



[Robina Foundation](#)

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ROBINA FOUNDATION **Board Meeting**

Conference Call

Tuesday, November 12, 2013

10:00 a.m. to 12 Noon (CST)

11:00 a.m. to 1:00 p.m. (EST)

8:00 a.m. to 10:00 a.m. (PST)

ROBINA FOUNDATION

TO: Robina Foundation Board of Directors
FROM: Penny Hunt
RE: November 2013 Board Meeting

I'm looking forward to our upcoming meeting on November 12 and the opportunity to welcome – officially – new Board Members Marianne Short and Steve Lewis. As always, the agenda is full, but I believe there is enough flexibility in the schedule to give the Board sufficient time to discuss key issues.

Please note in particular:

- Gina Kastel will join the meeting to provide an update on work to settle the Binger Estate. Considerable progress has been made!
- The Board will review a number of updates on Robina grants, as well as several requests for funding, as part of the discussion of Robina Grants. Material for the discussion is found at **Tabs 5 – 8**.
- **Tab 9** includes Yale University's first report on the status of Robina's endowment grant to create the Binger Center for New Theatre.
- To assure agreement on the goals of our meetings at Yale in March, we have allotted time to discuss various agenda items as outlined at **Tab 10**.

As Nancy was reviewing Tom's files on the Robina Foundation, she ran across an interesting article on the controversy surrounding the Binger Estate. We've included the article, "The Brawl Over the Binger Estate," in the back pocket of your Board Book.

Please feel free to contact me if you have questions or concerns as you prepare for the meeting.

Robina Foundation Board of Directors Meeting

Conference Call

Tuesday, November 12, 2013

10:00 a.m. to 12 Noon (CST)

Participant Dial-In Instructions:

1. Dial the Moderator's Access Number: 1-877-820-7831
2. Enter the Participant Passcode: 3167335# (must dial # key)

Time	Agenda Item	Tab #
10:00 a.m.	Welcome and Call to Order – Blatz • Ratification of Election of Marianne Short - Action	
10:10 a.m.	Minutes of August 13-14, 2013 Board Meeting – Berresford – Action	1
10:15 a.m.	Executive Director's Report – Hunt	2
10:20 a.m.	Treasurer's Report – <i>Lewis</i> • Assets and Grants • Third Quarter 2013 Report from Mike Sullivan • USbank <i>Selected Period Performance</i> Report	3
	Legal Report from Gina Kastel, Faegre Baker Daniels • Settlement of Binger Estate - Action • Robina Foundation Grantmaking	4
10:40 a.m.	Robina Grants • Scholarship to Honor Tom Crosby – Action • Yale School of Drama ➢ Follow-up from James Bundy ➢ Karoff Memo • Council on Foreign Relations ➢ <i>Expanded Diversity Initiative:</i> ▪ Follow-up from Jim Lindsay ▪ HIA Administrative Expenses - Action ➢ <i>Program on Digital and Cyberspace Policy:</i> Reviewers/Timetable • Abbott Northwestern Hospital: <i>LifeCourse</i> Funding Request - Action	5
		6
		7
		8
11:15 a.m.	Grantee Reports • Abbott Northwestern Hospital ➢ <i>Care CoPilot</i> – Annual Report • University of Minnesota Law School ➢ <i>Scholarships</i> – Annual Report ➢ <i>Criminal Law & Justice + Sentencing Enhancements</i> – Annual Report • Yale University ➢ Endowment Report	9
11:30 a.m.	Other Business • Agenda for March 2014 Board Meeting (Yale University) • Future Board Meeting Dates	10
12:00 Noon	Adjournment	

1	MINUTES AUGUST 13-14, 2013
2	EXECUTIVE DIRECTOR'S REPORT
3	TREASURER'S REPORT
4	LEGAL REPORT
5	ROBINA GRANTS Scholarship to Honor Tom Crosby
6	ROBINA GRANTS Yale School of Drama
7	ROBINA GRANTS Council on Foreign Relations
8	ROBINA GRANTS ANWH <i>LifeCourse</i> Funding Request
9	GRANTEE REPORTS Abbott Northwestern Hospital University of Minnesota Law School Yale University
10	OTHER BUSINESS

**Robina Foundation Annual Meeting
Meeting Minutes
August 13 – 14, 2013**

The annual meeting of the Board of Directors of the Robina Foundation, a Minnesota nonprofit corporation, was held on August 13 and 14, 2013, at the offices of Faegre Baker Daniels in Minneapolis, MN.

Directors present: Gordon Aamoth, Susan Berresford, Kathleen Blatz, Peter Karoff, and Steve Schroeder.

Staff present: Penny Hunt, Executive Director, and Nancy Gilberg, Administrative Consultant

Recorder: Anne Osberg of Office Team.

August 13, 2013

Call to Order and Welcome

Schroeder, Interim Chair, called the meeting to order and welcomed Board Members and staff.

Election of Chair

Schroeder reported that previous discussions with Board Members indicate unanimous support for election of Blatz to replace Tom Crosby as Chair. To facilitate discussion of compensation for the work of the Chair, Schroeder asked Blatz to leave the room. Berresford provided Board Members with information from other foundations regarding extra compensation for foundation chairs. After discussion,

A motion made and seconded to elect Blatz to a three-year term as Chair and to provide annual compensation of \$15,000 in addition to \$25,000 compensation provided to Board Members was approved unanimously by the Board.

Legal Report

Blatz introduced Gina Kastel, attorney at Faegre Baker Daniels, who has provided legal services to the Foundation in the past and is currently working to close out the Binger Estate. Kastel described work to settle the estate, including review of the accounts to determine whether distribution of the estate assets complied with the Binger Trust and review of the reasonableness of fees charged to administer and close the estate. Kastel noted that some assets included on JP Morgan's Current Residuary Report have been deemed worthless. This will be reflected in the final accounts. Kastel described the steps remaining to close the estate informally through execution of a settlement agreement. After discussion, the Board unanimously approved the resolutions set forth on Attachment 1.

Kastel emphasized that she will work to settle the estate as quickly as possible and will keep the Board apprised of progress.

Foundation Finances

Blatz welcomed Jerry Anderson, Jon Gennaro, and Kim DeBaere from US Bank and Mike Sullivan, Foundation investment consultant, to discuss performance of Robina's assets. US Bank representatives and Sullivan responded to inquiries about the performance of specific assets. Both US Bank and Sullivan stressed that uncertainty concerning the Foundation's term impacts the investment of Foundation assets. They urged the Board to work to provide a degree of certainty

concerning the payout stream so that the Foundation's investment advisors could adjust the investment strategy to match the estimated payout timeframe.

To assist the Board, Sullivan reviewed four possible scenarios for the expenditure of Foundation funds, emphasizing that these are designed to give Board Members a sense of the effect of possible expenditures on the term of the Foundation.

Interviews with Board Candidates Stephen Lewis and Ed Spencer, Jr

Board Members met separately with two of the three board candidates vetted previously by Blatz and Aamoth. Blatz explained that the third candidate, Marianne Short, was unable to attend the Board Meeting due to a long-standing commitment. After discussion, it was agreed that following the Board Meeting, Berresford, Schroeder and Karoff would interview Short via phone or in person and report back after their discussions.

During the meetings with Lewis and Spencer, Board Members described the beginning of their involvement with the Foundation and their interest in the work of the Foundation and talked with the board candidates about their experience and interest in the work of the Foundation.

Following the interviews, Board Members discussed whether they should consider electing one or two new Board Members. Blatz suggested that they may wish to add two members, depending on the Board's assessment of all three of the three candidates vetted for consideration by the Board.

Executive Director's Report

Hunt highlighted several items in the written report found in the Board Book, including the proposal that the Foundation lease the space on the 49th floor of the IDS building in Minneapolis previously leased by Tom Crosby. After discussion,

A motion made and seconded to move the Foundation's office into space previously occupied by Tom Crosby and subject to a lease ending on May 31, 2014, was unanimously approved by the Board.

Hunt called Board Members' attention to the proposed schedule for grant reports attached to the Executive Director's Report and asked if Board Members had questions or concerns about shifting some grants to annual, rather than semi-annual, reports. Board Members expressed support for the changes.

Grant Program Discussion

To follow up on the grant program discussion that took place at the February Board Meeting, Board Members discussed Robina's current approach and ideas to enhance Robina's grantmaking, noting the importance of involving new board members in developing plans for Robina's future. Attachment 2 is a summary of the Board discussion.

Abbott Northwestern Hospital

Blatz welcomed Drs. Penny Wheeler and Eric Anderson, Sandy Schellinger, Kim Radel and Heather Britt to discuss initiatives at Abbott Northwestern Hospital and Allina supported by the Foundation.

Care Guides Initiative / CoPILoT Program

Radel discussed efforts to expand the use of care guides through the website, webinars, and "Care Guide in a Box" material as well as the current staffing of the program, which will permit consulting with six organizations over the next 6 to 9 months. Board Members expressed interest in understanding how outreach could be enhanced if more funding were available.

LifeCourse: Late Life Supportive Care

Anderson and the LifeCourse team used a PowerPoint presentation to describe the organization and current status of the LifeCourse initiative. At the present time 28 people have been enrolled in the program with 24 additional enrollment visits scheduled. Participants come from the Abbott Health Care system. Care guides, who are part of the LifeCourse care team, all have worked with people experiencing end-of-life care. Because of resistance to participation in a program for end-of-life care, LifeCourse is described as a program focused on long term care for the chronically ill. Britt outlined plans for next year, which include analyzing statistics for the first set of enrolled participants, developing plans for new teams, preparation of a proposal for phase 2 funding of the project, and formation of plans to create a control group for the initiative. Per Britt, the goal is enrollment of 450 patients by the end of next year.

University of Minnesota Law School

The Robina Institute of Criminal Law and Criminal Justice / Sentencing Enhancements

Law School Dean David Wippman joined the Board Meeting along with Kevin Reitz and Richard Frase, leaders of the Sentencing initiative of the Robina Institute of Criminal Law and Criminal Justice. Reitz and Frase emphasized the following:

- The movement for more global oriented policy on criminal law;
- The need for a study to validate inclusion of "risk assessment" in determining sentences;
- The importance of work on criminal history as part of risk assessment;
- The goal of the revocation project to recruit 3-5 states and assist in identifying state specific solutions;
- The dilemma of working with parole states.

In response to a question about how the University will work to change sentencing, Reitz and Frase explained that they will seek to provide expert work for state agencies in states with the greatest opportunity for change. Reitz hopes to work with an organization of legislators and will use websites and other materials to take advantage of the current societal attention on the cost of incarceration.

Center for New Americans

Wippman introduced Ben Casper, who will serve as head of the Law School's Center for New Americans. Casper emphasized the Center's important role of supporting immigrants in the Federal courts and reviewed the benchmarks and activities for the first year of operation of the Center. In response to questions from Board Members, Casper indicated that at the end of four years of operation, the Center's programs would, in effect, be a public defender program for the immigration population. Casper expects to focus on cases in the Eighth Circuit Court to reflect Minnesota's high population of immigrants. The goal is to enroll 6 – 8 second and third year students in a high quality clinic to carry 8 – 12 litigation matters in both local and supreme courts this first year, with 12 – 16 students carrying 18 – 24 cases in future years. All of the clinics associated with the Center will have an education and outreach component to educate non-citizens about their rights and attorneys about immigration law.

August 14, 2013

Call to Order

Blatz called the second day of the annual meeting to order.

Minutes from May 14, 2013 Board Meeting

A motion made and seconded to approve the Minutes of the May 14, 2013, meeting was approved unanimously.

Grantee Reports

Yale School of Drama

Board Members reviewed Yale School of Drama's annual report on the Binger Center for New Theatre and Dean Bundy's letter responding to the Board's request concerning a plan to involve playwriting students in the Binger center, a plan for the Production Enhancement Fund and ideas about how to address the apparent lack of synergy between Yale Rep and Yale School of Drama. Bundy also explained his reticence to involve a Review Committee in the Center more often than every five years. After discussion of how best to respond to Dean Bundy, the Board directed Hunt to inquire further about the vision and direction of the Production Enhancement Fund and the Center's target market for the Fund. Additional follow-up on the Center and involvement of a Review Committee will occur during the Board's March meeting at Yale.

Yale Law School

The Board reviewed Yale Law School's second Assessment Report for the Robina Foundation Human Rights Fellowship Initiative, noting in particular the increased cohesion of the program as the numbers increase and the importance of the report's hard data rather than anecdotal comments of participants.

Council on Foreign Relations

International Institutions: Global Governance Initiative

Board Members' review of the Council's report on the fifth year of operation focused on the make-up and work of the Council of Councils and the future of the IIGG initiative when Robina funding ends in 2016 and in conjunction with the cyberspace initiative proposed for funding.

Expanded Diversity Initiative

Blatz called the Board's attention to language in the report and the proposal for additional activities that seems to stress diversity as the subject of the initiative rather than the goal of increasing the diversity of people involved in foreign policy. Board Members asked Hunt to seek clarification from the Council.

Grant Proposals

Council on Foreign Relations: Expanded Diversity Initiative in Foreign Policy – Additional Activities

Hunt introduced the proposal, which expands on the partnership between the Council on Foreign Relations and Humanity in Action by the addition of a new program for graduate students who have expressed interest in international affairs. Board Members noted the additional expense of a program with start-up costs and new personnel. Given the significant level of funding to support the work of Humanity in Action in connection with the program, Hunt was asked to seek advice from Kastel regarding limitations on the Foundation's support for an initiative that includes funding to support organizations beyond the Robina Grantees.

A motion made and seconded to approve a three-year grant totaling \$2,467,411 to support the Expanded Diversity Initiative in Foreign Policy – Additional Activities as detailed in the Council on Foreign Relations' proposal dated July 26, 2013, was unanimously approved, subject to confirmation from Gena Kastel that the Robina Foundation is permitted to provide funding for the CFR/HIA partnership contemplated in the proposal.

Council on Foreign Relations: Program on Digital and Cyberspace Policy

While Board Members acknowledged the importance of the issues the program seeks to address, they expressed the need for outside assistance to evaluate the proposed initiative and to identify benchmarks and deliverables for the program, as well as possible collaborators. Hunt was directed

to explain the need for outside reviewers and work with CFR and others to identify reviewers to assist the Foundation in its assessment of the program.

Board Governance

Blatz identified the governance issues before the Board: term limits, re-election of several current board members and election of one or more new board members.

After discussing the pros and cons of setting a limit on the number of terms Board Members could serve and the appropriate number of terms,

A motion made and seconded to limit Board Members' service to four three-year terms was approved unanimously.

Aamoth and Schroeder each left the room during Board Members' discussion of their candidacy for a fourth term on the Board. Following each discussion, motions made and seconded to elect Aamoth and Schroeder to serve a fourth term on the Board were approved unanimously.

Following discussion of the two candidates interviewed for the Board,

A motion made and seconded to elect Steve Lewis to serve a three-year term on the Board beginning October 1, 2013, was approved unanimously.

Board Members agreed to delay a decision on election of a second new Board Member until after completion of interviews with Marianne Short.

Blatz proposed that she resign her position as Foundation Treasurer and that Lewis be asked to fill the balance of her term.

A motion made and seconded to accept the resignation of Blatz as Treasurer and elect Lewis to serve the balance of her term was approved unanimously.

Memorializing Tom

Following discussion of a number of organizations that were important to Crosby, the Board focused on his commitment to Yale and asked Hunt to investigate options for a Yale scholarship in his name. Hunt will report back at the next meeting.

Adjournment

There being no other business, the meeting was adjourned.

Respectfully Submitted,

Susan Berresford, Secretary

Date

ROBINA FOUNDATION

RESOLUTIONS OF BOARD OF DIRECTORS

WHEREAS, the founder of this Foundation, James H. Binger, died November 3, 2004;

WHEREAS, the process to administer Mr. Binger's estate (the "Estate"), of which this Foundation is the residuary beneficiary, has been lengthy and complex because of litigation with private parties and taxing authorities;

WHEREAS, during the administration of the Estate, this Foundation was kept apprised of relevant developments and had the ability to provide input to J.P. Morgan Trust Company, N.A. ("J.P. Morgan"), the Personal Representative of the Estate;

WHEREAS, this Foundation is entitled to review and approve the accounts ("Accounts") for Mr. Binger's Estate and may request court approval of the Accounts;

WHEREAS, legal counsel to this Foundation has reviewed the Accounts for the time frame November 3, 2004 through March 31, 2013, and confirmed that J.P. Morgan has complied with the Estate documents, including Mr. Binger's Will, the James H. Binger Restated Revocable Trust Agreement, and the Settlement Agreement and Releases, as amended, among this Foundation, Jane Mauer, J.P. Morgan, Tartan Farms Corporation, and individual members of the Binger Family;

WHEREAS, this Foundation has already released J.P. Morgan and its affiliates from liability in connection with the partial distributions the Foundation has received from the Estate;

WHEREAS, in October 2012, when the Estate's litigation with the Internal Revenue Service was settled, this Foundation reviewed and approved the legal fees paid by the Estate;

WHEREAS, requesting court approval of the Accounts would prolong the already lengthy process of administering the Estate, delay the distribution of the remaining Estate assets to this Foundation, and cause the Estate to incur additional legal fees and costs, thereby reducing the net amount available to this Foundation for its charitable purposes;

WHEREAS, the Board of Directors deems it in the best interests of this Foundation to settle the Accounts informally, rather than through a court proceeding;

NOW, THEREFORE, IT IS

RESOLVED, that the Accounts for the time frame November 3, 2004 through March 31, 2013, as reviewed by this Foundation's legal counsel and presented at this meeting, are accepted and approved.

RESOLVED FURTHER, that the officers of this Foundation are authorized and directed to take all steps they deem necessary or desirable to settle the Accounts informally with J.P. Morgan, accept the final distributions from the Estate to this Foundation, and complete the administration of the Estate, including negotiating a settlement agreement with J.P. Morgan for Board review, and preparing and executing any other needed documentation.

ATTACHMENT 2

SUMMARY OF DISCUSSION OF ROBINA GRANTMAKING August 13, 2013

While not dissatisfied with Robina's past and current grants to Robina Grantees, Board Members are not excited by the "big ideas" suggested by Robina Grantees and are not convinced that Robina Grantees are as creative with Robina grants as they could be. Discussion at the meeting expanded on the discussion begun in February to identify ways the Foundation's grant program could be improved to become more transformational. Ideas discussed included:

Pros and cons of development of "guiding principles" for Robina grants.

Articulation of a "cohesive idea" as an alternative to "guiding principles" e.g. investing in programs with a unique impact, system change through people, or building a new kind of human resource or capacity.

The importance of reaching out to terrific leaders and supporting them as well as systems that will facilitate their work.

Opportunities to leverage Robina grants to increase their impact.

Caution about "attaching" an endowment at the end of every program supported by Robina.

Understanding that a "big bang" doesn't necessarily mean big dollars.

The importance of communication in the selling or marketing of an idea and the opportunity for Robina to support these efforts in connection with Robina Grants.

The need for Robina to propose new approaches or routes for programs funded by the Foundation, to be more active to improve already good grant proposals, to always consider who would be interested in the implementation of the ideas present in the grants.

The question of whether / how Robina can provide funding to non-Robina Grantees to strengthen a program to be more transformative.

It was agreed that this discussion is not the end of consideration of the Robina Grant Program. The discussion needs to continue with new board members, perhaps at a retreat focused on the grant program.

**ROBINA FOUNDATION
BOARD OF DIRECTORS MEETING
November 12, 2013**

EXECUTIVE DIRECTOR'S REPORT

Foundation Administration

Financial and Legal Matters

Immediately following the August Board Meeting I met with Gina Kastel to ask for her opinion on Robina Grants involving funding that supports the work of non-Robina Grantees. Gina's memo in response to this request is found at Tab 4. I also worked with Gina on issues related to the settlement of the Binger Estate. Gina prepared the memo at Tab 4 and will attend the Board Meeting to discuss the status of the settlement and respond to Board Members' questions.

Nancy and I met with Mike Sullivan to discuss his quarterly report on the Foundation's assets. Needless to say, Mike continues to urge the Board to make decisions about the approximate longevity of the Foundation.

Robina Office

With Nancy literally doing the heavy lifting, we moved the Robina offices into Tom's office space. The larger office is working very well for Nancy and me. We particularly appreciate the ability to hold meetings with several people without squeezing around a table in a too-small space. (Nancy and I are also able to talk with each other without leaving our chairs – that's a good news, bad news situation!) Although we quickly sold the furniture in the old office, the space has not yet been leased.

Foundation Governance

Nancy and I worked to clarify the terms of Robina Officers and Board Members. Attachment 1 provides information on Officer and Board Member terms with the election of Steve Lewis and Marianne Short as Board Members.

Nancy and I met with Steve Lewis and Marianne Short to "orient" them to the work of the Foundation and the Robina Board and provide them with background information on various grants and activities.

Work with Robina Grantees

Yale University

Kathleen and I met with Patty Pederson, Associate Vice President for Development, Director of University Corporate and Foundation Relations at Yale, who was in Minneapolis in connection with her husband's work. We discussed our current grants to Yale, including, in particular, our funding of the Binger Center for New Theatre. Patty was well aware of our recent discussions with James about the timing of outside reviews and the Production Enhancement Fund. Patty confirmed that President Salovey will be available to meet with the Board during our visit. At our request, she also provided the information on scholarships at Yale found at Tab 5.

Yale School of Drama: Binger Center for New Theatre

Follow-up with James Bundy is included under Tab 5.

Yale Law School

My follow-up with Yale Law School after the August Board Meeting included feedback on the Assessment Report, as well as a preview of issues the Board would like to discuss in March.

Council on Foreign Relations

I worked with Jim Lindsay to respond to the Board's questions and concerns in connection with the *Expanded Diversity Initiative – Additional Activities* and the *Program on Digital and Cyberspace Policy*. Material responding to our inquiries is found at Tab 5.

I met with Jim and Stewart Patrick to discuss the status of the *International Institutions Global Governance* initiative, in particular the work and vision of the Council of Councils and IIGG's work with policymakers. Stewart's summary of the third CoC regional meeting as well as the conference "Ensuring the Safety and Quality of the Global Supply Chain for Medicines" is found in Attachment 2.

Stewart emphasized the involvement of high-level officials at the session in Italy and plans for another regional meeting to be held in Mexico in November. He noted that, in response to suggestions of CoC members, CFR is making changes to the website to enable members to post information on the website. CoC members will also participate in the development of the next CFR "Global Report Cards."

I also met with Kate Collins, newly hired by Jim to assist with the diversity initiative. Kate worked with HIA on the first CFR/HIA conferences so she knows Judith Goldstein and will be effective immediately in work on the *Additional Activities* funded by the Robina Board at the August meeting. Work has already begun on the new program. According to Jim, by the time he and Judith meet with the Board at Yale in March, plans for the new program should be in place and 24 people should have been selected to participate in the 2014 activities.

Abbott Northwestern Hospital / Allina Health

I met with Rich Meyer, president of the Abbott Northwestern Hospital Foundation, who wanted to fill me in on ANWH's capital campaign and discuss Robina funding of the *LifeCourse* initiative. Our discussion was well-timed. As Heather Britt indicated at the August Board Meeting, ANWH will begin soon to develop a proposal for additional Robina support of the *LifeCourse* initiative. I believe a meeting next summer with Ken Paulus, president and CEO of Allina Health, and Ben Bache-Wiig, president of ANWH, would be valuable to help the Board understand ANWH/Allina's priorities and the importance of *LifeCourse* to the organization.

ROBINA FOUNDATION

DIRECTORS AND OFFICERS November 2013

ELECTION OF OFFICERS and EXECUTIVE DIRECTOR

- Chair – Kathleen Blatz (Term: 9/1/13 – 8/31/16)
- Vice Chair – Steve Schroeder (Term: 9/1/12 – 8/31/15)
- Treasurer – Steve Lewis (Finish Blatz term: 9/1/12 – 8/31/15)
- Secretary – Susan Berresford (Term: 9/1/12 – 8/31/15)
- Executive Director – Penny Hunt

Name/Office	1st Term	2 nd Term	3 rd Term	4 th Term
Gordon Aamoth	9/1/04 – 8/31/07	9/1/07 – 8/31/10	9/1/10 – 8/31/13	9/1/13 – 8/31/16
Susan Berresford Secretary	9/1/11 – 8/31/14 (1)			
Kathleen Blatz Chair	9/1/11 – 8/31/14 (2)			
Peter Karoff	12/1/06 – 8/31/09	9/1/09 – 8/31/12	9/1/12 – 8/31/15	
Steve Lewis Treasurer	10/1/13 – 8/31/16			
Steven Schroeder Vice Chair	9/1/04 – 8/31/07	9/1/07 – 8/31/10	9/1/10 – 8/31/13	9/1/13 – 8/31/16
Marianne Short	10/1/13 – 8/31/16			

(1) Berresford served an initial partial term from 4/1/11 – 8/31/11.

(2) Blatz served an initial partial term from 2/24/10 – 8/31/11.

A resolution passed at the 2013 Annual Meeting limits board members to four (4) terms of three years each.

ATTACHMENT 2

Email to Penny Hunt from Stewart Patrick

September 19, 2013

Dear Penny,

I hope all is well in Minneapolis.

I wanted to update you on two exciting events that IIGG sponsored over the past two weeks, thanks to the support of the Robina Foundation.

On September 8-10, we held the third Council of Councils regional meeting, this time in Rome, hosted at the Italian Institute of International Affairs. We had nineteen CoC members in attendance, as well as several other European think tanks. Highlights included addresses by the Italian Foreign Minister and by the Governor of the Central Bank of Italy. Both were on the record and got considerable press, particularly the latter, since Governor Visco had not made any public statements about the Eurozone crisis in quite some time. I've attached the Rome agenda and participant list for your reference, as well as the short report that our Italian colleagues posted to their website (I am also forwarding below press releases announcing the event and video links). We will be following up with a more detailed meeting report in the coming days.

This week, on September 17-18, IIGG hosted in Washington a fascinating meeting on "Ensuring the Safety and Quality of the Global Supply Chain for Medicines". Organized at the request of FDA Commissioner Margaret Hamburg, the meeting was designed to explore whether other spheres of multilateral regulation might hold lessons for the FDA and its international partners, as they seek to create a global alliance of regulators. The meeting involved Commissioner Hamburg and ten of her counterparts from other countries and the European Union; another fifteen officials with experience in global regulation in other sectors (ranging from finance to traffic in endangered species to customs and border control); and ten academic and think tank experts in global governance and regulatory affairs.

Dr. Hamburg noted that this meeting came at an ideal time, as she and fellow regulators were considering how to design a new international institution—and praised us for launching such a "transformational" initiative. We plan to follow up with additional meetings with the FDA. I've attached the agenda for this meeting, which includes a background document and participants' bios.

I hope these materials are of interest. I'd be happy to answer any questions you might have.

All the best,

Stewart

From: a.andreadessi@gmail.com [mailto:a.andreadessi@gmail.com] **On Behalf Of** Andrea Dessi

Sent: Thursday, September 12, 2013 7:23 AM

To: Farah Thaler; Alexandra Kerr; Stewart Patrick

Cc: Farroni Elisabetta; ettore greco; Riccardo Alcaro; f.nelli@iai.it

Subject: CoC Rome Regional Conference - Web Summary Report

Dear Stewart, Farah and Alexandra,

I trust this email finds you well and back in the United States after what I believe was a successful conference in Rome.

We are pleased to say that the event received good coverage by the media (Radio, Newspapers and TV) which focused specifically on governor Visco's speech, given that it was the first public address by the governor in quite some time.

The Foreign Ministry has supplied us with a full transcript of Visco's address which has been linked on our webpage together with two English language press releases on the keynote speeches which were circulated via email to our contacts. (you should have received the two emails, but I have also re-posted the links below)

The reason for my email is to share with you a short and general overview of the event that I prepared for IAI's website where we regularly post reports from conferences we organize.

I am also working on the full summary report of the conference and will do my best to have it ready over the coming week.

Sincerely,

Andrea Dessì

Visco Press Release: <http://www.iai.it/pdf/Comunicati/Visco-130910EN.pdf>

Visco Full Transcript: http://www.iai.it/pdf/Visco_130910.pdf

Bonino Press Release: <http://www.iai.it/pdf/Comunicati/Bonino-130910EN.pdf>

Hi Penny,

Just to add my two cents. Stewart did a stellar job putting this workshop together. He clearly has buy-in from Commissioner Hamburg—as well as from her fellow medicines regulators. They want help. Their world has changed almost overnight. The era in which medicines and medical devices are either manufactured at home or imported from small group of trusted countries is over. Today they could come from anywhere. The infrastructure and procedures necessary to make sure that medicines and devices aren't adulterated or counterfeited haven't kept up. The stakes are enormous given the human cost of taking drugs or using devices that don't work. The experts that Stewart assembled gave the medicines regulators a lot to chew on; there are many possible approaches to regulation, and the medicines regulators are only just starting to work through which approaches would work in their realm. So I see consider room to expand this effort.

Best,

Jim

Europe and the Future of Global Governance

Today's world is in great need of effective, legitimate and innovative forms of global governance in order to channel an increasingly multipolar international system towards constructive forms of common action on a whole series of global issues. No single country can hope to respond to the numerous challenges present on the world stage – from the financial crisis, to global warming, trade regulation, nuclear proliferation or instability in the Arab world – but at the same time international forums nominally built to promote collective decision-making are increasingly falling short of their mandate. In other words, as the need for effective and legitimate forms of global governance increase, the willingness or ability of international actors to compromise and agree – the *sine qua non* for effective common action – seems ever more distant and lacking.

Coming just days after the G20 summit in St. Petersburg, where world leaders failed to agree on a series of pressing international issues, and in particular on what policies to pursue in the context of the Syrian crisis, the Istituto Affari Internazionali (IAI) together with the Council on Foreign Relations (CFR) convened a high-level conference at Italy's ministry of foreign affairs entitled: "Europe and the Future of Global Governance".

Attending the conference were representatives from the global network of twenty-four think tanks known as the Council of Councils (CoC), an initiative headed by CFR and which aims to foster dialogue and debate between foreign policy institutes from around the world on issues relating to global governance and multilateral cooperation. As the only Italian think tank to be part of the CoC's global network, IAI was tasked with organizing the first of two annual regional conferences under the heading of the Council of Councils. The Rome conference signaled the first CoC meeting to be held in an EU member country since the initiative was launched in March 2012 with an inaugural conference in Washington D.C.

Conference proceedings were held on 9-10 September and included two keynote speeches by Italy's Minister of Foreign Affairs, Emma Bonino, and the governor of the Bank of Italy, Ignazio Visco. The speakers advocated increased European integration – in both the fiscal and political realms – and while Minister Bonino expressed her support for a 'light' federal Europe, Visco highlighted how the speedy implementation of a full EU banking union will be key to consolidating Europe's financial stability and sustaining its recovery.

Topics debated during the two-day conference ranged from specifically European issues – the Eurozone crisis, the EU's energy policy and Europe's contribution to global governance – to more global issues, such as the negotiations for a EU-US Transatlantic Trade and Investment Partnership (TTIP) and a US-Asia Trans-Pacific Partnership (TPP), the future of the G20 as an effective venue for global governance and the role of regional and international institutions in the Arab world. Invited participants also focused on five rising powers – the so-called BRICS countries – by assessing their strategic priorities on the international stage and potential to contribute to global governance. Most participants agreed that a major challenge facing the BRICS grouping will be that of reconciling the diverse interests and priorities of its member countries. While many interesting ideas have indeed been tabled by this grouping – including but not limited to the creation of a BRICS Development Bank – it is still too early to judge whether such tools will be effective in tackling global issues and beneficial to the wider cause of global governance.

