

MINUTES OF THE APRIL 11, 2008 MEETING  
OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA

The Board of Trustees of The University of Alabama met in Executive Classroom 280, Bevill Conference Center, on the campus of The University of Alabama in Huntsville April 11, 2008. Trustee Joseph C. Espy III chaired the meeting. Michael A. Bownes served as Secretary.

On roll call, the following Trustees were present:

Dr. Joseph B. Morton, State Superintendent of Education

The Honorable Angus R. Cooper II, Trustee from  
the First Congressional District

The Honorable Marietta M. Urquhart, Trustee from  
the First Congressional District

The Honorable Joseph C. Espy III, Trustee from  
the Second Congressional District

The Honorable James W. Wilson III, Trustee from  
the Second Congressional District

The Honorable Vanessa Leonard, Trustee from  
the Third Congressional District

The Honorable Sidney L. McDonald, Trustee from  
the Fourth Congressional District

The Honorable Finis E. St. John IV, Trustee from  
the Fourth Congressional District

The Honorable Peter L. Lowe, Trustee from  
the Fifth Congressional District

The Honorary Joe H. Ritch, Trustee from  
the Fifth Congressional District

The Honorable Paul W. Bryant, Jr., Trustee from  
the Sixth Congressional District

The Honorable John J. McMahon, Jr., Trustee from  
the Sixth Congressional District

The Honorable Karen P. Brooks, Trustee from  
the Seventh Congressional District

The Honorable John H. England, Jr., Trustee from  
the Seventh Congressional District

The Honorable Andria S. Hurst, Trustee from  
the Seventh Congressional District

The following Trustees were unable to attend:

The Honorable Bob Riley, Governor

The meeting also was attended by: Chancellor Malcolm Portera; UA President Robert E. Witt; UAB President Carol Z. Garrison; UAH President David B. Williams; staff members from the Office of the Chancellor, the three campuses, and the UAB Health System. Also in attendance were Student Representatives to the Board of Trustees Cason M. Kirby from UA, Brittany A. Williams from UAB, and Samuel N. Parks from UAH. Faculty Representatives to the Board in attendance were Dr. Patsy E. Greenup from UAB and Dr. Lynn Boyd from UAH.

Kellee Reinhart, Vice Chancellor for System Relations, introduced Ken Kesner from *The Huntsville Times* and Kent Faulk from *The Birmingham News*.

Chairman Espy recognized the President of the UAH Alumni Association, Emily Vandiver.

Chairman Espy called for approval of the minutes of the February 8, 2008, meeting, which were distributed to each member of the Board. On motion of Trustee McMahon, seconded by Trustee McDonald, the minutes were approved as reported.

Chairman Espy said a draft of the Executive Committee Report was distributed to all Trustees. On motion of Trustee England, seconded by Trustee Wilson, the Board ratified the actions of the Executive Committee.

### EXECUTIVE COMMITTEE REPORT

The Executive Committee makes this report to The Board of Trustees of The University of Alabama regarding its activities since the last report submitted to the Board February 8, 2008.

The Committee, which met on February 20 and March 12, 2008, considered the following items and now requests ratification and confirmation by the Board.

#### February 20

1. Discussion of Impact of House Bill 319 on the Campuses of Auburn University and The University of Alabama Systems

#### March 12

2. Resolution authorizing the Issuance of Bonds for University Hospital

Chairman Espy recognized Chancellor Portera for a report from The University of Alabama System.

I want to thank David and Margie for a wonderful evening. I had an opportunity to spend time with David's colleagues from Lehigh University last night and it was very pleasant.

I also want to acknowledge David's presentation of his bold ideas and plans for UAH during the Institutional Presentation. In conducting the Presidential search here at UAH, we talked at length about the kind of individual we were looking for to lead this institution. I believe Trustee Lowe and Trustee Ritch, as co-chairs of the Presidential Search Committee, exceeded all expectations with this appointment.

In a few moments, we will march over and install David as the fifth President of The University of Alabama in Huntsville. I am very excited about that. David, congratulations on a great presentation and a great institutional Board of Trustees meeting.

I also want to thank Trustee Espy and Trustee McMahon. As Trustee Espy mentioned a few minutes ago, they spent a good bit of time with us last weekend in the Alabama Legislature working on the budget. I think we made progress in getting some commitments to restore some funds for higher education. As I mentioned earlier today, the request for this System is close to \$85 million. We are going to work hard to address that.

We are presently involved with the CFOs and CAOs in a comprehensive planning effort for next year, whereby we will generate a plan to deal with the budget shortfall as mandated by the Legislature. You will be hearing a great deal more from us about that. We met yesterday morning with all the chief academic officers and chief financial officers along with the System staff.

One of the greatest concerns that we all have, as Trustee Espy mentioned a few minutes ago, is about the risk of losing momentum in our System. I have asked the CFOs, the folks who care for fiscal resources, and the CAOs, the folks who use the fiscal resources to support the teaching, research and service missions of these three institutions, to bring together their best creative thinking in devising a plan that allows us to minimize the negative impact this budget cut will have on our faculty and staff.

In David's presentation, he talked specifically about Goldwater Scholars and the statistics of pursuing work in mathematics and science. There were nine Goldwaters in the State of Alabama this year and I believe eight of them came from University of Alabama System institutions. That achievement gives you some sense of what is going on in this System.

Three weeks ago the pro tem and I were talking before the Alabama-Auburn Executive Committee meeting to address the budget shortfall and I

reminded Trustee Espy that the President once said, "When the going gets tough, the tough get going." He reminded me the President who said that got impeached!

We have a great challenge in front of us, there's no question about that. But I believe we are up to it and we have a great partnership with the three Presidents and the leadership of these three institutions working together to address the challenges and to continue the momentum that these three institutions have. We are committed.

Chairman Espy thanked the Chancellor for his comments and recognized President Williams for any further comments and the introduction of his Faculty and Student Reps. President Williams said he had no further comments and recognized their Faculty Rep, Dr. Lynn Boyd. (Institutional Presentation, Exhibit H)

#### DR. LYNN BOYD, UAH FACULTY REP TO THE BOARD

Thank you for this opportunity to speak to you from the faculty perspective at The University of Alabama in Huntsville. The main message that I would like to convey is that there is much excitement and anticipation among the faculty at UAH and that we are eager to engage in the new strategic plan that will be presented this afternoon by President Williams.

I will try to keep my comments brief but I'd like to begin by admitting that when I applied for a position here almost 11 years ago, I had little knowledge of what this institution was about. At that time, I was seeking a university where I could do my research and where I could be involved in the local, as well as the scientific, community. I was also seeking a place that had a genuine blend of teaching and scholarship. I have been very pleased to find that this truly exists here.

My prior graduate school and post-doctoral experiences were in departments with intensive research activities. However, there was little interaction between the faculty and the student population. I cannot remember ever seeing my graduate or post-doctoral mentors interact with undergraduate students. In contrast, if you visit the offices in Biological Science at UAH, my home department, you will need to weave your way

through the students in and around our offices. We definitely interact with students.

The faculty here have been an inspiring example. The scholar-educator is alive and well at UAH. I have encountered a philosophy here that scholarship and intellectual activity should be shared with students and with the local community. After all, students are the future of our culture. They are the vehicle by which we convey our ideas/our discipline forward into the future. Without this vehicle, our ideas are in danger of languishing as esoteric notions, unnoticed and forgotten to most of the world.

This philosophy of inclusion is all around our campus. Faculty include students in their research, in their scholarly conferences, and meetings. Also, we are reaching out to the community. Just as a single example, faculty in my discipline at UAH have joined with the local biotech industry to create a non-profit organization. The mission of this organization is to promote education and networking for biotech endeavors. A unique aspect of this group, compared to many other trade organizations, is the heavy involvement of students. As a consequence, this group has truly become a conduit to jobs for our students, both graduate and undergraduate. This is just one example among many of how UAH is connecting to the community and to our students.

This is an exciting time at UAH. The leadership of former President Franz has left the University thriving and progressing. My own department has grown to over 400 undergraduate majors and that growth continues. I am pleased to say that the faculty and the administration work together in a functioning system of shared governance.

The current challenge as I see it is in spreading the word about UAH, about the virtues and opportunities that exist here. Unlike my scenario 11 years ago, young scientists who see ads for faculty openings should not draw a blank when they read UAHuntsville.

As a faculty representative, I want to make it clear that faculty are eager to participate in this process. We are eager to help with recruiting and development efforts. We are immensely interested in the advancement of UAH. I appeal to our new President and all members of the administration to utilize the talents of our faculty. To our new advancement officer, Jeff Sands, I ask you to get to know us and to involve us in your efforts. To our new Associate VP for Enrollment, Rich Barth, I ask you to please enlist the help of faculty in your recruiting efforts.

To President Williams, please let me say that I appreciate the opportunity to work with you this past year through the faculty senate. I feel that I may have acquired some indication of your leadership style. It is my impression that you expect much from your administrators and your faculty. And that, in turn, you are willing to work equally hard to ensure rewards and opportunities for them. I think you will find that among the faculty there is a lot of support for this approach and that we are ready, willing, and able to fulfill our side of that bargain.

Thank you.

Chairman Espy thanked Dr. Boyd for her comments and asked President Williams to introduce his Student Representative. President Williams introduced Mr. Samuel Parks.

#### SAMUEL N. PARKS, UAH STUDENT REP TO THE BOARD

Ladies and Gentlemen of the Board, Chancellor Portera, University Presidents, Administrative Personnel, Faculty, Staff, and distinguished guests, it is with great pleasure that I welcome you to The University of Alabama in Huntsville, UAH. Furthermore, I would like to cordially offer my thanks to this body for providing the UAH student body with the opportunity, honor, and privilege to be represented at this time.

Before I begin in earnest, please permit me to apologize...my address to you today will, in all likelihood, seem dreadfully somber and given my preceding comments, redoubtably verbose. However, my somberness is only a reflection of the context in which I make these remarks. Furthermore, it is extremely necessary that I offer clarification on an issue of extreme importance to the students of this institution and the governing body which I represent. I address you today from a podium that bears the moniker "UAHuntsville..." Please do not interpret my actions as the student body's tacit acceptance of the aforementioned marketing strategy, but rather as a demonstration of the utmost personal respect for Dr. Williams and you, the members of this Board.

It gives me no great pleasure to inform you that the state of the student body at UAH is poor and declining at a prodigious rate.

Currently, student participation in on-campus activities has reached a record low. For example, every Spring the Association for Campus Entertainment hosts a series of events collectively called "SpringFest." This year, the average participation in these events was between 30-50 students or slightly more than one-half of 1% of the entire student body. The number of chartered clubs and student groups at UAH has also fallen significantly over the course of the last four years, an overall decrease of roughly 33%. However, all of these situations pale in comparison to the growing trend of model students abandoning the University at the end of their freshman or sophomore year.

At first, many of these symptoms might seem completely unrelated; however, a closer examination only proves that they are the direct result of rampant and continually increasing student apathy. While the causes of this behavior displayed by our students vary and differ from person to person, it is possible to discern three broad and overarching causes of this alarming trend, and thus it is also possible to suggest potential remedies and courses of action which may, in time, correct the problem.

The first category that I would like to address today is societal. Unfortunately, apathy is a growing trend both on college campuses and in general American society. Participation in civic life and in organizations of voluntary association has reached an all-time low nationally. It is in this context that we must act. Over the next several years it will be increasingly necessary for this institution and this governing body to support such student development activities as the recently created Empower program, which offers select freshmen and sophomores leadership and group development training.

It is clear that upon arriving at our institutions, our students, in general, no longer possess the leadership skills needed to create a strong sense of community on campus. Leadership development is an ongoing process...it cannot be accomplished in a weekend-long seminar or by attending a motivational conference. By investing in such ongoing activities as this, it will be possible to reverse the aforementioned trends on our campuses, and maybe help resolve the larger national crises...and given the current state of the national political landscape, they could clearly use some assistance.

Somewhat appropriately, over the past few weeks I have been reading several of the inaugural addresses made by former American President's. And while many of my fellow students will undoubtedly think that I have lost all hope of ever developing much of a social life, I have found many of

their remarks to be helpful and even somewhat comforting...but I am consistently drawn to those of Jefferson, Lincoln, FDR, and Kennedy.

Please forgive me for sounding cliché, but it was President Kennedy, who, in his inaugural address, stated “ask not what your country can do for you -- ask what you can do for your country...” I realize that my lack of accent cannot do justice to President Kennedy’s words, but it is just as true now at UAH as it was in the early 1960’s; which brings me to the second area of concern. In order for students to truly feel they can make a difference on our campuses, they must also be intricately involved in the various policy decisions of our universities. They must feel as though their opinion matters. The most successful of universities are not solely built upon outstanding academic programs. The most successful of universities are built from the ground up...from the students to the faculty to the body of research. This is the recipe for success that we must develop.

I do recognize, however, that students cannot, nor should they, play a role in every aspect of the University’s decision-making process. If they did, classes would be cancelled for the smallest of threat of a fluke rainstorm. But in those areas of direct relevance to the student body, the opinions and concerns of the students should be treated with the utmost of equality and respect.

