMF). From November 2001 until December 2008, he was primarily responsible for directing the IMF's country work on China and headed the IMF's consultation missions with the Chinese government. This was Dunaway's second assignment on China at the IMF; in the late 1980s, he was desk officer for China. Prior to his assignment in the Asia and Pacific department, he was head of the North American division in the IMF's Western Hemisphere department. In that capacity, he directed the IMF's consultations missions with the United States and Canada.

During his twenty-five-year career at the IMF, Dunaway had a wide variety of other country assignments, ranging from such countries as Australia and New Zealand to Indonesia and the Philippines. In addition, during the mid-1990s, he directed the IMF's research on private capital flows to developing countries and handled IMF support for Brady debt deals for Ecuador, Panama, and Peru. Prior to working at the IMF, Dunaway worked for ten years at the Bureau of Economic Analysis in the U.S. Department of Commerce, doing analysis and forecasting of U.S. international transactions.

He holds undergraduate and graduate degrees in economics from the universities of Louisville and Cincinnati, and he received his PhD in economics from George Washington University.

MICHAEL ELLIOTT

Michael Elliott is the editor of *TIME* International, a position in which he oversees all aspects of *TIME* Asia, *TIME* South Pacific, and *TIME* EMEA (Europe, the Middle East, and Africa). In October 2007, Elliott was elevated to the second-highest position on the *TIME* masthead. He was named editor of *TIME* International in April 2005 after spending a year as editor of *TIME* Asia. He also served as deputy managing editor of *TIME* from January 2006 through September 2007. Previously, he was based in New York as editor-at-large of *TIME* and the author of its Global Agenda column. Since September 11, 2001, he has been one of *TIME*'s principal writers on the international aspects of the war on terrorism and has written many of its cover stories on the ongoing crisis.

Elliott joined *TIME* in May 2001 after a year spent as editor in chief of eCountries, an Internet-based news and analysis service on global affairs. From 1995 to 2000 he was editor of *Newsweek* International, and from 1984 to 1993 he was on the staff of *The Economist*, where he was political editor and Washington bureau chief and the founding author of both the Bagehot and Lexington columns. He is the only person ever to have held senior editorial positions at all three major international newsmagazines.

Elliott received two degrees at Oxford University. Prior to his career in journalism, he was a member of the central policy review staff in Britain's Cabinet Office, and before that he spent eight years teaching in universities in the United States and the United Kingdom, ending his academic career with a tenured position at the London School of Economics. He has written for many newspapers and magazines, is the author of three books, and has written and presented many documentary films.

CHARLES D. FERGUSON II

Charles D. Ferguson II is the Philip D. Reed senior fellow for science and technology at the Council on Foreign Relations (CFR). He is also an adjunct professor in the security studies program at Georgetown University and an adjunct lecturer in the national security studies program at Johns Hopkins University. His areas of expertise include arms control, climate change, energy policy, and nuclear and radiological terrorism. At CFR, he specializes in analyzing nuclear energy, nuclear nonproliferation, and the prevention of nuclear terrorism. Prior to arriving at CFR in September 2004, Ferguson worked as the scientist-in-residence at the Monterey Institute's Center for Nonproliferation Studies (CNS). At CNS, he coauthored the book *The Four Faces of Nuclear Terrorism* (with William Potter, 2005). He was also the lead author of the award-winning report *Commercial Radioactive Sources: Surveying the Security Risks*, which was published in January 2003 and was one of the first post-9/11 reports to assess the radiological dispersal device, or "dirty bomb," threat. The report won the 2003 Robert S. Landauer Lecture Award from the Health Physics Society. Ferguson has consulted with Sandia National Laboratories and the National Nuclear Security Administration. He served as a physical scientist in the Office of the Senior Coordinator for Nuclear Safety at the U.S. Department of State. He has also worked on nuclear proliferation and arms control issues as a senior research analyst and director of the nuclear policy project at the Federation of American Scientists.