**ROBINA FOUNDATION
ASSETS AND GRANTS**

Q/E DATE	ASSETS	GRANTS (cumulative)	GRANTS (outstanding commitments)
12/31/07	\$149,839,012.57	\$350,000	\$ 0
12/31/08	128,359,302.03	7,028,535	17,507,864
12/31/09	127,065,750.39	14,719,093	9,947,881
03/31/10	126,595,324.27	14,719,093	9,947,881
06/30/10	123,001,620.97	15,719,093	8,947,881
09/30/10	121,856,212.63	20,549,431	10,067,543
12/31/10	128,007,811.51	22,922,663	7,694,311
03/31/11	128,482,893.73	22,922,663	16,944,311
06/30/11	128,031,543.16	24,422,663	15,444,311
09/30/11	125,106,894	30,208,267	23,229,046
12/31/11	120,827,123	30,658,267	32,895,500
03/31/12	121,350,931	34,489,187	48,338,828
06/30/12	99,963,670	53,765,992	32,563,646
09/30/12	98,199,014	57,085,876	29,243,762
12/31/12	100,293,064	57,086,876	29,243,762
03/31/13	96,166,446	63,502,994	22,827,644
06/30/13	95,512,864	64,502,994	30,650,942
09/30/13	93,066,393	70,203,905	27,417,442 (1)

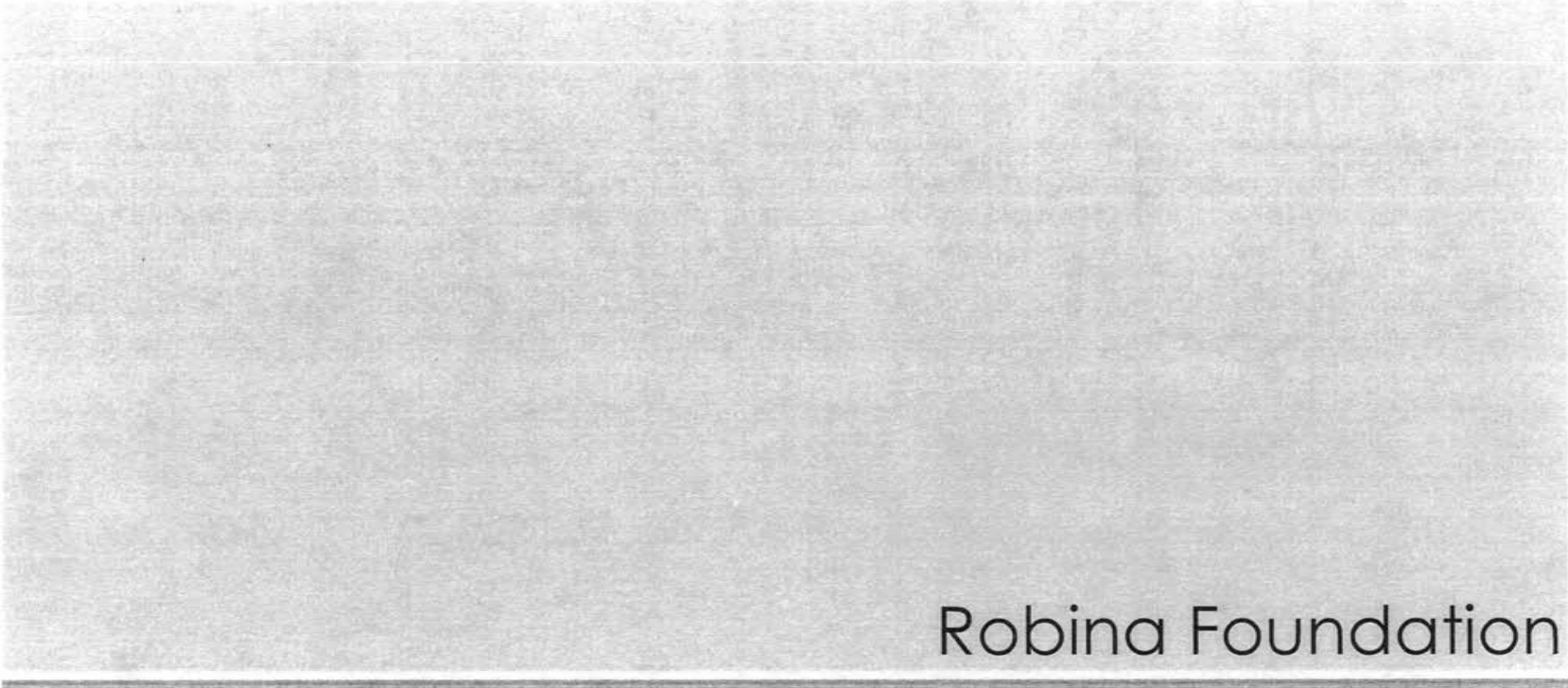
(1) Includes the following commitments:

\$3,064,266 to Abbott's *LifeCourse* project;

\$6,224,059 (over 3 years) to CFR's *IIGG Phase II*; \$470,722 for CFR's *Expanded Diversity Initiative*; and \$1,665,164 for CFR's *Expanded Diversity Initiative – Additional Activities*;

\$5,162,103 (over 3 years) for U of M *Institute of Criminal Law & Justice* program; \$3,533,732 (over 4 years) for *Sentencing Law Program Enhancements*; \$750,000 (over 3 years) to U of M *Scholarship* program; \$2,427,279 (over 3 years) for U of M *Public Interest Scholars*; and \$3,120,117 (over 3 years) for *Center for New Americans*;

\$1,000,000 (over 1 year) to Yale Law School *Human Rights Phase II* program.



Robina Foundation

Quarterly Financial Report

*Prepared by Michael F. Sullivan, Ph.D.
Indigo Consulting*

September 30, 2013

Robina Foundation

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Robina Foundation

Executive Summary

Mission Statement

The Robina Foundation, a Minnesota-based private grantmaking foundation, seeks to positively impact critical social issues by encouraging innovation and financially supporting transformative projects of its four institutional partners. These partners, selected by the Foundation's founder, James H. Binger, are: Abbott Northwestern Hospital, Minneapolis, MN; The Council on Foreign Relations, New York, NY; University of Minnesota Law School, Minneapolis, MN; and Yale University, New Haven, CT.

Observations and Recommendations

1. Overall portfolio performance (9.25%) is above Robina's long-term expectations (5.7%) for the one-year period.
2. The one-year performance (9.25%) also approximates the portfolio's one-year benchmark (9.32%), and performance slightly exceeds portfolio benchmarks in the three-year, five-year, and inception-to-date periods.
3. Year to date grant payments are \$12,314,782, but the portfolio value has declined only \$7,241,172 (\$100,568,259 - \$93,327,087). Thus, added value to the portfolio, due to performance in excess of grant payments, is \$4,073,610.
4. We are above fiscal goals and expected portfolio values.
5. We continue to need to strategically increase exposure to US Government bonds, although relaxing this recommendation in recent years has handsomely added to portfolio value.
6. Common Sense Offshore, one of our hedge equity funds, has had a serious organizational breakdown. We have filed to withdraw our entire investment (\$1,961,656); we understand that 90% of investors in the fund have also filed to withdraw. Since the portfolio securities are mostly public equities, we anticipate only a small negative budgetary impact.

Robina Foundation

Executive Financial Summary

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Cash	\$15,810,296	\$24,073,752	\$24,512,087	\$20,896,224	-
US Gov't Bonds	\$0	\$0	\$0	\$0	-
Market Portfolio	\$72,312,218	\$72,367,694	\$71,280,286	\$72,430,864	-
Corp. Bonds	\$14,574,867	\$13,358,885	\$11,964,943	\$11,238,351	-
Equities	\$36,413,824	\$38,431,352	\$38,385,845	\$39,977,567	-
Other	\$21,323,527	\$20,577,456	\$20,929,498	\$21,214,946	-
IRS Refund	\$12,445,745	\$0	\$0	\$0	-
Grand Total	\$100,568,259	\$96,441,445	\$95,792,373	\$93,327,087	-

Robina Foundation

Sources of Capital

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
JP Morgan					
Cash					
JHB Cash/MM	\$194	\$86,924	\$74,470	\$65,502	
JHB Income Cash/MM	\$437,475	\$96,876	\$85,550	\$85,550	
Cash Total	\$437,669	\$183,799	\$160,020	\$151,052	
Revocable Trust					
JHB Revocable Trust	\$3,224,782	\$1,908,205	\$1,908,205	\$1,908,205	
JHB Income Account	\$7,215,789	\$133,592	\$134,179	\$134,283	
Tartan I LP	\$82,053	\$81,949	\$81,949	\$80,469	
Revocable Trust Total	\$10,522,624	\$2,123,746	\$2,124,334	\$2,122,956	
Other Securities					
All Other Securities	\$516,577	\$398,521	\$398,521	\$516,577	
JP Morgan Total	\$11,476,870	\$2,706,066	\$2,682,874	\$2,790,585	

Robina Foundation

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
US Bank Investments					
Cash					
US Bank Cash/MM	\$4,600,975	\$21,612,827	\$22,187,891	\$18,561,377	
Bonds					
US Gov't Bonds	\$0	\$0	\$0	\$0	
US Non-Gov't Bonds					
BP Capital PLC	\$745,745	\$742,161	\$735,217	\$732,774	
Corporate Issues	\$9,958,909	\$8,690,833	\$7,407,031	\$6,873,316	
NuVeen High Income Bond FD CL I	\$2,961,266	\$3,023,027	\$2,928,761	\$2,954,765	
Total Capital SA	\$532,180	\$529,145	\$523,455	\$523,450	
Bonds Total	\$14,198,100	\$12,985,166	\$11,594,464	\$11,084,306	

Robina Foundation

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Equities					
US and Non-US					
Stock Funds	\$27,414,240	\$29,327,767	\$29,134,014	\$31,365,921	
Hedge					
Common Sense Offshore LTD	\$2,000,607	\$2,014,973	\$2,036,867	\$1,961,656	
Pointer Offshore Ltd	\$3,087,519	\$3,177,155	\$3,303,506	\$3,336,087	
Hedge Total	\$5,088,126	\$5,192,128	\$5,340,373	\$5,297,743	
Private Equity					
Flag Private Equity LP	\$969,713	\$969,713	\$969,713	\$685,398	
Flag Venture Partners III LP	\$757,505	\$757,505	\$757,505	\$585,240	
Flag Venture Partners IV LP	\$1,041,250	\$1,041,250	\$1,041,250	\$900,275	
Pfingsten Partners III LP	\$1,142,990	\$1,142,990	\$1,142,990	\$1,142,990	
Private Equity Total	\$3,911,458	\$3,911,458	\$3,911,458	\$3,313,903	
Equities Total	\$36,413,824	\$38,431,352	\$38,385,845	\$39,977,567	

Robina Foundation

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Other Bonds, Real Estate, and Commodities					
Non-US Bonds					
Ontario Province	\$376,767	\$373,719	\$370,479	\$154,046	
T Rowe Price Intl Bond Fund	\$1,992,221	\$1,915,294	\$1,838,366	\$1,893,596	
Non-US Bonds Total	\$2,368,988	\$2,289,013	\$2,208,845	\$2,047,642	
Bond Hedge Funds					
Gam Absolute Return Bond Fund	\$3,341,285	\$3,415,121	\$3,438,338	\$3,377,228	
GCA Credit Opportunities Offshore	\$4,203,863	\$4,329,982	\$4,424,035	\$4,470,835	
Marathon Credit Opportunity Fund Ltd	\$3,153,484	\$3,335,562	\$3,519,391	\$3,472,573	
Bond Hedge Funds Total	\$10,698,632	\$11,080,665	\$11,381,764	\$11,320,636	
Real Estate					
IDR Core Equity Re Strategy 2010	\$6,369,684	\$6,314,676	\$6,491,172	\$6,669,462	
Commodities					
Inv Balance Risk Comm Str Y	\$871,735	\$0	\$0	\$0	
Oppenheimer Com Str Tr Fd Y	\$517,625	\$511,351	\$462,726	\$473,706	
Commodities Total	\$1,389,360	\$511,351	\$462,726	\$473,706	
Other Bonds, Real Estate, and Comm. Total	\$20,826,664	\$20,195,706	\$20,544,507	\$20,511,445	
US Bank Investments Total	\$76,039,563	\$93,225,051	\$92,712,707	\$90,134,695	

Robina Foundation

Asset Summary

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
JP Morgan	\$11,476,870	\$2,706,066	\$2,682,874	\$2,790,585	
US Bank Investments	\$76,039,563	\$93,225,051	\$92,712,707	\$90,134,695	
Robina Checking Account	\$331,081	\$235,329	\$121,792	\$141,307	
IRS Refund	\$12,445,745	\$0	\$0	\$0	
Bazal Property	\$275,000	\$275,000	\$275,000	\$260,500	
Grand Total	\$100,568,259	\$96,441,445	\$95,792,373	\$93,327,087	

Robina Foundation

Asset Allocation Report: 09/30/2013

	Actual (\$)	Actual (%)	Goal (\$)	Goal (%)
Cash				
JHB Cash/MM	\$65,502	0%		
JHB Income Account	\$134,283	0%		
JHB Income Cash/MM	\$85,550	0%		
JHB Revocable Trust	\$1,908,205	2%		
US Bank Cash/MM	\$18,561,377	20%		
US Bank Checking	\$141,307	0%		
Cash Total	\$20,896,224	22%	\$4,666,354	5%
US Gov't Bonds	\$0	0%	\$39,197,377	42%
Market Portfolio				
Corp. Bonds	\$11,238,351	12%		
Equities	\$39,977,567	43%		
Other	\$21,214,946	23%		
Market Portfolio Total	\$72,430,864	78%	\$49,463,356	53%
Grand Total	\$93,327,087	100%	\$93,327,087	100%

Robina Foundation

Asset Allocation Report - Robina Perspective: 09/30/2013

	Actual (\$)	Actual (%)	Goal (\$)	Goal (%)
Cash				
JP Morgan	\$151,052	0%		
US Bank Cash/MM	\$18,561,377	20%		
US Bank Checking	\$141,307	0%		
Cash Total	\$18,853,736	20%	\$4,666,354	5%
Fixed Income				
US Gov't Bonds	\$0	0%		
Corp. Bonds	\$11,238,351	12%		
Non-US	\$1,893,596	2%		
JHB Revocable Trust	\$2,122,956	2%		
Hedge Funds	\$11,320,636	12%		
Fixed Income Total	\$26,575,540	28%	\$39,197,377	42%
Market Portfolio				
JP Securities	\$516,577	1%		
US Bank Equity Funds	\$31,365,921	34%		
US Bank Hedge Equities	\$8,611,645	9%		
US Bank Real Estate	\$6,669,462	7%		
US Bank Commodities	\$473,706	1%		
Bazal Property	\$260,500	0%		
Market Portfolio Total	\$47,897,811	51%	\$49,463,356	53%
Grand Total	\$93,327,087	100%	\$93,327,087	100%

Robina Foundation

Grants Paid/Committed: 2013

	Qtr1	Qtr2	Qtr3	Qtr4	Grand Total
Allina Health System/Abbott Northwestern	\$4,245,492				\$4,245,492
Life Course/Late Life Supportive Care	\$4,245,492				\$4,245,492
Council on Foreign Relations	\$426,492	\$2,034,671	\$802,247		\$3,263,410
International Institutions and Global Governance (IIGG) Phase II		\$2,034,671			\$2,034,671
Expanded Diversity Initiative in Foreign Policy	\$426,492		\$802,247		\$1,228,739
University of Minnesota Law School	\$1,744,134	\$2,863,993			\$4,608,127
Public Interest Scholars		\$694,544			\$694,544
Institute on Criminal Law and Justice	\$1,494,134				\$1,494,134
Support Scholarships	\$250,000				\$250,000
Sentencing Law Program Enhancements (CL&CJ)		\$820,056			\$820,056
Center for New Americans		\$1,349,393			\$1,349,393
Yale University		\$1,000,000			\$1,000,000
Yale Law School: Human Rights Fellowship Initiative Phase II		\$1,000,000			\$1,000,000
Grand Total	\$6,416,118	\$1,000,000	\$4,898,664	\$802,247	\$13,117,029

Long Term History and Projections

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total
	Actual	Actual	Actual	Actual	Actual	Budget	Actual YTD	Budget	Budget	Budget	Budget
Allina Health System/Abbott Northwestern	\$1,253,535	\$2,373,233	\$2,373,232		\$2,356,696	\$4,245,492	\$4,245,492	\$3,064,266			\$15,666,454
Care Guides	\$1,253,535	\$2,373,233	\$2,373,232								\$6,000,000
Life Course/Late Life Supportive Care					\$2,356,696	\$4,245,492	\$4,245,492	\$3,064,266			\$9,666,454
Council on Foreign Relations	\$2,000,000	\$2,000,000	\$2,000,000	\$2,434,750	\$2,700,466	\$3,263,410	\$2,461,163	\$3,327,996	\$2,917,285	\$2,114,664	\$22,758,571
Diversity Scan				\$15,000							\$15,000
Expanded Diversity Initiative in Foreign Policy					\$377,034	\$426,492	\$426,492	\$470,722			\$1,274,248
International Institutions and Global Governance (IIGG) Phase I	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000							\$8,000,000
International Institutions and Global Governance (IIGG) Phase II					\$2,046,627	\$2,034,671	\$2,034,671	\$2,034,971	\$2,074,424	\$2,114,664	\$10,305,357
Online Video Project				\$419,750	\$276,805						\$696,555
Expanded Diversity Initiative in Foreign Policy - Additional Activities						\$802,247		\$822,303	\$842,861		\$2,467,411
University of Minnesota Law School	\$1,650,000	\$1,436,750	\$1,480,338	\$2,850,854	\$2,370,447	\$4,608,127	\$4,608,127	\$4,677,800	\$4,745,354	\$4,647,097	\$922,980
Faculty Retention and Other Initiatives	\$250,000										\$250,000
Institute on Criminal Law and Justice					\$847,190	\$1,494,134	\$1,494,134	\$1,750,900	\$1,771,752	\$1,639,451	\$7,503,427
Program on Law, Public Policy, and Society (LaPPS)	\$1,400,000	\$1,436,750	\$1,480,338	\$2,850,854	\$893,457						\$8,061,399
Public Interest Scholars					\$379,800	\$694,544	\$694,544	\$809,355	\$813,736	\$804,188	\$3,501,623
Support Scholarships					\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,250,000
Sentencing Law Program Enhancements (CL&CJ)						\$820,056	\$820,056	\$844,658	\$869,997	\$896,097	\$922,980
Center for New Americans						\$1,349,393	\$1,349,393	\$1,022,887	\$1,039,869	\$1,057,361	\$4,469,510
Yale University	\$1,750,000	\$1,750,000	\$2,350,000	\$1,950,000	\$19,000,000	\$1,000,000	\$1,000,000	\$1,000,000			\$28,800,000
Yale Law School: Human Rights Fellowship Initiative Phase I	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000							\$4,000,000
Yale Law School: Human Rights Fellowship Initiative Phase II					\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000			\$3,000,000
Yale School of Drama: Binger Center for New Theatre Endowment					\$18,000,000						\$18,000,000
Yale School of Drama: Yale Center for New Theatre	\$750,000	\$750,000	\$1,350,000	\$950,000							\$3,800,000
The Center for Victims of Torture	\$25,000					\$1,000					\$26,000
The Center for Victims of Torture	\$25,000					\$1,000					\$26,000
ArtPlace Initiative				\$500,000							\$500,000
Revitalizing Communities through Arts and Culture				\$500,000							\$500,000
Aspen Institute		\$130,575									\$130,575
Justice and Society Program		\$130,575									\$130,575
Grand Total	\$6,678,535	\$7,690,558	\$8,203,570	\$7,735,604	\$26,428,609	\$13,117,029	\$12,314,782	\$12,070,062	\$7,662,639	\$6,761,761	\$922,980
Outstanding Commitments								\$12,070,062	\$7,662,639	\$6,761,761	\$922,980
Financial Outlook	2008	2009	2010	2011	2012	2013		2014	2015	2016	2017
Beginning Year Net Assets					\$120,827,000	\$100,568,259		\$92,721,524	\$85,058,087	\$81,211,460	\$78,376,998
Plus Revenues					\$6,569,686	\$5,682,107		\$4,830,791	\$4,252,904	\$4,377,298	\$3,918,850
Less Expenses, 3% P.A. Growth					-\$399,818	-\$411,813		-\$424,167	-\$436,892	-\$449,999	-\$463,499
Less Grants Paid					-\$26,428,609	-\$13,117,029		-\$12,070,062	-\$7,662,639	-\$6,761,761	-\$922,980
Year End Net Assets				\$120,827,000	\$100,568,259	\$92,721,524		\$85,058,087	\$81,211,460	\$78,376,998	\$80,909,369
Return Assumptions	2008	2009	2010	2011	2012	2013		2014	2015	2016	2017
Asset Allocation											
Market Portfolio						53.0%		38.0%	25.0%	13.0%	0.0%
Fixed Income						47.0%		62.0%	75.0%	87.0%	100.0%
Expected Return											
Market Portfolio						8.0%		8.0%	8.0%	8.0%	8.0%
Fixed Income						3.0%		3.5%	4.0%	5.0%	5.0%
Total Portfolio Expected Return						5.7%		5.2%	5.0%	5.4%	5.0%

from US Bank

Selected Period Performance
ROBINA FOUNDATION MGMT AGY
Period Ending: 09/30/2013

Sector	Market Value	Year to Date (9 Months)	1 Year	3 Years	5 Years	Inception to Date (76 Months)
Total Managed Portfolio	87,025,706	6.98	9.25	4.16	3.95	3.69
Robina Custom Benchmark		7.54	9.32	4.11	3.55	3.46
Domestic Equity	17,118,295	20.56	21.35			
DJWilshire 5000 Index		21.69	22.02	16.64	10.81	4.42
Hedged Equity	5,274,617	3.85	4.02			
HFRI Equity Hedge Index		9.07	11.08	4.61	5.22	1.78
Developed Foreign	11,573,501	14.44	24.09			
MSCI EAFE Index (Gross)		16.59	24.30	8.97	6.85	-.06
Emerging Foreign	2,745,893	-1.09	4.82			
MSCI EM Free Index (USD)		-4.38	.96	-.34	7.21	2.00
Total Fixed Income	23,476,769	2.74	4.28	2.91	4.32	
Barclays 1-3 Yr Gov/Credit Index		.45	.61	1.07	2.52	3.13
Hedged Fixed Income	11,386,465	4.93	7.79			
HFRI Relative Value Index (Total)		4.66	7.19	6.14	7.71	5.10
Total Real Estate	6,669,462	7.78	10.91			
Dow Jones Select REIT		2.31	4.68	12.09	5.31	.65
Total Commodities	1,602,748	-11.06	-16.16			
Dow Jones UBS Commodity TR		-8.57	-14.36	-3.16	-5.28	-4.06
Total Cash Equivalents	18,564,421	.13	.18	.17	.25	.96
Citigroup 3 Mo T-Bill Index		.04	.07	.07	.14	.76

Portfolio 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.

This blended benchmark is an 'asset weighted benchmark'. It follows the allocation of the account throughout its history. For example, if an account holds 30% equity assets and 70% fixed assets, the benchmark would be allocated as 30/70 for which ever benchmark you assigned to those sectors. If the allocation moves to 50% equity/ 50% fixed, then the benchmark would mirror that allocation. In this specific benchmark, the following benchmarks have been assigned to their respective sectors. Domestic Equity - DJ Wilshire 5000 Index, Total Fixed Income - Barclays 1-3 Year Gov/Index, Foreign Equity - MSCI EAFE Index & MSCI EM Free Index (USD), Hedged Fixed Income - HFRI Relative Value Total, Hedged Equity - HFRI Equity Hedge Index, Total Commodities - Dow Jones UBS Commodity Tr, Total Real Estate - Dow Jones Select Reit, Total Cash Equivalents - Citigroup 3 Mo T-Bill Index.

MEMORANDUM

ATTORNEY-CLIENT PRIVILEGED

TO: Kathleen Blatz
Penny Hunt

FROM: Gina Kastel

DATE: November 8, 2013

RE: Binger Estate

This memorandum responds to your request for an update on the process to complete the administration of the Estate of James H. Binger and the James H. Binger Revocable Trust (together, the Estate).

Background and Process

As you know, at its meeting on August 13, 2013, the Board of Directors of Robina Foundation accepted and approved the interim accounts of the Estate through March 31, 2013, and authorized the officers of Robina Foundation to take all steps needed to settle the accounts informally, accept final distributions from the Estate, negotiate a settlement agreement with J.P. Morgan Trust Company, N.A., now known as JPMorgan Chase Bank, N.A. (JPMorgan), and complete the administration of the Estate.

There are several steps remaining to complete the administration of the Estate. Other than reviewing the accounts and negotiating and signing the Closing Agreement, these actions will be taken by JPMorgan.

- Bring the accounts current since March 31, 2013
- Assign the remaining assets from the James H. Binger Estate to the James H. Binger Revocable Trust (Revocable Trust) and then to Robina Foundation
- Assign the Tartan I LP interest to Robina Foundation and redeem Robina Foundation's interest
- Negotiate and execute the settlement agreement (Closing Agreement)

- Pay remaining attorneys' fees to McDermott, Will & Emery (McDermott) and Briggs & Morgan (Briggs)
- Prepare and file final income tax returns for the Estate
- Distribute the cash balance to Robina Foundation
- File an Informal Statement to Close with the Probate Court

Accounts

Rather than incurring the expense of preparing formal accounts for the time period beginning March 31, 2013, JPMorgan has provided copies of the monthly statements for the four Estate accounts. Since March 31, 2013, the Estate has accrued a small amount of interest. In addition, the James H. Binger Estate account paid \$23,394.94 to McDermott and \$10,290.58 to Briggs for legal fees and disbursements, and \$6,500 to Joel E. Mitchell & Company for preparing the formal Estate accounts through March 31, 2013.

The September 30, 2013, value of each of the accounts was:

- Estate of James Binger: \$65,308.01
- Estate of James Binger Income Account: \$85,549.73
- James H. Binger Revocable Trust: \$2,424,782.04
- James H. Binger Revocable Trust Income Account: \$134,332.81

The assets are held in cash except that the Revocable Trust account includes the following assets:

- Tomsten, Inc. stock: \$125,001
- Loring Pasta Bar, LLC membership interest: \$66,576
- Jason McLean loan: \$50,000
- MyFitLife Inc. loan: \$275,000

As discussed at the August 13, 2013, Board meeting, JPMorgan has informed Robina Foundation that JPMorgan believes these assets have no value. We expected JPMorgan to write the value down to \$0 following the approval of the interim accounts in August. We still expect that the value will be written down to \$0 and have asked for clarification of when that will occur. We have also requested a summary from JPMorgan of its efforts to collect on the notes and its analysis of why these assets have no value.

Asset Transfers

The remaining assets of the Estate include approximately \$2 million in cash and a limited partnership interest in the Tartan I, LP, valued at \$76,161.95.

The draft Closing Agreement includes assignment documents under which JPMorgan will assign the remaining assets of the Estate of James H. Binger to the Revocable Trust. Then, JPMorgan will transfer the remaining assets of the Revocable Trust, other than amounts to cover expected attorneys' fees, to Robina Foundation. The transferred assets include the remaining cash and the following assets, which JPMorgan has previously stated do not have any value:

- Common stock of Eridon Corporation¹
- Common stock of RayMedica, Inc.
- Common stock of Tomsten, Inc.
- Membership interests in Loring Pasta Bar, LLC
- Loans receivable from MyFitLife Inc.
- Promissory Note from Jason McLean

Although these assets are believed to be worthless, JPMorgan needs to transfer them out of the Estate. McDermott has proposed using a general assignment document for this purpose. We suggest instead using specific assignments for these known assets. It is possible that even the use of a specific assignment will not meet all requirements to assign the Eridon Corporation, Tomsten, Inc., and RayMedica, Inc. stock and the interests in Loring Pasta Bar, LLC. Nevertheless, we believe this approach is acceptable for the stock and loans, given the valuation. Incurring additional legal fees to perfect ownership in a worthless asset is not the best use of Robina Foundation's funds. We recommend some additional review concerning Loring Pasta Bar, LLC because we recently learned that the company is still active. We have requested additional information from McDermott to determine whether it is advisable to take additional steps with respect to the transfer of the membership interests.

Dorsey & Whitney has prepared documents to assign the Tartan I, LP interest to Robina Foundation. It is expected that shortly following the assignment, Tartan I, LP will offer to redeem all the outstanding partnership interests of all limited partners and that Robina Foundation will accept that offer, redeem its interests, and be paid its share of the remaining cash. The assignment documents are attached and we believe they are acceptable as drafted. We are still awaiting some revisions to the redemption document and receipt of the accounting detail to support the asset values. Once the redemption document is received and the account values are confirmed, the assignment and redemption can occur.

Closing Agreement

The draft Closing Agreement is attached to this memorandum. The Closing Agreement describes the history of the Estate, including the state court litigation, claims made against the Estate, gift tax refund claims, tax disputes, distributions to the beneficiaries, the sale of assets, and the payment of expenses, including attorney and fiduciary fees. The Closing Agreement affirms that JPMorgan will not request approval of the accounts or a release from the Probate Court. The Closing Agreement requires JPMorgan to:

- Pay unpaid attorneys' fees to McDermott and Briggs
- Deliver assignment documents for the Tartan I LP, RayMedica, Inc., Loring Pasta Bar, LLC, Tomsten, Inc., Eridon Corporation, loans receivable from Jason McLean and MyFitLife Inc., and the residue of the Estate

¹ Some of these assets do not appear on the most recent account statements from JPMorgan. We will ask for clarification of the discrepancy.

- Transfer the remaining cash on hand other than the unpaid attorney fees to Robina Foundation
- File an informal Statement to Close with the Probate Court

When the Estate administration is completed, McDermott and Briggs will refund any remaining payments directly to Robina Foundation.

The Closing Agreement requires Robina Foundation to:

- Execute the assignment documents indicating its acceptance of the assets
- Execute a receipt for the entirety of its interest in the Estate
- If necessary, file a copy of the Settlement Agreement with the Probate Court and withdraw its request for an inventory and annual accountings²
- Refund assets to JPMorgan to discharge liabilities of Estate should any claims arise in the future and pay the costs of defense of any such claims
- Ratify the accounts and acts and omissions of JPMorgan and Ted Saryk as fiduciaries
- Release JPMorgan, Ted Saryk, and their affiliates, agents, employees, and representatives from any claims related to the administration of the Estate

In addition, Robina Foundation would agree not to reopen the matters described in the recitals or petition the Probate Court for review of the accounts.

The Closing Agreement contains standard provisions we expected to see. We recommend only modest changes to address the following:

- Clarify the dates for which the accounts were reviewed
- Add a representation from JPMorgan that all statements and documents provided are true, accurate, and complete to JPMorgan's knowledge
- Add language that requires JPMorgan to notify Robina Foundation if future claims are made against the Estate or JPMorgan, keep Robina Foundation informed of any such claims, and, if Robina Foundation chooses, permit Robina Foundation to defend the claims³

Outstanding Issues

² The case in which Robina originally requested an inventory and annual accountings was formally dismissed by the Probate Court on December 18, 2007. We therefore believe it is unlikely that the Probate Court would ask Robina Foundation to withdraw its request.

³ Given that the other interested parties, including Jane Mauer and the members of the Binger family, have previously released claims against the Estate and JPMorgan, and the Estate has settled its disputes with the Internal Revenue Service and Minnesota Department of Revenue, we believe additional claims are unlikely.

Before the Closing Agreement is signed, there are several issues to clarify and resolve. Specifically, we recommend that the following steps be completed:

- Obtain and review account statements for the time period beginning October 1, 2013
- Review JPMorgan's summary of its attempts to collect the loans from MyFitLife, Inc. and Jason McLean, and its process to determine that the RayMedica, Inc., Loring Pasta Bar, LLC, Tomsten, Inc., and Eridon Corporation stock and interests (the Special Assets) have no value
- Ensure that the write offs of the Special Assets are reflected in the account statements and reconcile discrepancies between the account statements and Closing Agreement concerning the Special Assets
- Determine whether additional actions are desirable with respect to the Loring Pasta Bar, LLC interests, and take any actions necessary to complete the assignment
- Obtain a description of JPMorgan's past arrangements with respect to the life estate of Marion Bazal and ensure Robina Foundation has an appropriate arrangement going forward
- Take any other actions needed to complete the administration of the Estate

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AGREEMENT AND RELEASES

This Agreement, is made by, between and among Robina Foundation ("Robina") and JPMorgan Chase Bank, N.A., f/k/a J.P. Morgan Trust Company, N.A. ("JPMorgan"), as Co-Special Administrator of the Estate of James H. Binger (respectively, "JPMorgan, as SA" and "Estate"), as Personal Representative of the Estate ("JPMorgan, as PR"), and as Trustee of the James H. Binger Revocable Trust, dated December 14, 1993, as restated June 9, 2004 and amended September 23, 2004 (respectively, "JPMorgan, as Trustee" and "Trust"). Each of the above may be referred to herein as a "Party" and all of the above, collectively, may be referred to herein as the "Parties." JPMorgan, as SA, as PR, and as Trustee, may be referred to herein collectively and singly as "JPMorgan, as Fiduciary." JPMorgan, as Fiduciary, and Theodore Staryk, as Co-special Administrator of the Estate, may be collectively referred to herein collectively as the "Fiduciaries."

In consideration of the releases, covenants and promises contained herein, the Parties agree as follows:

RECITALS

WHEREAS, the Parties agree that the following describes the circumstances of this agreement:

1. **Accounts.** JPMorgan, as Fiduciary, has prepared the following accounts (collectively, "Accounts") and has submitted them to Robina for review and approval:

(a) accounts for the Estate covering the periods November 3, 2004 to April 6, 2005; April 7, 2005 to April 20, 2006; April 21, 2006 to February 28, 2009; March 1, 2009 to March 31, 2013; and April 1, 2013 to October 31, 2013 ("Estate Accounts"); and

(b) accounts for the Trust covering the periods November 3, 2004 to March 31, 2013; July 26, 2005 to September 30, 2005; and April 1, 2013 to October 31, 2013.