I have chosen to save the largest and most complex category for last. The final broad cause for increasing student apathy is directly related to the physical environment on campus. If the day-to-day interactions of the students with the University are inadequate or unsatisfactory, it is inevitable that the general student body will become increasingly apathetic.

It is for this reason that we must ensure such things as the quality of food prepared in our University dining facilities is at least maintained, if not improved. We must also guarantee that the quality of our residential infrastructure for the delivery of the internet is greatly enhanced. Although these items may seem insignificant, they are comparatively easy to rectify and will yield unsurpassed results in improving the quality of student life and decreasing student indifference.

Another common trait among strong universities is a strong athletics program. Student athletes are often some of the most successful alumni of our institutions; they are also some of the most dedicated. But strong athletics programs also help to unite the entirety of a given university community around a common objective -- competing against other schools. UAH has chosen Ice Hockey as its flagship sport. However, we do not

have an on-campus venue in which our athletes can practice and compete. On-campus facilities greatly improve student attendance, and thus additionally help to decrease student apathy. It is for this reason, that I strongly urge this administration and this body to seriously consider the construction of an on-campus Ice Hockey arena.

This brings me to my final policy suggestion. I realize that what I am about to say will be seen by many as radical at best and downright appalling at worst, but I implore you in the true spirit of higher education to take notice of the following arguments. While the students of UAH are blessed by many of the conveniences of life in a major metropolitan area, they are also limited by it, in that there are comparatively few off-campus locations which cater to their desires. Thus, in order to decrease student apathy, it becomes the responsibility of the University to provide for their needs.

Whatever one's personal feelings of the subject, alcohol is an inevitable part of college life. For many students, this is their first moment of freedom without real parental oversight and supervision. This is a time in many students' lives for experimentation, which, for better or worse, often includes alcohol. UAH currently has in place a strict policy which permits students 21 years of age or older to consume alcoholic beverages in the privacy of their residential rooms, which many of my fellow students refer to as the University's "moist campus policy."

However, this strategy for the management of the consumption of alcohol does little to manage, and even less to educate, students. Similar to the way "abstinence only" sexual education does little to teach students of the importance of self-protection, so too does the University's policy on alcohol do little to teach students the importance of safe practices. Of course, I am not suggesting that the consumption of alcohol by minors should be taken lightly, but rather that the current policy prohibits teaching students how to drink responsibly, and thus endangers the entirety of the student body. By amending the University's policy to permit the legal consumption of alcohol at student events, and requiring incoming freshmen to receive some form of instruction on the sensible consumption of adult beverages, the University can improve the quality of student life as well as decreasing student apathy.

In my second term of office, I have come to realize that universities are, in general, extremely complex systems. Every action taken by one department ultimately has consequences for the entire university. By strengthening the student body of the present, the university will guarantee

itself a successful future. UAH currently finds itself gazing into the prospect of limitless possibilities and unsurpassed prosperity. I recognize that change is inevitable, especially in light of some of my policy suggestions. However, in embracing these changes, we must also remember our rich heritage and history. We must remember that there is a direct connection between the progress of a society and its progress in the arts...that the age of Pericles was also the age of Phidias...that the age of Lorenzo de Medici was also the age of Leonardo de Vinci...and that the age of Elizabeth was also the age of Shakespeare.

And as Bill once wrote, "I dare do all that may become a man, he who dares more is none." I would strongly encourage this body to do the same. Thank you for this opportunity, and on behalf of the student body, I wish you the best in your professional and personal responsibilities.

Chairman Espy thanked Mr. Parks for his remarks. He said one of the foundations of our System and a strength of this Board is the participation of the faculty and students. He said we consider them partners, and that is one of the reasons this System has the strength that it does. He said we appreciate Dr. Boyd and Mr. Parks and the comments they made.

Trustee Lowe was recognized and noted that Mr. Parks found him yesterday in the wrong building, helped him get to the correct location via a short cut, and drove his car around to the front of the building. He said Mr. Parks is a caring person as well as articulate.

Chairman Espy recognized President Witt to introduce his new Student Representative to the Board. President Witt said he was pleased to introduce Cason Kirby, who started approximately two weeks ago as President of the SGA. He is a senior majoring in Political Science and Public Relations with a minor in Liberal Arts. He has held numerous leadership positions in the SGA prior to assuming the presidency and also

has served in leadership positions in College Democrats, Freshman Forum, Youth Summit and Alabama Students for Constitutional Reform.

His academic distinctions include President's List, Dean's List, Blount Undergraduate Initiative, Cardinal Key, Presidential Scholar, Order of Omega Greek honor society, and University Honors Program.

Mr. Kirby said it was an honor to be with the Board this morning and he looks forward to working with them in the coming years.

Chairman Espy said he is especially excited about his friend Cason Kirby being with us. They are members of the same fraternity, which has had two members elected Student Body President at the University. Chairman Espy said he had the privilege of being the first and Cason is the second in the history of their fraternity at UA.

Chairman Espy said the Administrative Report had been distributed to all Trustees. After discussion, and on motion of Trustee McMahon, seconded by Trustee Ritch, the Board accepted the Administrative Report. (Exhibit B)

Chairman Espy recognized Trustee Vanessa Leonard for a report from the Academic Affairs and Planning Committee. Trustee Leonard said the Academic Affairs and Planning Committee met yesterday afternoon, with other Trustees present. The Committee considered 13 items for recommendation to the Board for action: five individual action items, and eight administrative action items. One Information Item was also presented. Trustee Leonard said the Committee recommends approval of the items identified on the Board Agenda as F.1. through F.6.h.

After discussion, and on motion of Trustee Leonard, seconded by Trustee Urquhart, the Board adopted the following resolutions, separately and severally:

Granting final approval of an Executive Doctor of Science (D.Sc.) in Administration-Health Services (C.I.P. Code 51.0701) at UAB

#### RESOLUTION

WHEREAS, on June 15, 2007, The Board of Trustees of The University of Alabama gave approval to plan a program and permission to submit the Notification of Intent to Submit a Proposal (NISP) for a Proposed Doctor of Science (D.Sc.) in Administration – Health Services (CIP Code 51.0701) to the Alabama Commission on Higher Education (ACHE); and

WHEREAS, on September 14, 2007, The University of Alabama at Birmingham submitted the proposal for an Executive Doctor of Science (D.Sc.) in Administration – Health Services Program (CIP Code 51.0701), to The Board of Trustees of The University of Alabama, and subsequently to ACHE; and

WHEREAS, ACHE reviewed and approved the Program at its March 28, 2008 meeting; and

WHEREAS, the desire for a program that is applied in nature, focusing on organizational problems and issues faced daily in health care settings has increased significantly; and

WHEREAS, UAB has in place a highly successful Ph.D. program in Administration – Health Services that is a joint effort between the Schools of Health Professions and Business; and

WHEREAS, the need for advanced education for upper level managers is rapidly growing as the complexity of the health care environment increases; and

WHEREAS, this need can best be addressed in a program with a focus on the application of knowledge to the work situation, as opposed to preparation for academe and research; and

WHEREAS, due to the School of Health Professions' long and successful track record of preparing both master's and doctoral level graduates for health care management, it is well positioned to provide this program; and

WHEREAS, the existing Ph.D. program provides a solid foundation for building an applied D.Sc. program that will be available to health care professionals while they continue in their workplace; and

WHEREAS, the Program will utilize resources and expertise in other schools, particularly the School of Business; and

WHEREAS, UAB wishes to implement this Program effective fall 2008;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it grants final approval of the proposed Executive Doctor of Science (D.Sc.) in Administration – Health Services Program (CIP Code 51.0701) at The University of Alabama at Birmingham.

Granting final approval of a Proposal for a Ph.D. Degree in Interdisciplinary Engineering (C.I.P. Code 14.9999) at UAB

## RESOLUTION

WHEREAS, on November 10, 2006, The Board of Trustees of The University of Alabama gave approval to plan a program and permission to submit the Notification of Intent to Submit a Proposal (NISP) for a proposed Interdisciplinary Engineering Degree Program (CIP Code 14.9999) to the Alabama Commission on Higher Education; and

WHEREAS, on November 9, 2007, The University of Alabama at Birmingham (UAB) submitted the proposal for a proposed Interdisciplinary Engineering Degree Program (CIP Code 14.9999) to The Board of Trustees of The University of Alabama, and subsequently to ACHE; and

WHEREAS, ACHE reviewed and approved the Program at its March 28, 2008 meeting; and

WHEREAS, in a time when societal problems are multi-faceted and complex and technological advances move quickly, it is necessary for engineers to possess a breadth of knowledge as well as depth in a particular field; and

WHEREAS, demands for graduate-level engineers to be able to work as independent and productive investigators in multidisciplinary analysis and design are increasing; and

WHEREAS, the School of Engineering has developed a Ph.D. in Interdisciplinary Engineering that will respond to these identified needs; and

WHEREAS, a growing emphasis on multi-disciplinary training at the doctoral level is seen as necessary to prepare engineers to solve these complex problems and to participate effectively as members of teams consisting of scientists and engineers; and

WHEREAS, UAB has in place a solid foundation of multi-disciplinary efforts as well as access to a broad range of areas with which to collaborate, including health programs with significant research activities ongoing; and

WHEREAS, the proposed Ph.D. in Interdisciplinary Engineering will include tracks in Environmental Health Engineering and Computational Engineering, building on research activities already underway in the School; and

WHEREAS, the environmental health focus already is present within the existing Ph.D. in Environmental Health Engineering, which will be eliminated with the approval of this Program; and

WHEREAS, the School has outstanding resources in place to support such a program;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it supports and grants final approval of the proposed Ph.D. Degree in Interdisciplinary Engineering (C.I.P. 14.9999) at The University of Alabama at Birmingham.

Granting initial approval of and Permission to Submit to the Alabama Commission on Higher Education the Notification of Intent to Submit a Proposal (NISP) for the Ph.D. in Clinical Translational Science Degree (C.I.P. 51.9999) at UAB

#### RESOLUTION

WHEREAS, the field of clinical and translational science focuses on research that will facilitate direct application of medical discoveries to improving the health and health care of patients in routine clinical practice; and

WHEREAS, the development of leaders who have the knowledge, skills, and insight to carry out such research is a growing priority; and

WHEREAS, UAB is well-positioned in terms of expertise and resources across the relevant disciplines to provide such training;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it supports and grants initial approval of and permission to submit to the Alabama Commission on Higher Education (ACHE) for its review a Notification of Intent to Submit a Proposal (NISP) for the Ph.D. degree in Clinical and Translational Science (C.I.P. 51.9999), at The University of Alabama at Birmingham.

Granting initial approval of and Submission to the Alabama Commission on Higher Education (ACHE) a Proposal for a Bachelor of Science (B.S.) Degree in Neuroscience (CIP Code 30.2401) at UAB

#### RESOLUTION

WHEREAS, neuroscience is the study of the structure and function of the nervous system with a special focus on the brain and its role in behavior processes, the mechanisms of behavior, and the nature of cognitive function; and

WHEREAS, this field has emerged during the past two decades as part of the explosive growth of research and interest in the neural sciences,

increasing demand for qualified and experienced neuroscience researchers and health-related professionals; and

WHEREAS, The University of Alabama at Birmingham (UAB) has developed a proposal for an undergraduate program in neuroscience that will be a multidisciplinary offering of the Department of Neurobiology, a Basic Health Science Department of the School of Medicine, and the Department of Psychology in the School of Social and Behavioral Sciences, but also will involve other schools at UAB, including Optometry and Natural Sciences and Mathematics; and

WHEREAS, students within the Program will have unique opportunities as undergraduates to work with mentors as they participate in original research projects; and

WHEREAS, graduates of the Program will be prepared to pursue research and/or health-related science careers in academia, government, industry, and the private sector;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it grants initial approval of and submission to the Alabama Commission on Higher Education (ACHE) the proposal for a Bachelor of Science (B.S.) degree in Neuroscience (CIP Code 30.2401), at The University of Alabama at Birmingham.

Approving establishment of the Deep South Resource Center  
for Minority Aging Research at UAB

#### RESOLUTION

WHEREAS, older minority adults are at risk for worse health and health outcomes than other people in the Deep South, and there is a shortage of scientists trained to conduct research related to minority aging health; and

WHEREAS, there are inadequate methods for investigating minority aging issues as well as a need for minority older adults to be more involved in research studies; and

WHEREAS, the Deep South Resource Center for Minority Aging Research (RCMAR) will involve the collaboration of The University of Alabama at Birmingham with other universities in the Deep South including The University of Alabama, Tuskegee University, and the Morehouse School of Medicine; and

WHEREAS, the Deep South RCMAR will focus on training scientists in the methods of minority aging research, train minority and non-minority scientists to conduct research, develop community relationships and partnerships to encourage the involvement of minority older adults in research, and develop new methods to study minority aging; and

WHEREAS, the Center will ultimately result in the improved care and health of older adults and reduce health disparities in the Deep South; and

WHEREAS, Richard M. Allman, M.D., Director of the UAB Center for Aging, and the Division of Gerontology, Geriatrics, and Palliative Care, will serve as the initial director of the Center;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby approves establishment of the Deep South Resource Center for Minority Aging Research at The University of Alabama at Birmingham.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies be sent to appropriate officials of The University of Alabama at Birmingham.