After graduating with distinction from the U.S. Naval Academy, he served as an officer on a fleet ballistic missile submarine and studied nuclear engineering at the Naval Nuclear Power School. Ferguson has written numerous articles on energy policy, missile defense, nuclear arms control, nuclear energy, nuclear proliferation, and nuclear terrorism. These publications have appeared in the *Bulletin of the Atomic Scientists*, *Christian Science Monitor*, *Issues in Science and Technology*, *International Herald Tribune*, *Los Angeles Times*, *National Interest* online, and *Washington Post*. He holds a PhD in physics from Boston University.

CHRISTOPHER A. FORD

Christopher A. Ford is the director of the Center for Technology and Global Security and senior fellow at the Hudson Institute. He served until September 2008 as U.S. special representative for nuclear nonproliferation, leading all U.S. diplomatic efforts related to the Treaty on the Nonproliferation of Nuclear Weapons (NPT). Before this diplomatic post, Ford served as principal deputy assistant secretary of state, second-in-command of the State Department's Bureau of Verification, Compliance, and Implementation.

Prior to his State Department service, Ford served as minority counsel and then general counsel to the U.S. Senate Select Committee on Intelligence, where he worked on critical issues of intelligence oversight, counterterrorism operations, and reform of the U.S. intelligence community and homeland security system in the wake of the September 2001 terrorist attacks. His previous service on various Senate committee staffs included periods as staff director and chief counsel to the Permanent Subcommittee on Investigations, chief investigative counsel to the Governmental Affairs Committee, national security adviser to Senator Susan Collins (R-ME), and an investigative lawyer for high-profile investigations led by Senator Fred Thompson (R-TN) into campaign finance abuses during the 1996 presidential election campaign. Ford also served briefly as assistant counsel to the Intelligence Oversight Board at the White House in 1996.

Ford served for thirteen years as an intelligence officer in the U.S. Navy Reserve, rising to the rank of lieutenant commander. He is the author of *The Admirals' Advantage: U.S. Navy Operational Intelligence in World War II and the Cold War* (2005). He received his undergraduate degree summa cum laude in government/international relations from Harvard, his doctorate from Oxford University, and his law degree from the Yale Law School.

LAURIE A. GARRETT



Laurie A. Garrett is currently the senior fellow for global health at the Council on Foreign Relations (CFR) in New York. Garrett is the only writer ever to have been awarded all three of the Big "P"s of journalism: the Peabody, the Polk, and the Pulitzer.

Garrett is also the best-selling author of *The Coming Plague: Newly Emerging Diseases in a World Out of Balance* and *Betrayal of Trust: The Collapse of Global Public Health*. During her time at CFR, Garrett has written several reports and articles, including *HIV and National Security: Where are the Links?*, (Council on Foreign Relations Press, 2005); "The Next Pandemic?" (*Foreign Affairs*, July/August 2005); "The Lessons of HIV/AIDS" (*Foreign Affairs*, July/August 2005); "The Challenge of Global Health" (*Foreign Affairs*, January/February 2007), and *The Future of Foreign Assistance Amid Global Economic and Financial Crisis* (Council on Foreign Relations Press, 2009).

Garrett is a member of the National Association of Science Writers, and served as the organization's president during the mid-1990s. She currently serves on the advisory board for the Noguchi Prize, the François-Xavier Bagnoud (FXB) Center for Health and Human Rights, and the Health Worker Global Policy Advisory Group. She is an expert on global health with a particular focus on newly emerging and re-emerging diseases and their effects on foreign policy and national security.

DAVID F. GORDON

David F. Gordon is Eurasia Group's head of research and director of global macroanalysis. He is a member of the firm's management committee and is based in Washington, DC. From June 2007 to January 2009, he served as the director of policy planning under Secretary of State Condoleezza Rice, where he played a leading role in developing policy ideas on issues ranging from Afghanistan and Pakistan to U.S. engagement in East Asia to the multilateral response to the international financial crisis.

Gordon served in a top management role at the National Intelligence Council from 2004 to 2007. He was also the director of CIA's Office of Transnational Issues. For six years, he represented the intelligence community on the senior White House interagency body responsible for coordinating international economic policy. Earlier in his career, Gordon was a senior fellow and director at the Overseas Development Council, a senior staff member on the Foreign Affairs Committee of the U.S. House of Representatives, and the regional economic policy and democracy/governance adviser for the U.S. Agency for International Development based in Nairobi, Kenya.