2. **State Court Disputes and Settlements.**

(a) There have been filed in the District Court of Hennepin County, Minnesota, Probate Division ("Court"), the following causes:

(i) **File No. 27-PA-PR-05-279 (Estate)**, in which James M. Binger, Cynthia B. Boynton, Noa B. Staryk, Benjamin M. Binger, Erika L. Binger, and Meghan B. Brown (collectively, "Binger Family") filed their Objection, dated March 11, 2005 ("Objection"), to the Petition for Probate ("Petition for Probate") filed by JPMorgan, as nominated personal representative of the Estate, and filed their Amended Objections to the Petition for Probate and Robina's Petition for Confirmation of Trustee of the Trust and Cross Claim against Jane K. Mauer, individually ("Mauer"), dated August 1, 2005 ("Amended Objections and Cross Claim").

(1) The Amended Settlement Agreement reached by the Binger Family and Robina and approved by the Court on February 14, 2006 ("2006 Settlement Agreement"), resolved the Binger Family's Objection and Amended Objections and Cross Claim, except for their remaining objections to the bequest of Tartan Farms Corporation to Mauer under Section 3.01(a)(2) of the Trust ("Tartan Farms Bequest") and their claims against Mauer to recover inter vivos gifts made by James H. Binger ("Binger"), individually or as trustee of the Trust, to Mauer or entities owned by her ("Disputed Gifts"), and for damages. The 2006 Settlement Agreement and February 14, 2006 Court Order are attached hereto as Group Exhibit 1.

(2) The Settlement Agreement and Releases reached by the Binger Family, Mauer, Robina, and JPMorgan, as PR and as Trustee, and approved by the Court on June 14, 2007 ("2007 Settlement Agreement"), resolved what remained of the Binger Family's Objection and Amended Objections and Cross Claim and their claims against Mauer to recover the Disputed Gifts and for damages. The 2007 Settlement Agreement and June 14, 2007 Court Order are attached hereto as Group Exhibit 2. As detailed in the Accounts, all payments due to and from the Estate and the Trust pursuant to the 2007 Settlement Agreement have been received and made.

(ii) **File No. 27-PA-PR-05-371 (Special Administration)**, in which the Binger Family filed its Petition for Appointment of Special Administrator, dated March 5, 2005, and JPMorgan, as nominated personal representative, filed its Cross Motion for Appointment as Special Administrator and Motion to Deny the Binger Family's Petition for Appointment of Special Administrator, both of which were disposed of by court order, dated April 7, 2005, appointing JPMorgan and Theodore S. Staryk, as Co-Special Administrators. The Court's February 14, 2006 Order approving the 2006 Settlement Agreement provided that the appointment of JPMorgan and Theodore Staryk, as Co-Special Administrators of the Estate, would terminate upon the appointment of JPMorgan, as sole personal representative of the Estate, which occurred on April 21, 2006. The Order of Formal Probate of Will and Formal Appointment of Personal Representative ("Order of Formal Probate") is attached hereto as Exhibit 3.

(iii) **File No. 27-TR-CV-05-58 (Trust)**, in which Robina filed its Petition for Determination of the Validity of the Trust and Identification of Beneficiaries ("Petition for Determination and Identification") and its Petition for Confirmation of Appointment of Trustee and Assumption of Court Jurisdiction over the Trust ("Petition for Confirmation and Assumption"), both dated June 1, 2005.

(1) In substance, the 2006 Settlement Agreement resolved the Petition for Determination and Identification, except for the remaining requests for determination of the validity of the Tartan Farms Bequest under Section 3.01(a)(2) of the Trust and for determination of the beneficiary of Tartan Farms Corporation under the Trust, and resolved the Petition for Confirmation and Assumption, except for Robina's remaining request for assumption of jurisdiction over the Trust, which includes requests for an inventory and annual accountings.

(2) The Court's June 14, 2007 Order confirmed that the Court's February 14, 2006 Order confirmed the appointment of JPMorgan, as Trustee. With the entry of the Court's February 14, 2006 and June 14, 2007 Orders, the Court also confirmed the validity, in its entirety, of the Trust.

(b) The Court records reflect that the above causes are closed.

(c) The above-described Objection, Amended Objections and Cross Claim, motion and petitions shall be referred to herein collectively as the "State Court Disputes and Settlements."

3. **Claims.** The following claims ("Probate Claims") were made against the Estate and resolved as follows:

(a) Walker Art Center filed a claim against the Estate, dated April 21, 2005, for an unsatisfied pledge of \$100,000 to the Walker Art Center's capital campaign. This claim has been satisfied as evidenced by Satisfaction of Claim and Withdrawal of Demand for Notice, signed by Walker Art Center, dated August 9, 2005, attached hereto as Exhibit 4, and as detailed in the Accounts.

(b) The University of Minnesota Foundation filed a claim against the Estate, dated June 15, 2005, for \$350,000.00, which is the amount of the specific devise to it under Article 3.01(a)(3) of the Trust. This claim and devise have been fully satisfied as evidenced by the Satisfaction of Claim and Withdrawal of Demand for Notice, signed by the University of Minnesota Foundation, dated September 6, 2005, attached hereto as Exhibit 5, and as detailed in the Accounts.

4. **Estate and Gift Tax Returns and Claims for Refund.**

(a) On April 15, 2005, JPMorgan and Ted Saryk, as Co-special Administrators of the Estate, filed Binger's United States Gift (and Generation-Skipping Transfer) Tax Return (Form 709). The \$24,076,551.92 of tax shown due on the return was paid as of that date by the Trust, as detailed in the Accounts.

(b) On August 3, 2005, JPMorgan and Ted Saryk, as Co-special Administrators of the Estate, filed Binger's United States Estate (and Generation-Skipping Transfer) Tax Return (Form 706), Minnesota Estate Tax Return 2004 (Form M706), and New York State Estate Tax Return (Form ET-706). The tax shown due on those returns was paid on that date, as follows:

(i) Federal estate tax of \$311,623,466.34 paid from the Trust in the amount of \$31,691,556.94, as detailed in the Accounts, and from the Limited Marital Trust for the benefit of Binger ("Marital Trust") created under the Virginia M. Binger Revocable Trust, dated March 19, 1993, as restated August 27, 2002, in the amount of \$279,931,909.40;

(ii) Minnesota estate tax of \$112,795,393.18 paid from the Trust in the amount of \$11,001,971.58, as detailed in the Accounts, and from the Marital Trust in the amount of \$101,793,421.60; and,

(iii) New York estate tax of \$16,921.85 paid from the Trust, as detailed in the Accounts.

(c) JPMorgan, as PR, filed claims for refund of gift and estate tax relative to the \$16,000,000.00 of lifetime gifts Mauer agreed to return to the Estate in the 2007 Settlement Agreement, among other things, as follows:

(i) On August 1, 2008, JPMorgan, as PR, filed a Claim for Refund and Request for Abatement (Form 843) seeking a refund of \$7,754,113.89 of federal estate tax, plus interest (the "Federal Estate Tax Claim for Refund");

(ii) On August 1, 2008, JPMorgan, as PR, filed a Claim for Refund and Request for Abatement (Form 843) of federal gift tax for each of the taxable years 2003 and 2004, seeking a refund of federal gift tax of \$1,118,081.00 and \$7,680,000.00, respectively, plus interest (the "Gift Tax Claims for Refund"); and

(iii) On January 30, 2009, JPMorgan, as PR, filed an Amended Minnesota Estate Tax Return 2004 (Form M706) seeking a refund of \$3,530,184.04 of Minnesota estate tax, plus interest (the "Minnesota Estate Tax Claim for Refund").

(d) The above-described tax returns and claims for refund shall be referred to herein collectively as the "Estate and Gift Tax Returns and Claims for Refund."

5. Tax Disputes and Settlements.

(a) The Internal Revenue Service ("IRS") audited Binger's Form 706 and issued a Notice of Deficiency, dated July 16, 2008, asserting an estate and generation-skipping transfer tax deficiency of \$16,294,089.00.

(b) JPMorgan, as PR, filed a petition in the United States Tax Court ("U.S. Tax Court") contesting the deficiency alleged by the IRS and asserting claims for refund ("U.S. Tax Court Litigation"). A copy of the Petition to the U.S. Tax Court is attached hereto as Exhibit 6.

(c) In 2010, JPMorgan, as PR, settled the Gift Tax Claims for Refund with the IRS for refunds of \$363,391.01 and \$7,324,025.13, respectively, plus interest, receipt of which is detailed in the Accounts ("Gift Tax Settlement").

(d) In 2012, JPMorgan, as PR, settled the U.S. Tax Court Litigation and the Federal Estate Tax Claim for Refund ("IRS Settlement"), as reflected in the Stipulation of Settled Issues, Stipulation, and Decision attached as Exhibit A and the computations attached as Exhibit B to the "Recovery and Release Agreement" attached

hereto as Exhibit 7, for a federal estate tax refund of \$3,386,552.20, plus interest, receipt of which is detailed in the Accounts ("Federal Estate Tax Refund").

(e) In 2012, JPMorgan, as PR, settled the Minnesota Estate Tax Claim for Refund ("Minnesota Settlement"), as reflected in the computations attached as Exhibit C to the Recovery and Release Agreement attached hereto as Exhibit 7, the Consent to Change in Tax Liability (DOR-51) attached hereto as Exhibit 8, and the Minnesota Notification of Closed Estate File attached hereto as Exhibit 9, for a Minnesota estate tax refund of \$1,312,312.48, plus interest, receipt of which is detailed in the Accounts ("Minnesota Estate Tax Refund").

(f) The above-described audit, U.S. Tax Court Litigation, IRS Settlement, Gift Tax Settlement, and Minnesota Settlement shall be referred to herein collectively as the "Tax Disputes and Settlements."

6. **Estate Tax Recovery from the Marital Trust.** The Federal Estate Tax Refund and Minnesota Estate Tax Refund were less than they would have been without the inclusion of the Marital Trust property in Binger's gross estate for estate tax purposes due to the settlement of certain estate tax deficiency issues related to the net asset value of the Marital Trust, as reflected in the IRS and Minnesota Settlements. JPMorgan, as PR, asserted claims against the trustees of the Marital Trust ("Marital Trustees") for the federal and Minnesota estate tax refunds the Estate would have received but for the estate tax deficiency issues related to the net asset value of the Marital Trust included in Binger's gross estate for estate tax purposes ("Estate's Tax Recovery Claims"). Based on the IRS and Minnesota Settlements, the Estate's Tax Recovery Claims were \$4,621,423.46 in the aggregate, which consisted of \$3,385,598.83 for the Estate's federal tax recovery claim and \$1,235,824.63 for the Estate's Minnesota tax recovery claim. Computations calculating the amount of the Estate's Tax Recovery Claims are attached as Exhibit D to the Recovery and Release Agreement attached hereto as Exhibit 7. The Marital Trustees did not dispute the Estate's Tax Recovery Claims and paid them, as required by the Recovery and Release Agreement and as detailed in the Accounts.

7. **Unjust Enrichment Claim and Settlement.** JPMorgan, as PR, also asserted claims against the Marital Trustees related to the federal and Minnesota underpayment interest the Marital Trust would have owed but for the Federal and Minnesota Estate Tax Refunds and/or the federal and Minnesota overpayment interest the Estate would have received but for the estate tax deficiency issues related to the net asset value of the Marital Trust included in Binger's gross estate for estate tax purposes (the "Estate's Interest Claims"). The Marital Trustees disputed certain aspects of the Estate's Interest Claims. JPMorgan, as PR, settled the Estate's Interest Claims, as reflected in the Recovery and Release Agreement, in exchange for a payment of \$1,477,845.00 by the Marital Trustees to the Estate, receipt of which is detailed in the Accounts.

8. **Specific Devises under the Will and Receipts.** As detailed in the Accounts, the specific devises under the Will of James H. Binger, dated June 9, 2004 ("Will"), have been satisfied, as follows:

(a) Paragraph (a) of Article 2 of the Will devises items of tangible personal property owned by Binger at the time of his death in the manner described in a separate written statement signed by Binger in his handwriting and meeting the requirements of Minnesota Statutes section 524.2-513 ("Separate Writing"). Binger left no Separate Writing. See Order of Formal Probate, referred to above and attached hereto as Exhibit 3.

(b) Paragraph (b) of Article 2 of the Will devises all of Binger's jewelry, pictures, books, house furniture and furnishings, collections, clothing, automobiles and articles of household or personal use or ornament of all kinds not disposed of in paragraph (a) of Article 2, equally to his children living at his death. These devises have been fully satisfied as evidenced by the following:

(i) Release and Indemnification of Co-Special Administrators from Liability and Agreement Regarding Tangible Personal Property, signed by Cynthia B. Boynton, dated June 22, 2005, attached hereto as Exhibit 10;

(ii) Release and Indemnification of Co-Special Administrators from Liability and Agreement Regarding Tangible Personal Property, signed by James M. Binger, dated June 22, 2005, attached hereto as Exhibit 11;

(iii) State of Minnesota Certificate of Title for Motor Vehicle; 2003 Lexus Assignment to James M. Binger, processed October 5, 2005, attached hereto as Exhibit 12;

(iv) Receipt for Tangible Personal Property Pursuant to Informal Agreement and Release and Indemnification of Co-Special Administrators, General Personal Representatives and Other from Liability signed by Cynthia B. Boynton, dated April 7, 2006, attached hereto as Exhibit 13; and

(v) Receipt for Tangible Personal Property Pursuant to Informal Agreement and Release and Indemnification of Co-Special Administrators, General Personal Representatives and Other from Liability signed by James M. Binger, dated April 5, 2006, attached hereto as Exhibit 14.

9. **Specific Devises under the Trust and Receipts.** As detailed in the Accounts, the specific devises under the Trust have been satisfied or adeemed, as follows:

(a) Subparagraph 3.01(a)(1) of the Trust devises stock in Fifth Avenue and Fifty Ninth Street Corporation and all interests and rights incident thereto to Binger's descendants, per stirpes. This devise has been fully satisfied as evidenced by the following:

(i) Consent to Sale and Release and Indemnification of Personal Representative and Others from Liability, signed by Cynthia B. Boynton, dated December 18, 2006, attached hereto as Exhibit 15;

(ii) Consent to Sale and Release and Indemnification of Personal Representative and Others from Liability, signed by James M. Binger, dated December 13, 2006, attached hereto as Exhibit 16; and

(iii) Distribution of cash proceeds from sale to Cynthia B. Boynton and James M. Binger, as detailed in the Accounts.

(b) Subparagraph 3.01(a)(2) of the Trust devises stock and other interests in Tartan Farms Corporation, also doing business as Tartan Investment Company, included in the Trust at Binger's death to Mauer. Binger gave Tartan Farms Corporation to Mauer during his lifetime. The validity of Binger's gift, which was the subject of the State Court Disputes, was affirmed by the 2007 Settlement Agreement. Accordingly, Binger did not own Tartan Farms Corporation on his death and the bequest of that asset to Mauer under subparagraph 3.01(a)(2) adeemed.

(c) Subparagraph 3.01(a)(3) of the Trust devises to the University of Minnesota Foundation a pecuniary amount, if any, by which the sum of \$350,000.00 exceeds the aggregate amount of gifts made by Binger to the University of Minnesota Foundation during his life after June 9, 2004, to benefit the Human Rights Center of the Law School of the University of Minnesota. JPMorgan, as Trustee, determined that no such lifetime gifts were made. This devise has been fully satisfied as evidenced by the Satisfaction of Claim and Withdrawal of Demand for Notice, signed by the University of Minnesota Foundation, dated September 6, 2005, referred to above in subparagraph 3(b) and attached hereto as Exhibit 5.

(d) Subparagraph 3.01(a)(4) of the Trust devises a life estate in certain real estate located in the State of Minnesota used by Binger's friend, Marion Bazal, as a residence at Binger's death, to Marion Bazal. This devise has been fully satisfied as evidenced by the Trustee's Deed, recorded June 11, 2012, attached hereto as Exhibit 17.

(e) Subparagraph 3.01(a)(5) of the Trust devises a certain real estate located in Hennepin County, Minnesota referred to by Binger as "Robina" during his lifetime to Robina. This devise has been fully satisfied as evidenced by the Trustee's Deed, dated December 26, 2006, attached hereto as Exhibit 18.

(f) Paragraph 3.02 of the Trust devises a promissory note of Binger's granddaughter, Noa Staryk, to Binger's daughter, Cynthia B. Boynton. This devise has been fully satisfied as evidenced by the Receipt for Devised Promissory Note, signed by Cynthia B. Boynton, dated May 23, 2007, attached hereto as Exhibit 19.

(g) Paragraph 3.03 of the Trust devises all interests in the condominium apartment located at 100 2nd Street SE, Unit 406, Minneapolis, Minnesota to Binger's friend, Quentin Bouska. This devise has been fully satisfied as evidenced by the Receipt for Real Estate and Release and Indemnification of Personal Representative

and Trustee from Liability, signed by Quentin Bouska, dated July 26, 2006, attached hereto as Exhibit 20.

(h) Paragraph 3.04 of the Trust directs the trustee to purchase an annuity payable to Binger's friend, Robert Allan Pennell. This devise has been fully satisfied as evidenced by the Receipt for Full Distribution signed by Barbara Pennell, as Guardian for Robert Allan Pennell, and as Trustee of the Robert Allan Pennell Supplemental Needs Trust, dated December 19, 2008, attached hereto as Exhibit 21.

(i) The specific devises under the Will and the Trust shall be referred to herein collectively as the "Specific Devises."

10. **Sale of Specified Trust Assets.** As detailed in the Accounts, the specific directions to the trustee of the Trust to sell certain assets after Binger's death have been satisfied or extinguished, as follows:

(a) Subparagraph 3.05(a) of the Trust directs the trustee to sell all of the Trust's interests in Jujamcyn Theater Corporation ("Jujamcyn"), if the option to purchase such interest lapses without being exercised, and add the proceeds of the sale to the Trust property. The Trustee sold Jujamcyn to Rocco Landesman pursuant to his exercise of his option to purchase under that certain Second Amended and Restated Option Agreement dated December 23, 1999, as evidenced by the Agreement and Plan of Merger dated February 17, 2005, attached hereto as Exhibit 22.

(b) Subparagraph 3.05(b) of the Trust directs the trustee to sell all of the interests in Butler Properties, LLC included in the Trust property and add the proceeds of sale to the Trust property. Binger gave Butler Properties, LLC to Mauer during his lifetime. The validity of Binger's gift, which was the subject of the State Court Disputes, was affirmed by the 2007 Settlement Agreement. Accordingly, no interests in Butler Properties, LLC were included in the Trust property on Binger's death.

(c) Subparagraph 3.05(c) of the Trust directs the trustee to sell all interests in real property included in the Trust property and not effectively disposed of by other provisions of the Trust and add the proceeds of sale to the Trust property. The Trustee sold the following pieces of real property pursuant to this subparagraph:

(i) 100 2nd Street Southeast, Unit 1103, Minneapolis, Minnesota, which was sold on April 8, 2005, as evidenced by the Closing Statement attached hereto as Exhibit 23;

(ii) 2510 Crosby Road, Wayzata, Minnesota, which was sold on January 6, 2005, as evidenced by the Closing Statement attached hereto as Exhibit 24; and

(iii) Vacant land known as "Crosby Road" in Minnetonka, Minnesota, which was sold on April 21, 2005, as evidenced by the Closing Statement attached hereto as Exhibit 25.

(d) The above-described sales shall be referred to herein collectively as the "Specified Asset Sales."

11. **Partial Distributions of Trust Residue.** As detailed in the Accounts, Robina, as the residuary beneficiary of the Trust, has received partial distributions of the residue of the Trust.

12. **Attorneys' Fees.** Attorneys' fees and expenses of the Fiduciaries of \$8,285,703.92 ("Fiduciaries' Attorneys' Fees/Expenses") have been agreed upon by Robina and have been or are estimated to be paid, as evidenced in the "IRS Declaration" attached hereto as Exhibit 26, and as detailed in the Accounts to the extent paid by _____, 2013. The IRS permitted an estate tax administration expense deduction for that amount, which included an estimate of \$203,697.50 of fees and costs to be paid to McDermott Will & Emery LLP ("McDermott") and \$75,093.75 of fees and costs to be paid to Briggs and Morgan ("Briggs"). Of those estimated amounts, \$_____ for McDermott and \$_____ for Briggs remain unpaid as of the date of this agreement ("Unpaid Attorneys' Fees/Expenses"). It is anticipated that JPMorgan, as PR and Trustee, will continue to incur attorneys' fees and costs payable to McDermott and Briggs in connection with winding up the administration of the Estate and Trust.

13. **Fiduciaries' Commissions.** The "Fiduciaries' Commissions" of \$4,625,000.00 to administer the Estate and the Trust have been agreed upon by Robina and have been paid, as evidenced by the IRS Declaration and as detailed in the Accounts.

14. **Agreed Resolution.** Robina wishes to avoid the costs and delay involved in court proceedings to approve the Accounts, and therefore is willing enter into this agreement. JPMorgan, as SA, PR and Trustee, is willing to forego such proceedings in exchange for this agreement.

NOW, THEREFORE, in consideration of these premises and for the purpose of inducing JPMorgan, Fiduciary, to refrain from petitioning the Court to have the Accounts allowed and its discharge confirmed, the Parties agree as follows:

1. **Recitals.** The recitals are part of this agreement.

2. **JPMorgan's Obligations.**

(a) JPMorgan, as Fiduciary, shall not petition the Court or any other court to have the Accounts allowed and its discharge as Co-Special Administrator, Personal Representative, and Trustee confirmed.

(b) Within seven (7) days after the Effective Date of this agreement, JPMorgan, as Fiduciary, shall pay the Unpaid Attorneys' Fees/Expenses to McDermott and Briggs to be held by each firm in its respective attorney trust account and to be applied to pay fees and expenses incurred by JPMorgan, as Fiduciary.

(c) Within seven (7) days after the Effective Date of this agreement, JPMorgan, as Fiduciary, shall execute and deliver to Robina's counsel, Gina Kastel, of Faegre Baker Daniels LLP, at 2200 Wells Fargo Center, 90 South Seventh Street, Minneapolis, Minnesota 55402, two copies of the assignment instruments attached hereto as Group Exhibit 27 (the "Assignments") for the Estate's and Trust's interests in the following:

- (i) Tartan I, L.P., a Delaware limited partnership;
- (ii) Promissory Note dated December 12, 2000, in the initial principal amount of Fifty-Five Thousand and No/Dollars (\$55,000.00), from Jason McLean;
- (iii) Certain loans receivable from MyFitLife Inc. in the aggregate principal amount of Two Hundred and Seventy-Five Thousand and No/100 Dollars (\$275,000.00), dated April 3, 2004 and May 29, 2003;
- (iv) RayMedica, Inc., a Minnesota privately held company;
- (v) Loring Pasta Bar, LLC, a Minnesota limited liability company;
- (vi) Tomsten, Inc. (Archiver's);
- (vii) Eridon Corporation; and
- (viii) All the rest, residue and remainder of the Trust, other than the Unpaid Attorneys' Fees/Expenses.

(d) Within seven (7) days after the Effective Date of this agreement, JPMorgan, as Fiduciary, shall transfer the remaining cash on hand in the Estate and Trust, net of the Unpaid Attorneys' Fees/Expenses (the "Cash Distribution"), to Robina in accordance with the following wire transfer instructions:

ABA 091000022
A/C 173103320615
US Bank Trust Services
Further Credit
A/C 15009449700
Robina Foundation

(e) When JPMorgan, as Fiduciary, determines that no further legal services are required for administration of the Estate or Trust, it shall direct McDermott and Briggs to pay any remaining Unpaid Attorneys' Fees/Expenses to Robina in accordance with the wire transfer instructions provided in the previous subparagraph. Robina may change the delivery instructions for the remaining Unpaid Attorneys' Fees/Expenses in a manner satisfactory to McDermott and Briggs.

(f) Within thirty (30) days of the Effective Date of this agreement, JPMorgan, as PR, will file a Personal Representative's Informal Statement to Close with the Court.

3. **Robina's Acknowledgements and Obligations.**

(a) Robina acknowledges receipt of all partial distributions of the Trust residue reflected in the Accounts.

(b) Within seven (7) days after receipt of the Assignments by Robina's counsel and the Cash Distribution by Robina, Robina shall acknowledge receipt of the entirety of its interest in the Trust, other than the Unpaid Attorneys' Fees/Expenses, by executing the Assignments and the Receipt attached hereto as Exhibit 28 and delivering one fully executed original of each of them to counsel for JPMorgan, as Fiduciary, Peggy A. Quinn, of McDermott, at 227 W. Monroe Street, Chicago, Illinois 60606.

(c) Within seven (7) days after receipt of the balance of the Unpaid Attorneys' Fees/Expenses or confirmation from JPMorgan, as Fiduciary, or its counsel, that the balance is zero (0), Robina shall execute and deliver the receipt for the entirety of its interest in the Trust attached hereto as Exhibit 29, as provided in previous subparagraph.

(d) If any action is required on Robina's Petition for Confirmation and Assumption in Court File No. 27-TR-CV-05-58, which includes requests for an inventory and annual accountings, as described in the Recitals above, Robina agrees to withdraw its request and if needed, file this agreement with the Court to formally memorialize its withdrawal of its request.

(e) Within fourteen (14) days after receipt of a written request from JPMorgan, as Fiduciary, Robina shall refund to JPMorgan, as Fiduciary, such amount or all of the assets received by Robina from the Estate or the Trust and held or controlled by Robina at the time of the request, as JPMorgan, as Fiduciary, requests to discharge any liability of the Estate or the Trust or JPMorgan, as Fiduciary, or to pay any costs of defense of JPMorgan, as Fiduciary, even if groundless, false or fraudulent. This refunding obligation does not impose a duty on Robina to retain assets received from the Estate or the Trust.

4. **Review, Acceptance and Approval of Accounts.**

(a) Robina has received and reviewed the Accounts and accepts such Accounts as a full and complete discharge of any and all duties that the Fiduciaries have to account, inventory, report, or inform under the Will, the Trust, and applicable law.

(b) Robina does hereby ratify, approve, and confirm in all respects the Accounts of the administration of the Estate and the Trust and all acts and omissions of the Fiduciaries, individually and in their representative capacities, and their respective Related Persons (defined below), in connection with the administration thereof, including

but not limited to all investments, distributions, disbursements, settlements, and other transactions.

(c) Robina shall not petition the Court or any other court to reopen any of the matters described in paragraph 2 of the Recitals or petition the Court or any other court to review or object to the Accounts or any other account of any of the Fiduciaries.

(d) In the event any proceeding to review or allow any account of any of the Fiduciaries is commenced, Robina shall submit this agreement to the court and consent to the Court's assuming the correctness of the accounts and Robina's approval of them.

5. **Robina's Releases and Covenants.** Robina, on behalf of itself and its Related Persons, fully releases, remises, and discharges each of the Fiduciaries, individually and in its or his representative capacities, and each of their respective Related Persons, of and from, and covenants not to directly or indirectly sue or otherwise assert in any forum against any one or more of them, any and all Claims arising out of, based upon, or in any way relating to any one or more of Binger, the Estate, the Trust, the administration of the Estate and the Trust, the Accounts, and any act or omission by any Person related to the Estate or the Trust, including but not limited to the State Court Disputes and Settlements, the Probate Claims, the Estate and Gift Tax Returns and Claims for Refund, the Tax Disputes and Settlements, the Estate's Tax Recovery Claims, the Estate's Interest Claims, the Recovery and Release Agreement, the Specific Devises, the Specified Asset Sales, the Fiduciaries' Attorneys' Fees/Expenses, the Fiduciaries' Commissions, and the Assignments (collectively, the "Released Claims"). Notwithstanding anything in this agreement to the contrary, the releases and covenants not to sue set forth in this paragraph do not release, impair, or otherwise affect any Claim to enforce the terms and provisions of this agreement. If Robina's releases and covenants not to sue set forth in this agreement differ in any respect from those provided in any prior agreement, including but not limited to the 2007 Settlement Agreement, then such agreements shall be read together to provide for the broadest set of releases and covenants not sue possible.

6. **Definitions.** The following definitions apply to this agreement:

(a) "Claim" and "Claims" mean any and all of the following: past, present, or future actions, allegations, causes of action (in law or in equity), controversies, contests, suits, obligations (including but not limited to any obligation to indemnify or defend), injunctions, objections, restraints, debts, liens, contracts, agreements, promises, covenants, representations, liabilities, claims, demands, damages (including but not limited to actual, consequential, punitive, and exemplary damages), losses, judgments, expenses (including but not limited to attorneys' fees, costs, and expenses), taxes, penalties, interest, and pre- and post-judgment interest, of any nature whatsoever, whether known or unknown, suspected or unsuspected, asserted or unasserted, fixed or contingent, whether based upon contract (written or oral), will or trust construction, tort, statute, ordinance, administrative regulation, course of dealing, contribution, indemnity, breach of duty (including but not limited to fiduciary duty), set-off, misrepresentation,

bad faith, intentional or negligent acts or omissions, or otherwise, and whether in law or in equity; arising out of, based upon or in any way relating to any actual or alleged act or omission of any Person.

(b) "Effective Date" means the date on which all of the Parties have signed this agreement.

(c) "Person" and "Persons" mean an individual, partnership, corporation, association, fiduciary, estate, trust, joint venture, limited liability company, unincorporated organization, or governmental entity (or any department, agency, or political subdivision thereof).

(d) "Related Person" and "Related Persons" mean, with respect to any Person, any and all of the following (to the extent applicable): (i) each of the Person's executors, administrators, heirs, beneficiaries, legatees, predecessors, successors (including but not limited to successor trustees and successor personal representatives), and assigns; (ii) each of the Person's past, present, and future stockholders, partners, principals, directors, officers, trustees, affiliates (including but not limited to parent entities, subsidiaries, and divisions), agents, employees, consultants, representatives, attorneys, managers, and insurers (including but not limited to reinsurers in their capacities as such); (iii) each Person against whom a Claim or liability arises out of or derives from any relationship with the Person; and (iv) the respective executors, administrators, heirs, beneficiaries, legatees, predecessors, successors (including but not limited to successor trustees and successor personal representatives), and assigns of all of the Persons described in items (i) through (iii) of this sentence.

7. **Binding Effect.** It is the intent of the Parties that this agreement constitutes a valid and binding consent to the Accounts, consent to the distribution of the Estate and waiver of notice of hearing on any court proceeding to consider the Estate Accounts or to settle the Estate in compliance with Minnesota Statute Sections 524.3-906, 524.3-1001, 524.3-1002 and 524.3-1003. It also is the intent of the Parties that this agreement constitutes a valid and binding nonjudicial settlement agreement in compliance with Minnesota Statute Section 501B.154 to the extent it covers items permitted to be resolved by such an agreement and otherwise meets the requirements of that section. However, regardless of whether or not this agreement is subsequently is found to constitute the above items, in whole or in part, for any reason, the provisions of this agreement shall be binding upon and inure to the benefit of the Parties and their respective Related Persons.

8. **Construction.** This agreement will be considered to have been prepared jointly by the Parties and/or their respective attorneys and in any dispute will not be construed against any Party as the drafter of this agreement.

9. **Amendments in Writing.** This agreement may be modified, amended, or supplemented only by a written instrument signed by the Parties.

10. **Governing Law.** This agreement shall be governed by and construed in accordance with the substantive law of the State of Minnesota, without application of choice of law rules.

11. **Representation and Warranties.** Each Party represents and warrants that (a) such Party has full right, power, authority, and capacity to enter into and execute this agreement, (b) such Party has been or has had the opportunity to be represented by independent legal counsel in connection with the negotiation, drafting, and execution of this agreement, and (c) such Party knowingly and voluntarily agrees to be bound by the terms of this agreement.

12. **Counterparts; Electronic Signatures.** This agreement may be executed in any number of counterparts, all of which, taken together, will constitute one duly executed original of this agreement. A faxed or e-mailed signature will be valid and binding as if it were an original.

13. **Titles and Headings.** Titles and headings contained in this agreement are included only for ease of reference and have no substantive effect.

IN WITNESS WHEREOF, the Parties acknowledge that they have reviewed the foregoing document and agree to be bound by its terms by signing below.

Dated: _____, 2013

JPMorgan Chase Bank, N.A., as Fiduciary

By: _____

Its: _____

Dated: _____, 2013

Robina Foundation

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by Anita Medina Tyson, who being by me first duly sworn did say that she is the Managing Director of JPMorgan Chase Bank, N.A., the corporation named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its board of directors, and she acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF)

On this ____ day of _____, 2013, before me a Notary Public within and for said County, personally appeared by _____, who being by me first duly sworn did say that she/he is a _____ of Robina Foundation, the beneficiary named in the foregoing instrument, and that said instrument was signed on behalf of said foundation by authority of its board of directors, and she/he acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

CONSENT TO TRANSFER

This **CONSENT TO TRANSFER** (this "*Consent*") is made effective as of _____, 2013.