Establishing the Robert W. Mowry, M.D., Endowed  
Professorship in Pathology at UAB

#### RESOLUTION

WHEREAS, The University of Alabama Health Services Foundation and a graduate of The University of Alabama at Birmingham (UAB) who wishes to remain anonymous have generously donated funds totaling \$500,000, to establish an endowed professorship in honor of Robert W. Mowry, M.D., to benefit the Department of Pathology at UAB; and

WHEREAS, it is the desire of the donors that this fund benefit the Department of Pathology by providing for the recruitment and/or retention of a faculty member who holds a doctorate in medicine; and

WHEREAS, it is most fitting that this fund be named in honor of Dr. Mowry who made substantial contributions to the field of Pathology and the growth and development of the Department of Pathology at UAB during his more than 50 years of service on the Department's faculty; and

WHEREAS, Robert Wilbur Mowry was born on January 10, 1923, in Griffin, Georgia, and he received his Bachelor of Science from Birmingham-Southern College in 1944, and his Doctor of Medicine from Johns Hopkins University in 1946; and

WHEREAS, after receiving his medical degree, Dr. Mowry returned to Birmingham, Alabama, and completed his internship and residency in 1947, and 1948, respectively, at The University of Alabama Medical College, now known as the School of Medicine at UAB; and

WHEREAS, Dr. Mowry served as Senior Assistant Surgeon for the United States Public Health Service in Bethesda, Maryland, from 1948 to 1952, and, during that time, also completed a fellowship in Pathology at Boston City Hospital; and

WHEREAS, in 1952, Dr. Mowry became Assistant Professor of Pathology at Washington University in St. Louis, Missouri, and one year later returned to The University of Alabama Medical College as Assistant Professor of Pathology, a position he held until his promotion to Associate Professor of Pathology in 1954; and

WHEREAS, in 1958, Dr. Mowry was named Professor of Pathology at The University of Alabama Medical College, and he served faithfully in this capacity until 1989, when he was awarded the distinction of Professor Emeritus for his long and influential career at UAB and in the Department of Pathology; and

WHEREAS, in addition to his responsibilities as a professor and educator, Dr. Mowry also served the Department in key leadership positions as Director of the Anatomical Pathology Lab from 1953 to 1964, and as Director of Graduate Programs in the Department from 1964 to 1972, and he also served as Professor of Health Services Administration from 1976 to 1985; and

WHEREAS, eager to use his abilities and expertise for the good of those not only in Birmingham, but also in the State of Alabama, throughout the nation, and around the world, Dr. Mowry also served as a Senior Scientist at The University of Alabama Institute of Dental Research; as Director of Autopsy at UAB; as a consultant to the Food and Drug Administration; and as a Visiting Scholar in the Department of Pathology at the University of Cambridge in England; and

WHEREAS, renowned for his expertise in the field of Pathology, Dr. Mowry was the author of several books and articles and also served on the editorial boards of the *Journal of Histochemistry and Cytochemistry*, *Stain Technology*, *American Medical Association Archives of Pathology*, and *Biotechnics and Histochemistry*; and

WHEREAS, Dr. Mowry held membership in the American Society for Investigative Pathology; International Academy of Pathology; Biology Stain Commission, for which he served as President, Vice President, and Trustee; Society for Glycobiology; American Association of University Professors; Phi Beta Kappa and Sigma Xi honoraries; Delta Sigma Phi fraternity; and Alpha Kappa Kappa medical fraternity; and

WHEREAS, equally dedicated to his family, Dr. Mowry was a loving and devoted husband to his wife, Mrs. Margaret Neilson Mowry, for 57 years until her death in 2006, and the two were active members of Shades Valley Presbyterian Church in Birmingham, where the couple resided for more than 50 years; and

WHEREAS, Dr. Mowry continues to bless the lives of his three children, Ms. Janet Lee Mowry, Dr. R. Gordon Mowry, and Ms. Barbara Ann Harris; five grandchildren; and numerous extended family members and friends; and

WHEREAS, UAB remains most grateful for Dr. Mowry's incredible influence on the success and development of the Department of Pathology, which has grown to national prominence for its superior training programs and distinguished faculty who have achieved national and international recognition in service, teaching, and research; and

WHEREAS, naming this Endowed Professorship in Dr. Mowry's honor will serve as a lasting tribute to his years of service to UAB and his exemplary dedication to excellence in the field of Pathology; and

WHEREAS, this endowment will have an enduring effect on the work performed by the occupants of the Endowed Professorship and on the lives of the patients touched by the research conducted by said occupants;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts, with gratitude, these generous gifts and herewith approves establishment of the Robert W. Mowry, M.D., Endowed Professorship in Pathology at The University of Alabama at Birmingham, as a pure endowment.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board, and that copies or any parts of it be sent to Dr. Robert W. Mowry to share with members of his family; to Dr. Jay M. McDonald, Professor and Chair of the Department of Pathology; to Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine; and to other appropriate officials of The University of Alabama at Birmingham.

Approving appointment of John B. Fiveash, M.D., to the Robert Y. Kim Outstanding Educator Endowed Chair in Radiation Oncology at UAB

#### RESOLUTION

WHEREAS, on June 15, 2007, a resolution was formally approved by The Board of Trustees of The University of Alabama endowing the Robert Y. Kim Outstanding Educator Endowed Chair in Radiation Oncology; and

WHEREAS, as recommended by James A. Bonner, M.D., Chairman of the Department of Radiation Oncology, with the concurrence of the leadership of The University of Alabama at Birmingham (UAB), the UAB administration now wishes to appoint John B. Fiveash, M.D., as the first holder of this Endowed Chair; and

WHEREAS, Dr. Fiveash is an outstanding radiation oncologist skilled in the use of advanced radiation oncology technology in treating patients with complex genitourinary, central nervous system, and sarcoma cancers; and

WHEREAS, Dr. Fiveash received his medical degree from the Medical College of Georgia in 1993; completed an internship in Internal Medicine at the Memorial Medical Center in Savannah, Georgia in 1994; completed a residency in Radiation Oncology at the Georgia Radiation Therapy Center at the Medical College of Georgia, in 1997; completed fellowship training in Conformal Radiation Oncology and Prostate Brachytherapy at the University of Michigan Medical Center in 1998; and subsequently completed Gamma Knife training at the University of California, San Francisco in 1998; and

WHEREAS, in 1998, Dr. Fiveash was recruited to the UAB as Assistant Professor in the Department of Radiation Oncology and was later promoted to Associate Professor; and

WHEREAS, Dr. Fiveash is committed to the education of up-and-coming physicians, serving as the department's Residency Director, Treatment Planning Seminar Course Director, Gamma Knife Program Director, and Treatment Planning Research Fellowship Director; mentoring residents and physicians for successful careers throughout the United States since 2001; leading an educational program ranked in the top ten by the American Board of Radiology; and

WHEREAS, Dr. Fiveash's professional memberships include the New Approaches to Brain Tumor Therapy (NABTT), the American College of Surgeons Oncology Group (ACOSOG), the American Society of Therapeutic Radiation Oncology (ASTRO), the American College of Radiology (ACR), the American Society of Clinical Oncology (ASCO), and the Society of Neuro-oncology (SNO); and

WHEREAS, Dr. Fiveash has received numerous academic and service awards, has presented or authored over 100 peer reviewed manuscripts, abstracts, book chapters, and scientific papers, has led numerous clinical trials as the primary investigator, and continues to be a highly sought after guest lecturer for national and international meetings; and

WHEREAS, members of this Board concur with the selection of Dr. Fiveash as holder of this prestigious Chair;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves appointment of John B. Fiveash, M.D., to the Robert Y. Kim Outstanding Educator Endowed Chair

in Radiation Oncology at The University of Alabama at Birmingham, with all rights and privileges thereunto appertaining.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board, and that copies be sent to John B. Fiveash, M.D. to share with members of his family; to James A. Bonner, M.D., Chairman of the Department of Radiation Oncology at The University of Alabama School of Medicine at UAB; and to other appropriate officials of UAB.

Approving appointment of David R. Klock, Ph.D., as the Second Holder of the Wachovia Endowed Chair in Business Administration in the School of Business at UAB

#### RESOLUTION

WHEREAS, The Board of Trustees of The University of Alabama approved establishment of the Wachovia Endowed Professorship in Business Administration in 2004; and on November 10, 2006, approved the conversion of this Endowed Professorship to the Wachovia Endowed Chair in Business Administration; and

WHEREAS, this Endowed Chair was established to enable the UAB School of Business to recruit and retain a dean with academic excellence and visionary guidance to lead the School in its mission of delivering undergraduate and graduate business programs of superior quality and relevance through excellent instruction, scholarly contributions, and service to their students; and

WHEREAS, the UAB administration now wishes to appoint David R. Klock, Ph.D., Dean of the School of Business at UAB, as the second holder of this Endowed Chair; and

WHEREAS, Dr. Klock was recruited and joined the faculty of UAB in 2008, as Dean of the UAB School of Business and Graduate School of Management; and

WHEREAS, Dr. Klock received his undergraduate degree from Northeastern University in 1968; completed his Master of Science in

Finance from the University of Illinois in 1969; and he received his Ph.D. from the University of Illinois in 1971; and

WHEREAS, Dr. Klock was appointed Assistant Professor of Finance at the University of Florida in 1974, where he served for two years; then was appointed Associate Professor of Finance at Texas Tech University in 1976, where he served for two years; and

WHEREAS, in 1981, Dr. Klock joined the faculty of the University of Central Florida as Associate Professor of Finance for one year, and then was appointed Chairman and Professor of the Department of Finance, which he served for five years before being appointed as Professor of Finance and Fellow, Dr. Phillips Institute for the Study of American Business Activity, where he served for three years; and

WHEREAS, in 1991, Dr. Klock was appointed president and board member of CompBenefits Corporation in Roswell, Georgia. In 1993, Dr. Klock was appointed Chairman and Chief Executive Officer of Comp-Benefits Corporation. In 2004, Dr. Klock was appointed Chairman of the Board and Chairman of the Audit Committee; and

WHEREAS, in 2005, Dr. Klock was appointed Dean of the College of Business Administration at California State Polytechnic University – Pomona; and

WHEREAS, in 2006, Dr. Klock was appointed Interim Dean, Collins School of Hospitality Management at California State Polytechnic University – Pomona; and

WHEREAS, Dr. Klock has been active in the private business sector for a number of years while serving numerous academic institutions; and

WHEREAS, Dr. Klock has received many academic honors and has served on numerous committees and councils; and

WHEREAS, Dr. Klock has gained national and international recognition as author and co-author of many books and numerous publications in peer-review journals and newspapers and he has been actively involved in various professional associations and community organizations; and

WHEREAS, as recommended by Eli I. Capilouto, Provost of The University of Alabama at Birmingham, the Dean's Search Committee and the UAB administration now wish to appoint David R. Klock, Ph.D., as the second holder of the Wachovia Endowed Chair in Business Administration in the UAB School of Business; and

WHEREAS, this Board concurs with these recommendations and believes it most appropriate that Dr. Klock be named as the second holder of the Wachovia Endowed Chair in Business Administration;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby approves appointment of David R. Klock, Ph.D., as the second holder of the Wachovia Endowed Chair in Business Administration in the School of Business at The University of Alabama at Birmingham, with all rights and privileges thereunto appertaining.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of the Board, and that copies be sent to David R. Klock, Ph.D., to share with members of his family, and to other appropriate officials of The University of Alabama at Birmingham.