In the 1980s, Gordon pursued an academic career with a joint appointment at the University of Michigan and Michigan State University. He has also taught at the College of William and Mary, Princeton University, Georgetown University, and the University of Nairobi. His latest book is *Managing Strategic Surprise: Lessons from Risk Management and Risk Assessment*, coedited with Ian Bremmer and Paul Bracken (2007).

Gordon is a graduate of Bowdoin College and undertook graduate studies in both political science and economics at the University of Michigan, where he received his PhD.

RICHARD N. HAASS

Richard N. Haass is president of the Council on Foreign Relations, the preeminent independent, nonpartisan organization in the United States dedicated to the study of and dissemination of ideas on American foreign policy. Until June 2003, Haass was director of policy planning for the Department of State as well as U.S. coordinator for policy toward the future of Afghanistan and U.S. envoy to the Northern Ireland peace process. Previously, Haass was vice president and director of foreign policy studies at the Brookings Institution. He was also special assistant to President George H.W. Bush and senior director for Near East and South Asian affairs on the staff of the National Security Council from 1989 to 1993. Haass is the author or editor of eleven books on American foreign policy, including *War of Necessity, War of Choice: A Memoir of Two Iraq Wars*, published in May 2009.

A Rhodes scholar, he holds a BA from Oberlin College and an MPhil and DPhil from Oxford University. He has received honorary doctorates from Hamilton College, Franklin & Marshall College, and Georgetown University.

ELLEN LAIPSON

Ellen Laipson is the president and chief executive officer of the Henry L. Stimson Center. Laipson joined the Center in 2002 after nearly twenty-five years of government service. Major positions included vice chair of the National Intelligence Council (NIC) from 1997 to 2003 and special assistant to the U.S. permanent representative to the United Nations from 1995 to 1997. At the NIC, Laipson co-managed the interdisciplinary study *Global Trends 2015* and directed the NIC's outreach to think tanks and research organizations on a wide range of national security topics.

Her earlier government career focused on analysis and policymaking on Middle East and South Asian issues. She was the director for Near East and South Asian affairs for the National Security Council (1993–95), national intelligence officer for Near and South Asia (1990–93), a member of the State Department's policy planning staff (1986–87), and a specialist in Middle East affairs for the Congressional Research Service.

At the Stimson Center, Laipson directs the Southwest Asia project, which focuses on a range of security issues in the Gulf region. She is a member of the International Institute of Strategic Studies, the Middle East Institute, and the Middle East Studies Association. In 2003, she joined the boards of the Asia Foundation and the Education and Employment Foundation. Laipson has an AB from Cornell University and an MA from the School of Advanced International Studies, Johns Hopkins University.

PAUL LETTOW

Paul Lettow is an adjunct senior fellow at the Council on Foreign Relations. His current work focuses on strengthening the international nonproliferation regime. He is the author of *Ronald Reagan and His Quest to Abolish Nuclear Weapons* (2005). Lettow served as the senior director for strategic planning and institutional reform on the National Security Council (NSC) staff from 2007 to 2009. In that position, he helped establish and coordinated the interagency National Security Policy Planning Committee and prepared presidential policy directives. He received an NSC award for outstanding performance. Previously, Lettow was senior adviser to the undersecretary of state for democracy and global affairs from 2006 to 2007. He served as a law clerk to Chief Judge Danny J. Boggs of the U.S. Court of Appeals for the Sixth Circuit. He worked as a foreign policy analyst for the Long-Term Legal Strategy Project for Preserving Security and Democratic Freedoms in the War on Terrorism, a joint project of Harvard Law School and the John F. Kennedy School of Government at Harvard University.

Lettow has appeared on numerous television and radio programs. He is a member of the International Institute for Strategic Studies. He received an AB in history, summa cum laude, from Princeton University, a JD from Harvard Law School, and a DPhil in international relations from Oxford University (Christ Church).

MICHAEL A. LEVI

Michael A. Levi is the David M. Rubenstein senior fellow for energy and the environment at the Council on Foreign Relations (CFR). His interests center on the intersection of science, technology, and foreign policy. He is director of the CFR program on energy security and climate change and project director for the CFR-sponsored Independent Task Force on Climate Change. Levi also teaches at Columbia University as an adjunct assistant professor of international and public affairs.