WHEREAS, the undersigned include the Managing General Partner and all of the Partners of Tartan I L.P., a Delaware limited partnership (the "*Partnership*"), which is organized pursuant to the Agreement of Limited Partnership of the Partnership dated as of August 15, 1994 (the "*Partnership Agreement*") (capitalized terms that are used, but not defined, in this Consent have the meanings given them in the Partnership Agreement);

WHEREAS, JPMorgan Chase Bank, N.A., as personal representative of the James H. Binger Estate and as trustee of the James H. Binger Revocable Trust, dated December 14, 1993, as restated June 9, 2004 and amended September 23, 2004 (together, "*Binger*"), desires to transfer its entire interest in the Partnership (the "*Partnership Interest*") to Robina Foundation ("*Robina*");

WHEREAS, Section 7.4 of the Partnership Agreement provides that any holder of an interest in the Partnership may transfer its interest in the Partnership to any transferee with the approval of the Managing General Partner and Partners owning more than 80% of the Aggregate Unit Value of Units owned by Partners; and

WHEREAS, the undersigned own more than 80% of the Aggregate Unit Value of the Units owned by Partners and are willing to consent to (i) Binger's transfer of the Partnership Interest to Robina and (ii) the admission of Robina as a Limited Partner in the Partnership on the condition that Robina execute and deliver a joinder agreement that is substantially in the form of Exhibit 1 to this Consent.

NOW, THEREFORE,

1. Partners Consent. The undersigned consent to (a) Binger's transfer of the Partnership Interest to Robina and (b) the admission of Robina as a Limited Partner in the Partnership on the condition that Robina execute and deliver a joinder agreement that is substantially in the form of Exhibit 1 to this Consent. The undersigned confirm that all other conditions or requirements relating to such transfer have been met or are hereby waived.

2. Applicable Law. This Consent shall be construed in accordance with and governed by the laws of the State of Delaware, without giving effect to the conflicts of laws provisions thereof.

3. Counterparts. This Consent may be executed in any number of counterparts and by different parties hereto on separate counterparts, each of which counterparts, when so executed and delivered, shall be deemed to be an original and all of which counterparts, taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned, who include the Managing General Partner and all Partners, have executed this Consent effective as of the date first written above.

Cynthia B. Boynton

VMB TRUST FBO CYNTHIA B. BOYNTON

By: _____
Cynthia B. Boynton, its Trustee

By Dorsey & Whitney Trust Company LLC, its Trustee

By: _____
Name: _____
Its: _____

VMB TRUST FBO JAMES M. BINGER

By: _____
James M. Binger, its Trustee

By Wells Fargo Bank, N.A., its Trustee

By: _____
Name: _____
Its: _____

ESTATE OF JAMES H. BINGER

By JPMorgan Chase Bank, N.A., Personal Representative

By: _____
Name: _____
Its: _____

JAMES H. BINGER REVOCABLE TRUST,
dated December 14, 1993, as restated June 9, 2004
and amended September 23, 1004

By JPMorgan Chase Bank N.A., Trustee

By: _____

Name: _____

Its: _____

**JOINDER AGREEMENT
TARTAN I L.P.**

THIS JOINDER AGREEMENT (this "*Joinder Agreement*") is made and entered into as of _____, 2013 by Tartan I L.P., a Delaware limited partnership (the "*Partnership*"), which is organized pursuant to the Agreement of Limited Partnership of the Partnership dated as of August 15, 1994 (the "*Partnership Agreement*") (capitalized terms that are used, but not defined, in this Joinder Agreement have the meanings given them in the Partnership Agreement) and Robina Foundation ("*Robina*").

Section 1. Admission. Robina is hereby admitted to the Partnership as a Limited Partner and shall have all the rights and be subject to all the obligations of Limited Partners under the Partnership Agreement.

Section 2. Agreement to Be Bound by Partnership Agreement. Robina acknowledges that it has received a copy of the Partnership Agreement. Robina agrees to be bound by all the terms and conditions of the Partnership Agreement.

Section 3. Counterparts. This Joinder Agreement may be executed in multiple counterparts.

IN WITNESS WHEREOF, this Joinder Agreement is executed as of the date first written above.

TARTAN I L.P.

By: _____
Cynthia B. Boynton, its Managing
General Partner

ROBINA FOUNDATION

By: _____
Name: _____
Its: _____

ROBINA FOUNDATION

RESOLUTIONS OF BOARD OF DIRECTORS

WHEREAS, the founder of this Foundation, James H. Binger, died November 3, 2004;

WHEREAS, the process to administer Mr. Binger's estate (the "Estate"), of which this Foundation is the residuary beneficiary, has been lengthy and complex because of litigation with private parties and taxing authorities;

WHEREAS, this Board has previously accepted and approved the accounts ("Accounts") for Mr. Binger's Estate for the time period November 3, 2004, through March 31, 2013, and authorized the Accounts to be settled informally;

WHEREAS, JPMorgan Chase Bank, N.A., f/k/a J.P. Morgan Trust Company, N.A. ("JPMorgan"), the Personal Representative of the Estate, has provided this Foundation with monthly account statements for the time period April 1, 2013, through September 30, 2013;

WHEREAS, JPMorgan has prepared a draft Agreement and Releases ("Closing Agreement");

WHEREAS, Tartan I, LP ("Tartan") has prepared assignment documents ("Tartan Documents") to transfer the Estate's interest in Tartan to this Foundation and is expected to offer to redeem this Foundation's limited partner interest following the transfer;

WHEREAS, the Board of Directors has reviewed the Closing Agreement and Tartan Documents and approves their execution and the completion of the administration of the Estate, subject to the resolution of the outstanding issues (the "Outstanding Issues") described in the memorandum dated November 8, 2013, regarding the Estate that was prepared by this Foundation's legal counsel and addressed to its Board Chair and Executive Director;

NOW, THEREFORE, IT IS

RESOLVED, that the account statements for the time frame April 1, 2013, through September 30, 2013, are accepted.

RESOLVED FURTHER, that the transactions described in the Tartan Documents and the redemption of the limited partnership interests at fair market value are approved.

* (RESOLVED FURTHER, that the Closing Agreement is approved if it is modified to ensure (a) the dates for which the accounts were reviewed are clear; (b) JP the statements and documents provided; and (c) the Foundation is notified of any future claims made against JPMorgan or the Estate and given the opportunity to participate in their resolution

RESOLVED FURTHER, that prior to the execution of the Closing Agreement, the Outstanding Issues must be resolved.

RESOLVED FURTHER, that the officers of this Foundation are authorized and directed, in consultation with legal counsel, to take all steps they deem necessary or desirable to complete the administration of the Estate, including but not limited to reviewing additional account information; resolving the Outstanding Issues; negotiating and executing the Tartan Documents and Closing Agreement; accepting the final distributions from the Estate to this Foundation; and preparing and executing any other needed documentation.

MEMORANDUM

ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

TO: Ms. Penny Hunt
FROM: Gina M. Kastel
DATE: August 16, 2013
RE: Robina Foundation grant making

As you requested, I reviewed the Articles of Incorporation and Bylaws of Robina Foundation to determine whether they limit the Foundation to making grants to Yale University, the University of Minnesota Law School, Abbott Northwestern Hospital, and the Council on Foreign Relations (the Named Institutions) and not to their contractors or other third parties.

Background

The Articles of Incorporation describe the purposes of the Foundation very broadly and state that the Foundation is organized and operated for “charitable, scientific, religious, literary, and educational purposes.”

The “Mission Statement on Charitable Goals” of the Bylaws lists Jim Binger’s three charitable goals for the Foundation: support Yale University and the University of Minnesota Law School, support Abbott Northwestern Hospital, and support the Council on Foreign Relations. The Mission Statement on Charitable Goals says that the Foundation should engage in:

- Activities that support the educational activities of Yale University and the University of Minnesota Law School, which should be broadly construed to include support of research, teaching, scholarships, prizes, conferences and symposia.
- Activities that support medical research, treatment and patient care at Abbott Northwestern Hospital, including its philanthropic activities, which should be broadly construed to include research, teaching, scholarships, prizes, conferences, and symposia.
- International Relations Activities that support the Council on Foreign Relations, which include research and scholarship, the promotion of international cooperation and language education, cultural exchanges, scholarships, prizes, conferences and symposia.

The Bylaws also include a Mission Statement on Charitable Activities that describes *what* the Foundation may do. This Statement allows the Foundation to conduct "direct or indirect charitable activities, including, without limitation, the awarding of grants; the conduct of direct charitable activities; joint ventures with other organizations; and the making of so-called 'program-related investments.'" The Mission Statement expresses a preference for supporting "major projects and initiatives" and permits the Board to fund "think tank" activities at or conjunction with each Named Institution to develop proposals. The Board "retains ultimate authority to determine the exact manner in which the [Foundation] conducts its charitable activities."

The Board may change the Mission Statement "in any manner that it determines appropriate" by changing the Bylaws, however, Mr. Binger requested that the Board adhere to the terms of the last Mission Statement approved by him unless circumstances "significantly change such that compliance with the Mission Statement becomes impossible or impracticable."

Discussion

The Bylaws give the Foundation considerable flexibility in fulfilling its charitable mission. Both the purposes of the Foundation and the ways it carries out those purposes are described in broad terms. Each charitable goal includes a lengthy, non-exclusive definition that contemplates collaboration with and payments to third parties. For example, all three goals include conferences and symposia, which involve participation by various persons and typically require payments to vendors. They also mention scholarships and prizes, which likely would be awarded to individuals rather than the Named Institutions.

Equally importantly, nothing in the Bylaws limits the Foundation to making grants (to the Named Institutions or otherwise). The Foundation is expressly permitted to engage in direct charitable activities, joint ventures with other organizations, and program related investments in addition to making grants. Further, for each charitable purpose, the Foundation is charged with engaging in "activities" that support that purpose, not with making grants. Mr. Binger encouraged support for major projects and initiatives, and gave the Board final authority to determine the manner in which the Foundation accomplishes its mission.

In summary, neither the Bylaws generally nor the Mission Statements in particular restrict the Foundation to making grants to the Named Institutions for their own use. If a proposed project is consistent with the Mission Statements, the Foundation can undertake whatever activities the Board deems appropriate to support the project. This could include providing funds to the Named Institution, to a contractor of the Named Institution, or to a third party. It could also include the Foundation hosting a conference, convening meetings, establishing a joint venture, or making investments to support the charitable goals.

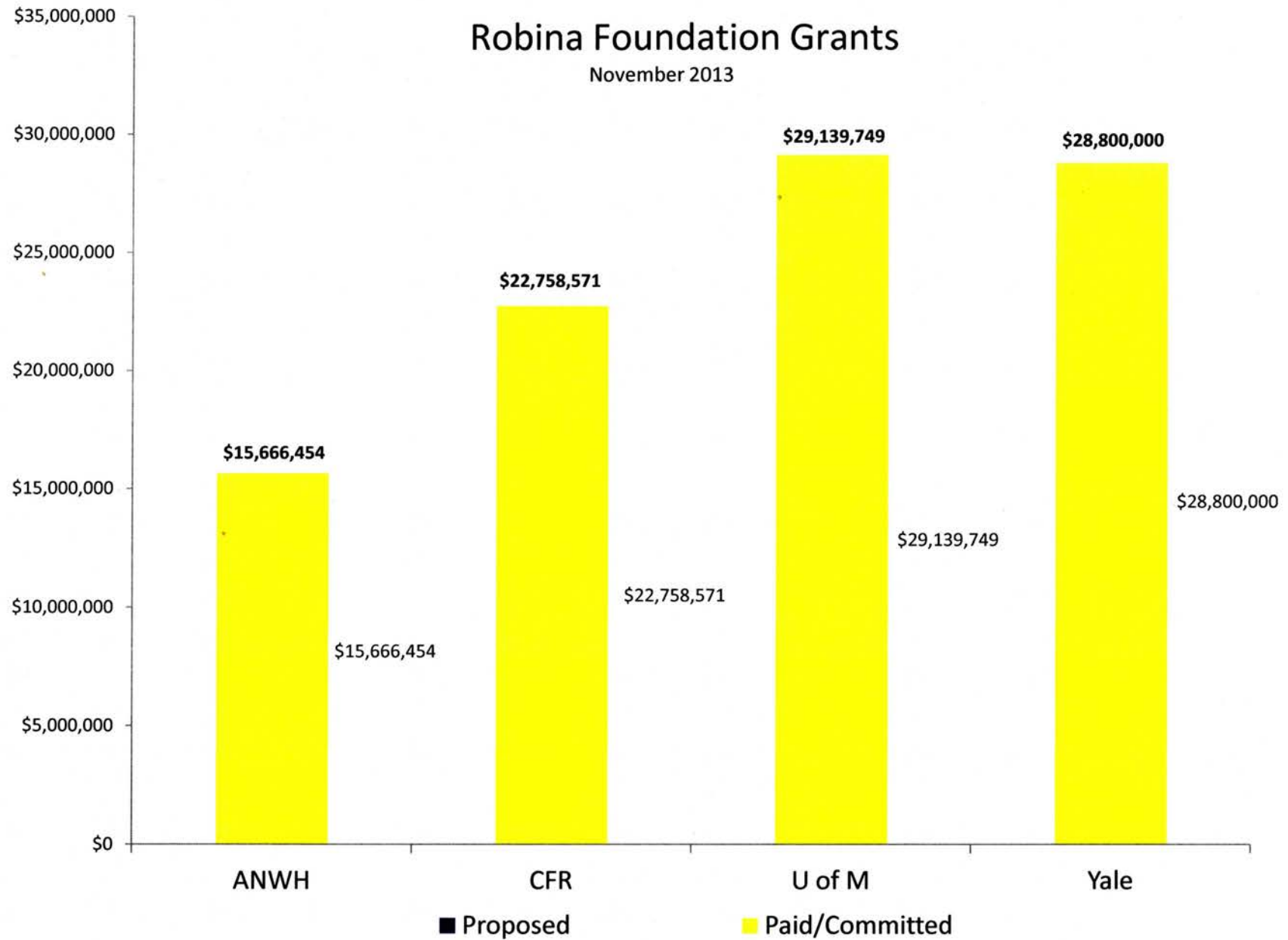
I hope this information is helpful to you. Please let me know if you have questions or would like to discuss this further.

* * *

					ROBINA FOUNDATION GRANTS										
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
ANWH															
Care Guides	1,253,535	2,373,233	2,373,232												6,000,000
Life Course: Late Life Supportive Care					2,356,696	4,245,492	3,064,266								9,666,454
														ANWH Total	15,666,454
CFR															
IIGG	2,000,000	2,000,000	2,000,000	2,000,000	2,046,627	2,034,671	2,034,971	2,074,424	2,114,664						18,305,357
Online Video Project				419,750	276,805										696,555
Expanded Diversity Initiative				15,000	377,034	426,492	470,722								1,289,248
Expanded Diversity Initiative - Additional Activities						802,247	822,303	842,861							2,467,411
														CFR Total	22,758,571
U of M															
LaPPS	1,400,000	1,436,750	1,480,338	2,850,854	893,457										8,061,399
Institute of Criminal Law & Justice					847,190	1,494,134	1,750,900	1,771,752	1,639,451						7,503,427
Sentencing Law Program Enhancements (CL&CJ)						820,056	844,658	869,997	896,097	922,980					4,353,788
Scholarships					250,000	250,000	250,000	250,000	250,000						1,250,000
Public Interest Scholars					379,800	694,544	809,355	813,736	804,188						3,501,623
Center for New Americans						1,349,393	1,022,887	1,039,869	1,057,361						4,469,510
														U of M Total	29,139,747
YALE															
Yale Drama															
CNT	750,000	750,000	1,350,000	950,000	18,000,000										21,800,000
Yale Law															
Human Rights	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000								7,000,000
														Yale Total	28,800,000
TOTAL	6,403,535	7,559,983	8,203,570	7,235,604	26,427,609	13,117,029	12,070,062	7,662,639	6,761,761	922,980					96,364,772
YEAR END NET ASSETS*				120,827,000	100,568,259	92,721,524	85,058,087	81,211,460	78,376,998	80,909,369					
Grants Paid/Committed														BOD Mtg November 12, 2013	
*Estimated by Mike Sullivan based upon the projected grant programs and using asset allocation and assumed return assumptions.															

Robina Foundation Grants

November 2013



ROBINA FOUNDATION

TO: Robina Foundation Board of Directors

FROM: Penny Hunt

RE: Robina Grants – November 2013 Board Meeting

Following is information for the Board's discussion concerning Robina Grants.

Yale University / Scholarship to Honor Tom Crosby

At the August Board Meeting, Board Members discussed several ways Robina might honor Tom. At the conclusion of the discussion, I was asked to approach Yale to learn how Yale might structure a scholarship in Tom's memory. Patty Pederson, Associate Vice President for Development, Director of University Corporate and Foundation Relations, provided the material found at **Tab 5**.

Yale School of Drama

I followed up on the Board's discussion in August of James Bundy's lengthy response to our request for additional information about the Binger Center for New Theatre with an email focused on the Production Enhancement Fund. My email and James' response are found at **Tab 6**. The Board will meet with James in March to discuss the PEF, as well as Robina's ongoing monitoring of the Foundation's endowment grant.

Council on Foreign Relations

Expanded Diversity Initiative – Additional Activities

In August the Board approved a three-year grant to support additional activities in connection with the *Expanded Diversity Initiative*, subject to confirmation from Gina Kastel that a grant involving significant work by a non-Robina Grantee was appropriate. (Gina's memo at Tab 4 responds to this question.) In connection with approval of the grant, the Board asked for clarification of language in the grant proposal as well as information about the development of the budget for the initiative.

Jim Lindsay's letter dated September 20 at **Tab 7** responds to that request. Jim also provided a letter update on CFR's various activities in connection with the Expanded Diversity Initiative.

Following the Board's approval of the grant, Humanity in Action approached CFR about several administrative costs HIA inadvertently omitted from the budget for the initiative. Jim's letter dated September 23 also at **Tab 7** explains the situation.

The Board is being asked to consider providing an additional \$107,946 to cover those expenses over the three years of this grant.

Program on Digital and Cyberspace Policy

Board Members suggested that we engage outside reviewers to assist us in consideration of CFR's proposal for funding to support this initiative. I worked with Jim Lindsay to identify several possible reviewers with different backgrounds and expertise. Material at **Tab 7** describes reviewers suggested by Jim. I hope that Board Members can provide direction concerning selection of reviewers so that I can engage reviewers in the near future and request reviews for consideration at the March meeting.

Abbott Northwestern Hospital / Allina

At the August Board Meeting, Board Members encouraged the leaders of the LifeCourse initiative to re-consider the timing of the roll-out of the initiative to assure that the model is fully developed and studied before moving on to Phase II. This re-thinking convinced the LifeCourse leadership that additional funding of \$1.27M is needed in 2014 to complete this work. (Robina is currently committed to provide \$3,064,266 in 2014 for the third year of Phase I.) ANWH's request for additional funding is found at **Tab 8**.

Establishing a Named Scholarship Fund in Yale College:

To honor the memory of Thomas M. Crosby, Jr. '60, Law '65

Prepared for the Robina Foundation



Yale University, September 2013



THOMAS MANVILLE CROSBY, JR. (Tom). Born October 9, 1938, in Minneapolis, son of Thomas Manville Crosby, '37, and Ella Sturgis Pillsbury Crosby; brother: D. P. Crosby, '62; grandfather: F. M. Crosby, '97; Crosby uncles: F. M., '24, S. McK., '32, G. C., '34; Pillsbury uncles: J. S., '35, E. F., '36, C. F., '39, and G. S., '43. Prepared at Andover. American studies major. Member, J.E. (on soccer team and crew), N.R.O.T.C., Yale Key (president), Fence, Aurelian, and Wolf's Head; president, Senior Advisory Board; captain, Freshman hockey team (numerals); on Varsity hockey team, 1958-60 (major "Y"). Roommates: McFarlane, Schmidt, Snyder. Future occupation: service as Navy ensign; address: Box 248, Route 2, Wayzata, Minn.

Yale Banner (yearbook) 1960

Yale has long been committed to enrolling the best and most highly motivated students, regardless of financial circumstances. For more than four decades, Yale has not wavered from that commitment, progressively refining and expanding its policies to attract students from varied socioeconomic backgrounds and to meet their need for scholarship support. Today, Yale's financial aid program is responding to an increased demand—more students qualifying for more assistance than ever before—and those numbers are only projected to grow. At the same time, the Yale endowment is still recovering from a precipitous 25 percent decline in fiscal year 2008–2009, which has left a gap in the funding stream for student aid.

Building Yale's scholarship endowment to keep pace with this need is a foremost priority. By directing gifts to an endowed scholarship, donors make a lasting contribution that secures access to a Yale education in any economic climate, today and well into the future.

Supporting a signature policy of need-blind admissions, endowed scholarships have long helped Yale place a world-class education within reach of a broad array of students. As Yale families feel the impact of the financial crisis, this mission has become more important than ever.

A named scholarship endowment begins at \$100,000. A scholarship gift will be invested in the Yale Endowment and, once the pledge is completed, the expendable income from your fund will be awarded to a worthy recipient. The Robina Foundation will have the option to name the scholarship, for example, the *Thomas M. Crosby, Jr. Scholarship Fund*, and to express a preference for it to support students from a particular region, residing in a certain residential college, or undertaking a particular course of study. The

Foundation could also specify a preference that the scholarship support students who participate in a specific Yale Athletics program, such as ice hockey. The recipients of this scholarship will be known in perpetuity as *Thomas M. Crosby, Jr. Scholars*.

As the value of your fund grows, so too will the expendable income it provides for scholarships, offering generations of students access to Yale's unparalleled educational opportunities. Annual stewardship reports will keep you apprised of the identity, activities, and achievements of these young women and men, as well as the fund's ongoing financial performance. Additionally, you can choose to have the recipients of your scholarship made aware of your generosity, and join the many Yale alumni and friends who enjoy direct correspondence with their scholars as they complete their studies.

A new financial aid landscape

Funding for Yale's financial aid policies has depended in large part on the endowment gifts of generous alumni and friends and on favorable investment returns over time. For many years, that formula generated sufficient funds to meet a large and growing portion of Yale's scholarship commitments.

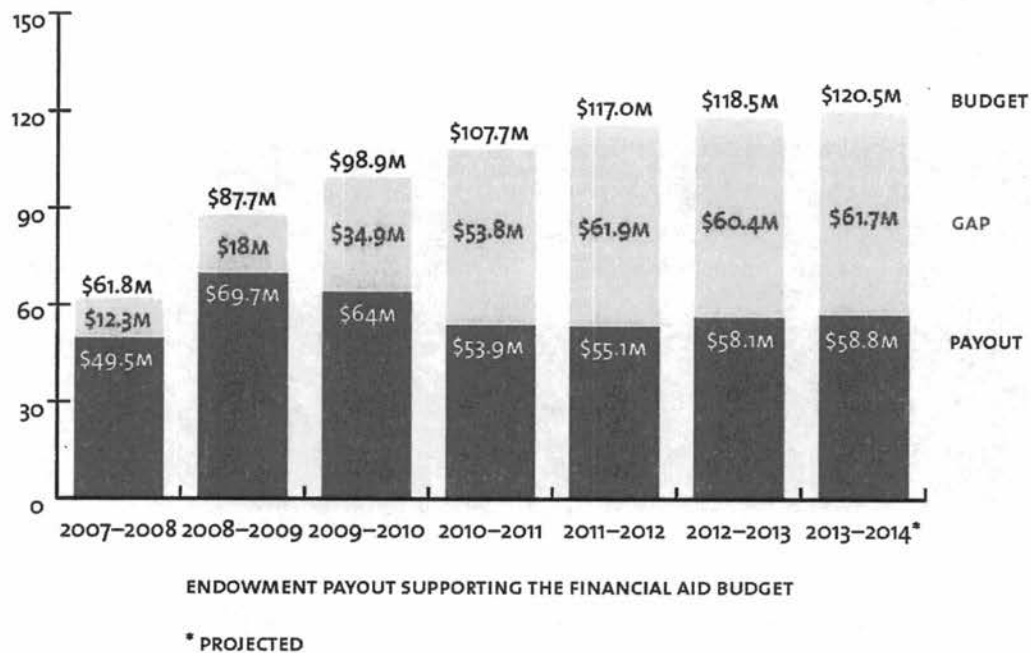
However, Yale's expanded financial aid program, coupled with the global economic downturn, has put unfamiliar pressures on Yale's scholarship budget. Students and their families today need more support to cope with their new financial realities, even as a smaller endowment has placed new constraints on spending.

In fiscal year 2008–2009, the first year of an enhanced financial aid policy, the percentage of Yale College students receiving financial aid jumped from 43 percent to 52 percent, and the average scholarship award increased from \$27,794 to \$32,622 per recipient¹. In fiscal year 2012–2013, the percentage of students receiving aid is projected to reach 55 percent with an average award of \$39,830.

On the funding side, the University projects that endowment payouts will decrease as a percentage of the financial aid budget. In fiscal year 2008–2009, Yale's spending rule

¹ Figures cited exclude International Summer Awards.

cushioned the budget from the full impact of the endowment losses, and the payout supplied a generous 79 percent of the \$88 million slated for undergraduate financial aid. But in 2012–2013, the payout funds just 49 percent of a \$118.5 million financial aid budget, with the balance coming from annual giving and general operating funds. Using conservative assumptions of possible endowment performance over the next four years, Yale expects a continuing gap between its funding needs and the endowment payout.



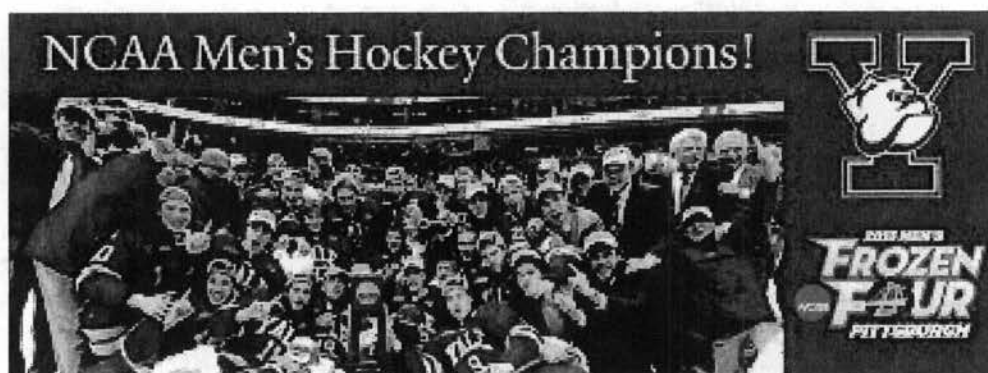
Despite these pressures, the University has remained committed to fully funding its financial aid program. Shortfalls from the endowment payout will be met each year with annual gifts and growing allocations from general operating funds, which are sorely needed in other critical areas of the University—for faculty, research, teaching, and collections. Donor support, in the form of new endowment, is the key to meeting Yale’s long-term financial aid commitments.



The Yale hockey team in 1960

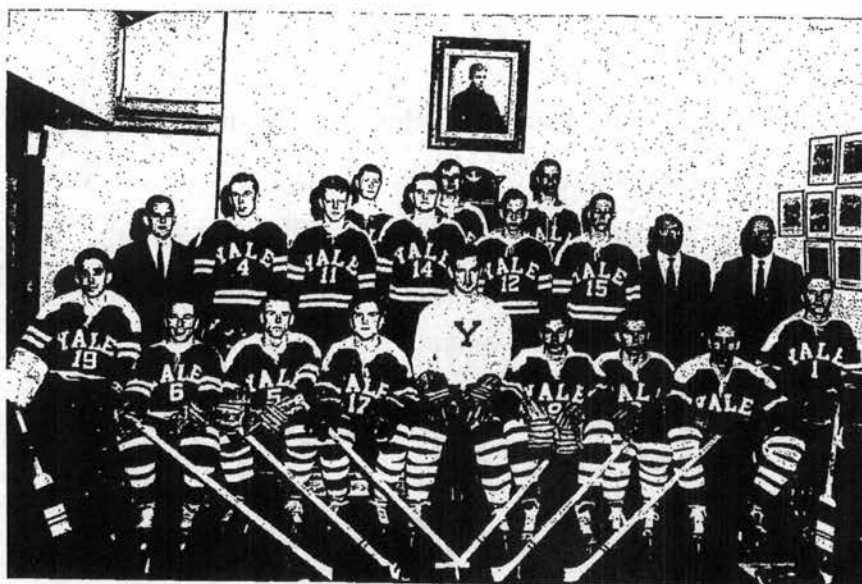
(Yale Banner)

Yale scores against Princeton, winning 2-1



The Yale hockey team in 2013, as NCAA champions

The Yale hockey team in 1960 (Tom Crosby, front row, third from the left)



Back Row—Ripley, Bishop, Rulon-Miller. Second Row—Nash (Manager), E. Smith, Schley, Edwards, Adams, D. Crosby, Wrigley (Trainer), Murdoch (Coach). Front Row—Forstmann, Robinson, G. Crosby, MacLean, B. Smith (Captain), Scott, McGonagle, Trowbridge, Hamlin.

Email to Bundy re External Reviews and His Response (below)

September 10, 2013

Dear James,

The end of summer has been busy, so I am a bit slow in updating you on the discussion of the Robina Foundation Board of Directors at its meeting last month.

First of all, thank you for responding to our three specific requests for additional information and for detailing your concerns about shortening the timeframe for external reviews of the Binger Center. Our meeting at Yale will give us the opportunity to discuss all of these items in more detail. In the meantime, the Board suggested that more information about the Production Enhancement Fund in advance of the meeting might help us structure a meaningful agenda and discussion for the March meeting.

As you know, from the beginning Board Members have been intrigued by the Production Enhancement Fund. Several questions came up in the Board Meeting as Board Members continue to learn about the Fund and understand the challenges of implementing the Fund.

Early implementation of the Fund has obviously taught a great deal about what works and what doesn't. In your letter you emphasized that establishing a rigid program at this point would be unwise. We agree that a rigid plan isn't needed and that you must remain in an experimental mode as you use the Fund in the early years. But we all recognize that experiments work best when they are guided by a strategy and a few assumptions that then get tested through experience. What we are interested in now is: what is your current target group of possible partners, why are they a current priority, what do you hope to learn from this set of relationships, and what would constitute success in your terms? Of course, we would expect that you would make course corrections along the way, but this information would give us a sense of where you are now and where you are headed. *

The Board's next meeting is November 12. It would be helpful if you could provide this information in advance of that meeting. If you would like to talk before responding, I would be happy to set up a call and would involve Peter and Susan if that would be helpful.

I suspect you are rather busy now with the launch of the school year, the upcoming installation of the new president, and the opening of *A Streetcar Named Desire* later this month!

Warm regards,
Penny

Dear Penny,

Thank you, as always, for this thoughtful update. I look forward to the opportunity to see you and the board in March!

I would be delighted to take up these questions about the Production Enhancement Fund in writing before the next board meeting, and I agree that they are good ones to ask of ourselves at this point. If I deliver the response by November 1, is that time enough?

All the best,
James

From: "Bundy, James" <james.bundy@yale.edu>
Subject: Regarding the Production Enhancement Fund
Date: October 28, 2013 12:13:21 PM CDT
To: "Penny Hunt" <pennhunt@gmail.com>, Peter Karoff <pkaroff@tpi.org>
Cc: "Berman, Deborah" <deborah.berman@yale.edu>, "Pedersen, Patricia" <patty.pedersen@yale.edu>, "Kiger, Jennifer" <jennifer.kiger@yale.edu>

Dear Penny and Peter,

Thank you for the opportunity to respond to the Board's questions about the Production Enhancement Fund. I know the deadline for submitting this document is at the end of the week, but I thought it might be useful to send it now and give you an opportunity to comment or ask further questions, as you see fit. Given the benefits of our dialogue in the past, I would welcome any additional thoughts you might have for me, and I would be happy to add to this email if that would be helpful to the Foundation.

The strategic aim of the Fund, as I see it, is to support and advance the cause of writers' work commissioned, developed, and produced with Binger Center support, *at theatres other than Yale Repertory Theatre*.

The main targets of our support include highly visible theatres of national reputation such as ART in Cambridge, Berkeley Rep, New York Shakespeare Festival, and La Jolla Playhouse; and centrally located theatres known for advancing writers' careers, such as Woolly Mammoth in Washington, DC; LCT3, Soho Rep, and Theater for a New Audience in New York; and Pittsburgh Public Theatre. We also expect a limited number of opportunities to emerge to support prominent commercial productions that would enhance the standing of the writer, the play, Yale Rep, and the Binger Center.