Approving appointment of Colonel Patricia A. Patrician, Ph.D., R.N., as the First Holder of the Donna Brown Banton Endowed Professorship in Nursing at UAB

#### RESOLUTION

WHEREAS, The Board of Trustees of The University of Alabama formally established the Donna Brown Banton Endowed Professorship in Nursing on June 17, 2005, at The University of Alabama at Birmingham (UAB); and

WHEREAS, effective August 1, 2008, the UAB administration wishes to appoint Colonel Patricia A. Patrician, Ph.D., R.N., Associate Professor of Nursing, as the first holder of the Donna Brown Banton Endowed Professorship in Nursing, as recommended by a search committee in consultation with Doreen C. Harper, Ph.D., R.N., F.A.A.N., Dean of the School of Nursing, with the concurrence of UAB's leadership; and

WHEREAS, Dr. Patrician, a native of Nanticoke, Pennsylvania, graduated from Wilkes University in Wilkes-Barre, Pennsylvania, in 1982, with a baccalaureate in Nursing; received her Master's of Science in Nursing with an emphasis in Critical Care Nursing, in 1988, from the University of Texas Health Science Center in San Antonio, Texas; received an additional Master's degree in Strategic Studies from the Army War College in Carlisle Barracks, Pennsylvania, in 2005; and, in 2002, her Doctorate in Nursing, from the University of Pennsylvania, Philadelphia; and

WHEREAS, after earning her doctorate, Dr. Patrician served as the Chief, Nursing Research Service at the Walter Reed Army Medical Center in Washington, D.C., and currently holds the position of Chief, Department of Nursing Science at the Academy of Health Sciences in Fort Sam Houston, Texas, and additionally holds an Adjunct Assistant Professorship in Nursing at the Uniformed Services University of the Health Sciences in Bethesda, Maryland; and

WHEREAS, Dr. Patrician has an exemplary record of progressive military and academic nursing leadership experiences throughout the country since 1986, and has been Principal Investigator on three funded Department of Defense, tri-service nursing workforce and outcomes scientific studies and served on three additional scientific studies as Co-Principal Investigator; and

WHEREAS, Dr. Patrician's scholarly work has advanced the knowledge of nursing outcomes leading to improved quality of care for patients and positively impacted work environments, and job satisfaction for nurses; and

WHEREAS, Dr. Patrician has educated and mentored students for the past seven years and worked as a noted leader in nursing for the past 25 years by serving in complex leadership roles; and

WHEREAS, Dr. Patrician is nationally recognized for research, publications, presentation activities in the areas of nursing practice and outcomes, improving nursing workforce environment, leadership and education, these areas congruent with the intent of this professorship, that being to lead nurses toward improving quality patient care in practice; and

WHEREAS, Dr. Patrician has been a member and leader in many national health care and nursing organizations and served on various committees and boards; and

WHEREAS, Dr. Patrician has received numerous decorations and awards throughout her distinguished nursing and military service such as several Achievement and Meritorious Service Medals, the Nursing Excellence Award at the Walter Reed Army Medical Center, the nationally awarded Anita Newcomb McGee, Army Nurse of the Year, and the 9A Designator for Proficiency in Nursing Research award from the US Army Medical Command in San Antonio, Texas; and

WHEREAS, Dr. Patrician served as a member on the Institutional Review Board for both Human Use and Scientific Review Committees for the Walter Reed Army Medical Center, and has served and continues to serve as a Manuscript Reviewer for *Nursing Research* and the *Canadian Journal of Nursing Research*; and

WHEREAS, the Board of Trustees is honored to have an individual with Dr. Patrician's experience and abilities as a faculty member and researcher, and it concurs with UAB's decision to honor her by naming her as the first holder of the Donna Brown Banton Endowed Professorship in Nursing;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby approves appointment of Colonel Patricia A. Patrician, Ph.D., R.N., as the first holder of the Donna Brown Banton Endowed Professorship in Nursing at The University of Alabama at Birmingham, with all the rights and privileges thereunto appertaining.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board, and that copies or any parts of it be sent to Dr. Patrician to share with members of her family; to Doreen C. Harper, Ph.D., R.N., F.A.A.N., Dean of the School of Nursing; and to appropriate officials of The University of Alabama at Birmingham.

Approving that the Degree Title for the Master of Science Degree in Management Information Systems at UAH be listed in the ACHE Inventory as MSMIS Degree

## RESOLUTION

WHEREAS, The University of Alabama in Huntsville has an approved Master of Science Degree in Management Information Systems (MSMIS), CIP Code 52.1201; and

WHEREAS, this Degree is currently listed in the ACHE Inventory under M.S., with the field of study as Management Information Systems and should be listed in the ACHE inventory with the degree title MSMIS;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves listing the Master of Science Degree in Management Information Systems (MSMIS) (CIP Code 52.1201), in the Alabama Commission on Higher Education (ACHE) Inventory as the MSMIS Degree at The University of Alabama in Huntsville.

Approving that the Degree Title for the Master of Science Degree in Software Engineering at UAH be listed in the ACHE Inventory as MSSE Degree

## RESOLUTION

WHEREAS, The University of Alabama in Huntsville has an approved Master of Science Degree in Software Engineering (MSSE), CIP Code 14.0901; and

WHEREAS, this Degree is currently listed in the ACHE Inventory under M.S., with the field of study as Software Engineering and should be listed in the Alabama Commission on Higher Education (ACHE) inventory with the degree title MSSE;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves listing the Master of Science Degree in Software Engineering (MSSE) (CIP Code 14.0901), in the Alabama Commission on Higher Education (ACHE) Inventory as the MSSE Degree at The University of Alabama in Huntsville.

Approving changing the Classification of Instructional Programs (CIP) Code for the Graduate Certificate in Information Assurance at UAH from 11.1003 to 30.9999 to reflect the true Multidisciplinary Aspect of the Certificate

#### RESOLUTION

WHEREAS, The University of Alabama in Huntsville has an approved Graduate Certificate in Information Assurance with Classification of Instructional Programs (CIP) code 11.1003; and

WHEREAS, this is a multidisciplinary certificate and should have a multidisciplinary CIP code 30.9999, for all reporting purposes;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves changing the Classification of Instructional Programs (CIP) Code for the Graduate Certificate in Information Assurance from 11.1003 to 30.9999 to reflect the true multidisciplinary aspect of the Certificate, at The University of Alabama in Huntsville.

Approving appointment of Gary C. April, Ph.D., as Professor Emeritus of Chemical and Biological Engineering in the College of Engineering at UA

#### RESOLUTION

WHEREAS, Gary C. April, Ph.D., retired effective December 31, 2007, as Professor and Head of the Department of Chemical and Biological Engineering after 38 years of distinguished service to the College of Engineering and The University of Alabama; and

WHEREAS, Dr. April graduated in 1962, with a B.S. degree; in 1965, with an M.S. degree; and, in 1969, with a Ph.D. degree, all from Louisiana State University; and

WHEREAS, Dr. April has been a member of several professional societies, including the American Society of Chemical Engineers, the

American Society for Engineering Education, and was inducted into the Alabama Engineering Hall of Fame; and

WHEREAS, as a result of his active research career, Dr. April has authored and co-authored over 50 papers published in research journals, and has presented over 80 talks at professional conferences and colloquia; and

WHEREAS, Dr. April actively continues his research career as a well-known scholar in his specialties of waste reduction, biomass conversion, and mathematical simulation of natural and reacting systems; and

WHEREAS, a very well professor and scholar, Dr. April has served as a Ph.D. supervisor and as a member of numerous professional committees; and

WHEREAS, over his entire career in the Department of Chemical and Biological Engineering and The University of Alabama, Dr. April has contributed to the health and welfare of those programs he has been associated with through a variety of activities including but not restricted to teaching, research, and service;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves appointment of Gary C. April, Ph.D., as Professor Emeritus of Chemical and Biological Engineering in the College of Engineering at The University of Alabama.

BE IT FURTHER RESOLVED that it hereby expresses its appreciation on behalf of the colleagues and friends of Gary C. April, Ph.D., for his contributions to the life of the Department of Chemical and Biological Engineering in the College of Engineering at The University of Alabama, its students, to the state of Alabama, and to the advancement of the academic study and development of Chemical Engineering as practiced in the University and other forums.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of the Board and copies be sent to Gary C. April, Ph.D. and appropriate officials of The University of Alabama.

Information Item

The University of Alabama System 2007-2008 Tenure  
Reports for UA, UAB, and UAH

Chairman Espy thanked Trustee Leonard for her report and recognized Trustee John England for a report from the Finance Committee. Trustee England said the Finance Committee met today, with other Trustees in attendance. The Committee reviewed and approved the following resolutions in the Board book: pages 85-90, approving Tuition and Fees for First Professional Students in Medicine, Dentistry, and Optometry for FY 2008-2009 at UAB; page 91, approving Tuition for The College of Community Health Sciences for FY 2008-2009 at UA; and the Administrative Item on pages 107-109.

The resolution approving changes to Board Rule 411 was tabled by the Committee and the first item, on page 83, was withdrawn by UAH.

After discussion, and on motion of Trustee England, seconded by Trustee Brooks, the Board adopted the following resolutions, separately and severally:

Approving Tuition and Fees Increase for First Professional  
Students in Medicine, Dentistry, and Optometry at UAB for  
2008-09

RESOLUTION

BE IT RESOLVED by The Board of Trustees of The University of Alabama as follows:

- I. The following scale of tuition and fees for students attending The University of Alabama; The University of Alabama at Birmingham; and The University of Alabama in Huntsville is hereby established, effective on

the dates indicated, and the said tuition and fees at the rates hereunder prescribed are hereby levied against and ordered collected from each such student. The President of each campus is authorized to promulgate regulations for deferral of fees but in no event shall students be allowed to receive credit for courses taken in the term for which tuition and fees are billed or attend classes in any subsequent term without payment.

A. ....

B. The University of Alabama at Birmingham

1. Students attending the School of Medicine effective July 1, 2008: ~~2007~~:

- a. A general tuition to be paid by each student other than an out-of-state student in two installments with the first payment (\$7,627.00) (~~\$6,810.00~~) due on or before September 1 and the second, and final payment (\$7,627.00) (~~\$6,810.00~~), due on or before January 1
  - \$ 15,254.00\*
  - \$13,620.00\*
  
- b. An out-of-state general tuition to be paid by each out-of-state student in two installments with the first payment (\$22,881.00) (~~\$20,430.00~~) due on or before September 1 and the second, and final payment (\$22,881.00) (~~\$20,430.00~~), due on or before January 1
  - 45,762.00\*
  - 40,860.00\*
  
- c. A student service fee for each year to be paid by each student in two installments with the first payment (\$222.00) (~~\$186.00~~) due on or before September 1 and the second, and final payment (\$222.00) (~~\$186.00~~), due on or before January 1
  - 444.00\*
  - 372.00\*

- d. A general fee for buildings for each year to be paid by each student in two installments with the first payment (\$445.00) due on or before September 1 and the second, and final payment (\$444.00), due on or before January 1
- \$ 889.00\*
- e. A student recreation center fee to be paid by each student in two installments with the first payment (\$72.00) due on or before September 1 and the second, and final payment (\$72.00), due on or before January 1
- 144.00\*
2. Students attending the first professional program in the School of Dentistry, effective July 1, 2008\*\*:  
2007 \*\*:
- a. A general tuition for each ~~quarter term~~ term to be paid by each student other than an out-of-state student according to the class level of the student:
- |                                     |                     |
|-------------------------------------|---------------------|
| 1 <sup>st</sup> year (freshman)     |                     |
| <b>Fall &amp; Spring (per term)</b> | 6,638.00            |
|                                     | <del>3,848.00</del> |
| 2 <sup>nd</sup> year (sophomore)    |                     |
| <b>Fall &amp; Spring (per term)</b> | 6,638.00            |
|                                     | <del>3,848.00</del> |
| 3 <sup>rd</sup> year (junior)       |                     |
| <b>Fall &amp; Spring (per term)</b> | 7,007.00            |
|                                     | <del>4,062.00</del> |
| 4 <sup>th</sup> year (senior)       |                     |
| <b>Fall &amp; Spring (per term)</b> | 7,745.00            |
|                                     | <del>4,490.00</del> |
- b. An out-of-state general tuition for each ~~quarter term~~ term to be paid by each out-of-state student according to the class level of the student:

1 <sup>st</sup> year (freshman)		
	<b>Fall &amp; Spring (per term)</b>	\$ 19,914.00
		11,544.00
2 <sup>nd</sup> year (sophomore)		
	<b>Fall &amp; Spring (per term)</b>	19,914.00
		11,544.00
3 <sup>rd</sup> year (junior)		
	<b>Fall &amp; Spring (per term)</b>	21,021.00
		12,186.00
4 <sup>th</sup> year (senior)		
	<b>Fall &amp; Spring (per term)</b>	23,235.00
		13,470.00
c.	A student service fee for each year to be paid by each student on or before October 1***	444.00
		-372.00
d.	A general fee for buildings for each <del>quarter session</del> <b>term</b> to be paid by each student	
	<b>Fall &amp; Spring (per term)</b>	447.00
		298.00
e.	A technology fee for each <del>quarter-session term</del> to be paid by each student	
	<b>Fall &amp; Spring (per term)</b>	129.00
		74.00
f.	A student recreation center fee to be paid by each student on or before October 1***	144.00
3.	Students attending the School of Optometry effective July 1, 2008****: 2007****:	
a.	A general tuition for each <del>quarter</del> to be paid by each student other than an out-of-state student according to the class level of the student:	

**1<sup>st</sup> year (freshman)**  
**Fall, Spring, & Summer (per**      3,032.00  
**term)**      \$ 4,447.00

**2<sup>nd</sup> year (sophomore), 3<sup>rd</sup> year (junior), &**  
**4<sup>th</sup> year (senior)**  
**Fall, Winter, Spring, & Summer**  
**(per term)**      3,335.00

b. ~~An out-of-state general tuition for each~~  
~~quarter~~ to be paid by each out-of-state  
student according to the class level of the  
student:      9,096.00

**1<sup>st</sup> year (freshman)**  
**Fall, Spring, & Summer (per**  
**term)**      13,341.00

**2<sup>nd</sup> year (sophomore), 3<sup>rd</sup> year (junior), &**  
**4<sup>th</sup> year (senior)**  
**Fall, Winter, Spring, & Summer**  
**(per term)**      10,005.00

c. A student service fee for each year to be paid by  
each student on or before October 1\*\*\*      444.00  
372.00

d. A general fee for buildings ~~for each quarter~~  
~~session~~ to be paid by each student according to  
the class level of the student:      444.00

**1<sup>st</sup> year (freshman)**  
**Fall, Spring, & Summer (per**  
**term)**      592.00

**2<sup>nd</sup> year (sophomore), 3<sup>rd</sup> year (junior), &**  
**4<sup>th</sup> year (senior)**  
**Fall, Winter, Spring, & Summer**  
**(per term)**      444.00

e. A student recreation center fee to be paid by each  
student on or before October 1\*\*\*      144.00

f.	A technology fee for each quarter session to be paid by each student according to the class level of the student:	74.00
	<b>1<sup>st</sup> year (freshman)</b>	
	<b>Fall, Spring, &amp; Summer (per term)</b>	115.00
	<b>2<sup>nd</sup> year (sophomore), 3<sup>rd</sup> year (junior), &amp; 4<sup>th</sup> year (senior)</b>	
	<b>Fall, Winter, Spring, &amp; Summer (per term)</b>	86.00

.....