Levi was previously a nonresident science fellow and a science and technology fellow in foreign policy studies at the Brookings Institution. Prior to that, he was director of the Federation of American Scientists' flagship Strategic Security Project. He is the author of the book *On Nuclear Terrorism* (2007) and coauthor, with Michael O'Hanlon, of *The Future of Arms Control* (2005). His 2005 monograph with Michael D'Arcy, *Untapped Potential: U.S. Science and Technology Cooperation with the Islamic World*, was the first comprehensive study of science and technology in the Muslim world.

Levi has been invited to testify before Congress and to present expert scientific evidence to the National Academy of Sciences. His essays have been published in *Foreign Policy*, *Nature*, *Scientific American*, and the *New Republic*, among others. His op-eds have appeared in the *New York Times*, *Washington Post*, *Wall Street Journal*, and *Financial Times*. He holds a BSc (honors) in mathematical physics from Queen's University (Kingston), an MA in physics from Princeton University, where he studied string theory and cosmology, and a PhD in war studies from the University of London (King's College), where he was the SSHRC William E. Taylor fellow.

SEBASTIAN MALLABY

Sebastian Mallaby is director of the Maurice R. Greenberg Center for Geoeconomic Studies (CGS), deputy director of the David Rockefeller Studies Program, and Paul A. Volcker senior fellow for international economics at the Council on Foreign Relations (CFR). Mallaby joined CFR from the *Washington Post*, where he served as a columnist and editorial board member. He is currently working on a book on hedge funds. His interests cover a wide variety of domestic and international issues, including globalization, trade, investment trends, international development, and economic policy.

In 2003, Mallaby went on leave from the *Washington Post* to become a senior fellow at CFR, where he wrote a history of the World Bank under James Wolfensohn, titled *The World's Banker* (2004). It was named an Editor's Choice by the *New York Times* and became a *Washington Post* best seller. Before joining the *Post* in 1999, Mallaby spent thirteen years with *The Economist*. While at *The Economist*, he worked in London, where he wrote about international finance; in Africa, where he covered Nelson Mandela's release from prison and the collapse of apartheid; and in Japan, where he covered the breakdown of the country's political and economic consensus. Between 1997 and 1999, Mallaby was *The Economist's* Washington bureau chief and wrote the magazine's weekly Lexington column on American politics and foreign policy.

Mallaby has also contributed to numerous other publications, including *Foreign Affairs*, *Foreign Policy*, *Prospect* (UK), the *New York Times*, the *New Republic*, *Slate*, *Policy Review*, and *National Interest*. He is the author of *After Apartheid: The Future of South Africa*, which was listed by the *New York Times* as one of the notable books of 1992. His *Foreign Affairs* essay on failed states in 2002 was cited by commentators in the *New York Times*, *Financial Times*, and *TIME Magazine*. Mallaby received a First Class degree in modern history from Oxford University.

JESSICA T. MATHEWS

Jessica T. Mathews was appointed president of the Carnegie Endowment for International Peace in 1997. Her career includes posts in the executive and legislative branches of government, in management and research in the nonprofit arena, and in journalism. She was a senior fellow at the Council on Foreign Relations (CFR) from 1993 to 1997 and served as director of CFR's Washington program. While there, she published the 1997 *Foreign Affairs* article, "Power Shift," chosen by the editors as one of the most influential in the journal's seventy-five years.

From 1982 to 1993, she was founding vice president and director of research of the World Resources Institute. She served on the editorial board of the *Washington Post* from 1980 to 1982, covering energy, environment, science, technology, arms control, health, and other issues. Later, she became a weekly columnist for the *Washington Post*, writing a column that appeared nationwide and in the *International Herald Tribune*. From 1977 to 1979, she was director of the Office of Global Issues of the National Security Council, covering nuclear proliferation, conventional arms sales policy, chemical and biological warfare, and human rights. In 1993, she returned to government as deputy to the undersecretary of state for global affairs.