Why is this the cohort of theatres the one we seek to work with? They, and a handful of others, represent a group with an outstanding track record of advancing writers' careers, and are also among the group most likely to be incentivized by additional funding, or the additional visibility that Yale Rep provides to them on the east coast. These are theatres whose successful plays are produced again and again around the nation. From them, we learn the factors impacting their specific markets, and with them, we have been able to develop more sophisticated strategies with respect to critics' roles and timing in reviewing new plays.

Our decision-making about plays and the Fund is different, depending on whether we produce the play ourselves, or consider supporting a play we do not produce.

In cases where we don't exercise the option to produce, our current practice is to release the play back to the playwright, and to let them and their agents approach other theatres. This is common practice in the field, and it saves us time: virtually any agent can get a client's play

considered at virtually any theatre, and all commissioned writers and their agents are aware that their plays are eligible for support from the Fund. If the writer and agent cannot interest another theatre in the play, then there is little reason for us to spend time selling the play to those theatres.

In cases where we do produce or have produced the play, the number of possible outcomes expands considerably: we might produce ourselves first, co-produce with another theatre in first or second position, tour our production to another theatre, and/or support multiple productions with in-kind contributions or cash. In keeping with the Binger Center's emphasis on artist driven work, we make these decisions on a case-by-case basis.

What does success for the Fund look like to us? Our aims include creating more productions for our writers; to produce plays that are artistically successful, remunerative, and take their place in the canon as works that can be revived many times; providing writers with multiple opportunities to develop their voice and craft; and enhancing the visibility of the writers and the Center as valued contributors to the national theatrical dialogue. Not every investment the Fund makes will achieve all of these aims, but the level of support is often determined by how many of those aims are being met.

I know we will have more opportunity to discuss all of this when the full board is here, and I look forward to that conversation.

Sincerely,

James Bundy

James Bundy
Dean/Artistic Director
Yale School of Drama/Yale Repertory Theatre
222 York Street
PO Box 208244
New Haven, CT 06520-8244
203-432-1505
www.drama.yale.edu
www.yalerep.org

November 3, 2013

Memo to the Robina Board

From Peter Karoff

Re Yale Drama School & Binger Center Review Considerations

Context: Robina made its \$18 million grant in 2012 with \$3 million to fund operating expenses and \$15 million to establish an endowed fund for the benefit of "The Binger Center for New Theatre at Yale School of Drama." The original request was for \$23 million paid over ten years and after financial analysis the board made the decision that Yale's superior investment track record argued in favor of a lump sum payment.

Two primary documents describe Robina's support. A short Indenture document between Robina and Yale states the following: "Stewardship: Yale will provide the Donor with an annual report of its progress in a format acceptable to the Donor, to include program highlights as well as financial updates noting the Fund's market value, principal, and expendable income." The other primary document referred to, and considered part of the Indenture, is "the Proposal" which under the section Management and Accountability discusses both the annual reporting process, as well as the formation of an independent committee that will conduct "a review of the programs of the Center and their relationship to the field every five years." In addition to these two documents there are various memos and communication between Robina and James Bundy that are relevant.

Our first surprise was when Dean Bundy informed us of the selection of the Review committee to perform the first review. Our assumption had been that Robina would be involved, or at least informed, in that selection decision. That said, of the five committee members chosen, four were among the potential names in the Proposal, and all are experienced and distinguished in the field. Our second and bigger surprise was the Committee Report that was completed in February 2013. While the Report gave high marks to the Center's work with excellent writers and the production of compelling new productions, it also delineated a number of significant challenges, and tensions between the goals of the Center, the YSD, and the field. Dean Bundy's response to the Report seemed more defensive rather than open.

Subsequently, Robina (Penny, Susan and I) have talked with the Dean, and exchanged several memos with a specific focus on the unrealized potential of the "Enhancement Fund" – deemed by both the Dean and the Review Committee as having the most potential to impact the field of theatre - and a broader discussion of how frequently the Review Committee should meet. The Dean's position is that five year intervals were adequate.

Conclusions are as follows:

1 – There is a gap between the wonderful rhetoric in the original vision for the Center as expressed in the proposal, and in our several-year interactions with James Bundy, and where the Center is today.

2 – The challenges raised in the Review Committee Report have a great deal to do with the dual role James Bundy plays as Dean of YSD and Artistic Director of Yale Rep.

3 - The Dean, and Center, is still struggling with how to creatively use the Enhancement Fund.

4 – To really be useful and effective, a review process needs to be iterative and five-year intervals are too long.

5 – Robina should establish its own periodic independent review process with a Review Committee made up of Robina board/staff, and selected experts. While fulfilling Robina's oversight and fiduciary responsibility, a major goal would be to support and help the Center pursue its manifest destiny.

To be continued in board discussion.....

COUNCIL *on* FOREIGN RELATIONS

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September 20, 2013

Ms. Penny Hunt
Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

*Clarification of language
in proposal for funding
for Expanded Diversity
Initiative.*

Dear Penny,

As promised, I am writing to provide you with additional information about the recent proposal by the Council on Foreign Relations (CFR) to the Robina Foundation for support for "The Expanded Diversity Initiative in Foreign Policy—Additional Activities."

As we have discussed, the overarching purpose of CFR's diversity initiative is to close the gap between the ethnic and racial make-up of the American people and America's foreign policy community. A core component of this effort is CFR's partnership with Humanity in Action (HIA). The original grant from the Robina Foundation enabled CFR to support the participation of undergraduate students from underrepresented groups in HIA's summer program in Europe. The underlying idea is that by exposing minority students to foreign policy issues and experiences we increase the odds that they will pursue foreign policy careers.

The proposal that CFR submitted in July seeks to complement the current CFR-HIA partnership with a program that would help minority *graduate* students with a demonstrated interest in international relations follow through on that interest and pursue foreign policy careers. As is the case with the undergraduate program, the graduate program would involve both minority and non-minority students. That decision reflects the recognition that success in promoting minority involvement in foreign policy requires identifying promising minority students *and* helping them build personal and intellectual networks outside their communities. The program's activities would be organized around the question of diversity and diplomacy, both to give the program an intellectual focus and to help non-minority students understand why building ties to minority networks and encouraging minorities to work on foreign policy is critical to their own career paths. In that respect, the focus of the program's activities (diversity and diplomacy) is intended to be the means of promoting the overall initiative's ends (increasing the number of minorities pursuing foreign policy careers).

The budget for the expanded diversity proposal was developed jointly with HIA. In late spring, Judy sent me a draft budget that came to \$750,000 a year for three years for HIA's costs alone, or triple the amount in the original expanded diversity grant even before including CFR's costs. Because I was concerned about the size of the request, I contacted you by email on June 14 for guidance. I did not

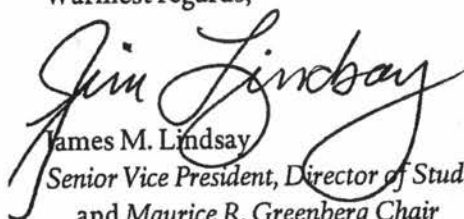
want my staff or HIA's staff to go through the rigors of writing a grant proposal and vetting a budget if our request would be deemed excessive. We discussed the issue by phone on June 17. The next day you informed me by email that the preliminary amount I mentioned would not be out of line for a Robina grant.

After hearing from you, my staff followed CFR's standard operating procedure and reviewed the HIA draft budget line by line. That review identified cost savings. Some of the savings reflected CFR's ability to secure rooms and lodging at lower prices than HIA assumed. Other savings came from correcting discrepancies between what the proposal stated and what the budget requested. For example, the proposal called for providing the American participants with a stipend, while the budget provided stipends for all the participants. Still other savings came from program changes that CFR and HIA mutually agreed would better serve the grant's objectives. For example, the draft HIA budget provided funds to send the graduate students to Europe at the end of June to participate in the capstone conference that HIA holds for participants in its undergraduate summer programs (that is, the programs that the Robina Foundation funded in its original diversity grant). Judy and I decided upon reflection that the idea was unwise; it would disrupt the rhythm of the capstone conference and impose a hardship on graduate students who have summer jobs or internships. (One of our explicit considerations in crafting the new program was to schedule it so that graduate students could still pursue these opportunities.)

As a result of the budget scrub, HIA's projected costs fell to \$580,000 in the first year and \$1.78 million over three years. The budget we submitted to Robina reflected those amounts. I consulted with Judy by phone and by email on all the changes we made to the draft HIA budget. She concurred on all of them.

I hope that this additional information answers the questions that you and the Robina Board had. Again, CFR and HIA are deeply grateful for the support that the Robina Foundation has given to its partnership. We believe that the diversity initiative meets a critical need and will make a difference not just in the lives of the participants but in the make-up of the broader American foreign policy community.

Warmest regards,


James M. Lindsay
Senior Vice President, Director of Studies,
and Maurice R. Greenberg Chair
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COUNCIL *on* FOREIGN RELATIONS

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October 4, 2013

Ms. Penny Hunt
Executive Director
Robina Foundation
80 South 8th Street, Suite 4900
Minneapolis, MN 55402

Dear Penny:

It was great to see you last week in Washington. Stewart, Kate Collins, and I got a lot out of our conversation. We hope you did as well. As promised, I am putting down on paper some of our recent successes with the Expanded Diversity Initiative.

Last week Richard spoke to 250 students at Morehouse College in Atlanta on *America's Role in the World*. Morehouse was delighted to have CFR's president on campus, and he used the opportunity to urge Morehouse students to consider foreign policy careers. He also plugged the various internship and fellowship opportunities that CFR offers. Richard has asked Morehouse's president, John Silvanus Wilson, to join CFR's Higher Education Working Group on Global Issues. We hope that Dr. Wilson will join this ongoing discussion about how colleges and universities can best prepare students for global challenges.

Three days after Richard visited Atlanta, three CFR staff members met about one hundred students at the Atlanta University Center Consortium Fair (AUCC). The consortium includes students from Morehouse, Spelman College, and Clark Atlanta University. Many students mentioned that they had attended Richard's talk and that his words had encouraged them to seek out CFR at the career fair.

The AUCC event was just one of several career fairs that CFR staff have spoken at this fall. The Robina Foundation's grant made it possible for CFR staff to attend career fairs last month at the University of North Carolina, Georgetown University, Howard University, Columbia University, and the Johns Hopkins School of Advanced International Studies. Later this year CFR staff will be participating in career fairs at Macaulay Honors College of the City University of New York and the University of Texas at Austin.

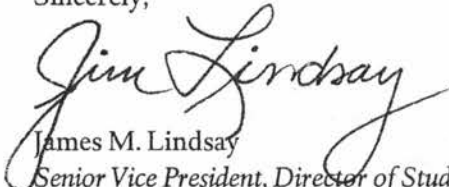
CFR is hosting one Franklin Williams intern this fall, Michael Aryee. Michael comes to us from the New School. He is interning with the Corporate Program in New York, where he is doing research for meetings and helping out with the Global Board of Advisers, a group of international companies that provide private sector perspectives to CFR's senior leadership.

We continue to reach out to organizations that can help us broaden the pool of minority applicants for CFR's various fellowship programs. Janine Hill, our director of fellowship affairs, spoke last week at the National Historically Black Colleges and Universities Conference in Washington, DC. The conference drew about one thousands guests, including college and university presidents, members of Congress, representatives of federal agencies, as well as private sector partners. One benefit of Janine's participation in the conference is that we have broadened our contacts with groups working to increase minority participation in foreign affairs.

We will be making the most of these new contacts with Kate now taking the lead on the Expanded Diversity Initiative. I am glad you got the chance to meet her. She is special. She did a terrific job for me during her first stint at CFR. The year she just spent in Malawi designing programs aimed at improving the livelihoods of smallholder farmers enriched her skill set. Kate worked closely with Judy Goldstein and her team at Humanity in Action before she left for Malawi, so she is hitting the ground running. Judy tells me that HIA is hard at work on the new program for graduate students.

Everyone at CFR remains grateful for the Robina Foundation's generous and continued support of the Expanded Diversity Initiative. I look forward to continuing to work with you on the ongoing and additional programs this year—and to hearing about your trip to Bhutan when you return. Safe travels.

Sincerely,


James M. Lindsay
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September 23, 2013

Ms. Penny Hunt
Executive Director
Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Dear Penny,

As promised, I am writing to explain the background and nature of the request from Humanity in Action (HIA) for supplemental funding for "The Expanded Diversity Initiative in Foreign Policy—Additional Activities" proposal.

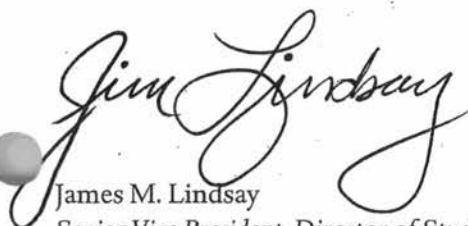
First the background. Judy Goldstein, HIA's executive director, informed me on September 3 that the budget HIA provided CFR earlier this summer inadvertently omitted several administrative expenses. As a result of this mistake, the budget CFR submitted to the Robina Foundation in July understated the true costs of the proposed program to HIA. Judy took full responsibility for the mistake. She is grateful to the Robina Foundation for its willingness to consider a supplemental request.

The supplemental funding that HIA is requesting totals \$107,946 over three years. The budget sheet included with this letter identifies the specific expenses that make up this request. HIA generated its administrative cost estimates based on what the proposed project would constitute as a percentage of HIA's total revenue and administration costs.

Judy knows that the Robina Foundation is unlikely to consider the supplemental funding request before its November 12 board meeting. HIA has begun planning for the new program. Judy has committed to moving ahead with the program even if the Robina Foundation declines the supplemental request.

Please do not hesitate to contact me if you have any questions or need any additional information. As always, CFR greatly appreciates the very generous support the Robina Foundation has provided the CFR-HIA partnership.

Warmest regards,



James M. Lindsay
*Senior Vice President, Director of Studies,
and Maurice R. Greenberg Chair*
tel 202.509.8405 fax 202.509.8490
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HIA Supplemental Request for Administrative Expenses

	Total	Year 1	Year 2	Year 3
Partnership with Humanity in Action				
Program on Diversity and Diplomacy				
Program Management and Administration: Supplemental Expenses				
Insurance	\$ 20,552	\$ 6,682	\$ 6,849	\$ 7,021
Postage and shipping	5,075	1,650	1,691	1,734
Telephones	5,075	1,650	1,691	1,734
Accounting and audit	68,510	22,275	22,832	23,403
All other costs	10,150	3,300	3,383	3,467
Rent allocation (US)	38,568	12,540	12,854	13,174
Paris administration allocation	18,454	6,000	6,150	6,304
Total	\$ 166,383	\$ 54,097	\$ 55,450	\$ 56,836
Less line item for HIA administrative costs included in original budget	58,437	19,000	19,475	19,962
TOTAL SUPPLEMENTAL REQUEST	\$ 107,946	\$ 35,097	\$ 35,975	\$ 36,874

HIA expenses for Expanded Diversity Initiative:

Year 1: \$580,297

35,097 = 6% (if add 19,000 already in budget = 9.3%)

Year 2: \$594,804

35,975 = 6% (if add 19,475 = 9.3%)

Year 3: \$609,675

36,874 = 6% (if add 19,962 = 9.3%)

1,784,776

If add adm. costs of CFR + HIA:

Year 1: 83,047 - 10.35%

Year 2: 88,124 - 10.35%

Year 3: 87,252 - 10.35%

COUNCIL^{on} FOREIGN RELATIONS

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October 4, 2013

Ms. Penny Hunt
Executive Director
Robina Foundation
80 South 8th Street, Suite 4900
Minneapolis, MN 55402

Dear Penny:

As promised, I am following up on our conversation last week about potential reviewers for CFR's proposal for the Program on Digital and Cyberspace Policy. As we discussed, which experts would be the right reviewers depends on what Robina Board members wish to learn from the reviews. All the experts we suggested sit at the top of their professions and have deep knowledge of digital policy issues. They come from different backgrounds, however, and view the issues from different perspectives. So while they would all offer the Robina Board great insights, they would undoubtedly stress different aspects of what we propose to do.

Samuel J. Palmisano, the former chairman and CEO of IBM, and Craig Mundie, chief technology officer for Microsoft, have impeccable credentials to assess where technology is today and what kinds of challenges it will produce tomorrow, as well as how countries like China and Russia are seeking to extend government control over the Internet and why that matters both for economic growth and personal freedom. Mr. Palmisano and Mr. Mundie operate at the highest levels in the digital field, so they are ideally positioned to judge CFR's comparative advantage in convening major stakeholders from the multiple constituencies affected by the battles over digital policy and thereby shape the public debate.

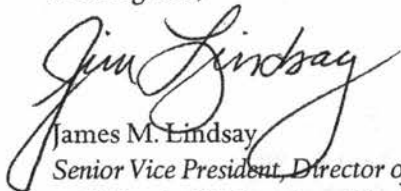
Professor Jonathan Zittrain has pioneered the new field of cyber law. He has written extensively on the legal and political battles over who owns digital information, electronic privacy in the digital age, and control of the internal architecture of the Internet. He has done cutting-edge research on how countries such as China and Saudi Arabia filter and block the ability of their citizens to access the Internet. He sits on the board of the Electronic Frontier Foundation, which was one of the first organizations to form for the express purpose of protecting individuals' digital rights. He also chairs the Federal Communications Commission's Open Internet Advisory Committee. Professor Zittrain's background and training makes him uniquely qualified to assess how CFR could contribute to debates over digital privacy, the ownership of digital information, and competing visions of what the Internet should become. (He wrote the book, *The Future of the Internet—And How to Stop It.*)

Bob Boorstin, the director of public policy for Google, and Peter Cleveland, the director of global public policy at Intel, both have extensive government and private sector experience. Before joining Google, Mr. Boorstin spent seven years in the Clinton administration working at the State Department, the Treasury Department, and then the White House on national security and financial issues. Mr. Cleveland came to Intel from Capitol Hill, where he worked as Senator Dianne Feinstein's chief of staff and supported her work as a member of the Senate Finance and Foreign Relations committees. Mr. Boorstin and Mr. Cleveland can both speak to CFR's ability to convene and reach government policymakers. They also are both well-positioned to assess the importance of the work that CFR is proposing to do on global governance and the Internet—Google and Intel deal with conflicting national laws and directives on digital policy on a regular basis.

Neal Pollard, a director in the forensics technology practice at PricewaterhouseCoopers, is a cybersecurity expert. Before joining PwC, he worked on terrorism matters first in the intelligence community and then as a member of the staff of the National Security Council at the White House. Mr. Pollard understands the challenges that governments and private industry face in trying to keep their computer networks secure. He is familiar with the work being done on cybersecurity, and he can speak to the question of CFR's ability to promote the kinds of private-public partnerships that will be critical to keeping America's infrastructure secure and functioning.

I hope these brief descriptions give you a better sense of the strengths of the reviewers we have proposed and how they might help the Robina Board assess how the Program on Digital and Cyberspace Policy can transform the emerging debates on cyber and digital policy. As always, please do not hesitate to let me know if you have any questions or need any additional information.

Best regards,



James M. Lindsay
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and Maurice R. Greenberg Chair
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jlindsay@cfr.org

4 Renewers?

Biographies for Potential Reviewers for the Program on Digital and Cyberspace Policy

Bob Boorstin is a director of public policy in the Washington, DC, office of Google, Inc., where he has developed the company's work on the global promotion of online free expression and works on a wide range of domestic and international issues. He has more than twenty years of experience in national security, political communications, public opinion research, and journalism. During the Clinton administration, he served in the National Security Council as the president's chief foreign policy speechwriter and later advised the secretaries of treasury and state. Prior to coming to Google, he established and ran the national security programs at the Center for American Progress, a leading Washington think tank. He has advised Fortune 500 companies and some of the nation's leading advocacy groups, and worked on more than a dozen political campaigns in the United States and abroad. Early in his career, he was a reporter for the *New York Times* and other publications.

Peter Matthews Cleveland is vice president of legal and corporate affairs and responsible for global public policy at Intel Corporation. He oversees a team of attorneys and policy professionals responsible for establishing favorable laws, regulations, and policies to enable Intel's global business success. Cleveland acts as the company's public policy liaison to foreign governments and regulatory bodies as well as the U.S. Congress and Obama administration in Washington, DC. He represents Intel on the boards of various trade associations and related organizations, including the Information Technology Industry Council, the Transatlantic Business Council, the Center for International Private Enterprise, the National Association of Manufacturers, and the National Committee on United States-China Relations. Cleveland joined Intel in 2008 from the office of California senator Dianne Feinstein, where he served as chief of staff. Previously, he worked as an attorney for a leading international law firm. He received his law degree from Georgetown University in 1997 and an undergraduate degree from Columbia University in 1987. He is a member of the New York and the District of Columbia Bars and the Council on Foreign Relations.

Craig James Mundie is senior adviser to Steve Ballmer, CEO of Microsoft Corporation. In this role, he works on key strategic projects within the company, as well as with government and business leaders around the world on technology policy, regulation, and standards. Previously, Mundie served as Microsoft's chief research and strategy officer, where he oversaw Microsoft Research, one of the world's largest computer science research organizations, and was responsible for Microsoft's long-term technology strategy, directing a number of technology incubations. For more than a decade, Mundie has been Microsoft's principal technology-policy liaison to the U.S. and foreign governments, with an emphasis on China, India, and Russia. He has served on the U.S. National Security Telecommunications Advisory Committee and the Markle Foundation Task Force on National Security in the Information Age. In April 2009, Mundie was appointed by President Barack Obama to the President's Council of Advisers on Science and Technology.

Samuel J. Palmisano was chairman, president, and chief executive officer of IBM Corporation from January 2003 through December 2011, and was senior adviser to IBM until his retirement on December 1, 2012. He was chairman of the board from January through September 2012. Under his leadership, IBM achieved record financial performance, transformed itself into a globally integrated enterprise, and introduced its Smarter Planet agenda. In a thirty-nine year career with the company, Palmisano held leadership positions that included senior vice president and group executive of the Personal Systems Group, senior vice president and group executive of IBM Global Services, senior vice president and group executive of Enterprise Systems, and president and chief operating officer. Among his many business accomplishments, Palmisano was awarded an Honorary Degree of Doctor of Humane Letters from his alma mater Johns Hopkins University in 2012 and from Rensselaer Polytechnic Institute in 2005. In 2006, he was awarded an Honorary Fellowship from the London Business School. Palmisano has received a number of business awards, including the Atlantic Council's Distinguished Business Leadership Award in 2009 and the inaugural Deming Cup, presented in 2010 by the W. Edwards

Deming Center for Quality, Productivity, and Competitiveness at Columbia Business School. He is also an elected member of the American Academy of Arts and Sciences and served as co-chair of the Council on Competitiveness's National Innovation Initiative.

Neal A. Pollard is a director in the forensics technology practice at PricewaterhouseCoopers, where he focuses on forensic investigations of cyber crime, economic espionage, and insider threats. He is also adjunct professor at Georgetown University. Previously, as a senior officer in the intelligence community, he served multiple managerial and operational counterterrorism assignments in the National Counterterrorism Center, the Office of the Director of National Intelligence, and the Central Intelligence Agency. He was director for counterterrorism on the staff of the U.S. Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism and was a member of the United Nation's Expert Working Group on use of the Internet for terrorist purposes. Prior to government service, he was vice president of Hicks & Associates and general counsel and board director of the Terrorism Research Center, a corporation he cofounded in 1996. He holds a number of academic affiliations, including senior fellow of the Cyber Statecraft Initiative at the Atlantic Council, senior associate at the Center for Strategic and International Studies, and board director of the Cyber Conflict Studies Association. He is a member of the Council on Foreign Relations, where he was an International Affairs Fellow, and is a member of the Virginia Bar.

Jonathan L. Zittrain is professor of law at Harvard Law School and the Harvard Kennedy School of Government, professor of computer science at the Harvard School of Engineering and Applied Sciences, and cofounder of the Berkman Center for Internet & Society. His research interests include battles for control of digital property and content, cryptography, electronic privacy, the roles of intermediaries within Internet architecture, human computing, and the useful and unobtrusive deployment of technology in education. He performed the first large-scale tests of Internet filtering in China and Saudi Arabia, and as part of the OpenNet Initiative, coedited a series of studies of Internet filtering by national governments. His book *The Future of the Internet -- And How to Stop It* is available from Yale University Press and Penguin UK—and under a Creative Commons license. He is a member of the board of directors of the Electronic Frontier Foundation and the board of advisers for *Scientific American*. He has served as a trustee of the Internet Society, and as a Forum Fellow of the World Economic Forum, which named him a Young Global Leader, and as distinguished scholar-in-residence at the FCC, where he chairs the Open Internet Advisory Committee.

Summary developed
to put reports and/or
requests in
context.

LifeCourse™

Brief Project Summary

A Supportive Care Approach for Patients Late in Life:

Creating a sustainable model of systematic care to improve the experience of patients,
their families, and caregivers

Background: The reason for this initiative

Individuals living with chronic illness in its later stages confront some staggering challenges:

- They and their families are often at a loss when seeking support within the U.S. healthcare system.
- Those who receive services enter a profoundly fragmented system in which the task of coordinating one's own care, or that of a loved one, is often overwhelming.
- Clinicians lack standardized, reliable systems to integrate late life supportive care services into primary care and other settings.

Goals

LifeCourse will build and test a person-centered approach that addresses these fundamental challenges. If successful, the trial will demonstrate the ability of this new care model to:

- Reliably address patients' and families' wishes and goals, reflecting the needs of the whole person,
- Improve overall quality of life for patients and families,
- Improve the care experience of individuals and their families

The secondary effects of LifeCourse should:

- Lower total costs of care as shared decision-making leads to more informed care decisions,
- Improve utilization of hospice while avoiding undesired hospital admissions, and
- Improve job satisfaction of doctors, nurses, and other team members.

The LifeCourse Model

Relationship is at the core of the intervention provided. All aspects of personhood, including physical, emotional, spiritual and social are explored with the individual and family within their cultural framework. As the relationship is formed and maintained, the LifeCourse team engages and activates individuals and their caregivers to realize their goals and receive the kind of care that honors their wishes and values.

Attention to the whole person in the LifeCourse model includes:

- Hearing the **story** of the individual through their eyes and those of their family, as it unfolds,
- **Individualizing care**, so participants get the care that accords with their values and wishes,
- **Creating an integrated plan**: The LifeCourse plan complements and enhances other plans of care.
- **Partnering** with our patients to share ownership and responsibility for navigating illness and facilitating wellness.
- **Communicating and coordinating effectively**: Goals and wishes are communicated across care settings.

- **Supporting self-care:** Making the tools and support necessary for whole-person wellbeing available to patient, family, and the care team.
- **Promoting societal acceptance:** Raising awareness and normalizing the conversation around serious illness and caring for those with serious illness.

Implementation: The team on the ground

The interdisciplinary team includes nine trained care guides, an RN, social worker, spiritual care provider, licensed marriage and family therapist, and pharmacist.

- ↓ The care guide and participant meet for an initial visit. A first set of goals is agreed upon.
- ↓ The care guide brings the results of the visit to the LifeCourse team, and a plan for meeting the goals is established.
- ↓ Through continued personal visits, the care guide works with the participant and family, coordinating with other health care and supportive services.
- ↓ Clinical experts from the LifeCourse team advise the care guide and participate in regular team conferences. They also provide direct care to participants on an occasional basis.
- ↓ Each domain (spiritual, physical, etc.) is addressed during course of care.
- ↓ The primary provider is kept in the circle of communication. Updates to providers include the participant's goals and values.

Study Design

1. The first (pre-pilot) phase will enroll 15-30 patients, predominantly from our long term care partners. The pilot phase begins in spring 2013, enrolling 250-500 patients, predominantly living outside long term care.
2. Participants will be identified using the electronic medical record with a diagnosis of heart failure, dementia, or stage 3 or 4 cancer.
3. Our referral sources are Abbott Northwestern Hospital and its hospital-based clinics, the Minneapolis Heart Institute, Virginia Piper Cancer Institute, Walker Methodist in Minneapolis, and Augustana Care Center in Minneapolis.
4. Participants and family caregivers will be enrolled and take baseline surveys. They will receive follow up surveys every three months. Progress towards participant-defined goals is recorded regularly for clinical use by the team and for research analysis later.
5. The business model will incorporate global costs of care, time analysis of the team's work, and defined cost avoidance, such as exchanging time in the hospital for time in hospice care.

Timeline

- January-October 2012 and ongoing: model development
- October 2012-May 2013 Pre-pilot phase, 15-30 participants
- June 2013-December 2014 Pilot phase, 250-500 participants

LifeCourse: Late Life Supportive Care (LLSC)
Robina Foundation Board Report
November 2013 Funding Request

At the July Robina Foundation Board meeting, the LifeCourse leadership was encouraged by Board members to fully finish model development and spend more time studying the current model before advancing into an expanded Phase II of the work. This appropriately alters the direction of the original proposal – the purpose of the third year of the overall timeline shifts from model implementation across Allina to deeper study of the Phase I model and further consideration of a transition into Phase II.

? in-
pilot
phase
model

Key activities for Year 3 (2014) include the completion of the Phase I model development and the beginning of analysis and study of Phase I results. Workflows and work processes associated with the full intervention will be finalized. Initially the proposal outlined the following timeline:

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- July – December 2012, patient/caregiver enrollment
 - January – December 2013, continued enrollment and project implementation
 - January – June 2014, analysis and Phase II development

Given an altered timeline for actual implementation, coupled with the recommendation from the Board for deeper study and preparation for transition, the current timeline is as follows:

- (
- July – September 2012, refinement of final design
 - October 2012 – February 2013, enrollment of pre-pilot participants and caregivers
 - March – April 2013, transition to pilot enrollment and refinement of processes
 - • May 2013 – June 2014, pilot enrollment and finalization of model
 - • July 2014 – December 2014, data analysis and study, development of transition phase plan

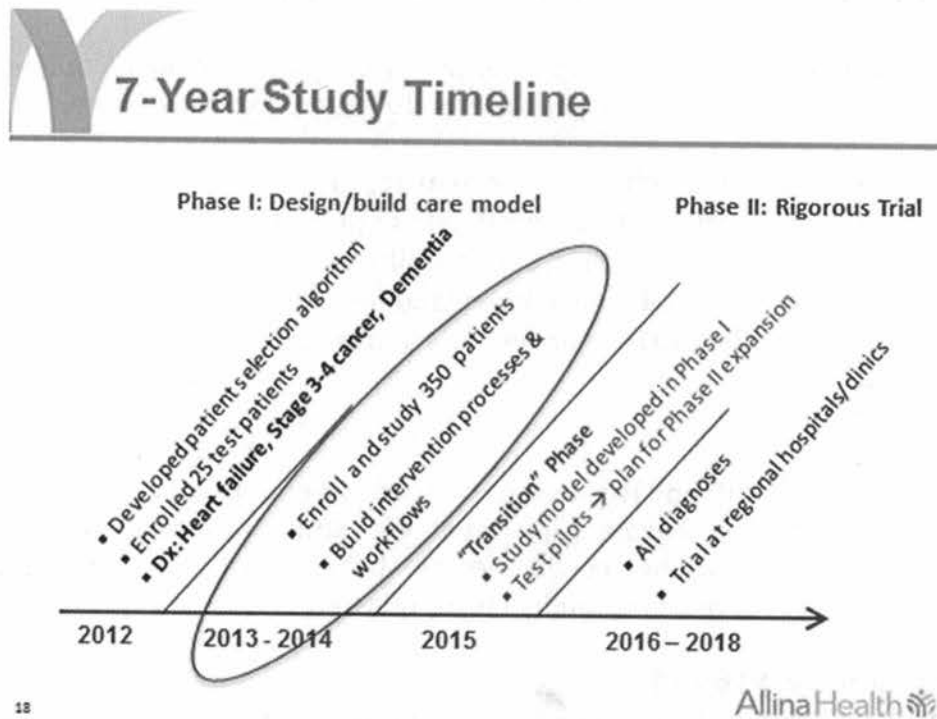
Because of the timeline shift and the need to fully prepare for a transition period before Phase II, the budget for Year 3 needs adjustment. We estimate approximately \$1.27M more than the original proposal will be needed to complete Year 3 activities. The estimated variance from our original proposal budget is as follows:

- Salary variance: **\$466,351**
 - Support for building out the intervention team: clinical project coordinator, process improvement manager
 - Additional investigator time required, as well as additional time for the roles of: senior scientist, informatics, research assistants
 - *Note that although the make-up of the LifeCourse care team differs slightly from the original proposal (care guides instead of RN care managers), the budgeted care team salaries contribute minimally to the salary variance.*

- Non-salary expense variance: **\$803,750**
 - Note that the original year 3 proposal only included enough funding for the tpt contract (\$216,720) and minimal food and supply costs (\$12,720).
 - Continued input from National Advisory Committee members, the Patient and Caregiver Advisory Council, long-term care partners, other media outreach, and bringing awareness of project to national conferences will be needed in Year 3 (\$350,000)
 - Research & care team support (\$453,750):
 - Ongoing training (domain work, shared decision-making, necessary professional development) (\$118,750)
 - Technology build and support (\$100,000)
 - Mileage to meet with participants/caregivers (\$130,000)
 - IRB fees and qualitative data transcription (\$105,000)

Request: Additional funding for 2014 to “close out Phase I”: \$1.27M

The February report will include a proposal for funding a “transition phase” (2015 – mid-2016) before launching Phase II (mid 2016 – 2018).



