

March 22, 2012

Jonathan W. Emord, Esq.  
Emord & Associates, P.C.  
11808 Wolf Run Lane  
Clifton, VA 20124

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

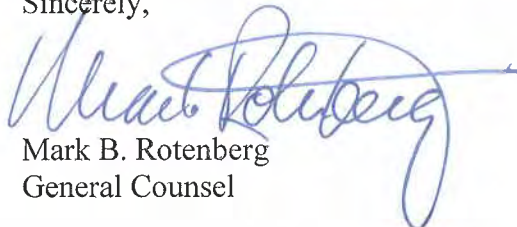
Dear Mr. Emord:

President Eric W. Kaler has asked me to reply to your March 9, 2012 letter on behalf of CellTex Therapeutics. In response to your questions, please find enclosed the University of Minnesota Board of Regents Policy: *Academic Freedom and Responsibility*. As the Regents Policy makes clear, faculty members at the University of Minnesota have the academic freedom, without institutional discipline or restraint, to explore all avenues of scholarship, research, and creative expression, and to speak or write on matters of public concern. Professor Leigh Turner's February 21, 2012 letter to the FDA is fully covered by this principle of academic freedom.

To be clear, faculty members speaking on matters of public interest do not speak for the University of Minnesota as an institution. To make explicit what he believed was clear already from his February 21, 2012 letter, Professor Turner has sent the enclosed letter to Dr. Karen Midthun at the FDA, confirming that he was not speaking for the University.

Please direct any further communications on this matter to me.

Sincerely,



Mark B. Rotenberg  
General Counsel

MBR/ml  
Attachments

c: President Eric W. Kaler  
Professor Leigh Turner



UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS POLICY

Page 1 of 1

Academic

**ACADEMIC FREEDOM AND RESPONSIBILITY**

**Adopted:** September 8, 1995

**Amended:** June 12, 2009; May 13, 2011

**Supersedes:** (see end of policy)

**ACADEMIC FREEDOM AND RESPONSIBILITY**

**SECTION I. GUIDING PRINCIPLES.**

The Board of Regents (Board) of the University of Minnesota (University) reaffirms the principles of academic freedom and responsibility. These are rooted in the belief that the mind is ennobled by the pursuit of understanding and the search for truth, and the state well served when instruction is available to all at an institution dedicated to the advancement of learning. These principles are also refreshed by the recollection that there is *commune vinculum omnibus artibus*, a common bond through all the arts.

**SECTION II. ACADEMIC FREEDOM.**

Academic freedom is the freedom, without institutional discipline or restraint, to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write on matters of public concern as well as on matters related to professional duties and the functioning of the University.

**SECTION III. ACADEMIC RESPONSIBILITY.**

Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution.

**SUPERSEDES:** ACADEMIC FREEDOM AND RESPONSIBILITY DATED JANUARY 28, 1938; ACADEMIC FREEDOM AND RESPONSIBILITY DATED DECEMBER 14, 1963; ACADEMIC FREEDOM AND RESPONSIBILITY DATED JANUARY 8, 1971.

# UNIVERSITY OF MINNESOTA

*Twin Cities Campus*

*Center for Bioethics*

*N504 Boynton  
410 Church Street S.E.  
Minneapolis, MN 55455-0346  
612-624-9440  
Fax: 612-624-9108  
E-mail: [bioethx@umn.edu](mailto:bioethx@umn.edu)  
[www.bioethics.umn.edu](http://www.bioethics.umn.edu)*

March 20, 2012

Karen Midthun, MD  
Director, Center for Biologics Evaluation and Research  
Food and Drug Administration  
1401 Rockville Pike  
Rockville, MD 20852

**Re:** *Request for FDA Investigation of CellTex Therapeutics Corp. and RNL Bio*

Dear Dr. Midthun:

This letter follows my February 21, 2012, letter to you in which I requested FDA investigation of CellTex Therapeutics Corporation and RNL Bio. In light of inquiries and possible misunderstanding of others not familiar with the academy, I wish to state explicitly what I believe is already clear from my letter. I am a tenured faculty member at the University of Minnesota, Center for Bioethics. Faculty at the University have academic freedom, without institutional discipline or restraint, to explore all avenues of scholarship and research, and to speak on matters of public concern. When exercising their freedom to speak on matters of public concern, faculty members do not speak on behalf of the institution of the University of Minnesota. Although I believe it was self-evident from my letter, which I wrote in first-person and which I signed with my title as an Associate Professor, I wish to state explicitly that I was not speaking for the University, but for myself. My request for FDA investigation remains unchanged.

Yours sincerely,



Leigh Turner, PhD  
Associate Professor  
Center for Bioethics  
University of Minnesota  
N520 Boynton, 410 Church Street SE  
Minneapolis, MN 55455  
Phone: 612-626-4830  
Email: [turne462@umn.edu](mailto:turne462@umn.edu)  
Fax: 612-624-9440

**cc:** Mary Anne Malarkey, Director, Office of Compliance and Biologics Quality  
Celia M. Witten, MD, Director, Office of Cellular, Tissue & Gene Therapies  
Stephanie L. Simek, PhD, Deputy Director, Office of Cellular, Tissue & Gene Therapies