\*The general tuition and fee schedule for the School of Medicine is quoted on an annual basis. Students who must extend attendance briefly beyond their current academic year in order to complete requirements are subject to an additional charge which will be prorated according to one-third of the annual charge for tuition and fees for each additional four month period or part thereof (excluding the student recreation center fee, which will be charged in the amount of \$72.00 per semester and \$60 per summer term). If the student is continuing with patient contact, liability insurance will be required. Should a student in the School of Medicine be required to remediate a course through self-study, the student will be charged an additional fee of \$100 per class.

\*\*Should a student in the School of Dentistry be required to remediate a course requiring faculty instruction during a period in which the course is not normally taught, the student will be charged an additional fee of \$500.00 per class. Those students required to remediate a course through self-study will be charged a fee of \$100.00.

\*\*\*First professional students in ~~Dentistry~~ and Optometry who enroll for ~~more than three quarters per year~~ **the summer term** will be charged additional fees equal to one ~~quarter's term's~~ **term's** student service fee (\$124.00) (\$148.00) and the summer student recreation center fee (\$60.00).

\*\*\*\*SREB contract students attending the School of Optometry are to be considered in-state students for tuition and fee purposes.

Approving Tuition Increase for the College of Community Health Sciences (CCHS) at UA for 2008-09

RESOLUTION

BE IT RESOLVED by The Board of Trustees of The University of Alabama as follows:

- I. The following scale of fees for students attending The University of Alabama, The University of Alabama at Birmingham, and The University of Alabama in Huntsville is hereby established, effective on the dates indicated, and the said fees at the rates hereunder prescribed are hereby levied against and ordered collected from each such student. The President of each campus is authorized to promulgate regulations for deferral of fees but in no event shall students be allowed to receive credit for courses taken in a term for which fees are billed or attend classes in any subsequent term without payment.

A. The University of Alabama

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2. College of Community Health Sciences, effective July 1, ~~2008~~ 2007

- a. Tuition for in-state student to be paid in two equal installments with the first due on or before August ~~8~~ 10 and the second, and final due on or before December ~~5~~ 7

16,731.00  
15,025.00

- b. Tuition for out-of-state student to be paid in two equal installments with the first due on or before August ~~8~~ 10 and the second, and final due on or before December ~~5~~ 7

47,239.00  
42,265.00

## Approving Revised Signature Authority at UAH

### RESOLUTION

BE IT RESOLVED by The Board of Trustees of The University of Alabama that David B. Williams, President; Lewis J. Radonovich, Provost and Vice President for Academic Affairs; and Ray M. Pinner, Vice President for Finance and Administration, of The University of Alabama in Huntsville, are each authorized to act for and in the name of The Board of Trustees of The University of Alabama in making application for and negotiating and executing contract or grant agreements with any agency of local, state, national or foreign government, foundation, corporation, or individual with regard to research, instructional and service activities, and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Lawrence R. Greenwood, Vice President for Research; James R. Snider, Associate Vice President for Research; Thomas M. Koshut, Associate Vice President for Research; John Christy, Associate Vice President for Research; Gloria Greene, Director of Sponsored Programs; and Felecia D. Troupe, Assistant Director of Sponsored Programs for The University of Alabama in Huntsville are each authorized to act for and in the name of The Board of Trustees of The University of Alabama in making application for and negotiating and executing contract or grant agreements with any agency of local, state, national or foreign government, foundation, corporation, or individual with regard to research and service activities, and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Ray M. Pinner, Vice President for Finance and Administration, of The University of Alabama in Huntsville, is hereby authorized for and on behalf of this corporation and in its name to sign checks or other orders for the payment of money from funds standing to the credit of The University of Alabama in Huntsville. All of said checks and orders for payment of money must be countersigned by Robert C. Leonard, Controller.

BE IT FURTHER RESOLVED that Delois H. Smith, Vice President for Student Affairs, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing contracts with any agency of local, state, national or foreign government, foundation,

corporation, or individual with regard to student affairs activities, such as student activity events, intramural sports, and related matters, and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Gary D. Smith, Associate Director of Governmental Relations and Executive Assistant to the President of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing contracts with any agency of local, state, national or foreign government, foundation, corporation, or individual with regard to athletics, and related matters, and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Jeffrey E. Sands, Vice President for University Advancement, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing contracts with any agency of local, state, national or foreign government, foundation, corporation, or individual with regard to development activities and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Karen Mack Clanton, Director of Continuing Education, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing standard form instructor contracts with any corporation or individual for courses taught in the Division of Continuing Education and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Patricia A. Moore, Associate Vice President for Business Services, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing contracts for maintenance services for software and equipment and for pest control services for buildings with any corporation or individual and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that John Maxon, Associate Vice President for University Housing and Campus Business Operations, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing grants-in-aid, single student residence hall leases,

and family housing leases with any corporation or individual(s) and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that Jim Harris, Director of Athletics, of The University of Alabama in Huntsville, is hereby authorized to act for and in the name of The Board of Trustees of The University of Alabama in negotiating and executing Athletic Grants-in-Aid (and renewals thereof) and National Letters of Intent (and releases therefrom) with individual athletes and in furnishing necessary reports or other instruments in connection therewith.

BE IT FURTHER RESOLVED that all previous resolutions granting any of the foregoing powers of authority be, and hereby are, rescinded.

BE IT FURTHER RESOLVED that any two of the following three officials acting together: David B. Williams, President; Ray M. Pinner Vice President for Finance and Administration; and Robert C. Leonard, Controller of The University of Alabama in Huntsville, are authorized for and in the name of The Board of Trustees of The University of Alabama to sell at public or private sale or exchange any or all shares of stock, bonds, or securities in any corporation, association, trust, municipal corporation, or government which may now or hereafter stand in the name of The Board of Trustees of The University of Alabama for The University of Alabama in Huntsville, or in its name and in the name of others, and to receive and receipt for the purchase of property received in exchange and in the name of The Board of Trustees of The University of Alabama, to sign any transfers, assignments, or powers of attorney that may be necessary to make the transfer or exchange and to deliver the same, together with the stock or securities sold or exchanged, to the transferee or his agent.

Chairman Espy thanked Trustee England for his report and recognized Trustee Paul W. Bryant, Jr., for a report from the Physical Properties Committee. Trustee Bryant said the Physical Properties Committee met yesterday and considered six resolutions for action by the Board which are included in the Board book on pages 110-111 and 126-161. A seventh resolution, included in the Board book on pages 112-125, was removed from the agenda by The University of Alabama.

The Committee thoroughly reviewed and approved these resolutions and recommends the approval of these items identified on the Board Agenda as H.1.a.1) and H.1.b.2) through H.3.b.1).

After discussion, and on motion of Trustee Bryant, seconded by Trustee Ritch, the Committee adopted the following resolutions, separately and severally:

Authorizing execution of Architect Agreement and approving preliminary Budget for the Capstone College of Nursing at UA (Stage II)

#### RESOLUTION

WHEREAS, on February 7, 2008, The Board of Trustees of The University of Alabama approved the revised Stage I for the Capstone College of Nursing project (the Project) at a projected cost of approximately \$19,914,685; and

WHEREAS, The University of Alabama's Selection Committee has completed Part 1 of the Consultant Selection Process in accordance with Board Rule 415 and negotiations will be conducted following Board approval as follows:

##### Ranking of Top Three Firms

1. Turner Batson Architects, Birmingham, Alabama
2. Davis Architects, Birmingham, Alabama
3. Sherlock, Smith & Adams Inc., Birmingham, Alabama

WHEREAS, the Project location and program have been reviewed and are consistent with the 2007 Campus Master Plan and the principles contained therein; and

WHEREAS, the Project will be funded out of the following sources: (i) a Health Resources and Services Administration Federal Grant in the amount of \$8,840,913; (ii) Alabama Public School and College Authority bond funds ("PSCA") in the amount of \$8,000,000; and (iii) private gifts in the amount of \$3,073,772; and

WHEREAS, the preliminary budget for the Project is established as follows:

BUDGET:	PRELIMINARY
Construction	\$ 16,436,361
Contingency	\$ 821,818
Architect/Engineer Fee	\$ 936,873
UA Project Management Fee	\$ 258,873
Telephone/Data	\$ 250,000
Furniture, Fixtures, and Equipment	\$ 900,000
Other (surveys, testing, etc)	\$ 310,760
TOTAL PROJECT COST	\$ 19,914,685

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that:

1. Robert E. Witt, President, Lynda Gilbert, Vice President for Financial Affairs and Treasurer, or those officers named in the most recent Board Resolution granting signature authority for The University of Alabama, be and are hereby authorized for and on behalf of the Board of Trustees to execute an architect agreement for architectural services in accordance with Board Rule 415 for the Project.
2. The preliminary budget for the Project as stipulated above is hereby approved.

Approving assignment by Saga Petroleum Corp., successor by merger with Saga Alpha, LLC, all of its right, title and interest in and to Coalbed Methane Leases with United States Pipe and Foundry Company, Diamond B. Energy, Inc., and CDX Gas, LLC to PGP Gas Supply Pool No. 1 and to PGP Gas Supply Pool No. 2, LLC by UA

#### RESOLUTION

WHEREAS, The Board of Trustees of The University of Alabama (“UA”) entered into that certain Coalbed Methane Lease dated June 26, 1974, with United States Pipe and Foundry Company (“US Pipe”) as lessee, ( the “US Pipe Lease”) which lease was subsequently assigned to

Saga Petroleum Corp., a Colorado corporation, successor by merger with Saga Alpha, LLC (“Saga”); and

WHEREAS, UA entered into that certain Coalbed Methane Lease dated July 7, 1982, with Diamond B. Energy, Inc. (“Diamond”) as lessee, (the “Diamond Lease”), which lease was subsequently assigned to Saga; and

WHEREAS, UA entered into that certain Coalbed Methane Lease dated November 12, 2002, with CDX Gas, LLC, a Texas limited liability company (“CDX”) as lessee, (the “CDX Lease”), which lease was subsequently assigned to Saga; and

WHEREAS, all of said leases require consent by UA before the leases can be assigned; and

WHEREAS, Saga has requested that UA consent to the assignment by Saga all of its right, title and interest in and to the of the US Pipe Lease, the Diamond Lease, and the CDX Lease to PGP Gas Supply Pool No. 1, a Georgia limited liability company (“PGP Pool 1”) and to PGP Gas Supply Pool No. 2, LLC, a Georgia limited liability company (“PGP Pool 2”) (Exhibit C); and

WHEREAS, PGP Pool 1 and PGP Pool 2 have agreed to accept such assignment and to assume all of the lessee’s obligations, liabilities and duties in and under the said Leases; and

WHEREAS, appropriate officials at the University have made a careful study of the request by Saga to consent to such assignment of said Leases and recommend its approval to the Board;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby consents to and gives its approval to the assignment by Saga Petroleum Corp., a Colorado corporation, successor by merger with Saga Alpha, LLC of all of its right, title and interest in and to the said Leases to PGP Gas Supply Pool No. 1, a Georgia limited liability company and to PGP Gas Supply Pool No. 2, LLC, a Georgia limited liability company.

BE IT FURTHER RESOLVED that Dr. Lynda Gilbert, Vice President for Financial Affairs and Treasurer of The University of Alabama, or such other person authorized to execute contracts on behalf of the Board of Trustees as indicated in the most current resolution to that

effect, be and are hereby authorized and empowered for and on behalf of the Board to do any and all things necessary or desirable to make, execute, and deliver such documents and instruments as may be necessary or required in order to consent to and/or ratify the assignment and assumption of the Lease.