Respectfully submitted,

Eric W. Anderson, MD, Principal Investigator

Original Proposal Budget:

Budget Category/Item					2012	2013	2014	Total
PERSONNEL	Base Salary (Year 1)	% Effort	# FTEs	Staffing Ratio				
Late Life Supportive Care Managers								
Abbott Northwestern Hospital	\$85,000	100%	3	1:25	\$42,500	\$262,650	\$270,530	\$575,680
SCT: Augustana & Walker Methodist	\$85,000	100%	4	1:25	\$42,500	\$350,200	\$360,706	\$753,406
Core Interdisciplinary Team Members								
Social Worker	\$65,000	100%	2	1:70	\$32,500	\$133,900	\$137,917	\$304,317
Marriage & Family Therapist	\$85,000	100%	1	1:80	\$21,250	\$87,550	\$90,177	\$198,977
Primary Care Provider	\$180,000	5%	20		\$45,000	\$185,400	\$190,962	\$421,362
Pharmacist	\$120,000	50%	1	1:240	\$15,000	\$61,800	\$63,654	\$140,454
Chaplain	\$65,000	60%	1	1:80	\$9,750	\$40,170	\$41,375	\$91,295
Palliative Care Medical Director	\$190,000	10%	1		\$4,750	\$19,570	\$20,157	\$44,477
Volunteer Coordinator	\$55,000	50%	1	1:100	\$6,875	\$28,325	\$29,175	\$64,375
Research Team								
PI: Eric Anderson	\$210,000	50%/35%/35%	1		\$105,000	\$75,705	\$77,976	\$258,681
Co-I: Sandy Schellinger	\$115,000	75%/50%/50%	1		\$86,250	\$59,225	\$61,002	\$206,477
Co-I: Heather Britt	\$110,000	40%/30%/50%	1		\$44,000	\$33,990	\$29,175	\$107,165
Project Manager	\$85,000	100%	1		\$85,000	\$87,550	\$90,177	\$262,727
Research Manager	\$85,000	100%	1		\$85,000	\$87,550	\$90,177	\$262,727
Study Coordinator: ANW	\$70,000	100%	1		\$17,500	\$72,100	\$74,263	\$163,863
Study Coordinators: Augustana & Walker Methodist	\$70,000	100%	2		\$35,000	\$144,200	\$148,526	\$327,726
Data Analyst	\$75,000	100%	1		\$56,250	\$77,250	\$79,568	\$213,068
Research Assistant	\$60,000	100%	1		\$30,000	\$61,800	\$63,654	\$155,454
Additional Support Services for Patient								
Care Navigation & Triage						\$60,000	\$40,000	\$100,000
Translation Services					\$5,000	\$30,000	\$15,000	\$50,000
Technical & Analytic Support								
Clinical Decision Support	\$85,000	50%	1		\$42,500	\$21,888		\$64,388
Excellian Support	\$85,000	50%	1		\$42,500	\$21,888		\$64,388
Clarity Reporting	\$85,000	25%	1		\$21,250	\$10,944		\$32,194
Health Informatics Specialist	\$75,000	50%	1		\$37,500	\$19,313		\$56,813
Communications & Marketing	\$75,000	25%	1		\$18,750	\$19,313	\$19,892	\$57,954
Learning & Development					\$104,000			\$104,000
Benefits (29% of all above personnel)					\$300,331	\$595,161	\$578,277	\$1,473,769
University of MN Advisors								
Evaluation/Health Economics: Christianson		20%			\$75,000	\$77,250	\$79,568	\$231,818
Evaluation: Wholey		15%			\$37,500	\$38,625	\$39,784	\$115,909
Evaluation: White		20%			\$31,250	\$32,188	\$33,153	\$96,591
Research Assistant		100%			\$60,000	\$61,800	\$63,654	\$185,454
Consulting Resources								
Eric Coleman, MD, Technical Consultant					\$46,800	\$46,800	\$46,800	\$140,400
Expert Mapping					\$75,000	\$50,000		\$125,000
Clumsy Conversations					\$15,000	\$15,000		\$30,000
Adaptive Practice					\$15,000			\$15,000
Motivational Interviewing/Coaching					\$15,000			\$15,000
Shared Decision Making					\$25,000	\$15,000		\$40,000
Personnel Total					\$1,731,506	\$2,984,102	\$2,835,296	\$7,550,904
ADDITIONAL COSTS								
Per Patient Fund						\$300,000		\$300,000
Clinic Reimbursement for SC Visits	\$112.50/visit					\$90,000		\$90,000
Resource Materials Development					\$75,000			\$75,000
Printing					\$6,000	\$6,000		\$12,000
Patient & Family Advisory Council: Stipends					\$2,250	\$2,250	\$2,250	\$6,750
Training Stipends					\$138,000			\$138,000
Food					\$10,000	\$10,000	\$10,000	\$30,000
Furniture & Equipment					\$54,500			\$54,500
Research Support: IRB + SPA					\$10,000			\$10,000
Home Monitoring, Computer Access						\$100,000		\$100,000
Community Engagement Support								
Honoring Choices + TPT Partnership					\$314,440	\$753,140	\$216,720	\$1,284,300
Assessment Instruments					\$15,000			\$15,000
Additional Costs Total					\$625,190	\$1,261,390	\$228,970	\$2,115,550
					TOTAL PHASE I COST		\$9,666,454	

2012: Design & Build, 2013: Implementation, 2014: Continued Implementation & Analysis

2014 LifeCourse budget

November 12, 2013

Robina Foundation Board

Original		Proposed	
Personnel	2014	PERSONNEL	2014
Core Interdisciplinary Team Members		Care Team	
RNs (3) Abbott Northwestern Hospital*	\$270,529.50	Team Admin Assistant	\$36,000.00
RNs (4) SCT: Augustana & Walker Methodist*	\$360,706.00	RN	\$83,000.00
Social Workers	\$137,917.00	Social Worker	\$56,773.00
Marriage & Family Therapist	\$90,177.00	Marriage & Family Therapist	\$60,838.33
Primary Care Provider	\$190,962.00	Primary Care Providers	\$18,000.00
Pharmacist	\$63,654.00	Pharmacist	\$96,000.00
Chaplain	\$41,375.10	Chaplain	\$50,470.00
Palliative Care Medical Director	\$20,157.10	Care Guides (9)*	\$600,000.00
Volunteer Coordinator	\$29,175.00	Palliative Care Medical Director	\$19,000.00
		Care Team Management	
		Clinical Project Mgr	\$99,000.00
		Clinical Mgr	\$96,820.00
Research Team		Research Team	
PI: Eric Anderson	\$77,976.15	PI**	\$126,000.00
Co-I: Sandy Schellinger	\$61,001.75	Co-PI	\$92,000.00
Co-I: Heather Britt	\$29,174.75	Co-PI	\$50,400.00
Project Manager	\$90,176.50	Project Director: Kim Radel	\$89,600.00
Research Manager	\$90,176.50	Research Manager	\$96,000.00
Study Coordinator: ANW	\$74,263.00	Research Coordinator	\$50,000.00
Study Coordinators: Augustana & Walker Metho	\$148,526.00	Senior Scientific Advisor	\$92,000.00
Data Analyst	\$79,567.50	Senior Nurse Researcher	\$44,500.00
Research Assistant	\$63,654.00	Data Analyst	\$71,764.00
		Data Analyst	\$29,549.50
Additional Support Services for Patient		Admin Assistant	\$26,202.63
Care Navigation & Triage	\$40,000.00	Project Coordinator	\$95,000.00
Translation Services	\$15,000.00	Admin Project Coordinator	\$33,490.00
		Process Improvement Manager	\$105,000.00
		Design	\$42,500.00
Technical & Analytic Support		Technical & Analytic Support***	
Clinical Decision Support		Clarity Reporting	\$15,994.20
Excellian Support		Health Informatics Specialist	\$18,204.80
Clarity Reporting		Communications/Marketing	\$25,000.00
Health Informatics Specialist		Learning & Development	\$15,000.00
Communications & Marketing	\$19,891.88		
Learning & Development			
Benefits (29% of all above personnel)	\$578,277.39	Benefits @ 29% of above	\$647,714.54
University of MN Advisors		University of MN Advisors	
Evaluation/Health Economics: Christianson	\$79,567.50	Doug Wholey	\$320,000.00
Evaluation: Wholey	\$39,783.75	Katie White	
Evaluation: White	\$33,153.13	T and N Shippee	
Research Assistant	\$63,654.00	Research Assistant	
Personnel Total	\$2,788,496.49	PERSONNEL TOTAL	\$3,301,821.00
ADDITIONAL COSTS		ADDITIONAL COSTS	
Consulting Resources		Partners/Consulting Resources****	
Honoring Choices + TPT Partnership	\$216,720.00	tpt Partnership	\$216,720.00
		MinnPost/other media	\$150,000.00
Patient & Family Advisory Council: Stipends	\$2,250.00	Patient & Caregiver Advisory Council Stipends	\$1,000.00
		PCAC representation	\$5,000.00
		Walker Methodist	\$30,000.00
Eric Coleman, MD&other Technical Consultants	\$46,800.00	Augustana	\$12,000.00
Expert Mapping		C-TAC/CAPC	\$25,000.00
Clumsy Conversations		National Advisory Committee Meetings (3x/yr)	\$73,000.00
Adaptive Practice		Aspen Advisors	\$50,000.00
Motivational Interviewing/Coaching		U of MN RAs	\$10,000.00
Shared Decision Making		Education/Training:	
Per Patient Fund		Payment to Outside Vendors	\$15,000.00
Clinic Reimbursement for SC Visits		Internal Training Expense	\$35,000.00
Resource Materials Development		Other*****	
Printing		Mileage	\$130,000.00
Training Stipends		Resource Materials Development	\$20,000.00
Furniture & Equipment		Printing	\$10,000.00
Research Support: IRB + SPA		Training/Conferences	\$50,000.00
Food	\$10,000.00	Food	\$15,000.00
Home Monitoring, Computer Access		Furniture & Equipment	\$20,000.00
Assessment Instruments		Research Support - IRB	\$35,000.00
		Technology	\$50,000.00
		Transcription of Research Data	\$20,000.00
Additional Costs Total	\$216,720.00	Total Additional Costs	\$972,720.00
TOTAL FOR YEAR	\$3,005,216.49	TOTAL FOR YEAR	\$4,274,541.00

Variations from original proposal:

*Care Team members shifted from an RN staffed approach to a Care Guide staffed approach

**Additional investigator time from Eric Anderson, Sandy Schellinger, Heather Britt to continue model build and prepare for transition phase.

***additional data analysis: senior scientist, informatics, research assistants, process improvement

****Continued input from National Advisory Committee members, the Patient and Caregiver Advisory Council, long-term care partners, other media outreach, and bringing awareness of project to national conferences will be needed

*****Ongoing expenses (i.e., mileage reimbursement with 14 care team staff driving to patients' homes) to keep enrollments & data collection running through 2014, in original we anticipated having enrollments completed by end of 2013

Care COPILOT

Promoting the Inclusion of Laypersons on Care Delivery Teams

Robina Foundation Board 2013 Annual Report

October 29, 2013

Introduction

Two months ago, the Robina Board urged the Care COPILOT team to “think bigger” as we work to achieve our vision of broader incorporation of the layperson in the delivery of care. More specifically, the Board suggested that we propose additional strategies to accelerate the dissemination of the layperson model. Therefore, in addition to the usual update on our progress, we start this report with a description of work we are initiating in order to fulfill your request. This work will lead to the Care COPILOT team submitting a comprehensive proposal to the Board in April of 2014.

Background

In our report to the Board of nearly one year ago, we presented a vision for Care COPILOT:

We envision a day when laypeople are a routine part of the care delivery team; viewed by providers as an indispensable team member necessary to delivering better care; appreciated by patients and communities for the persistent personal connection they provide; and supported by payers, employer and policy makers for demonstrable results toward achieving the triple aim.

As part of the same report, we established three sequential areas of focus for the organization as illustrated below.

Focus 1: Promote broad awareness and adoption of the Care Guide program outside of Abbott Northwestern Hospital and Allina Health

Focus 2: Promote and support development of variations of the Care Guide model at Abbott Northwestern Hospital and Allina Health

↓ Out of scope ↓

Future State: Establish a national center for the study, promotion and dissemination of layperson adjuncts to care delivery

Stratified by the first two focus areas, we developed five goals:

- Disseminate the knowledge produced by the Care Guide research project to organizations at the local, regional and national levels.

- Facilitate the successful implementation of the Care Guide Model by providers outside the Allina Health organization.
- Design, develop and deploy new variants of the Care Guide Model.
- Facilitate the successful implementation of at least one of the new Care Guide Model variants in a provider organization outside of Allina Health.
- Seek and receive outside funding for the design, implementation and study of at least one of the new Care Guide model variants.

In the intervening year, we have achieved or made meaningful progress to achieve each of these goals (more in subsequent sections of this report.) In light of this progress, degree of interest in this program and at your urging, we intend to provide the board a comprehensive proposal to achieve a broader, national presence that will allow us to accelerate the pursuit of our mission.

This proposal will bring our third focus, originally deemed out of scope for Care COPILOT, to the forefront. Importantly, this action is not to deemphasize the other focus areas; rather, it is meant to accelerate their achievement, broaden the reach and deepen their impact.

Our Next Steps

In addition to continuing our work to extend this model to other provider organizations, we will be exploring and elaborating the content of a proposal that we will submit in April, 2014. Our work will be focused on understanding and establishing the viability of two complementary approaches.

Two Approaches for Accelerating our Mission

The two approaches under consideration are summarized below. While they achieve the same goal, they provide different strategies to create value in the market place. Being different strategies, we anticipate each would require different levels of financial support to implement, different team expertise and would support different needs of organizations that wish to adopt laypersons on their care delivery teams.

Membership-Based Institute to Promote the Inclusion of Laypersons on Care Delivery Teams

This approach focuses on convening organizations that have an interest in incorporating laypersons on care delivery teams in general. Convening organizations could include: 1) healthcare delivery systems, 2) health plans, 3) other organizations focused on improving quality and reducing the cost of healthcare. It would provide access to a network of experts, examples of layperson application, a knowledge base (research, standards, results), and other educational opportunities and services/products that revolve around successfully adopting laypersons into the care team. This approach will emphasize **access to the best knowledge** and **expertise**. While services will be included, they may not be the driver of the business model.

Products and Services for Organizations to Implement Laypersons on Care Delivery Teams

This approach focuses on **developing and implementing** a spectrum of layperson models (from the Care Guide model to custom models) in a variety of different settings, while staying true to the essence of what we believe allows laypersons to be effective members of care teams. In this instance, our business model will depend on selling our services to help others implement independently or with our expertise and technology. This direction does not require membership and will de-emphasize the need for a broad network in the form of an expert advisory panel.

Activities and Timeline

We will engage in work on different fronts to deliver a compelling proposal to the Robina Board. The components of that work and a timeline are defined below.

Components

1. Market Research

Care COPILOT staff will conduct research to identify national experts and institutions in the industry in order to assess their development processes and business models. The research component will be more focused in the beginning of the phase through December 2013 but will continue throughout the planning phase.

2. Expert Panel

Based on our research into the top experts and institutions, Care COPILOT staff will identify and convene an expert panel to meet in January 2014. The purpose of the panel is to gain targeted advice on how best to structure the organization and to develop innovative ways to expand the products and services offered by Care COPILOT.

3. Technology

We envision the need for a technology solution that supports organizations that are not as advanced as Allina in its use of an EHR and other health information technology nor could afford to independently develop the technology. This solution will likely have components that:

- Facilitates secure communication between patient, care guide and other clinic staff
- Collects information to evaluate program delivery and impact

Our Care COPILOT team will spend time to:

- Research existing solutions that we can use to support these actions
- Identify organizations that have the capability to develop this technology
- Refine the market need based on the spectrum current technology in provider organizations, care guide workflow, clinical goals and other unmet needs (i.e., electronic health record and/or patient portal).

4. Plan Development

Using the information gathered from research and the expert panel, the team will identify key success factors and a specific plan for the expansion and improvement of Care COPILOT. Plan development for our implementation proposal will take place throughout the planning phase, with an emphasis on February-April 2014.

Timeline

Research and identify experts and institutions	November 2013 - ongoing
Contact possible expert panel members	November 2013
Initiate plan development	December 2013 - ongoing
Travel to expert institutions to learn about process	January 2014 - ongoing
Convene expert panel	January 2014
Technology exploration	November 2013 – February 2014
Finalize business plan	February – March 2014
Submit final proposal at Robina board meeting	April 2014

Care COPILOT Current Progress Report

Our Care COPILOT team continues to make significant progress towards promoting the inclusion of laypersons on care delivery teams. The team has expanded to include a senior evaluation specialist.

Vision Statement

We envision a day when laypeople are a routine part of the care delivery team; viewed by providers as an indispensable team member necessary to delivering better care; appreciated by patients and communities for the persistent personal connection they provide; and supported by payers, employer and policy makers for demonstrable results toward achieving the triple aim.

Mission Statement

Care COPILOT will promote Care Guide project knowledge by *disseminating* the concept, actively *facilitating* its adoption, fostering its practical evolution and *studying* its use.

Care COPILOT has concentrated our efforts in 2013 to make significant progress towards achieving Focus 1 (see visual on page 1). This report describes our progress and strategies toward achievement.

FOCUS 1

Promote broad awareness and adoption of the Care Guide Project outside of Abbott Northwestern Hospital and Allina Health

Goal 1: Disseminate the knowledge produced by the Care Guide Research Project to organizations at the local, regional and national levels.

Research Publication:

The research results from the Care Guide project's randomized control trial were published in the August issue of the Annals of Internal Medicine.

As a strategy to promote the recent publication in the Annals of Internal Medicine, we also coordinated with members of the press to release feature articles in tandem with the August publication of the Annals of Internal Medicine. Feature articles on the Care Guide Project are found in:

- The Star Tribune
- The Pioneer Press
- Stratis Health's Clinic Link Newsletter
- Nurse Zone
- MedicalResearch.com

An updated list of publications and presentations is listed in Appendix A. Research publications will continue to acknowledge and recognize the critical role the Robina Foundation has played in funding the initial Care Guide research and our ongoing Care COPILOT project.

Website:

The Care COPILOT website, healthcarecopilot.com, plays an important role in our strategy to promote awareness and adoption of the Care Guide Model to a broad audience of healthcare organizations and researchers, but also serve as a vehicle to help us better understand who is interested in our model. We can identify and target potential clients through the use of Google Analytics.

Care COPILOT's website has been linked to other websites to increase visibility and traffic flow. The following highlights how visitors have found our website.

- 10 referrals from LinkedIn
- 39 referrals from the RARE campaign site
- 154 referrals from the Allina Health site
- 80 referrals from the Star Tribune site
- 379 searched Google
- 10 searched Yahoo
- **801 directly went to our site**

The website remains a central location for interested parties to glean additional details on the Care Guide Model and outlines Care COPILOT's product and service offerings for program implementation. The goals of the website are to educate healthcare organizations and researchers about the care guide concept, establish buy-in, and have organizations find value in purchasing our services. Care COPILOT will continue to acknowledge and recognize the critical role the Robina Foundation has played in funding the initial Care Guide research and our Care COPILOT project.

Recently added features to the Care COPILOT website include:

- A self-assessment survey—an eight question survey intended to help organizations gauge readiness for program adoption
- A care guide forum—a web-based medium for care guides to post questions and comments for other care guides in practice and intended to further support the role

Strategic Partnerships:

Another key strategy to the promotion of the Care Guide project is the strategic partnerships we have formed with the Institute of Clinical Systems Improvement (ICSI) and Stratis Health.

Institute of Clinical Systems Improvement

ICSI continues to be a key partner to disseminating Care Guide project knowledge. In May 2013, the care guide model and research results were presented at their annual colloquium, reaching an audience of approximately 500 health care professionals from Minnesota and surrounding areas. In addition to aiding our dissemination efforts, we are exploring a potential partnership with ICSI to develop a comprehensive care guide training program to further enhance our Care COPILOT service offerings.

Stratis Health

The care guide model and research results have recently been featured in Stratis Health's Clinic Link newsletter, reaching approximately 900 health care professionals. In addition, the care guide model and Care COPILOT's website were highlighted in a recent issue of their Reducing Avoidable Readmissions Effectively (RARE) Report, reaching 1,210 health care professionals. As an organization having an extensive reach to providers in rural areas, we will continue to partner with Stratis Health to disseminate the care guide model through their newsletter publications. Furthermore, we will be working with their team to create a webinar that provides an introduction to the care guide model, and offered to their membership base.

Goal 2: No later than one year after establishing Care COPILOT, at least four independent, non-Allina Health provider organizations will have deployed care guides onto their existing care delivery teams in the primary care setting. The adoption of the care guide must be as a direct result of applying our knowledge dissemination and/or support services in those organizations.

Implementation Outreach Efforts:

As a result of our initial efforts to increase knowledge of the Care Guide Project, our Care COPILOT team has engaged in conversations with multiple organizations to deploy the care guide model.

Secured Contracts	Pending Contracts	High Potential
• Southside Community Health Services • Hutchinson Health Center	• Children's Hospitals & Clinics of MN, Sickle Cell Clinic • Veterans Affairs Medical Center (Palo Alto, CA)	• OSF Medical Group (Chicago, IL)

Southside Community Health Services

As a local federally qualified health center (FQHC), Southside Community Health Services struggled with finding a cost efficient method to increase patient care coordination. Upon learning about the Care Guide Project, Southside now has a care guide in practice to help meet the Minnesota Department of Health's Health Care Home certification requirements. Our Care COPILOT team provided Southside with the Care Guide Role Toolkit as a foundation for implementing the care guide role. As a result, Southside was able to submit various reference documents, included in the toolkit, to fulfill certification requirements. Beyond obtaining feedback from Southside on the effectiveness of the toolkit, Care COPILOT continues to have an ongoing relationship with their team to support in their care guide program.

Hutchinson Health Center

A regional healthcare system and an affiliate provider of Allina Health, Hutchinson Health will be purchasing Care COPILOT's consulting services to implement care guides in two of their primary care clinics. Care COPILOT will assist Hutchinson Health with care guide implementation and implementation as a means to fulfill Minnesota Department of Health's Health Care Home certification requirements. The planning phase will begin in November 2013 with the goal to have care guides in place mid-2014.

Children's Hospitals & Clinics of MN, Sickle Cell Disease Clinic

In July 2013, Care COPILOT submitted a proposal to a research team at Children's Hospitals & Clinics looking to improve care coordination for patients with Sickle Cell disease. Our proposal offers consulting services to help their research team implement a care guide to serve their clinic's patient population (~200 patients). The scope of our consulting services includes: providing care guide hiring guidance, designing and offering a comprehensive care guide training program, technical assistance, ongoing program support as care guides are operationalized in the clinic, and program evaluation development.

The research team included our proposal's components in their larger grant proposal to the Center for Medicare & Medicaid Services, and any decisions to fund the program will be provided in February 2014.

Veterans Affairs Medical Center—Palo Alto, CA

In September 2013, Care COPILOT submitted a proposal to a research team at the VA medical center in Palo Alto, CA. Researchers contacted Care COPILOT with interest in incorporating the Care Guide Model to serve their veteran patients. The scope of work Care COPILOT proposed includes: conducting an initial assessment of their current care coordination efforts, assisting with program planning, serving in an advisory capacity during their program development and training development phases, facilitating care guide training, assisting with the development of a program evaluation plan, and providing ongoing support as they operationalize care guides in their clinics. A decision to move forward with the proposal will be provided to Care COPILOT in November 2014.

Although disseminating the Care Guide Model through presentations, the website and newsletters reaches a broad audience, we continue to target Allina's CEO Summit Partners and the Allina Integrated Medical (AIM) Network participants. The care guide model and research results will be presented at an upcoming AIM network physician group meeting on October 31, 2013. This meeting will be Care COPILOT's first opportunity to address the network's members and will primarily focus on the Care Guide Model as an effective method to improve patient experience and care quality.

Enclosed with this annual report is an example of our Care COPILOT brochure we are utilizing to create awareness of our service offerings and engage leadership in dialogue with our Care COPILOT team.

Advisory Board:

The advisory board's initial meeting was convened on May 1, 2013, and a subsequent meeting was convened on August 12, 2013, with Kim Radel as the primary point of contact for board members and serving as an ex officio member. Members of the advisory board have been identified and listed within Appendix B. Members have been specifically chosen to help 1) ensure Care COPILOT activities move towards achieving its mission and vision, 2) represent needs of the external market, 3) define and advise the level of support services provided by Care COPILOT to Allina Health, and 4) facilitate connections with organizations seeking to include laypersons on care delivery teams. The advisory board's next meeting is scheduled for February 2014.

Care COPILOT Service Offerings:

We continue to offer a comprehensive collection of support and documentation materials for implementing the care guide model. For individuals looking to adopt the care guide model in their own organizations, our website serves as the springboard to learning of our service offerings. With the understanding that each organization will be at different stage of adoption, our services are categorized into three tiers of offerings:

- ***Starter Documents***—a free set of downloadable materials that are representative components of the Care Guide Project. Sample documents are intended for those just starting to investigate the care guide model
- ***Care Guide Role Toolkit***—a collection of documents designed and implemented in the original care guide model. The toolkit provides a step-by-step structure to program implementation and includes a user guide section that walks users through the appropriate use and unique considerations of included reference documents. As this toolkit was intended for those interested in self-guided program implementation, it is offered for a nominal fee (\$500) and includes a single hour-long guided consultation from Care COPILOT staff.

- **Consulting Services**—Care COPILOT will team with client organizations to customize a program implementation plan and support clients with operationalizing the created plan. Our consulting framework is offered under a fee-based structure and includes the following themes:
 - *Assessment and Implementation Services Design*: collaborate with organizations' leadership team to identify the specific goals of implementing the Care Guide Model and assess organizational structure and its ability to adopt the program. Care COPILOT will assist organizations in identifying the best served target population.
 - *Hiring Guidance*: Care COPILOT can provide suggestions and guidance in hiring for the care guide role in an effort to maintain the fidelity of the Care Guide Model.
 - *Training*: to address operational needs, Care COPILOT will work with organization leaders to build a comprehensive understanding of capabilities and benefits of the Care Guide Model. We also offer customizable training packages for care guides to meet the unique needs of the organization.
 - *Continuing Education Training*: Care COPILOT offers a membership-based program for organizations wishing to provide their care guides with continuing education and training. Continuous education of care guides is paramount in their continued success integrating into the health care delivery setting, providing quality patient care, and functioning within their scope-of-practice.
 - *Reporting and Evaluation*: Care COPILOT will work with organizations to integrate a program evaluation plan as it relates to patient care outcomes and overall care guide program effectiveness. Although it will be the responsibility of client organizations to collect program evaluation data, Care COPILOT will assist clients with data analyses and better understand the overall impact of results.
 - *Building Custom Solution*: Care COPILOT is dedicated to the evolution of the Care Guide Model. We will collaborate with external organizations looking to implement modifications of the Care Guide Model.

Lessons Learned:

- The Care COPILOT team found that due to Minnesota's progressive healthcare landscape, the team's efforts to disseminate knowledge and facilitate implementation of the Care Guide Model may gain greater traction outside of Minnesota.
- As Care COPILOT continues to learn about the potential need of the Care Guide Model outside the research setting, solutions to reduce cost of care while increasing revenue are a common thread in conversations with potential clients organizations.
- Promoting the adoption of layperson on care delivery teams requires Care COPILOT to actively continue researching and defining the Care Guide Model's total cost of care impact. In November, we will be partnering with Medica Research Institute to continue cost analysis of our randomized control study data and plan to submit a manuscript by mid-2014.
- Organizations inquiring about the Care Guide Model demonstrate a need for adopting specific elements of the model itself such as training modules and competency assessments, thus reaffirming the market need for Care COPILOT's products and services to be offered a la carte.
- As awareness is gained around the country on the care guide role, our team finds that those seeking to adopt the Care Guide Model aim to position the layperson role to fulfill a variety of emerging healthcare needs and initiatives, such as population health.
- Layperson roles and benefits are in the early stages of formation. Therefore, aggregating expertise in the form of an institute is likely to be useful to the marketplace.

Financials:

The Care COPILOT team continues to operate under budget. Key variants include:

- Space: Care COPILOT does not currently require space outside of the Allina corporate offices. This budgeted amount could shift into subsequent years as the operation expands.
- Website: Initial planning resulted in the current website design which fell under budget. Future website development, including testimonial videos, calendar of events and newsletter capability may shift into 2014.
- Although we did not budget for revenue in the first year, it is likely that we will receive a payment from our first client organization by the end of 2013, if not early 2014.

	YEAR-TO-DATE	ANNUAL BUDGET— 2013
REVENUE		
Robina Foundation	\$269,107	\$1,180,000
Revenue from Operations	\$0	\$0
Governmental Revenue	\$0	\$0
Private Foundation	\$0	\$0
TOTAL REVENUE	\$269,107	\$1,180,000
EXPENSES		
<i>Personnel & Fringe</i>		
Program Manager, Market Development & Evaluation Specialist, Dr. Adair	\$184,583	--
Clinical Lead	--	--
Business Consultant	\$24,738	
<i>Total Personnel & Fringe</i>	\$209,321	\$262,080
<i>Other Expenses</i>		
Implementation Award	\$0	\$0
Study Award	\$0	\$40,000
Space build-out	\$0	\$300,000
Lease	\$0	\$15,000
Website Development / Advertising	\$50,673	\$100,000
Supplies	\$4,496	\$5,000
Travel	\$4,059	\$0
Printing	\$558	\$5,000
<i>Total Other Expenses</i>	\$84,524	\$465,000
<i>Indirect Expenses (10%)</i>	\$0	\$451,208
TOTAL EXPENSES	\$269,107	\$1,178,288

Respectfully submitted,
Kim Radel, MHA, Operations Director

Appendix A. Presentations and Publications

Care Guide Research Project Presentations (2013)

Date	Meeting Title	Hosting Organization	Location	Audience
Dec 8-11	24 th Annual National Forum on Quality Improvement in Healthcare	Institute for Healthcare Improvement	Orlando, FL	Story Board - Health organization leaders, safety and quality professionals, providers, nurses
Nov 7-8	2013 MN Chapter Scientific Meeting	American College of Physicians, MN Chapter	Bloomington, MN	Internal medicine physicians
July 18	Minneapolis VA Hospital Research Conference	VA Medical Center	Minneapolis, MN	Internal medicine faculty and resident physicians
June 23-25	AcademyHealth Annual Research Meeting	AcademyHealth	Baltimore, MD	Researchers, providers, key decision makers
May 21	CMS Pioneer ACO Conference	Centers for Medicare & Medicaid Services	Washington, DC	ACO providers and leaders from across the country
May 6-8	ICSI Annual Colloquium	Institute for Clinical Systems Improvement	St. Paul, MN	Providers, researchers, health organization leaders
March 5	17th Annual Health Services Research Conference	University of Minnesota	St. Paul, MN	Researchers, health organization leaders

Media Coverage (2013)

Date	Publication	Coverage
August 16	Nurse Zone	"Non-clinical care guides vs. nurse navigators: is there room for both?"
August 15	MedicalResearch.com	"Primary care: adding laypersons to the team"
August 10	Minneapolis Star Tribune	"Health beat: care guides just what doctor ordered"
August 6	Saint Paul Pioneer Press	"Twin cities study finds patient fare better with care guides' help"
August 6	Clinic Link Newsletter (Stratis Health)	Care Guide Model & Care COPILOT
August 5	Allina Health Press Release	"Allina Health study demonstrates the value of a new type of clinic employee: a non-clinical care guide"
July 18	RARE Report (Stratis Health)	"Care COPILOT – Care Guide Model"
May 17	Healthcareix	"Using care guides could improve patient experience"
May 8	Minneapolis Star Tribune	"Care guides show another face of health reform in Minnesota"

Appendix B. Advisory Board Membership

Member Name	Title/Organization
Penny Wheeler	President & Chief Clinical Officer, Allina Health
Heather Britt	Director, Division of Applied Research, Allina Health
Karen Tomes	VP, Care Management & Patient Experience, Allina Health
Tomas Valdivia	Business Advisor, External
Deborah Elumba	Clinical Project Manager, Division of Applied Research, Allina Health
Robert Wieland	Executive VP, Ambulatory Care, Allina Health
Robert Stevens	Chief Executive Officer, Ridgeview Medical Center



Care Guide Model

*A new approach to improving care
for patients with chronic disease*

Care CoPilot™

Promoting laypersons on care delivery teams

Care Guide Model

Overview

Our rapidly evolving healthcare environment created a compelling reason to focus on improving patient care quality by introducing a new type of health care worker, a "care guide," into the primary care setting. The care guide role helps patients address issues deeply impacted by time constraints on primary care providers and an increasing need for personal interaction in primary care as a means for changing behavior. The results from the study proved that care guides helped to improve clinical outcomes by 34%.