Mathews is a director of Somalogic Inc., HanesBrands Inc., and the Union of Concerned Scientists, and is a trustee of the Century Foundation, the Nuclear Threat Initiative, and the International Crisis Group. She has previously served on the boards of the Brookings Institution, Radcliffe College, the Rockefeller Brothers Fund, the Surface Transportation Policy Project, and the Joyce Foundation, among others.

STEWART M. PATRICK

Stewart M. Patrick is senior fellow and director of the program on international institutions and global governance at the Council on Foreign Relations (CFR). His areas of expertise include multilateral cooperation in the management of global issues; U.S. policy toward international institutions, including the United Nations; the challenges posed by fragile, failing, and postconflict states; and the integration of U.S. defense, development, and diplomatic instruments in U.S. foreign and national security policy. From 2005 to 2008, he was research fellow at the Center for Global Development. He directed the center's research and policy engagement on the intersection between security and development. He also served as a professorial lecturer in international relations/conflict management at Johns Hopkins University's School of Advanced International Studies.

From September 2002 to January 2005, Patrick served on the secretary of state's policy planning staff, with lead staff responsibility for U.S. policy toward Afghanistan. His portfolio included conducting analysis and providing recommendations for U.S. policies on weak and failing states, postconflict reconstruction, development, refugees and migration, international law enforcement, and global health affairs. He joined the staff as an international affairs fellow with CFR.

From 1997 to 2002, Patrick was a research associate at the Center on International Cooperation at New York University (NYU), where he designed and ran two multischolar research programs on postconflict reconstruction and on multilateralism and U.S. foreign policy. He also taught U.S. foreign policy at NYU as an adjunct professor of political science. He is the author, coauthor, or editor of four books and the author of numerous articles and chapters on the subjects of multilateral cooperation, state-building, and U.S. foreign policy. Patrick graduated from Stanford University and received his doctorate in international relations, as well as two master's degrees, from Oxford University, where he was a Rhodes scholar.

DAVID J. SCHEFFER

— Very good

David J. Scheffer is the Mayer Brown/Robert A. Helman professor of law and director of the Center for International Human Rights at Northwestern University School of Law. He teaches international human rights law and international criminal law and received the Dean's Teaching Award for 2007–2008. He was U.S. ambassador at large for war crimes issues from 1997 to 2001 and led the U.S. delegation in the United Nations talks establishing the International Criminal Court.

During his ambassadorship, Scheffer negotiated and coordinated U.S. support for the establishment and operation of international and hybrid criminal tribunals and U.S. responses to atrocities. He headed the Atrocities Prevention Inter-Agency Working Group. During the first term of the Bill Clinton administration, Scheffer was senior adviser and counsel to the U.S. representative to the United Nations, Madeleine K. Albright, and served during that period on the Deputies Committee of the National Security Council. He has published extensively on international legal and political issues.

HENRY D. SOKOLSKI

Henry D. Sokolski is the executive director of the Nonproliferation Policy Education Center (NPEC), a Washington, DC-based nonprofit organization founded in 1994 to promote a better understanding of strategic weapons proliferation issues. He currently serves as an adjunct professor at the Institute of World Politics in Washington, DC, and is a member of the Congressional Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. Sokolski previously served as deputy for nonproliferation policy in the Department of Defense from 1989 to 1993, for which he received the secretary of defense's Medal for Outstanding Public Service. He also worked in the secretary of defense's Office of Net Assessment, as a consultant to the National Intelligence Council, and as a member of the Central Intelligence Agency's senior advisory group.

In the U.S. Senate, Sokolski served as a special assistant on nuclear energy matters to Senator Gordon Humphrey (R-NH), and as a legislative military aide to Senator Dan Quayle (R-IN). Sokolski has written and edited more than fifteen volumes on proliferation, including *Best of Intentions: America's Campaign Against Strategic Weapons Proliferation* (2001) and *Falling Behind: International Scrutiny of the Peaceful Atom* (2008).

JEFFREY R. TOOBIN

Jeffrey R. Toobin, has been a staff writer at the *New Yorker* since 1993 and the senior legal analyst for CNN. He joined CNN in 2002 after six years with ABC News. In 2000, he received an Emmy Award for his coverage of the Elián Gonzalez case.