Authorizing negotiation of an Owner/Architect Agreement  
for a Two Story Addition to the Ninth Avenue South Parking  
Deck at UAB (Stages II and III)

### RESOLUTION

WHEREAS, on February 8, 2008, The Board of Trustees of The University of Alabama approved the Stage I submittal for a Project to add two additional parking levels to the Ninth Avenue South Parking Deck (Deck) located at 1602 9<sup>th</sup> Avenue South on the UAB Campus; and

WHEREAS, the Project will add a total of 312 new parking spaces on two additional parking levels on top of the existing Deck, and replace the existing hydraulic elevators with new traction elevators; and

WHEREAS, Designform, Inc. of Birmingham, Alabama, served as the architect for the original Deck as approved by the Board of Trustees; and

WHEREAS, UAB desires to use the firm of Designform, Inc. as the architect of record for the Project as their extensive knowledge of the Deck will facilitate the successful completion of the Project; and

WHEREAS, in accordance with the provisions of Board Rule 415, the Vice Chancellor for Financial Affairs and the Chairman of the Physical Properties Committee have authorized UAB to request approval from the Physical Properties Committee to negotiate a contract with Designform, Inc.; and

WHEREAS, the University has provided a rendering of the Project in accordance with Board Rule 415; and

WHEREAS, the Project will be funded by UAB Plant Funds and a Federal Grant; and

WHEREAS, the preliminary Project Budget is established as follows:

Construction	\$ 6,300,000
Architect/Engineer	\$ 330,750
Surveys, Testing, & Inspection	\$ 50,000
Construction Contingency	\$ 630,000
Other	\$ 589,250
TOTAL PROJECT COST	<u>\$ 7,900,000</u>

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that:

1. Richard L. Margison, Vice President for Financial Affairs and Administration, or those officers named in the most recent Board Resolutions granting signature authority for The University of Alabama at Birmingham, are hereby authorized to act for and in the name of The Board of Trustees of the University of Alabama in negotiating terms of an Owner/Architect Agreement in accordance with Board Rule 415 with Designform, Inc. of Birmingham, Alabama, and thereafter advising the Vice Chancellor for Financial Affairs of The University of Alabama System and the Chairman of the Physical Properties Committee of the results.
2. The Stage II and Stage III submittals for the Project are hereby approved.
3. The University of Alabama at Birmingham is hereby authorized to proceed with the Planning and Design of the Project in accordance with appropriate provisions of Board Rule 415.

Authorizing contract award for the Alternate Bid Proposals for the Interior Fit-Out of the Patient Rooms on the 7<sup>th</sup> Floor East Tower and the Administrative and Training Space on the 2<sup>nd</sup> Floor East Tower; approving Total Project Budget for Alternate Bid Proposals; and approving Alternate Bid Project Budgets for Women and Infant's facility (WIF) and Radiation Oncology Replacement Facility (ROF) (Stage IV)

## RESOLUTION

WHEREAS, on April 18, 2003, the Boards of the UAS Hospital Services Corporation and the UAB Health System presented a Stage I Submittal to The Board of Trustees of The University of Alabama on the Women and Infants' Facility; and

WHEREAS, on June 30, 2003, University Hospital submitted a Stage I Submittal to the Board of Trustees on the Radiation Oncology Replacement Facility; and

WHEREAS, the Board of Trustees subsequently authorized UAB to submit applications for Certificates of Need for the new Women and Infants' Facility (WIF) and the Radiation Oncology Replacement Facility (ROF); and

WHEREAS, on June 15-16, 2006, respectively, the Joint Finance, Physical Properties, and UAB Health System Board Liaison Committee and the Board of Trustees approved Stage II and Stage III Submittals for the Project at a Preliminary Project Budget for the WIF at \$140,000,000 and the ROF at \$22,500,000; and

WHEREAS, on February 1, 2007, the UAB Health System presented to the Physical Properties Committee of the Board of Trustees a summary of the bid proposals received on the Project on January 18, 2007, and provided Certified Bid Tabulations in conjunction with these bids and indicated that the UAB Health System would be returning to the Executive Committee of the Board of Trustees for final approval of the Construction Contract Award for the Shell and Core of the Project; and

WHEREAS, on March 20, 2007, the Executive Committee of the Board of Trustees authorized the UAB Health System to move forward with the award of a Stage IV Design-Build Contract to the lowest responsible bidder, Brasfield and Gorrie, LLC of Birmingham, Alabama, for the Shell and Core component of the Project, which consists of Floors 1 through 10, and to accept the Lump Sum Proposal from the Design-Builder for completion of Design, Competitive Bidding, and Fit-Out of the Project and managing Fit-Out of the work on Floors No. 9 and 10 associated therewith, all at the cost of \$87,691,000; and

WHEREAS, at the Physical Properties Committee and Board of Trustees meetings on November 8-9, 2007, respectively, the Board of Trustees approved the UAB Health System proceeding with the receipt of

competitive bids and purchase of the necessary rough-in devices to facilitate the future installation of medical equipment for both the WIF and ROF at a maximum cost of \$ 8,940,884 for the WIF and \$511,210 for the ROF; and

WHEREAS, during the Summer and Fall of 2007, respectively, the Design-Builder completed the final architectural and engineering contract drawings and specifications for the Interior Fit-Out of Floors 1, 2, 3, 5, 6, and 7; and

WHEREAS, the Design-Builder received Competitive Base Bid Proposals for Floors No. 1, 2 West, 3, 5, and 6, and also received Alternate Bid Proposals for the Fit-Out of the 7<sup>th</sup> Floor Patient Rooms, West Perimeter Offices on the 5<sup>th</sup> Floor, and Radiation Oncology Administrative and Educational Space on the 2<sup>nd</sup> Floor; and

WHEREAS, on February 8, 2008, the Board of Trustees authorized the UAB Health System to move forward with the Interior Fit-Out of the Base Bid Proposals for Floors No. 1, 2 West, 3, 5, and 6; approved the Total Base Bid Project Budget for WIF in the amount of \$157,474,800 and ROF in the amount of \$27,534,703; and also authorized the UAB Health System to continue to consider the Alternate Bid Proposals, and to return to the Board with its recommendations and an acceptable Business Plan associated therewith; and

WHEREAS, the UAB Health System has concluded its evaluation of alternate bid proposals and desires to proceed forward with the Fit-Out of the 7<sup>th</sup> Floor East Patient Rooms for the Hospital, and the 2<sup>nd</sup> Floor East Administrative and Education Space for the Department of Radiation Oncology; and

WHEREAS, the Competitive Bid Proposals for the desired Additive alternate programs plus additional indirect costs, management fees etc., results in a Total Additive Alternate Construction Contract Award of \$6,922,716; and

WHEREAS, the Project Budget for the Interior Fit-Out of the Patient Rooms on 7<sup>th</sup> Floor East Tower (Additive Alternate 1) is as follows:

A. Construction	\$4,873,997
B. Survey's Testing & Inspection	\$100,000
C. Movable Equipment & Furnishings	\$2,050,000
D. Contingency (3%)	\$150,000
E. Other	\$126,003
F. TOTAL ESTIMATED PROJECT COST	<u>\$7,300,000</u>

WHEREAS, the Project Budget for the Fit-Out of the Administrative and Training space for the Department Radiation Oncology on the 2<sup>nd</sup> Floor East Tower (Additive Alternates 2 and 4) is as follows:

A. Construction	\$2,048,719
B. Survey's Testing & Inspection	\$50,000
C. Movable Equipment & Furnishings	\$540,000
D. Contingency (3%)	\$60,000
E. Other	\$41,281
F. TOTAL ESTIMATED PROJECT COSTS	<u>\$2,740,000</u>

WHEREAS, the UAB Health System has presented an acceptable financial plan for the Fit-Out of the Additive Alternate programs required to address the patient care, education and training requirements of the Hospital and the Department of Radiation Oncology;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama the following:

1. The UAB Health System is hereby authorized to accept the lowest Alternate Bid Proposals for the Interior Fit-Out of the Patient Rooms on the 7<sup>th</sup> Floor East Tower and the Administrative and Training space on the 2<sup>nd</sup> Floor East Tower at a maximum construction cost of \$6,922,716.
2. The Board hereby acknowledges and approves the separate Alternate Bid Project Budget for the Women and Infants' Facility in the amount of \$7,300,000 and the Alternate Bid Project Budget for the Radiation Oncology Replacement Facility in the amount of \$2,740,000.
3. The Board hereby approves a Total Project Budget, associated with the acceptance of the hereinbefore outlined Alternate Bid Proposals, in the amount of \$10,040,000.

Authorizing negotiation of an Owner/Architect Agreement, approving preliminary Construction Budget and total estimated Project Budget, and authorizing the UAB Health System to move forward with final planning and design of Relocation of Hematopoietic Cell Processing Laboratory and Construction of Class 100,000 Cell Processing Space, 3rd Floor, Spain Wallace Building, University of Alabama Hospital, at UAB (Stage II)

## RESOLUTION

WHEREAS, University Hospital operates the Hematopoietic Stem Cell Collection and Processing (HSCCP) Laboratory which provides stem cell collection and processing services for all the adult and pediatric patients at UAB and Children's Hospital; and

WHEREAS, University Hospital and the HSCCP Lab have determined that new treatments will require more sophisticated manipulations of stem cell samples for which the Food and Drug Administration (FDA) requires facilities to be in compliance with Good Manufacturing Practice (GMP) guidelines; and

WHEREAS, the current lab space located on the first floor of New Hillman Building does not have the space and infrastructure necessary to accommodate the clean room, reagent quarantine areas, and environmental control and monitoring capabilities required for GMP facilities; and

WHEREAS, University Hospital and the HSCCP Lab have determined that the aforementioned needs can best be addressed by relocating the HSCCP facility to the 3<sup>rd</sup> floor of the Spain Wallace building; and

WHEREAS, the UA Board approved the Stage I submittal on September 14, 2007, for the relocation of the Hematopoietic Cell Processing Laboratory; and

WHEREAS, a Consultant Selection Committee appointed by the Hospital has completed the proper consulting notifications, qualifications review, and interviews required by Board Rule 415, and has determined that Karlsberger of Birmingham, Alabama; Birchfield Penuel & Associates of Birmingham, Alabama; The Owens and Woods Partnership, P.C. Architects of Birmingham, Alabama; and Williams Blackstock of

Birmingham, Alabama; were considered most qualified Architectural Firms for this Project; and

WHEREAS, the ranking of these Architectural Firms by the Consultant Selection Committee was subsequently approved by Trustee Paul W. Bryant, Jr., Chairman of the Physical Properties Committee, and Vice Chancellor for Financial Affairs Mr. C. Ray Hayes; and

WHEREAS, the UAB Health System is hereby requesting approval to proceed with the final negotiations for Architectural Services with the above listing of consultants as specified by Board Rule 415; and

WHEREAS, the preliminary Project Budget has been established as follows:

Construction	\$	700,000
Architect/ Engineer	\$	78,000
Surveys, Testing & Inspection	\$	3,500
Fixed Equipment	\$	270,00
Construction Contingency	\$	70,000
Other	\$	13,245
TOTAL PRELIMINARY PROJECT COST	\$	1,134,745

WHEREAS, University Hospital has budgeted \$531,936 for this project in its FY2007 Annual Capital Budget which was approved by the UAB Health System Board and Finance Committee on September 15, 2006; and the School of Medicine has budgeted \$332,809 for this project in its FY2008 Budget and plans to allocate \$270,000 toward the procurement of equipment from its FY2009 Budget; and

WHEREAS, the UAB Health System Board of Directors has reviewed and recommends approval of this item;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that:

1. Carol Z. Garrison, Chair of the Board of UAB Health System, or her designee, be authorized to act for and in the name of the Board of Trustees in negotiating an Owner/ Architect Agreement with one of the hereinbefore listed ranked firms in accordance with the provisions of Board Rule 415.

2. The Preliminary Construction Budget of \$700,000 and the total estimated Project Budget of \$1,134,745 are hereby approved.
3. The UAB Health System is authorized to move forward with the final planning and design of the Project and return to the Physical Properties Committee and the UA Board for Stage IV approval of the construction contract award after competitive bids are received on the Project.

Authorizing execution of Lease Agreement with University of Alabama Health Services Foundation, P.C., for the 9<sup>th</sup> and 10<sup>th</sup> floors of the Women and Infant's Facility (WIF) Clinics and Offices – POB

#### RESOLUTION

WHEREAS, the UAB Health System ("UABHS") was formed to provide for the common management of the existing and future health care delivery operations of The Board of Trustees of The University of Alabama ("UA Board") for The University of Alabama at Birmingham and The University of Alabama Health Services Foundation, P.C. ("HSF"); and

WHEREAS, the UA Board has previously approved the Stage II, III, and IV Submittals and the Financing Plan for University Hospital's Women and Infants' Facility ("WIF") and Radiation Oncology Replacement Facility ("ROF") (collectively "Project"); and

WHEREAS, the cost of the 9th and 10th floors of the WIF are not included in the Project costs, in contemplation of University Hospital leasing those floors to HSF for use as physician offices; and

WHEREAS, University Hospital and HSF propose to enter into a prepaid lease in substantially the form attached whereby HSF will lease approximately 120,000 square feet of space consisting of the 9th and 10th floors of the WIF in return for payment of a base rent equal to the costs for shell and core construction of these floors, currently estimated to be \$14,601,209, plus additional rent for operating expenses based on a square foot allocation of those expenses, with a proposed initial term of 30 years, with two renewal terms, at the option of HSF of 30 years each; and

WHEREAS, UAB believes this lease is in the best interest of the UA Board and the State;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it authorizes The University of Alabama at Birmingham for University Hospital to enter into a prepaid lease with HSF in substantially the form attached (Exhibit D) whereby HSF will lease approximately 120,000 square feet of space consisting of the 9th and 10th floors of the WIF for use as physician offices in return for payment of a base rent equal to the costs for shell and core construction of these floors, currently estimated to be \$14,601,209, plus additional rent for operating expenses based on a square foot allocation of those expenses, with a proposed initial term of 30 years, with two renewal terms, at the option of HSF of 30 years each.