The Research

The Care Guide Model was a randomized control trial that was conducted at six Allina Health primary care clinics where researchers assigned 12 care guides to work with 120-180 patients each. These patients had chronic diseases such as hypertension, diabetes, and congestive heart failure.

The goal of the study was to test whether the use of laypersons on care teams would help improve the achievement of disease-specific care goals based on evidence-based care guidelines. The overarching aim of the care guide intervention was to improve chronic disease management and empower patients to self-care.

The results of the Care Guide Research Project indicate that patients who received the assistance of a care guide experienced significantly improved outcomes.



A **care guide** is a non-clinically trained layperson having a collaborative role within a team-based clinical setting; and tasked with building longitudinal relationships with patients to help achieve evidence-based care goals.

The Numbers Behind the Model

34%

Care guides improved clinical outcomes by 34%

\$286

Care guides cost about \$286 per patient per year

94%

of providers & nurses felt care guides were an effective use of resources

"The care guides provide us with an easy, streamline way of quantifying the objective measurements that we'll need to make sure we are providing patients with the best quality of care. Its going to be particularly important in the upcoming years as we're judged on the quality of care we provide."

- Justin Birge, MD
Allina Health

"I like working with a care guide because she's personal. She's very good at what she does. She helps answer my questions and if she can't answer them, she finds an answer for me and she gets right back to me."

- Anonymous Patient

Care COPILOT™ can help you implement the Care Guide Model

Getting Started

Care COPILOT™ has created a comprehensive collection of Care Guide Model support materials designed to respond to different learning situations, accommodate various knowledge levels, and help healthcare professionals facilitate Care Guide Model implementation discussions.

Starter Documents

Free introductory sample documents available on our website www.healthcarecopilot.com

- Job Description
- Training Curriculum Outline
- Patient Education Samples
- Care Contract Samples

FREE

Care Guide Role Tool-kit

A comprehensive set of sample documents and processes for self-guided implementation of the Care Guide Model

- 2 hrs. Technical Assistance
- Disease Education
- Care Contract Goals
- Patient Enrollment
- Evaluation Guidelines

\$500

Consulting Services

Hire us to help set up your Care Guide Model program

- On-going Customer Support
- Hiring Guidance
- Training
- Evaluation and Reporting
- Continuing Education

Custom Quote

Additional Layperson Implementation Support

Care COPILOT™ is dedicated to the evolution of the Care Guide Model. We will collaborate with external organizations looking to implement modifications of the Care Guide Model as our team continues researching and validating the effectiveness of variant layperson roles within our parent organization.

Assessment & Implementation Services Design

Care COPILOT™ project experts work collaboratively with your organization's leadership team to identify specific goals for implementing a layperson role, and help to assess your organizational structure and its ability to adopt the program.

Hiring Guidance

Our team at Care COPILOT™ will provide suggestions and guidance in hiring for the layperson role.

Reporting & Evaluation

Care COPILOT™ will work collaboratively with organizations to develop an evaluation plan that measures effectiveness for program improvement purposes.

Training & Continued Education

Care COPILOT™ will customize training packages for laypersons to meet the unique needs of your organization.

Working on becoming a Patient Centered Medical Home?

Our Care Guide Model supports the Minnesota Department of Health's certification process and has been a valuable investment to organizations going through this process. Through the use of our Care Guide Model Tool-kit & User Manual your organization will have several tools at hand and the support you need for a smooth and easy certification process.

Care CoPilot™

Promoting laypersons on care delivery teams

About Care COPILOT™

Care COPILOT™ is dedicated to the prevention and management of chronic illnesses while enhancing the health of individuals, families and communities. The creation of Care COPILOT™ arises out of a research study conducted in collaboration with Allina Health and the University of Minnesota School of Public Health, with funding support from the Robina Foundation.

The goal of Care COPILOT™ is to disseminate the research surrounding active care management models and facilitate the adoption of the Care Guide Model on care delivery teams.



Learn more about care guides today!

Haley Barton

haley.barton@allina.com

www.healthcarecopilot.com

"Our mission is best served by continually supporting patients in their care and lifestyle choices and enabling the patients themselves to be the principal agents in their healing."

- Penny Wheeler, M.D.
Chief Clinical Officer
Allina Health

University of Minnesota Law School

**Annual Report to the Robina Foundation on
The Robina Scholarship Match Program
Update on Robina Scholarship Donations and Scholarship Awards
May 1, 2013 – September 30, 2013**

The Robina Scholarship Program has been a great success among Law School alumni and friends. Since our first commitment received in May 2011, we have received commitments of \$300,000 for Robina full scholarships from 5 distinct donors and \$442,553 for Robina partial scholarships from 27 distinct donors.

During the 2013-2014 academic year, 4 students are receiving support in the form of Robina full scholarships, while 26 students are receiving Robina partial scholarships.

This matching gift program is appealing to donors and provides a strong incentive for giving to support students at the Law School. Since our last report, one new donor has pledged \$15,000 for Robina partial scholarships. This donor was inspired by the impact on students of an endowed scholarship commitment just completed, and was pleased to be able to double his impact with a new commitment to the Robina Scholarship Program.

Also since our last report, one new donor has pledged \$60,000 for Robina full scholarships. This donor, who has just completed a Robina partial scholarship commitment, was similarly inspired to begin a new Robina full scholarship to take advantage of the matching component. We are confident that this matching opportunity will continue to motivate donors.

Under the leadership of new Director of Advancement Michael Tompos, the Robina Scholarship Program continues to be a centerpiece of the Law School's solicitation strategy for alumni and friends. Going forward, Robina scholarships are primary talking points for fundraising staff and an important motivator for gift prospects. The Robina Scholarship Program also is featured in our reunion giving appeals. In addition, all of our fundraising volunteers have been trained to promote the Robina Scholarship Program in their peer-to-peer fundraising efforts.

An income and expense statement for the past year is attached. As always, we are very grateful to Jim Binger and the Foundation for their support.

ROBINA SCHOLARSHIP FUND

Reporting Period

7/1/2012-6/30/2013

	FY 2013
	Class of 2015
	ACTUAL
Full Scholarships (8612)	
Class of 2014 (2)	20,000
Class of 2015 (2)	40,000
Partial Scholarships (8611)	
Class of 2014 (16)	75,000
Class of 2015 (8)	40,000
Subtotal	175,000
ROBINA MATCH (8569)	175,000
SCHOLARSHIP IMPACT	350,000

University of Minnesota Law School

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ROBINA MATCH (8569)	175,000
SCHOLARSHIP IMPACT	350,000

Summary to accompany
all repts.

The Robina Institute of Criminal Law and Criminal Justice
University of Minnesota Law School

Program Summary
October 29, 2013

The Robina Institute of Criminal Law and Criminal Justice was created in fall 2011 with a \$4.5 million gift from the Robina Foundation; that financial support was augmented with an additional \$4.5 million gift for the Institute's Sentencing Law Program in spring 2013. The original plan for the Institute is laid out in a series of proposals to the Foundation, in particular a May 5, 2011 proposal.

Vision. The Institute will spur important changes in criminal law theory, doctrine, and practice, strengthen the Law School's faculty and curriculum, create new educational opportunities for students, and enhance the Law School's stature and visibility.

Context. American criminal justice systems have become unjust, overly expensive, unnecessarily severe, and too often indifferent to the needs and interests of victims. With an imprisonment rate eight times higher than the average of other developed countries, the United States has long since lost its past status as an exemplar of criminal justice policies. But there is a window of opportunity for transformative change, as policy makers across the political spectrum recognize that present approaches are inadequate or counterproductive. As an academic enterprise, the Institute can best support criminal justice reforms by conducting and disseminating cutting-edge policy-oriented research, building a network of researchers and practitioners to exchange information and ideas, and working with sentencing commissions, judges, practitioners, legislators and others to implement evidence-based changes to the criminal justice system.

Goals. Through its program areas in criminal justice policy, sentencing and punishment, and criminal law theory, and in collaboration with a wide range of partners, the Institute pursues three principal and interrelated goals:

- Promote systemic reforms that will make American criminal justice fairer, less costly, and less onerous;
- Foster development of more rational, fair, just, and effective sentencing laws and policies; and
- Rethink basic assumptions about the proper scope of criminal law, the criminal process, and the principles of criminal liability.

Structure. The Institute is organized into three program areas (policy, sentencing, and theory), each with one or more directors. Two of the three streams (sentencing and theory) have external co-directors. Institute faculty include Michael Tonry, Antony Duff, Richard Frase, Kevin Reitz, Barry Feld, Perry Moriearty, Neha Jain, Francis Shen, and Mark Kappelhoff, as well as visiting faculty and fellows. Institute staff include an executive director, a post-doctoral research fellow, a program associate, a cohort of law student research assistants, and several new hires in connection with the SLP program augmentation. Few if any other law schools host such an impressive concentration of criminal law expertise.

Website. The Institute's website appears at <http://www.robinainstitute.org/>.

Measures of Success. The May 2011 proposal set out a number of possible internal and external measures of success. Appendices B-D set out specific priorities for each program area and rough timelines for pursuing those priorities. Priorities and timelines for the Sentencing Law Program have been further developed and presented to the Foundation as part of the Institute's augmentation proposal and are included as Appendix 7 to the activities report that accompanies this summary.

External measures. The activities report reflects an extraordinary level of productivity relative to the priorities set out in the original and augmentation proposals. Specific products include two Model Penal Code drafts (which are extraordinarily influential in state criminal law systems), 21 books, and numerous articles on the issues identified in our original proposal (a full list of published books is available at <http://www.robinainstitute.org/publications/>), and 22 conferences and workshops that have brought together large numbers of academics, practitioners, and policy makers. While the impact of conferences, books and articles is difficult to quantify, that impact should not be discounted. For example, two of Michael Tonry's prior books--"Malign Neglect: Race, Crime, and Punishment in America" and "Sentencing Matters"--are each the most cited books on their subjects, by a wide margin; both have strongly influenced thinking in those fields.

One area in which we have diverged from our original proposal involves the policy program area. We originally contemplated creation of a privately financed national commission on U.S. criminal justice policy. As noted in our activities report, however, the MacArthur Foundation launched a major project on criminal justice policy reform. Accordingly, it made more sense to work with MacArthur than launch a separate commission. Michael Tonry is therefore working on the MacArthur project as an advisor and contributing author. At the same time, the policy program area continues to work on other program priorities identified in our original proposal.

Internal measures. The May 2011 proposal also set out a number of internal measures of success, including:

- *Faculty Appointments.* As proposed, we have hired two outstanding junior scholars-- Neha Jain and Francis Shen, and one outstanding clinical faculty member, Mark Kappelhoff, and all are contributing greatly to the work of the Institute.
- *Visiting Faculty and Research Fellows.* As proposed, we have augmented the Institute's core staffing with a series of outstanding visiting faculty and research fellows: <http://www.robinainstitute.org/visiting-professors-fellows/>.
- *Student Opportunities.* As proposed, we have engaged a series of students as research assistants and conference participants, and added new courses and seminars to the curriculum.
- *Annual Conferences.* As proposed, we have held major annual conferences and a host of smaller conferences and workshops each year.
- *Communications and Website.* As proposed, we have disseminated the Institute's work widely, through publications, targeted mailings, conferences, and the Institute web site.

We believe the Institute has exceeded substantially the goals set in 2011 for the Institute's first two years. The research, publication, and conference activity has been extraordinary, and we believe will have lasting effects on shaping U.S. criminal law and policy. The Institute has also built a transnational network of academics, practitioners, and policy makers and provided a nexus for discussion and exchange of ideas that should grow as the Institute matures.

University of Minnesota Law School

**Report to the Robina Foundation on
The Robina Institute of Criminal Law and Criminal Justice
October 29, 2013**

Annual Report: Year 2 (2012-2013)

Program Area 1: Criminal Justice Policy

Goals and Objectives.

The work in this Program Area aims to contribute to a major rethinking and restructuring of the American criminal justice system, with particular emphasis on reduction of the mass incarceration that has produced an American imprisonment rate approaching 800 per 100,000 population, eight times higher than the average of other developed countries. The roles the scholarly community can best play in these processes are to advise policy makers, distill current knowledge, from which any evidence-based solutions must arise, and test possible effects of policy proposals.

Activities.

Six discrete projects now comprise our work in this Program Area. Progress has been made in each project during the second year, and plans are underway for activity in most projects in coming years.

1. *Commission on American Criminal Justice Policy.* Assessing the feasibility of organizing a privately funded national commission on criminal justice policy in the United States was a priority project described in earlier reports to the foundation. However, the John D. and Catherine T. MacArthur Foundation has since established a major program on criminal justice policy reform. (Michael Tonry has been serving as an advisor to the MacArthur Foundation.) Among its activities is support of a National Academy of Sciences Committee on the Causes and Consequences of High Rates of Incarceration. Professor Tonry is a member of that committee and author of its final report's chapter on criminal justice and sentencing policy. He is co-author of chapters on the social, cultural, and political causes of mass incarceration and on the committee's policy recommendations. The committee's report was completed in mid-summer 2013 and is under review by subject matter experts. It will be released early in 2014.

The report and its findings will be promoted by the Communications Office of the National Academy of Sciences. Academy reports are widely reported and discussed in print media and are often the subjects of editorials in leading national newspapers.

2. *American Criminal Justice Policy since 1975.* This project aims to document interactions between knowledge derived from social science research and the making of criminal justice policy since 1975. Original articles were commissioned from senior scholars, in most cases the leading figures in their fields, on central policy subjects: guns and violence, drug control, deterrence of criminal behavior, treatment and rehabilitation, youth violence, longitudinal and experimental research, policing, and sentencing. Drafts were presented at the

First Annual Robina Conference, on “Crime and Justice in America, 1975-2025,” in April 2012. Most of the expenses for the conference were paid from a grant obtained from the National Institute of Justice, U.S. Department of Justice. The drafts were subsequently discussed at a private scholarly conference attended by the authors and 15 other leading subject matter experts. Most of the drafts were subsequently revised before being sent in each case to at least two and sometimes three paid referees. They were all substantially revised yet again. The resulting book, *Crime and Justice in America, 1975-2025*, edited by Michael Tonry, was published by the University of Chicago Press in September 2013 as part of Chicago’s *Crime and Justice* series. See Appendices 1, 2.

The National Institute of Justice, U.S. Department of Justice, is publishing a spin-off series of 1000-1500 word publications, available electronically and in hard copy, based on the articles in the book, under the series title, “Five Things Everyone Should Know about [e.g., Drug Policy].”

3. *Race, Ethnicity, Immigration, and the Criminal Justice System*. This project builds on Michael Tonry’s *Punishing Race—A Continuing American Dilemma*, published in 2011 by Oxford University Press. That book exhaustively examined racial differences in criminality and racial disparities in case processing in the United States. The aim of the new project was to produce an authoritative summary of knowledge of the tortured interactions among race and crime, ethnicity and crime, and immigration and crime in the United States and other developed countries. Thirty-three survey articles were commissioned from leading scholars in the United States and elsewhere. The resulting book, *The Oxford Handbook of Ethnicity, Crime, and Immigration*, edited by Michael Tonry and Sandra Bucerius (a young German ethnographer at the University of Alberta), will be published by Oxford University Press in November 2014. See Appendices 3, 4.

The volume *Crime and Justice in America, 1975-2025* has exceeded our expectations in terms of its quality and the degree of engagement it elicited from world-class scholars, suggesting that similar initiatives on other important subjects should be attempted. We have organized a follow-up entitled *Race and Crime in America, 1950-2025*, and have commissioned articles from America’s leading majority and minority scholars on the histories and current understandings of various facets of “race and crime.” There will be a May 2014 Minneapolis draft conference to discuss drafts. The subsequent process will parallel our handling of *Crime and Justice in America, 1975-2025*. The book will be published by the University of Chicago Press.

4. *The Evolution of Judicial and Prosecution Systems in Developed Countries*. This comparative project aims to achieve improved understanding of differences between national judicial and prosecution systems, and the differences those differences make. In the first phase, papers were commissioned on the prosecution systems of three American states (North Carolina, Washington, Arizona), five European countries (Italy, the Netherlands, Poland, Sweden, Switzerland), and Japan. Drafts were discussed at an April 2011 conference in Minneapolis attended by the authors, other leading prosecution scholars from the United States and elsewhere, three American district attorneys (Milwaukee, Minneapolis, Anoka County), and the Irish Director of Public Prosecutions. All the articles underwent major subsequent revisions. The

resulting book, *Prosecutors and Politics in Comparative Perspective*, edited by Michael Tonry, was published in December 2012 by the University of Chicago Press. See Appendices 5, 6.

Explorations are starting with Central European University in Budapest and the Open Society Foundation about a follow-up project, conference, and volume on the development of judicial and prosecution systems in eastern and central Europe since the collapse of the communist regimes. Planning discussions have been held with Judge Miklos Levay of the Hungarian Constitutional Court and Professor Krzysztof Krajewski of Krakow University. Judge Levay is chair of the board of directors of the UN crime institute in Helsinki and is exploring part sponsorship by that institute.

5. *Explaining Declining Crime Rates in Western Countries*. Crime rates have been falling in the United States and other developed Western countries since the early 1990s. Crime rates also fell in Western countries for which reliable data are available between 1830 and 1950, and rose in all between the 1960s and 1990s. This exploratory project, to our knowledge the only one of its kind anywhere, is attempting to document and explain those patterns. A multi-disciplinary and multi-national group of economists, statisticians, historians, operations researchers, and others has held three meetings in Amsterdam (supported by a Dutch National Science Foundation research center) and Bologna, Italy to discuss successive drafts of commissioned papers. The resulting book, *Why Are Crime Rates Falling?*, based on papers from the three meetings and edited by Michael Tonry, will be published by the University of Chicago Press in late summer 2015.

6. *American Sentencing Policy*. This project examines the causes and consequences of changes in American sentencing policies and practices, and in prevailing ways of thinking about crime and criminals, since 1960, and sets out proposals for fixing sentencing systems that almost all knowledgeable people agree are broken. The project is in effect an extension of the National Academy of Sciences' work described in item 1.

There will be two major components: one book on sentencing policy and a second on sentencing and punishment theory. Substantial parts of each have been completed. A draft of the policy book, tentatively entitled *Sentencing Reform in America, 1975-2025*, will be discussed at a Robina Institute Book Conference in November 2013. The book will be published by Oxford University Press in autumn 2014. The sentencing theory book will be completed in spring 2014 and published later that year or early in 2015.

Program Area 2: Sentencing Law and Policy (SLP)

Goals and Objectives.

The SLP seeks to influence and promote large-scale, systemic improvements in sentencing law and policy in two ways: by providing assistance directly to individual jurisdictions and law reform organizations; and by producing, encouraging, collecting, and disseminating policy-relevant research about the operations and effects of sentencing systems in

the United States and elsewhere, and the effects of these systems on public safety, sentencing proportionality, racial and ethnic disparities, and imprisonment rates.

Activities.

1. *2nd Annual Robina Conference: American Exceptionalism in Crime and Punishment.* April 2013. The theme of the conference was that American criminal justice policy diverges from that of other Western nations even more than is commonly recognized, and that US policymakers can benefit from a close examination of other systems. Ten papers were commissioned from American and European experts in history, political science, economics, criminology and law. All authors presented original research and were instructed to focus on the policy implications of their work. The conference began with a large public meeting. The papers were then subjected to closer examination in workshop meetings and they are undergoing further revision prior to publication in book form, probably by Oxford University Press, in 2014.
2. *Collaboration with NASC.* Professors Kevin Reitz and Richard Frase, co-Directors of the Institute's work in this Program Area, continued their collaboration with the National Association of Sentencing Commissions (NASC). A major near-term component of this collaboration, designed to strengthen the Institute's ties to NASC and its member commissions, involved jointly planning and hosting NASC's 2013 annual meeting. The meeting was held at the University of Minnesota Law School, on August 4-6, 2013. Over 120 people attended, including representatives from 21 states and the federal court system -- sentencing commission members and staff, independent researchers, and practitioners. Original research papers were commissioned and presented on topics of mutual interest to NASC members and Institute faculty. Two of these topics -- sentence revocations and criminal history enhancements -- relate directly to near-term projects for which augmented funding was obtained in May of this year (see further reports on those projects, below). The commissioned papers are being revised in light of comments obtained at the conference, and will be published next year in the *Federal Sentencing Reporter* (a journal widely read by practitioners as well as academics).
3. *Model Penal Code.* The largest installment of the Model Penal Code revision project has been Tentative Draft No. 3 on "offenders in the community"—now two years in the making, and begun with a Robina Institute-sponsored meeting of national experts in December 2011. The draft covers subjects of diversion, deferred adjudication, probation, economic penalties, post-release supervision, sentence revocations, and collateral consequences of conviction. The current draft will be presented for approval (it must be approved by two different bodies within the American Law Institute (ALI)) in October 2013 and May 2014. The draft has already received national attention, including a favorable editorial in the *New York Times*. As the current draft moves toward adoption by the ALI, a fourth and final draft will get underway—on the procedural aspects of sentencing decisions and victims' rights of participation—starting with another Robina-sponsored meeting of experts to be scheduled in Spring 2014.
4. *Ongoing work with sentencing commissions in and outside the U.S.* A core mission of the Institute's SLP program remains the provision of pro bono services to sentencing commissions in all jurisdictions in which they have been formed, and the encouragement

of similar reforms in other jurisdictions. This represents a policy commitment on the part of SLP that the sentencing-commission model (pioneered in Minnesota) has been the most promising avenue of comprehensive sentencing reform to emerge in the 20th century. Professors Frase and Reitz, on formal and informal bases, have worked closely with the Minnesota Sentencing Guidelines Commission on a number of projects over the past 12 months, including an ongoing consideration of how criminal history is treated in the Minnesota Sentencing Guidelines, and an initiative to reconsider Minnesota's drug sentencing guidelines for 1st and 2nd degree controlled substance violations. The Chair of the Minnesota Sentencing Commission and one Commissioner have been Robina Fellows over the past academic year. Beyond the 2013 NASC meeting, Professors Frase and Reitz remain in close contact with NASC and have begun planning discussions for a first-ever international meeting of sentencing commissions (or analogous bodies), to be coordinated with Oxford University.

2. *SLP sentence revocations project.* SLP has hired Ronald Corbett to serve as Project Director for the probation and parole revocations project. Corbett recently stepped down as Commissioner of Probation in Massachusetts, and is a national leader in the probation field. Cecelia Klingele of the University of Wisconsin has agreed to serve as outside academic adviser. Initial meetings were held in Minneapolis in August and September, and the process of selecting participant states is well underway. National research intended to aid this effort, and to culminate in a publishable year-one report, is also underway. To exploit our deep connections in Minnesota and Massachusetts, those two states will be among those we select for close collaboration. The goal of the project is to encourage states to re-examine their sentence revocation practices, and to find ways, consistent with public safety, to make more sparing use of prison as a sanction for probation and parole violations. We aim toward long-term reforms rather than quick fixes (too much in vogue in the current climate of budget distress).
4. *SLP paroling states project.* The Institute's SLP is in the process of hiring Edward Rhine to serve as consultant to this project. Rhine will step down later in the year as Deputy Director of the Ohio Department of Corrections. He is an experienced practitioner, a PhD social scientist, and a well-published author on the subject of parole and prisoner reentry. Rhine may well serve as Project Director, but this is still in negotiation. The initial stage of this project will be the building of an organizational base from which to launch reform projects relevant to paroling states. While SLP has deep connections in sentencing-commission states, we lack networks among responsible policymakers in parole-release jurisdictions. While building these relationships (akin to those we have established through NASC), we will be asking participant states to help us identify reform projects that will be of most use to them. Possibilities include a reworking of release guidelines to promote less open-ended decision-making, and quality control in the use of risk assessment instruments at the release stage. While we see large needs in these areas, we mean to develop a balanced dialogue with participant states. (Our ongoing criminal history and revocations projects resulted from such a process with sentencing-commission states.)
3. *SLP sentencing reform repository project.* The first steps in launching this project have involved a careful assessment of who we expect to use the repository (they will be a very

diverse group), what kinds of materials we are likely to be able to provide them (also very diverse, and voluminous), and how the web site should be structured from a technical perspective, to maximize its usefulness. The IT/web staffer whom we will soon hire (see SLP section 9, below) will be responsible for all the technical details of the repository's design, but we could not hire and instruct this person, or even know what to put in the position description, without considerable planning of the repository's contents, and review of the kinds of content-management software currently in use at the University and elsewhere. Working with consultant Don Steman (Loyola-Chicago), the Law School web manager, and other advisers we have now completed these preliminary steps, and have posted the position. As we complete the hiring process we will also continue our research into the kinds of materials that will be available for immediate and later inclusion in the repository (starting with materials that are already on-line at sentencing commission and other sites; however, some of these materials will need to be reformatted to make them easier to search and download).

- ① 8. *SLP criminal history project.* This project is analogous to the revocations project described in SLP section 5 above – it aims to encourage states to re-examine their criminal history sentencing enhancement formulas and to make sure that these enhancements are achieving their public-safety and other purposes in a fair and cost-effective manner. Professor Julian Roberts of the University of Oxford, who is probably the leading expert on criminal history enhancements, will likely be closely involved with the future planning and activities of this project. Additional staff who have been or will be hired to work partly or entirely on this project include Law School research assistants, a post-doctoral research fellow, and a research staffer. We have already made substantial progress toward our year-one goal of completing a comprehensive, publishable study of criminal history formulas found in American sentencing guidelines systems and other American sentencing laws. This research base will permit us to identify states that are likely to be interested in and benefit the most from reassessment of their criminal history enhancement formulas. We will then approach these states and offer to work with them on such reassessments.
9. *Other SLP staffing.* In addition to project-specific personnel mentioned above, the SLP augmentation grant contemplates the hiring of several staff members who will work on multiple projects. An administrative support staffer began work in September, and we are currently taking applications for the IT/web staff position. Given academic schedules, the Fall is generally the best time to advertise for post-doctoral research staff, so we will soon be posting position descriptions for two of these positions (one supported by augmented SLP funding, the other by the original Robina Institute grant). As soon as plans firm up on the four projects reported in SLP sections 5 to 8 above, we will draft and post position descriptions for the two research staff positions supported by augmented SLP funding. Space for the new staff has been provided on the Plaza level of the Law School, in the concourse area where other institutes have their office suites.

Timelines for the work in the SLP Program Area are attached as **Appendix 7**.

Program Area 3: Criminal Law Theory

Goals and Objectives.

Under Antony Duff's directorship, this Program Area aims to bring practitioners and academics into productive collaboration around some of the deeper problems that plague policy and practice in this field. In particular, this program area seeks to stimulate and disseminate new thinking on the proper scope of the criminal law, the principles that underlie its operations, and the functions it can and should be expected to perform.

Activities.

1. *Treating the Criminal Offender Brain: Can We? Should We?* (September 2013). Advances in cognitive neuroscience raise important questions for the criminal law and the criminal justice system. Might we one day acquire technology to effectively treat the offender brain? What do new direct brain intervention techniques add to existing methods of behavioral modification? If we could reform even the most hardened criminals by changing their brains through safe and reliable medical procedures, so that they would become good, law-abiding and wholesome citizens, should we do so? This workshop brought together experts in neuroscience with lawyers and philosophers to explore these issues and map out directions for future work. This project will be taken forward at a second workshop to be held at Georgia State University (which has a new program in Philosophy, Law and Neuroscience), and will yield an interdisciplinary volume of collaborative papers.
2. *"Crimmigration" and Human Rights* (October 2013). As migration flows around the world have increased in recent years due to factors such as armed conflict, economic dislocation and climate change, national governments have increasingly turned to criminal law to regulate their borders and to exclude large numbers of non-citizens. Many states have increased the number and scope of criminal offenses justifying deportation, increased penalties for immigration-related conduct, and criminalized immigrant status itself through detention of non-citizens. States have in effect created a separate criminal justice system for non-citizens, one that features harsher penalties, less discretion, and fewer due process protections than the system affords to citizens. The workshop examined these intersections of criminal and immigration law in a comparative context. Presenters discussed current state practices and considered recommendations for reform. A selection of these papers will be published in a special journal issue (probably in *Criminal Law and Philosophy*). This workshop is co-sponsored by the Robina-funded Center for New Americans, and marks the start of what should be ongoing collaborations on matters of shared interest between the Institute and the Center.
3. *Reviving Transnational Criminal Law Conversations* (Zurich, December 2013). This workshop is mainly funded by the Swiss National Science Foundation, but is co-sponsored by the Institute: Antony Duff and Neha Jain are co-organizers with Professor Frank Myer of Zurich. Criminal law theorizing and thinking tends too often to be highly parochial, focused within a state or country. This exploratory workshop will discuss ways of promoting renewed conversation between American and European criminal lawyers, as well as ways of

stimulating wider transnational discussions. *Conference: Collateral Consequences of Criminal Records* (October 2012, March 2013). For the nearly one in three adult Americans who carry criminal records, the consequences of conviction include not only punishment but also collateral sanctions on employment, housing, welfare and other important goods, restrictions that often remain in effect well after individuals have completed their sentences and that often frustrate or prevent their re-integration. The Institute teamed with Minnesota's Council on Crime and Justice to explore the issue of collateral sanctions at the 2012 Minnesota Justice Forum, held in the University of Minnesota Law School. (The law firm Robins, Kaplan, Miller & Ciresi was also a sponsor of the conference.) Following an overview of the issues presented by Professor Cecelia Klingele (Wisconsin), legal practitioners, policy-makers, scholars, and members of Minnesota communities discussed the effects of collateral sanctions, their rationales and possibilities for reform. The October conference was aimed at a large, public audience (about 150 people attended). It was followed by a smaller workshop in March 2013, involving scholars and practitioners with an expert interest in the issues, from Minnesota, from elsewhere in the United States, and from overseas. Seven papers were circulated and discussed, and we are exploring publication possibilities.

4. *Workshop: Rethinking Sexual Offenses* (April 2013). Sexual offenses present serious theoretical problems for the criminal law, including the definition and classification of various kinds of sexual assault, the extent to which any types of consensual sexual conduct should be criminal, the investigation and prosecution of sexual attacks, and the appropriate punishment or treatment of sexual offenders. A small planning meeting to discuss these problems was held at Villanova Law School in November 2012, as preparation for the April 2013 workshop. Seven papers were circulated for discussion at the April workshop and a workshop session was devoted to work of the Minnesota Task Force on the Civil Commitment of Sex Offenders, led by two members of the Task Force (Kelly Mitchell and Mark Ostrem).

Other Activities

- *Visiting Scholars:* The Institute hosted Dr. Keiran McCartan (University of the West of England) as a Visiting Scholar; he was in residence April 1-30, 2013. On April 4, 2013, the Institute hosted the first in a new series: "Robina in Conversation." This one featured Keiran McCartan's work on community attitudes about child sexual offenders. Before an audience of about 75 from Twin Cities neighborhoods and from agencies here that deal with such offenders, McCartan discussed his work and engaged Robina Fellows John Stuart and Jeff Edblad and the general audience in a wide-ranging discussion, moderated by the Institute's Professor Perry Moriearty, concerning the policy and programmatic difficulties presented by this population. The Institute has appointed two Robina Visiting Scholars for 2013-14: *Professor Vincent Chiao* (Toronto), who will be working on a project on the role of the criminal law in a liberal democracy, and *Professor Elizabeth Brown* (Niagara University), who will be exploring the social and political factors that help explain how the patterns of incarceration vary between and among U.S. states over time. Both will be in residence at the Law School in April, 2014.
- Planning is well advanced for the 2014 Robina Annual Conference (April 24-26), on the theme of *The Future of Criminal Law?* As is now the pattern for these conferences, there

will be a public conference on the Thursday (April 24), which we expect will be attended by a large and varied audience, followed by a smaller workshop on the Friday and Saturday. Speakers so far confirmed for the Thursday include Carol Steiker (Harvard), Douglas Husak (Rutgers), Pamela Alexander (Minneapolis), Ian Loader (Oxford), Ekow Yankah (Cardozo), Michelle Dempsey (Villanova), Thomas Weigend (Cologne) and David Luban (Georgetown). The Institute has issued a Call for Papers and will enlarge the group invited to present. Each presenter is being asked to propose a single significant reform to the criminal justice system (excluding issues in sentencing, which were the theme of last year's Robina Annual Conference).