His most recent book is *The Nine: Inside the Secret World of the Supreme Court* (2007). The book spent more than four months on the *New York Times* best seller list and was named one of the ten best books of the year by the *New York Times Book Review*, *TIME*, *Newsweek*, *Fortune*, *Entertainment Weekly*, and *The Economist*. It also received the J. Anthony Lukas Book Prize for Nonfiction and the Silver Gavel Award of the American Bar Association.

Since joining the *New Yorker*, Toobin has covered legal affairs and written profiles of Supreme Court justices Stephen Breyer, Anthony Kennedy, and Clarence Thomas, as well as such subjects as the legal implications of the war on terror, Attorney General John Ashcroft, the Florida recount, and Kenneth Starr's investigation of President Clinton. Before joining the *New Yorker*, Toobin served as an assistant U.S. attorney and as an associate counsel in the office of Independent Counsel Lawrence E. Walsh, an experience that provided the basis for his first book, *Opening Arguments: A Young Lawyer's First Case: United States v. Oliver North*.

Jeffrey Toobin received his BA from Harvard College and graduated, magna cum laude, from Harvard Law School, where he was an editor of the *Harvard Law Review*.

JAMES TRAUB

James Traub is a contributing writer for the *New York Times Magazine*, where he has worked since 1998. He has written extensively about international affairs and especially the United Nations, as well as national politics and urban affairs. In recent years, he has reported from Pakistan, Egypt, Iran, Mali, Congo, Sierra Leone, Angola, Georgia, Kosovo, and Haiti.

Traub's most recent book is *The Freedom Agenda: Why America Must Spread Democracy (Just Not The Way George Bush Did)*. In 2006 he published *The Best Intentions: Kofi Annan and The UN in The Era of American World Power*. He also serves as the director of policy for the Global Centre for the Responsibility to Protect, which seeks to advance the doctrine of the responsibility to protect adopted by heads of state at the 2005 UN World Summit.

MATTHEW C. WAXMAN

Matthew C. Waxman is an adjunct senior fellow for law and U.S. foreign policy at the Council on Foreign Relations. He is also associate professor of law at Columbia Law School and a former CFR international affairs fellow.

He previously served as principal deputy director of the State Department's policy planning staff, deputy assistant secretary of defense for detainee affairs, director for contingency planning and international justice at the National Security Council, and special assistant to National Security Adviser Condoleezza Rice.

Waxman is a graduate of Yale College and Yale Law School and studied international relations as a Fulbright scholar in the United Kingdom. After law school, he served as law clerk to Supreme Court justice David H. Souter and U.S. Court of Appeals judge Joel M. Flaum. He is a member of the Hoover Institution task force on national security and law, and his publications include *The Dynamics of Coercion: American Foreign Policy and the Limits of Military Might* (with Daniel Byman, 2002).

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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I told you:

she loves to

talk!

ROBINA FOUNDATION
FINANCIAL STATEMENTS
March 31, 2009
(Compiled)

PRELIMINARY NOT FINAL

CONTENTS

PRELIMINARY NOT FINAL

	Page
INDEPENDENT ACCOUNTANT'S REPORT ON THE FINANCIAL STATEMENTS	3
FINANCIAL STATEMENTS	
Statements of financial condition.....	4 -5
Statements of activities	6
SUPPLEMENTARY INFORMATION	
Schedules of investments	7
Schedules of administrative expenses	8
Schedules of administrative expenses with budgets	9



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ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Robina Foundation

PRELIMINARY NOT FINAL

We have compiled the accompanying statements of financial condition (excise tax basis) of Robina Foundation as of March 31, 2009 and 2008, and the related statements of activities (excise tax basis) for the periods indicated and supplementary information, which is presented only for supplementary analysis purposes, as listed in the accompanying index, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements and supplementary schedules information that is the representation of the trustees. We have not audited or reviewed the accompanying financial statements and supplementary information and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures and the statements of cash flows required by U.S. generally accepted accounting principles. If the omitted disclosures and statements of cash flows were included in the financial statements, they might influence the user's conclusions about the Foundation's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters. We are not independent with respect to Robina Foundation.