BE IT FURTHER RESOLVED that the President of UAB, or her designee, is authorized to execute the documents necessary to complete the lease transaction with HSF as set forth in this resolution.

Trustee Bryant said the Committee also approved a suspension of the rules and amending of the Agenda to include an additional item at the request of UAH. The resolution, requesting authorization for purchase of property at 708 Erskine Street, in the Sanderson Subdivision in Huntsville, was reviewed and approved by the Committee and the Committee now recommends approval by the Board.

After discussion, and on motion of Trustee Bryant, seconded by Trustee Hurst, the Board adopted the following resolution:

#### RESOLUTION

WHEREAS, The University of Alabama in Huntsville (the "University") is interested, for long-range campus development purposes, in acquiring property adjoining existing UAH property; and

WHEREAS, the University has recently made an offer to acquire a house and lot in Sanderson Subdivision (at 708 Erskine Street) for a

purchase price of \$137,000, said property being more fully described in attached Exhibit E; and

WHEREAS, the purchase price for said property is supported by an appraisal report, completed January 23, 2008, by certified real estate appraiser Claude B. Moore, Jr., Garrett and Associates Appraisals, Inc., attached hereto as Exhibit F; and

WHEREAS, a real estate sales contract, attached hereto as Exhibit G, has been entered into by the parties, providing expressly, however, that consummation of the transaction provided for therein is conditional upon approval of the transaction and the contract by The Board of Trustees of The University of Alabama or the Executive Committee thereof; and

WHEREAS, it is deemed in the best interest of the University to acquire this property on the terms stated in the contract;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that The University of Alabama in Huntsville is authorized to acquire the property described in attached Exhibit E on the terms and conditions substantially as set forth in the real estate sales contract attached hereto as Exhibit G; that the execution of such contract on behalf of the Board of Trustees by Mr. Ray Pinner, Vice President for Finance and Administration of the University, is hereby approved and ratified; and that Mr. Ray Pinner is authorized to accept delivery of a warranty deed from the owner of the property and to perform on behalf of the Board any other acts or actions necessary or appropriate to consummate the purchase of such property on the terms and conditions set forth in the said sales contract.

Chairman Espy thanked Trustee Bryant for his report and recognized Trustee Andria Hurst for a report from the Honorary Degrees and Recognition Committee. Trustee Hurst said the Honorary Degrees and Recognition Committee met on April 8, by telephone conference call, and again yesterday afternoon in this room, with a majority of the Trustees in attendance.

The Committee approved for recommendation to the Board a resolution naming the Computer Laboratory in the Mechanical Engineering Department of The University of Alabama in Huntsville, Technology Hall Room N 278, The Mark V. Bower Computer Laboratory. Trustee Hurst said the Committee also approved for recommendation to the Board an Honorary Degree to Mrs. Ann K. Jones at UA.

After discussion, and on motion of Trustee Hurst, seconded by Trustee Urquhart, the Board adopted the following resolution and approved the Honorary Degree for Mrs. Ann K. Jones at UA, separately and severally:

#### RESOLUTION

WHEREAS, the Mechanical and Aerospace Engineering Department at The University of Alabama in Huntsville has added a new state-of-the-art computer laboratory for Engineering students; and

WHEREAS, the growing Mechanical and Aerospace Engineering student body will benefit immensely from this laboratory; and

WHEREAS, this new laboratory will aid in efforts to recruit new students; and

WHEREAS, the late Dr. Mark V. Bower, former Chair of the Mechanical and Aerospace Engineering Department, devoted a tremendous amount of his time and energy to establish this laboratory; and

WHEREAS, Dr. Bower worked with the architects, engineers, and computer support staff to design the laboratory and to incorporate the latest classroom and laboratory technology to aid student learning; and

WHEREAS, Dr. Bower always put his students first, enjoyed close associations with many of them, and advocated for them to insure that they had the best equipment necessary to get an excellent education;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that, in recognition of Dr. Mark Bower's

significant contributions of time and energy devoted to the establishment of the Mechanical and Aerospace Engineering Computer Laboratory and his exemplary dedication to students and student learning, the Board hereby approves the naming of the Computer Laboratory in the Mechanical Engineering Department of The University of Alabama in Huntsville, Technology Hall Room N 278, "The Mark V. Bower Computer Laboratory."

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of the Board and that copies be sent to Dr. David B. Williams, President; Dr. Lewis J. Radonovich, Provost; Dr. Jorge Auñón, Dean of the College of Engineering; Dr. Kader Frendi, Chair of the Mechanical and Aerospace Engineering Department; and to his wife, Mrs. Peggy Bower and family, and placed in the M. Louis Salmon Library of The University of Alabama in Huntsville.

Chairman Espy thanked Trustee Hurst for her report and recognized Trustee Marietta Urquhart, in the absence of Chairman Finis St. John IV, for a report from the Task Force on Committees. Trustee Urquhart said the Task Force on Committees met and continued its review of the Committee structure. No action was taken. The Task Force invites the input of all Trustees as we continue in this review.

Chairman Espy thanked Trustee Urquhart for her report.

Chairman Espy said the Administrative Action Items are listed on the Agenda and are normally acted upon as a unit, separately and severally. He said the Board needs to approve an amendment to the resolution on page 233, appointing members of the Board of Directors of the Crimson Tide Foundation and ratifying their service from their original election. He said they are reappointing the members of the Foundation, Trustees Bryant, Cooper, McMahon, and Wilson, Emeritus Trustee Thomas, and President Witt, by virtue of his office. There is also to be a designee of the Chancellor and he has

designated Vice Chancellor Ray Hayes. Mr. Hayes needs to be added to the resolution as a member of the Foundation Board of Directors.

Hearing no object from the Trustees, this resolution will be amended to add Mr. Hayes and it will be voted on with the other resolutions under the Administrative Action Items.

Chairman Espy noted the resolution on page 187, item k., in honor of Jim Hayes, who is a great friend of the System and UA. This gift creates a Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics and Social Responsibility at UA and recognizes the many accomplishments of Mr. Hayes.

He asked if anyone wished to speak to any of the other items.

After discussion, and on motion of Trustee McDonald, seconded by Trustee Lowe, the Board adopted the following resolutions, separately and severally, including the amendment to item J.2. on the Crimson Tide Foundation:

Accepting gift of Dorothy Dowling Boyne, expressing appreciation, and establishing The Dorothy D. and John Joseph Boyne Endowed Support Fund at UA

#### RESOLUTION

WHEREAS, the late Dorothy Dowling Boyne of Montgomery, Alabama, contributed \$10,000 to The Board of Trustees of The University of Alabama to promote the education of deserving students pursuing degrees through the College of Continuing Studies at The University of Alabama; and

WHEREAS, a memorandum of agreement was signed on February 7, 2002, between The University of Alabama and Mrs. Boyne pledging the establishment of the *Dorothy D. and John Joseph Boyne Endowed*

*Scholarship* for Alabama students interested in careers in public service;  
and

WHEREAS, Mrs. Boyne's health declined, and she passed away before she could fulfill the required pledge of \$20,000 to establish the scholarship; and

WHEREAS, Dean Carolyn C. Dahl of the College of Continuing Studies desires that the intent of Mrs. Boyne's gift be honored and that the gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Dorothy D. and John Joseph Endowed Support Fund for the purposes and upon the conditions set out below:

1. Earnings shall support education-related expenses of University of Alabama undergraduate students, including, but not limited to tuition, fees, books, and housing.
2. Priority of consideration shall be given to deserving junior or senior level students who reside in Alabama, are pursuing careers in public service, are enrolled in academic programs facilitated through the College of Continuing Studies, and demonstrate academic excellence and outstanding leadership qualities.
3. Awards shall be determined by the standing awards committee of the College of Continuing Studies. The committee may include the Dean of the College or his/her designee. Decisions shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such office as designed by the President for coordinating such awards.
4. Persons desiring to contribute to The Dorothy D. and John Joseph Boyne Endowed Support Fund in the College of Continuing Studies shall be free to do so, provided they accept the conditions governing this fund; and

WHEREAS, Dorothy Dowling attended the Alabama College for Women in Montevallo, Alabama, and devoted 35 years to a career at Baptist Hospital in Montgomery, continuing as a volunteer after retirement;  
and

WHEREAS, she was married to Lt. Colonel John Joseph Boyne, a University of Alabama graduate, who taught at Maxwell Air Force Base in Montgomery, became the head of Air University's graduate division at Auburn University in Montgomery, and remained committed throughout his life to the importance of adult education; and

WHEREAS, an enthusiastic golfer, gardener, and cook and an avid fan of Crimson Tide Football, Mrs. Boyne enjoyed attending games with her grandson, Walker Reynolds, a 2004 graduate of The University of Alabama; and

WHEREAS, Lt. Colonel Boyne predeceased his wife, passing away in 1991, and through this endowment Mrs. Boyne wished to support those committed to careers in public service as well to as honor the memory of her late husband in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Mrs. Boyne and establishes The Dorothy D. and John Joseph Boyne Endowed Support Fund in the College of Continuing Studies as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward education expenses of students under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board.

Accepting gift, expressing appreciation, and establishing The Kathryn and Ronald Cain Endowed Scholarship at UA

## RESOLUTION

WHEREAS, Kathryn H. and Ronald A. Cain of Alexander City, Alabama, have contributed \$20,279.48, including earnings, to The Board of Trustees of The University of Alabama to promote the education of students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Mr. and Mrs. Cain desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Kathryn and Ronald Cain Endowed Scholarship in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to incoming freshmen whose major area of study is in the Culverhouse College of Commerce and Business Administration.
2. The scholarship shall be renewable for each of the subsequent years of a recipient's undergraduate education for a maximum of four years provided the scholarship committee deems the recipient's performance and academic progress to be worthy of retention, the recipient maintains a grade point average of at least 2.5, and the recipient remains enrolled in the Culverhouse College of Commerce and Business Administration.
3. The donors desire that each award be at least \$1,000 and that a stewardship report be sent to them annually.
4. Recipients shall be determined by the standing scholarship committee of the Culverhouse College of Commerce and Business Administration. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.

5. Persons or entities desiring to contribute to The Kathryn and Ronald Cain Endowed Scholarship shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, Kathryn Hardegree Cain, born in Talladega, Alabama, in 1951, was awarded two degrees from The University of Alabama: a bachelor of science in education in 1972, and a master of arts in education in 1973; and

WHEREAS, Mrs. Cain was a dedicated teacher in Alabama public schools until her retirement in 1999; and

WHEREAS, Ronald Alan Cain, born in West Point, Georgia, in 1949, graduated from The University of Alabama in 1971, with a bachelor of science in general business administration; and

WHEREAS, Mr. Cain had a distinguished career in construction administration, including 20 years of employment with BE&K Inc. in Birmingham, Alabama, before retiring in 1995; and

WHEREAS, through this endowment, the donors wish to support academic excellence within the Culverhouse College of Commerce and Business Administration at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Kathryn and Ronald Cain and establishes The Kathryn and Ronald Cain Endowed Scholarship in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Kathryn and Ronald Cain.