Unanticipated Changes

Professor Antony Duff, who co-directs the theory program area, has decided to begin phased retirement in January. His appointment will be reduced (from 50% time to 25%), but he will continue to serve as a program director and remain fully involved with the Institute. We anticipate that one or two of our more junior criminal law faculty will succeed him as directors at the conclusion of the phased retirement period.

In addition, Executive Director Michael Smith will be stepping down at the end of December. We are still discussing whether to look for another executive director or, more likely, to restructure the position and distribute some of its functions to other Institute staff.

* * *

An income and expense statement for the past year is attached. As always, we are very grateful to Jim Binger and the Foundation for making the Institute possible.

Appendices:

- 1 Cover, *Crime and Justice in America: 1975-2025*
- 2 Table of Contents, *Crime and Justice in America: 1975-2025*
- 3 Cover, *Oxford Handbook of Ethnicity, Crime, and Immigration*
- 4 Table of Contents, *Oxford Handbook of Ethnicity, Crime, and Immigration*
- 5 Cover, *Prosecutors and Politics*
- 6 Table of Contents, *Prosecutors and Politics*
- 7 Timelines for work in the SLP Program Area

ROBINA INSTITUTE ON CRIMINAL LAW AND JUSTICE
Income and Expense Statement for 7/1/2012 -6/30/2013

	BUDGET FOR FY 2013	Expenditures	
Research Streams	255,000	106,400.39	*
Criminal Law Theory	85,000	58,773.15	
Sentencing Law and Policy	85,000	1,308.18	
Criminal Justice Policy	85,000	46,319.06	
Visitors	62,500	15,933.75	
Conferences/Scholarship	70,000	50,431.62	
Faculty Leadership and General Operations	1,106,634	<u>1,019,109.40</u>	
	1,494,134	1,191,875	

	Workshops since 7/1/2013
8/4-8/6/2013	Robina NASC Annual Meeting
9/26-9/28/2013	Robina Criminal Offender Brain Workshop
10/17-10-19/2013	Robina Crimmigration Workshop

* The timing of several workshops and other Institute activity pushed some expenditures to late summer/early fall 2013.

Criminal Law and Justice Enhancements Project
Income and Expense Statement for 7/1/2013-9/30/2013

		Year 1 FY 2014	Expenditures/ Encumbrances *
		Budget	
Multi State History Project	Project A	116,075	71,705
Multi State Parole and Probation Revocation Project	Project B	143,254	25,276
Sentencing Reform Repository Project	Project C	116,075	71,437
Building Partnerships with Parole Release States	Project D	89,252	
Common Administrative Support		355,400	46,220
Yearly Total		820,056	214,638

* Due to the timing of the grant award, we were only able to start the process of identifying and hiring new SLP staff this past summer. Several staff have now been hired, so activity/expenditures are increasing.

EDITED BY MICHAEL TONRY

**CRIME AND
JUSTICE IN
AMERICA
1975-2025**

Crime and Justice in America, 1975-2025

Michael Tonry, editor

March 29, 2013 draft

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9. Longitudinal and Experimental Research in Criminology
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THE OXFORD
HANDBOOKS IN
CRIMINOLOGY AND
CRIMINAL JUSTICE

General Editor: Michael Tonry

EDITED BY

SANDRA M.
BUCERIUS

MICHAEL
TONRY

The Oxford Handbook of
**ETHNICITY, CRIME,
AND IMMIGRATION**

THE OXFORD HANDBOOK OF ETHNICITY, CRIME, AND IMMIGRATION
Sandra M. Bucerius and Michael Tonry, editors

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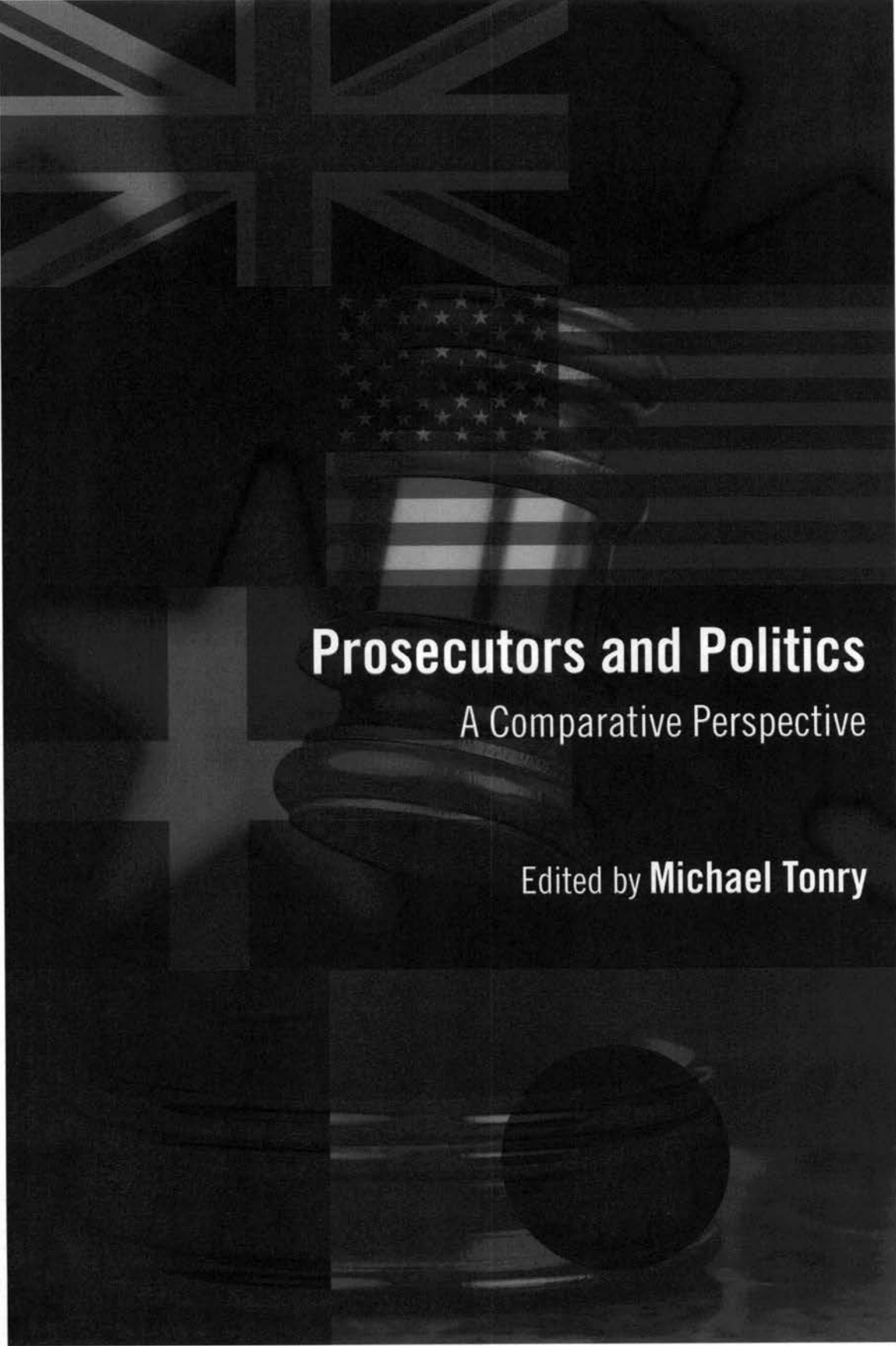
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Prosecutors and Politics

A Comparative Perspective

Edited by **Michael Tonry**

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1. Criminal History Project

Year One

- Assemble core project team (Institute fellow, consultants and other academic partners).
- Hold initial planning meetings and conference calls with core team members.
- Hire a Research Staff person to work on this and the Repository (Project no. 3, below); work with Professor Reitz in hiring of three staff members to work on all four near-term projects (Post-Doc, IT/Web staff, clerical/administrative support staff).
- Complete comprehensive study of criminal history formulas found in American sentencing guidelines systems and other American sentencing laws (e.g., laws that provide higher penalties and/or higher offense-level classifications for “second and subsequent” offenses of the same or similar type).
- Collect existing studies on the impacts that different criminal history formulas have on: the size of prison populations; their racial/ethnic composition; the proportionality of sentences relative to the seriousness of the crimes being sentenced; and the goal of ensuring adequate prison space for violent offenders.
- Hold meetings with representatives from 3 to 5 states interested in participating in research and possible policy change in this area.

Deliverables: Preliminary report summarizing research; recruitment of 3 to 5 participant states

Year Two

- Carry out or commission new research on the criminal history impacts noted above (impacts on size and racial/ ethnic composition of prison populations, proportionality of sentences to crimes, goal of ensuring adequate prison space for violent offenders).
- Collect existing studies and encourage new research on the validity of criminal history scores and each score component as predictors of recidivism risk, especially risk of violent crime.
- Encourage criminologists who study criminal careers to make closer connections between this well-developed body of research and what ought to be (but has rarely been) one of its most important practical applications – criminal history enhancements in sentencing. Develop requests for proposals for these criminologists to conduct new studies and/or apply existing research findings, to make these connections.
- Conduct legal, data, and policy analyses of the needs of each participating state.
- Develop state-specific reform proposals.

Deliverables: Further research reports; requests for proposals for research by criminal-careers specialists; criminal-history reform proposals tailored to each participant state.

Years Three and Four

- Based on the research and state-specific reform proposals described above, encourage and assist sentencing commissions in participating states to examine the ways in which their guidelines employ criminal history enhancements; encourage and assist these commissions to consider changes that would improve the crime control cost-effectiveness, racial neutrality, and offense proportionality of sentences imposed.
- Assist sentencing commissions and/or legislators and other interested officials in participating states to gain approval and implementation of criminal history reforms.
- Assist sentencing commissions in states that implement criminal history reforms to evaluate the effects of those reforms on actual sentencing practices and prison populations.
- Publish materials on the web, in hard copy, and through the National Association of Sentencing Commissions (NASC), promoting to other states the research and state-specific proposals developed by SLP in this area.
- Hold a national conference, hosted by the Robina Institute, to further publicize and promote SLP's research and law reform efforts related to criminal history enhancements.
- Consider incorporating new approaches to criminal history in future Model Penal Code recommendations, which would serve to further promote their wide consideration and adoption by US legislatures or sentencing commissions.

Deliverables: Full or partial adoption of criminal history reform proposals in several participant states; preliminary report summarizing post-implementation evaluation research; preparation and dissemination of publications highlighting advantages of these proposals; incorporation of aspects of proposals into Model Penal Code draft; national conference

Year Five and future years

- Provide similar SLP assistance to additional guidelines states interested in revising their criminal history formulas.
- Continue to assist and evaluate results in states that previously adopted criminal history reforms.

Deliverables: Full or partial adoption of criminal history reform proposals in additional participant states; preliminary report summarizing post-implementation evaluation research in those states; final report on post-implementation evaluation research in states that adopted criminal history reforms in earlier years.

2. Probation and Parole Revocations Project

Year One

- Assemble team (consultant, academic partners, linkages to other reform organizations)
- Hold initial planning meetings
- Conduct nationwide research into best and worst practices
- Hold meetings with 3 to 5 participant states

Deliverables: Preliminary report summarizing research; recruitment of 3 to 5 participant states

Years Two and Three

- Conduct legal, data, and policy analyses of each state's needs
- Identify promising and politically feasible avenues of change in each state (possibilities include legislation, new sentencing guidelines, changes in regulations and practices of corrections agencies)
- Develop state-specific reform proposals

Deliverables: Probation and parole revocation reform proposals tailored to each participant state

Years Three through Five

- Assist sentencing commission or other responsible agency in seeking approval and implementation in each state
- Publication promoting to other states the range of state-specific proposals developed by SLP, dissemination of proposals through NASC, Model Penal Code project, and a national conference hosted by the Robina Institute

Deliverables: Full or partial adoption of revocation reform proposals in several participant states; preparation and dissemination of publications highlighting advantages of proposals; incorporation of aspects of proposals into Model Penal Code draft; national conference

Future years

Provide similar SLP assistance to additional states interested in parole and probation revocation reforms

3. Sentencing Reform Repository Project

Year One

- Assemble core project team (Institute fellow, consultants and other academic partners).
- Hold initial planning meetings and conference calls with core team members.
- Hire a Research Staff person to work on this and the Criminal History Project (no. 1, above); work with Professor Reitz in hiring of three staff members to work on all four near-term projects (Post-Doc, IT/Web staff, clerical/administrative support staff).
- Begin to assemble electronic and/or hard copies of all currently available sentencing law and policy materials from the states most likely to have substantial and readily-available materials, namely, states with guidelines currently in force and with an active, fully-functioning sentencing commission; these materials will be found in libraries, on commission and other web sites, in legal and other data bases, and in the personal files of the few scholars who have studied one or more state guidelines systems (three of these are Minnesota professors – Frase, Reitz, and Tonry).
- Based on the materials initially collected, begin to formulate requests for and other plans to obtain additional sentencing-related materials from these states that are not, for one reason or another readily available (e.g., for reasons of data privacy, lack of state funds and staff to photocopy non-digitized materials, etc.).
- Create and publicize a new web site for the Repository, on or linked to the Institute's web site; post all digitized materials that have been obtained, and/or provide links to other web sites containing the material.
- Create a sentencing research and policy blog on which any interested commissioner, commission staffer, or outside researcher can post comments, news, or research and policy inquiries.

Deliverables: Collection of electronic and hard copy sentencing reform materials from a number of states; creation of the Repository web site and blog; action plans for difficult-to-obtain materials.

Year Two

- Based on the results in year one and growing familiarity with the varieties of state sentencing-related materials, formulate and begin to carry out plans to obtain materials, similar to those collected in year one, from states with guidelines currently or formerly in force but without a currently-active, fully-functioning sentencing commission.
- Re-contact all states that supplied materials in year one to update their submissions and ensure that the Repository has the latest versions as well as any new materials.
- Develop and implement procedures to make such updates routine, with back up procedures to make sure nothing important is missed.
- Place all additional gathered electronic material on the Institute's web site, and/or provide links to other web sites.

- Develop procedures to make non-electronic materials available to non-SLP researchers and policymakers, and add descriptions of these materials to the Repository web site.
- Begin to identify areas where additional research on state guidelines law and policy is particularly needed.
- Develop and implement plans encouraging states to employ consistent formats in their guidelines data and assist researchers in converting their data to such formats.
- Develop and post on the Repository web site specific suggestions, for interested researchers, of sentencing reform topics worth researching in one or more states, along with instructions on how to obtain the necessary data and other materials to carry out that research.
- Begin to develop plans for collecting historical materials about repealed guidelines and other sentencing reform efforts or failed efforts in states that do not currently have guidelines in effect.

Deliverables: Collection of electronic and hard copy sentencing reform materials from additional states; additions of materials to the Repository web site; procedures to keep materials up to date, and to make non-electronic materials available; plans for more consistent state sentencing data; sentencing reform research suggestions added to the web site.

Years Three to Five, and future years

- Continue to update and expand the Repository's hardcopy and electronic materials.
- Develop, distribute, and tabulate results from one or more questionnaires, asking sentencing researchers and policy makers if they are familiar with the Repository, have used it, have found it helpful, and have any suggestions for improvement.
- Hold a national conference, hosted by the Robina Institute, to further publicize and promote the Repository; the conference would show sentencing researchers and policy makers how to make the best use of the Repository, and would solicit feedback and suggestions to help SLP make the Repository even more useful.
- Using the questionnaire results and conference feedback, make any needed changes in the Repository and its operating procedures.
- Based on issues of national importance at that time, as well as a comprehensive review of the materials in the Repository, develop single and/or multiple-state sentencing reform research projects of interest to Robina faculty; identify outside consultants and academic partners for those projects, and complete or begin work on them.
- Identify materials from non-guidelines states that may be useful to researchers wishing to compare sentencing practices and impacts with and without guidelines; develop and begin to implement plans to obtain those materials and add them to the Repository.

Deliverables: Additions of materials to the Repository and its web site; report on questionnaire results; national conference; sentencing reform research plans; preliminary and final reports on that research.

4. Building Partnerships with Parole Releasing States

Year One

- Build on existing contacts with sentencing commission states (those with sentencing commissions *and* parole releasing agencies); identify responsible agencies and engage a critical mass of states (10 to 15) interested in participating in pilot discussions
- Develop contacts with existing organizations (e.g., American Correctional Assn., National Institute of Corrections)
- Develop in-house research base—system overviews—on all 34 paroling jurisdictions in the U.S.
- Plan for Year Two conference

Deliverables: build infrastructure for new association of states with common issues and problems (those with parole release systems) on NASC model; preliminary report on basic structural features of all U.S. indeterminate jurisdictions

Year Two

- Host national meeting of parole releasing states to propose an ongoing Association of Paroling States on NASC model; Poll state representatives on legal and policy issues of greatest substantive interest; Propose one or more projects based on SLP research¹
- Publication/dissemination of priority reform subject matters

Deliverables: First national meeting and enactment of NASC model; identification of priority reform issues and states interested in participation in SLP projects; report on a national reform agenda for parole-releasing states

Years Three through Five

- Select one project and assemble team (consultant, academic partners, linkages to other reform organizations)
- Adapt implementation steps from earlier SLP projects
- Host or sponsor national meetings for several years to establish organizational cohesion of new Association & deepen SLP contacts (NASC model; possible affiliation with NASC)

Deliverables: Launch first topic-specific project with 3 to 5 participant states; produce reform proposals and assist in their implementation; reports on results; further seeding of NASC organizational model among paroling states and transition to a self-sustaining nonprofit model

Future years

Make in-house capability available to additional paroling states interested in SLP assistance; ongoing affiliation with new national organization of paroling jurisdictions

¹ One possible suggestion is the improved use of risk assessment technologies, and coordination of uses of risk assessment by sentencing judges and parole boards.

The Binger Center for New Theatre Funds Report as of June 30, 2013

Overall Endowment Performance FY12-13

Yale's endowment earned a 12.5% investment return for the year ending June 30, 2013. The endowment value grew from \$19.3 billion on June 30, 2012 to \$20.8 billion on June 30, 2013. The University benefited from investment gains of approximately \$2.3 billion and spending distributions of more than \$1.0 billion. Spending from the endowment for Yale's 2014 fiscal year is budgeted at \$1.05 billion, representing approximately 35% of the University's net revenues. The University's longer term results remain in the top tier of institutional investors. Yale's endowment returned 11.0% per annum over the ten years ending June 30, 2013, surpassing broad market results for domestic stocks, which returned 8.1% annually, and for domestic bonds, which returned 4.5% annually. Relative to the estimated 7.8% average return of college and university endowments, over the past decade Yale's investment performance added \$7.0 billion of value in the form of increased spending and enhanced endowment value. During the ten-year period, the endowment grew from \$11.0 billion to \$20.8 billion.

The Binger Center for New Theatre Endowment Fund

Original Investment	\$15,000,000.00
Principal	\$15,000,000.00
Market Value	\$15,880,574.20
Expendable Income	\$ 751,435.20

The Binger Center for New Theatre Current Use Fund – Interest Bearing Holding Account, University General

Original Investment	\$3,000,000.00
Balance*	\$2,723,500.00

The Binger Center for New Theatre Current Use Fund – School of Drama

Balance*	\$ 276,500.00
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*As per Amortization Schedule, amounts to be transferred to the School of Drama in September of each year:

Year	Principal	Interest	Total
2013	\$276,500		\$276,500
2014	\$305,030		\$305,030
2015	\$332,840		\$332,840
2016	\$354,220		\$354,220
2017	\$327,260		\$327,260
2018	\$301,840		\$301,840
2019	\$352,780		\$352,780
2020	\$330,680		\$330,680
2021	\$310,140		\$310,410
2022	\$108,710	\$189,090	\$297,800

ROBINA FOUNDATION BOARD OF DIRECTORS
Winter Board Meeting: March 3-5, 2014
Yale University

Draft Agenda Items / Meetings

Meeting with President Salovey: Discussion items?

View of philanthropy. priorities. Rel. w/ Deans. Resources + Progs.

Short of end. -
cont. of prog.

Meeting with James Bundy: Discussion items:

- Follow up regarding plans and vision for Production Enhancement Fund
- Review/monitoring of endowment grant

Meeting with Dean Post and Jim Silk

- Status of *Robina Human Rights Fellowship Program*: clarification of funding for YLS human rights initiatives
- Future funding of program
- Questions regarding YLS's approach to the changing environment for lawyers

Meet w/ students

Meeting with Jim Lindsay and Judith Goldstein

- Discussion of CFR *Enhanced Diversity Initiatives* (including status of new program)

Grant Proposal

- CFR: *Program on Digital and Cyberspace Policy* (if outside reviews are available)

ANWH - 2015
Reports:

- CFR: *Enhanced Diversity Initiative*: annual report
- University of MN Law School: *Center for New Americans*: six month report
- ANWH: *LifeCourse*: annual report

2014 Budget

Robina Foundation 2014 Board Meeting Dates

DATE (2014)	PLACE/TIME
March 3-5, 2014 (Mon, Tues, Wed) Yale University Lodging: The Study	Yale University Monday, March 3 – 6:30 p.m. Dinner (EST) Tuesday, March 4 – 8:00 a.m. – 4:00 p.m. (EST) Tuesday, March 4 – 6:00 p.m. Dinner (EST) Wednesday, March 5 – 8:00 a.m. to 12 noon (EST)
May 13, 2014 (Tuesday) Conference Call	10 a.m. to 12 noon (CDT)
August 11-13, 2014 (Mon, Tues, Wed) Annual Meeting Minneapolis, Minnesota	Minneapolis, MN Monday, August 11 – 6:00 p.m. Dinner (CDT) Tuesday, August 12 – 8:00 a.m. to 4:00 p.m. (CDT) Tuesday, August 12 – 6:00 p.m. Dinner Wednesday, August 13 – 8:00 a.m. to 12 noon (CDT)
November 13, 2014 (Thursday) Conference Call	10:00 a.m. to 12 noon (CST)

Calendar for year 2014 (United States)

January Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1:● 7:○ 15:○ 24:○ 30:●	February Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 6:○ 14:○ 22:○	March Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1:● 8:○ 16:○ 23:○ 30:●
April Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 7:○ 15:○ 22:○ 29:●	May Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 6:○ 14:○ 21:○ 28:●	June Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 5:○ 13:○ 19:○ 27:●
July Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 5:○ 12:○ 18:○ 26:●	August Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 3:○ 10:○ 17:○ 25:●	September Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 2:○ 8:○ 15:○ 24:●
October Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1:○ 8:○ 15:○ 23:● 30:○	November Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 6:○ 14:○ 22:○ 29:○	December Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 6:○ 14:○ 21:○ 28:○

Holidays and Observances:

Jan 1 New Year's Day	Sep 1 Labor Day
Jan 20 Martin Luther King Day	Oct 13 Columbus Day (Most regions)
Feb 14 Valentine's Day	Oct 31 Halloween
Feb 17 Presidents' Day	Nov 11 Veterans Day
Apr 20 Easter Sunday	Nov 27 Thanksgiving Day
May 11 Mother's Day	Dec 24 Christmas Eve
May 26 Memorial Day	Dec 25 Christmas Day
Jun 15 Father's Day	Dec 31 New Year's Eve
Jul 4 Independence Day	

CFR proposal

Nancy Gilberg

From: Penny Hunt [pennhunt@gmail.com]
Sent: Wednesday, November 13, 2013 10:30 AM
To: James M. Lindsay; judith goldstein
Cc: Nancy Gilberg
Subject: Good News!

Hi Jim and Judith,

I'm writing to tell you that the Robina Board voted to approve payment of an additional \$107,946 over three years to support additional administrative expenses in connection with "The Expanded Diversity Initiative in Foreign Policy -- Additional Activities" as described in Jim's letter to me dated September 23, 2013. Good news! We will wire transfer \$35,097 to CFR in the near future to cover Year 1 expenses and will add the funding for Year 2 and Year 3 to our funding to support the initiative in those years.

Robina Board Members look forward to discussing this initiative with you both in March during our visit to Yale. Nancy and I will be working on the agenda so that we can provide you in the near future with the timing of the discussion and questions you may wish to cover.

In the meantime, let me know if you have questions or concerns.

Warm regards,
Penny

Penny A. Hunt
Executive Director

Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Ph: 612-333-2313
Cell: 612-381-7790
phunt@robinafoundation.org
pennhunt@gmail.com

COUNCIL *on* FOREIGN RELATIONS

58 East 68th Street, New York, New York 10065
tel 212.434.9400 fax 212.434.9800 www.cfr.org

September 23, 2013

Ms. Penny Hunt
Executive Director
Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Dear Penny,

As promised, I am writing to explain the background and nature of the request from Humanity in Action (HIA) for supplemental funding for "The Expanded Diversity Initiative in Foreign Policy—Additional Activities" proposal.

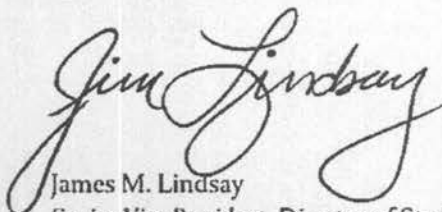
First the background. Judy Goldstein, HIA's executive director, informed me on September 3 that the budget HIA provided CFR earlier this summer inadvertently omitted several administrative expenses. As a result of this mistake, the budget CFR submitted to the Robina Foundation in July understated the true costs of the proposed program to HIA. Judy took full responsibility for the mistake. She is grateful to the Robina Foundation for its willingness to consider a supplemental request.

The supplemental funding that HIA is requesting totals \$107,946 over three years. The budget sheet included with this letter identifies the specific expenses that make up this request. HIA generated its administrative cost estimates based on what the proposed project would constitute as a percentage of HIA's total revenue and administration costs.

Judy knows that the Robina Foundation is unlikely to consider the supplemental funding request before its November 12 board meeting. HIA has begun planning for the new program. Judy has committed to moving ahead with the program even if the Robina Foundation declines the supplemental request.

Please do not hesitate to contact me if you have any questions or need any additional information. As always, CFR greatly appreciates the very generous support the Robina Foundation has provided the CFR-HIA partnership.

Warmest regards,



James M. Lindsay
Senior Vice President, Director of Studies,
and Maurice R. Greenberg Chair
tel 202.509.8405 fax 202.509.8490
jlindsay@cfr.org

HIA Supplemental Request for Administrative Expenses

	Total	Year 1	Year 2	Year 3
Partnership with Humanity in Action				
Program on Diversity and Diplomacy				
<i>Program Management and Administration: Supplemental Expenses</i>				
Insurance	\$ 20,552	\$ 6,682	\$ 6,849	\$ 7,021
Postage and shipping	5,075	1,650	1,691	1,734
Telephones	5,075	1,650	1,691	1,734
Accounting and audit	68,510	22,275	22,832	23,403
All other costs	10,150	3,300	3,383	3,467
Rent allocation (US)	38,568	12,540	12,854	13,174
Paris administration allocation	18,454	6,000	6,150	6,304
Total	\$ 166,383	\$ 54,097	\$ 55,450	\$ 56,836
<i>Less line item for HIA administrative costs included in original budget</i>	58,437	19,000	19,475	19,962
TOTAL SUPPLEMENTAL REQUEST	\$ 107,946	\$ 35,097	\$ 35,975	\$ 36,874

ROBINA FOUNDATION

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September 25, 2013

James M. Lindsay, Senior Vice President,
Director of Studies, and Maurice R. Greenberg Chair
Council on Foreign Relations
1777 F Street, N.W.
Washington, D.C. 20006

Dear Jim,

I am pleased to confirm in writing the news you and I discussed in a phone conversation: at its August 2013 Board Meeting, the Robina Foundation Board of Directors approved a three-year grant totaling \$2,467,411 to the Council on Foreign Relations to support the development and implementation of the *Expanded Diversity Initiative in Foreign Policy – Additional Activities* as described in the Council on Foreign Relations' proposal dated July 26, 2013. This grant is payable as follows: Year 1: \$802,247; Year 2: \$822,303; Year 3: \$842,861. During our conversation, I indicated that the Robina Foundation should not be expected to be the sole funder of this initiative after the first three years.

We plan to wire transfer the first year's funding within the next month and will provide funding for Years 2 and 3 in October 2014 and October 2015. I am not certain what reporting schedule is appropriate for CFR and HIA and welcome your suggestion. Combined reporting for the original *Expanded Diversity Initiative* and the *Additional Activities* that will take place under this new grant would be ideal, I think. Given CFR's partnership with Humanity in Action in the implementation of both parts of the initiative, we ask that CFR and HIA submit joint reports on the program.

This is a very exciting addition to the work of CFR to enhance diversity in foreign policy. We know that framing a new program is difficult and time-consuming and appreciate very much your time and effort in the creation of a meaningful and workable initiative. I particularly appreciated your preparation of supplementary information to respond to the Robina Board's questions and to help the Board address HIA's request for additional funding.

Please let me know if you have questions or concerns.

Warm regards,

Penny Hunt

Penny Hunt
Executive Director

cc: Richard N. Haass, President, Council on Foreign Relations

Nancy Gilberg

From: Wheeler, Penny [Penny.Wheeler@allina.com]
Sent: Thursday, November 21, 2013 1:45 PM
To: Penny Hunt; Anderson, Eric W
Cc: Nancy Gilberg; Radel, Kimberly; Schellinger, Sandra; Britt, Heather R
Subject: RE: Robina Foundation

This is wonderful news for ANW, Allina, and the broader community, Penny. We thank you and the Robina Board greatly and promise to be great stewards of the generous funds and to make a significant impact on those served locally and nationally. Thank you!

Penny Wheeler, M.D.

President and Chief Clinical Officer • Executive Offices • System Office
Phone: 612-262-0606 • Cell: 612-859-7260 • Fax: 612-262-0612 • penny.wheeler@allina.com
Mail Route 10101 • P.O Box 43 • Minneapolis, MN 55440-0043

From: Penny Hunt [<mailto:pennhunt@gmail.com>]
Sent: Thursday, November 21, 2013 12:10 PM
To: Wheeler, Penny; Anderson, Eric W
Cc: Nancy Gilberg; Radel, Kimberly; Schellinger, Sandra; Britt, Heather R
Subject: Robina Foundation

Dear Penny and Eric,

Attached is a letter confirming that the Robina Foundation Board agreed to provide additional to support the LifeCourse initiative in 2014.

Please let me know if you have any questions or concerns.

Warm regards,

Penny

Penny A. Hunt
Executive Director

Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Ph: 612-333-2313
Cell: 612-381-7790
phunt@robinafoundation.org
pennhunt@gmail.com

ROBINA FOUNDATION

*Abbott
emailed by
PAA*

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Fax: 612-333-0182
www.robinafoundation.org

November 21, 2013

Penny Wheeler, MD, Chief Clinical Officer
Allina Hospital and Clinics

Eric Anderson, MD, Medical Director, Palliative Care
Allina Home and Community Services

Dear Penny and Eric,

I am writing to confirm Robina Foundation's decision concerning Abbott Northwestern Hospital's request for additional funding to support *LifeCourse: Late Life Supportive Care* in 2014. At a meeting on November 12 the Board of Directors agreed to increase the Foundation's previous commitment of \$3,064,266 for 2014 to \$4,274,541. This amount will be paid in February 2014. We support your decision to spend additional time in 2014 on the development and study of the LifeCourse model and believe this deeper study will provide a firm foundation for the expanded work you contemplate in Phase II of the initiative.

Thank you for alerting us about your plans to submit a request for transitional (bridge) funding for 2015 for the Board's consideration at its next meeting scheduled for early March, in anticipation of submission of a multi-year proposal next summer. We will include consideration of the transitional funding request on the agenda for the March meeting.

Please feel free to contact me if you have questions or concerns. I'm sure we will be in contact before the March meeting, but in the meantime, my very best wishes for a wonderful Thanksgiving!

Regards,

Penny Hunt

Penny Hunt, Executive Director

cc: Kim Radel, Heather Britt

→ file



2925 Chicago Avenue
Minneapolis, MN 55407-1321

Penny Hunt, Executive Director
Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Dear Penny and Members of the Board,

On behalf of Allina, and on behalf the whole research team including Heather, Kim and Sandy, we want to extend our immense gratitude to all of you.

Life Course is fundamentally about listening to what is most important to patients and families. So we have tried in turn to listen to their voices, and those of our many advisers. Your input has challenged us to be transformative, to expand diversity, and to focus the intervention so that it may be adequately tested and sustained.

As we have developed the care model of LifeCourse this year, we became aware of its complexity. Dr. Diane Meier commented at our last national advisory meeting, "You are not turning away from the hard things."

Your extended funding for 2014 recognizes the value of understanding the 'hard things.' It allows us to provide ongoing support to our study participants and advisory groups, to gain some needed time from our investigators, and to add quality improvement expertise to a rapidly evolving model of care.

We look forward to following up with you in February. Thank you again for your generous support.

With warm regards,

A handwritten signature in cursive script that reads "Penny Wheeler".

Penny Wheeler, MD, Chief Medical Officer

A handwritten signature in cursive script that reads "Eric Anderson".

Eric Anderson, MD, Principal Investigator