A handwritten signature in cursive script that reads "Mayer Hoffman McCann P.C.".

Minneapolis, Minnesota
April 24, 2009

Robina Foundation
STATEMENTS OF FINANCIAL CONDITION
(Excise Tax Basis)
March 31, 2009 and 2008

PRELIMINARY NOT FINAL

	<u>2009</u>	<u>2008</u>
ASSETS		
CURRENT ASSETS		
US Bank checking account	\$ 51,613	\$ 10,578
Prepaid federal excise tax	<u>2,691</u>	<u>2,691</u>
TOTAL CURRENT ASSETS	<u>54,304</u>	<u>13,269</u>
INVESTMENTS		
US Bank	41,794,259	26,225,610
TIFF Mutual Funds	9,493,976	9,168,041
Land	<u>0</u>	<u>0</u>
TOTAL INVESTMENTS	<u>51,288,235</u>	<u>35,393,651</u>
PROPERTY AND EQUIPMENT		
Furniture and fixtures	13,311	13,311
Less: accumulated depreciation	<u>2,847</u>	<u>973</u>
TOTAL PROPERTY AND EQUIPMENT	<u>10,464</u>	<u>12,338</u>
TOTAL ASSETS	<u><u>\$ 51,353,003</u></u>	<u><u>\$ 35,419,258</u></u>

f 20m
J P Nguyen

See Accountants' Compilation Report

Robina Foundation
STATEMENTS OF FINANCIAL CONDITION
(Excise Tax Basis)
March 31, 2009 and 2008

PRELIMINARY NOT FINAL

	<u>2009</u>	<u>2008</u>
LIABILITIES		
CURRENT LIABILITIES		
Accounts payable	\$ 0	\$ 0
Accrued expenses	0	0
Grants payable	<u>0</u>	<u>0</u>
TOTAL CURRENT LIABILITIES	<u>0</u>	<u>0</u>
NET ASSETS		
Foundation equity	<u>51,353,003</u>	<u>35,419,258</u>
TOTAL NET ASSETS	<u>51,353,003</u>	<u>35,419,258</u>
 TOTAL LIABILITIES AND NET ASSETS	 <u><u>\$ 51,353,003</u></u>	 <u><u>\$ 35,419,258</u></u>

See Accountants' Compilation Report

Robina Foundation
STATEMENTS OF ACTIVITIES
(Excise Tax Basis)

Three Months Ended March 31, 2009 and 2008

PRELIMINARY NOT FINAL

	<u>Year-To-Date This Year</u>		<u>Year-To-Date Last Year</u>	
	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
REVENUES				
Investment income:				
Interest income	\$ 268,728	1.3%	\$ 293,472	1.5%
Dividend income	0	0.0	37,837	0.2
Capital gain distributions	0	0.0	0	0.0
Realized gains and losses	(81,487)	(0.4)	2,037	0.0
Investment fees	(11,471)	0.1	(11,135)	0.1
Total investment income	175,770	0.9	322,211	1.6
Contributions	20,000,000 <i>JF Morgan</i>	99.1	0	0.0
Miscellaneous income	0	0.0	0	0.0
TOTAL REVENUES	20,175,770	100.0	322,211	1.6
EXPENSES				
Grants paid	0	0.0	2,000,000	9.9
Administrative expenses	88,128	0.4	98,825	0.5
TOTAL EXPENSES	88,128	0.4	2,098,825	10.4
OPERATING INCOME (LOSS)	20,087,642	99.6	(1,776,614)	(8.8)
Federal excise tax	0	0.0	0	0.0
INCREASE (DECREASE) IN NET ASSETS	20,087,642	99.6%	(1,776,614)	(8.8)%
NET ASSETS, BEGINNING OF YEAR	31,265,361		37,195,872	
TOTAL NET ASSETS	\$ 51,353,003		\$ 35,419,258	

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Robina Foundation
SUPPLEMENTARY INFORMATION
SCHEDULES OF INVESTMENTS
(Excise Tax Basis)
Three Months Ended March 31, 2009 and 2008

