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March 9, 2012

**VIA EMAIL** [upres@umn.edu](mailto:upres@umn.edu)

Dr. Eric W. Kaler  
President  
202 Morrill Hall  
100 Church Street SE  
University of Minnesota  
Minneapolis MN 55455

***Re: February 21, 2012 letter by Leigh Turner, Associate Professor, University of Minnesota***

Dear President Kaler:

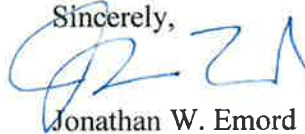
This firm represents Celltex Therapeutics Corporation (“CellTex:”). In a letter to the U.S. Food and Drug Administration (“FDA”), dated February 21, 2012, on University of Minnesota letterhead, Associate Professor Leigh Turner alleged—falsely—that Celltex has engaged in various misconduct and law violations. A copy of that letter is attached. Additionally, Associate Professor Turner published his letter on the internet, creating real and permanent harm to Celltex’s reputation in no small part because use of the University’s letterhead gives apparent credence to the allegations in the complaint.

Associate Professor Turner’s letter contains numerous material false and defamatory allegations. Contrary to the letter, Celltex is not in the business of administering stem cells directly to patients; rather, it is a lab that processes stem cells at the behest of independent physicians who diagnose and prescribe to *their* patients. Celltex banks autologous mesenchymal stem cells from adipose tissue. Celltex’s process ensures that cells are genetically identical to the original and free from any contaminants. Celltex operates lawfully under Texas law and is duly registered with the

FDA as a Section 361 facility (referring to Section 361 of the Public Health Services Act). A copy of Celltex's letter to FDA responding to Associate Professor Turner's letter is also attached.

Please inform us at your earliest convenience whether Associate Professor Turner's February 21<sup>st</sup> letter, on the University's letterhead, was authorized by the University. If it was not authorized, please inform us of what steps the University will take to disclaim any sponsorship of the Turner letter, retract the letter, remove the letter from the internet, prevent further distribution of the letter, and prevent recurrence of this type of action by Associate Professor Turner (or any other University faculty). We wish to limit legal liability to those responsible for the wrongful acts and appreciate your cooperation in that regard.

Sincerely,



Jonathan W. Emord  
Andrea G. Ferrenz

Attachment

cc: Debra DeBruin, PhD, Interim Co-Director, Center for Bioethics,  
[debru004@umn.edu](mailto:debru004@umn.edu)  
Mary Faith Marshall, PhD, FCCM, Interim Co-Director, Center for Bioethics,  
[mfaith@umn.edu](mailto:mfaith@umn.edu)