PRELIMINARY NOT FINAL

	<u>US Bank Investment</u>		<u>Tiff Mutual Funds</u>	
	<u>3/31/2009</u>	<u>3/31/2008</u>	<u>3/31/2009</u>	<u>3/31/2008</u>
Cost basis	\$ 41,794,259	\$26,225,610	\$ 9,493,976	\$ 9,168,041
Market value	<u>41,659,213</u>	<u>26,284,503</u>	<u>5,894,811</u>	<u>8,295,538</u>
Unrealized gains (losses)	<u>\$ (135,046)</u>	<u>\$ 58,893</u>	<u>\$ (3,599,165)</u>	<u>\$ (872,503)</u>

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Robina Foundation
SUPPLEMENTARY INFORMATION
SCHEDULES OF ADMINISTRATIVE EXPENSES
(Excise Tax Basis)
Three Months Ended March 31, 2009 and 2008

PRELIMINARY NOT FINAL

	<u>Year-To-Date This Year</u>		<u>Year-To-Date Last Year</u>	
	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
ADMINISTRATIVE EXPENSES:				
Accounting & audit fees	\$ 1,175	0.0	\$ 4,320	1.3
Bank charges	25	0.0	(18)	0.0
Contract services:				
Gordon Aamoth	43,752	0.2	43,752	13.6
Jean Sazevich	13,650	0.1	12,500	3.9
Nancy Gilbert	0	0.0	0	0.0
Baker Management	6,930	0.0	6,855	2.1
Tim Harrison	0	0.0	0	0.0
Other consultants	5,800	0.0	7,500	2.3
Depreciation expense	448	0.0	475	0.1
Directors' fees	0	0.0	0	0.0
Insurance:				
Directors' and officers	0	0.0	0	0.0
Property	0	0.0	0	0.0
Legal fees	1,654	0.0	7,914	2.5
Meeting expense	4,812	0.0	8,454	2.6
Membership dues	495	0.0	0	0.0
Office expense	1,759	0.0	0	0.0
Office supplies	131	0.0	408	0.1
Parking & mileage	215	0.0	1,221	0.4
Postage & delivery	421	0.0	781	0.2
Printing, web design & maintenance	495	0.0	158	0.0
Publications & subscriptions	21	0.0	0	0.0
Rent expense	5,527	0.0	3,542	1.1
Telephone & internet	818	0.0	963	0.3
TOTAL ADMINISTRATIVE EXPENSES	\$ 88,128	0.4	\$ 98,825	30.7

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Robina Foundation
SUPPLEMENTARY INFORMATION
SCHEDULES OF ADMINISTRATIVE EXPENSES WITH BUDGETS
(Excise Tax Basis)
 Three Months Ended March 31, 2009

PRELIMINARY NOT FINAL

	<u>Year-To-Date This Year</u>			<u>Annual</u>
	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Budget</u>
ADMINISTRATIVE EXPENSES:				
Accounting & audit fees	\$ 1,175	\$ 6,250	\$ 5,075	\$ 25,000
Bank charges	25	0	(25)	0
Contract services:				
Gordon Aamoth	43,752	43,750	(2)	175,000
Jean Sazevich	13,650	13,650	0	54,600
Nancy Gilbert	0	0	0	0
Baker Management	6,930	6,855	(75)	27,420
Other consultants	5,800	2,500	(3,300)	10,000
Depreciation expense	448	448	0	1,790
Directors' fees	0	11,250	11,250	45,000
Insurance:				
Directors' and officers	0	1,250	1,250	5,000
Property	0	125	125	500
Legal fees	1,654	3,750	2,096	15,000
Meeting expense	4,812	5,000	188	20,000
Membership dues	495	0	(495)	0
Miscellaneous expense	0	250	250	1,000
Office expense	1,759	575	(1,184)	2,300
Office supplies	131	250	119	1,000
Parking & mileage	215	750	535	3,000
Postage & delivery	421	375	(46)	1,500
Printing, web design & maintenance	495	500	5	2,000
Professional development	0	750	750	3,000
Publications & subscriptions	21	63	42	250
Rent expense	5,527	5,048	(479)	20,193
Telephone & internet	818	750	(68)	3,000
TOTAL ADMINISTRATIVE EXPENSES	\$ 88,128	\$ 104,139	\$ 16,011	\$ 416,553

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