Accepting gift of Jung-Ja and Byoung-Song Chwe,  
expressing appreciation, and establishing The Chwe Endowed  
Nursing Scholarship at UA

## RESOLUTION

WHEREAS, Jung-Ja and Byoung-Song Chwe of Tuscaloosa, Alabama, have contributed \$20,000 to The Board of Trustees of The University of Alabama to promote the education of students in the Capstone College of Nursing at The University of Alabama; and

WHEREAS, Dr. and Mrs. Chwe desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Chwe Endowed Nursing Scholarship in the Capstone College of Nursing for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to full-time undergraduate students enrolled in the Capstone College of Nursing who have demonstrated academic success, leadership qualities, and financial need, although not necessarily as defined by federal guidelines, and who have lived or traveled extensively, or whose parents have lived or traveled extensively, in Asia. To the extent permitted by law, second priority of consideration shall be given to students whose enrollment would enhance the diversity of the student population in the Capstone College of Nursing, thereby improving the quality of the College's educational experience and product;
2. Recipients shall be determined by the standing scholarship committee of the Capstone College of Nursing. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards;
3. Persons or entities desiring to contribute to The Chwe Endowed Nursing Scholarship shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, born in Busan City, Korea, Jung-Ja Chwe has devoted her life to caring for those in need through her exemplary nursing career and volunteer efforts; and

WHEREAS, Mrs. Chwe's early experiences nurturing orphans, disabled soldiers, and elderly members of her community compelled her to pursue her interest in nursing at Yonsei University and The University of Alabama at Birmingham; and

WHEREAS, as a nurse epidemiologist at the Tuscaloosa Veterans' Administration Medical Center, Mrs. Chwe played a pivotal role in the implementation of HIV/AIDS care and education and the improvement of employee benefits and patient treatment at the facility; and

WHEREAS, known at home and abroad for her generosity and kindness, Mrs. Chwe acts locally as an ordained elder at Korean Presbyterian Church in Tuscaloosa and globally as a member of the World Christian Nursing Foundation and the Global Korean Nursing Foundation; and

WHEREAS, Mrs. Chwe continues her investment in the education of future nurses at The University of Alabama as a founding Board of Visitors member at the Capstone College of Nursing; and

WHEREAS, her husband, Dr. Byoung-Song Chwe, was born in Ee-chun, South Korea, and graduated from Seoul National University; and

WHEREAS, Dr. Chwe received his doctorate in mathematics from the University of California, Berkeley, and further pursued his commitment to education as a professor of mathematics at Seoul National University, the University of Alberta, and The University of Alabama, where he served from 1965 until his retirement in 1994; and

WHEREAS, Dr. Chwe has always sought to better his community by tutoring children in mathematics as a volunteer and serving in church leadership positions locally as an ordained elder, treasurer, and committee chair and at the presbytery level as a member of the Committee on Ministry; and

WHEREAS, Dr. and Mrs. Chwe's faith and dedication serve as inspiration to their four children, two daughters-in-law, and four grandchildren; and

WHEREAS, through this endowment, the donors wish to support academic excellence within the Capstone College of Nursing at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Dr. and Mrs. Chwe and establishes The Chwe Endowed Nursing Scholarship in the Capstone College of Nursing as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Jung-Ja and Byoung-Song Chwe.

Accepting gift of Frank and Barbara Cobb, expressing appreciation, and establishing The Brian Bankhead Cobb Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Frank and Barbara Cobb of Jasper, Alabama, have contributed \$20,000 to The Board of Trustees of The University of Alabama to promote the education of students at The University of Alabama; and

WHEREAS, Mr. and Mrs. Cobb desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Brian Bankhead Cobb Endowed Scholarship for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to full-time undergraduate students enrolled at The University of Alabama;
2. Recipients shall be determined by the standing scholarship committee of The University of Alabama. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards;
3. Persons or entities desiring to contribute to The Brian Bankhead Cobb Endowed Scholarship shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, during his brief lifetime, Brian Bankhead Cobb was a beloved and very handsome, intelligent young boy whose positive and gregarious nature brought joy to the lives of family and friends fortunate enough to know him; and

WHEREAS, for three generations, the Cobb family has demonstrated a commitment to The University of Alabama as students, alumni, and generous supporters of various University programs; and

WHEREAS, through this endowment, Mr. and Mrs. Cobb wish to support academic excellence at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Frank and Barbara Cobb and establishes The Brian Bankhead Cobb Endowed Scholarship as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Frank and Barbara Cobb.

Accepting gift of Nelle Harper Lee, expressing appreciation, and establishing The Susan Colvin Prize at UA

#### RESOLUTION

WHEREAS, Nelle Harper Lee of Monroeville, Alabama, has contributed \$50,000 to The Board of Trustees of The University of Alabama to honor her friend, Susan Colvin, and promote the education of students in the College of Communication and Information Sciences at The University of Alabama; and

WHEREAS, Ms. Lee desires that this gift be accepted and maintained by The University of Alabama as a permanent support fund to be named The Susan Colvin Prize in the College of Communication and Information Sciences for the purposes and upon the conditions set out below:

1. Endowment earnings shall be used to fund The Susan Colvin Prize in recognition of rising seniors in the College of Communication and Information Sciences who demonstrate excellence of character and have an exemplary grade point average.
2. The award shall be presented on Honors Day each year and credited to the student's university account to apply toward tuition and expenses in his/her senior year. The donor desires that the award amount be at least \$2,500.
3. Recipients shall be determined by a selection committee composed of faculty appointed by the Dean of the College of Communication and Information Sciences in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University.

4. The college shall promote the award to incoming freshmen, as well as sophomores and juniors, as something all students should strive to obtain.
5. Should the College of Communication and Information Sciences at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, with the approval of the President of the University.
6. Persons or entities desiring to contribute to The Susan Colvin Prize in the College of Communication and Information Sciences shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, award-winning author, Nelle Harper Lee, was born April 28, 1926, in Monroeville, Alabama, the youngest of four children, to Amasa Coleman Lee and Frances Finch Lee; and

WHEREAS, Ms. Lee attended The University of Alabama from 1945 to 1949, after spending a year at Huntingdon College, and studied law at the University at a time few women were enrolled in the School of Law; and

WHEREAS, Ms. Lee displayed her journalistic skills in the *Crimson White* and other campus publications, served as editor of the University's monthly humor magazine, *Rammer Jammer*, and participated in several campus organizations, including Student Senate, Student Forum, Triangle, Press Club, and Chi Omega; and

WHEREAS, after departing from the University, Ms. Lee spent a summer studying in Oxford, England, before moving to New York to pursue a career in writing; and

WHEREAS, in 1959, she completed her critically acclaimed novel, *To Kill a Mockingbird*, which became an immediate bestseller when it was published in 1960, and earned her the 1961 Pulitzer Prize for Fiction; and

WHEREAS, in 1966, President Johnson named Lee to the National Council on the Arts, and in 2007, President Bush presented her with the Presidential Medal of Freedom for her contribution to America's literary

tradition and for the focus her book has brought to the struggle for equality;  
and

WHEREAS, through the years, Ms. Lee has been awarded many honorary degrees, including a doctor of literature from The University of Alabama in 1991, and has been supportive of Alabama student writers, gracing them with her presence at award ceremonies for *To Kill a Mockingbird* essay contests; and

WHEREAS, Ms. Lee's friend, Susan Colvin, who was raised in Baton Rouge, Louisiana, graduated from The University of Alabama in 1979, with a bachelor of arts in broadcast and film communications; and

WHEREAS, while attending the University, Ms. Colvin was heavily involved in University Programs and upon graduation became employed in radio broadcasting in Birmingham; and

WHEREAS, her passion for political and social causes led her to a position at Planned Parenthood of Alabama, where she worked in public affairs and in marketing and development until taking time out to raise two sons; and

WHEREAS, in addition to caring for her family, Ms. Colvin has devoted her energy and resources to many worthy civic causes, including the Southern Environmental Center, Birmingham Botanical Gardens, Gateway of Birmingham, Bridge Ministries, and several local schools, and she is a founding member of Cliff Road Women, a social organization in the Birmingham community; and

WHEREAS, through this endowment, Ms. Lee wishes to support excellence within the College of Communication and Information Sciences at The University of Alabama and honor Ms. Colvin in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Harper Lee and establishes The Susan Colvin Prize in the College of Communication and Information Sciences as a restricted, endowed support fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for

endowed support funds, and the endowment earnings shall be used toward one or more student prizes under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies be sent to Nelle Harper Lee and Susan Colvin to share with family and friends.

Accepting gift of Dr. Anna Cook Fowler, expressing appreciation, and establishing The J. Woodie and Ivy Sanders Cook Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Dr. Anna Cook Fowler of Meridian, Mississippi, has contributed \$20,158.50 to The Board of Trustees of The University of Alabama to honor her parents, J. Woodie and Ivy Sanders Cook, and to promote the education of students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Dr. Fowler desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The J. Woodie and Ivy Sanders Cook Endowed Scholarship in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. First priority of consideration shall be given to full-time students enrolled in the Culverhouse School of Accountancy in the Culverhouse College of Commerce and Business Administration who are graduates of high schools located in Choctaw County, Alabama. Second priority of consideration shall be given to full-time students enrolled in the Culverhouse School of Accountancy who are from small towns and non-metropolitan areas in the state of Alabama.
2. Recipients shall be determined by the standing scholarship committee of the Culverhouse College of Commerce and Business Administration. The committee may include the Director of the Culverhouse School of Accountancy or his/her

designee, and the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions, the Office of the Graduate School, or such University office designated by the President for coordination of such awards.

3. The scholarship shall be renewable for each of the subsequent years of the recipient's undergraduate or graduate education, provided the scholarship committee deems the recipient's performance and academic progress satisfactory and provided the recipient remains enrolled full-time in the Culverhouse School of Accountancy.
4. Persons or entities desiring to contribute to The J. Woodie and Ivy Sanders Cook Endowed Scholarship in the Culverhouse College of Commerce and Business Administration shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, J. Woodie Cook was born in and lived most of his life in Choctaw County, Alabama, valued higher education, and supported his daughter in her pursuit of her degree in accounting; and

WHEREAS, Ivy Sanders Cook received a bachelor's degree in mathematics from Mississippi State College for Women (now Mississippi University for Women), lived in Choctaw County subsequent to marrying J. Woodie Cook, and believed in the value of higher education and the importance of scholarships for higher education; and

WHEREAS, through this endowment, Dr. Fowler wishes to support academic excellence within the Culverhouse College of Commerce and Business Administration at The University of Alabama and honor her parents in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Dr. Fowler and establishes The J. Woodie and Ivy Sanders Cook Endowed Scholarship in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this board and that a copy be sent to Dr. Anna Cook Fowler.

Accepting gift of Elizabeth B. Crump, expressing appreciation, and establishing The Mary Elizabeth Bashinsky Crump Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Elizabeth B. Crump of Montgomery, Alabama, has contributed gifts of securities and cash valued at \$113,287 to The Board of Trustees of The University of Alabama to honor her mother, Mary Elizabeth Bashinsky Crump, and to promote the education of students in the College of Arts and Sciences at The University of Alabama; and

WHEREAS, Miss Crump desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Mary Elizabeth Bashinsky Crump Endowed Scholarship in the College of Arts and Sciences for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to students enrolled in the Department of Theatre and Dance who are majoring in theatre.
2. Recipients shall be determined by the standing scholarship committee of the Department of Theatre and Dance. The committee may include the Chair of the Department or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the Dean of the

College of Arts and Sciences and the President of the University, and coordinated with the Office of Undergraduate Admissions, the Office of the Graduate School, or such University office designated by the President for coordination of such awards.

3. Should the Department of Theatre and Dance at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, at the discretion of the Dean of the College of Arts and Sciences and with the approval of the President of the University.
4. Persons or entities desiring to contribute to The Mary Elizabeth Bashinsky Crump Endowed Scholarship in the College of Arts and Sciences shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, born June 27, 1906, in Troy, Alabama, Mary Elizabeth Bashinsky Crump received her early education at Chateau Brillument in Lausanne, Switzerland, and at Miss Mason's Castle in Tarrytown, New York, where she took leading roles in theatre productions; and

WHEREAS, Mrs. Crump attended The University of Alabama, where she was a member and president of the Alpha Gamma Delta Sorority; and

WHEREAS, before graduating with a bachelor of arts degree in 1928, Mrs. Crump was also active in Mortar Board and the Blackfriars, the University's first dramatics organization and a forerunner of today's University theatre; and

WHEREAS, Mrs. Crump subsequently worked as a volunteer in Elba, Alabama, in 1928, helping the community to recover from the historic flood of the Pea River that occurred that year; and

WHEREAS, Mrs. Crump married her husband, James Noble Crump, in 1932, and together the couple had three children, Helen Crump Wells, Elizabeth Burford Crump, and Jane Crump Richardson; and

WHEREAS, the couple resided their entire married lives at 1524 Gilmer Avenue in Montgomery, Alabama, in the house where Elizabeth Crump still lives today; and

WHEREAS, active in her community for many years, Mrs. Crump served as an active member of Montgomery's children's theatre, as president of the Junior League of Montgomery, and as president of the Parent-Teachers Association; and

WHEREAS, Mrs. Crump carried on the tradition and values of the Burford family, who participated in the American Revolution, and the Bashinskys, a noble family that immigrated to the United States from Povitz, Poland, in 1846, and became prominent and enterprising members of this country's prosperity; and

WHEREAS, Mrs. Crump died in 1991, at the age of 85, having earned the love and respect of all who knew her; and

WHEREAS, through this endowment, Miss Crump wishes to support academic excellence within the College of Arts and Sciences at The University of Alabama in perpetuity as a way of honoring the life of her mother;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Elizabeth B. Crump and establishes The Mary Elizabeth Bashinsky Crump Endowed Scholarship in the College of Arts and Sciences as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Elizabeth B. Crump.

Accepting gift, expressing appreciation, and establishing The Dana B. and W. Anthony Davis III Endowed Scholarship at UA

## RESOLUTION

WHEREAS, William Anthony Davis III and Dana Blair Davis of Birmingham, Alabama, have contributed \$20,000 of a \$100,000 pledge to The Board of Trustees of The University of Alabama to promote the education of students in the College of Education at The University of Alabama; and

WHEREAS, Mr. and Mrs. Davis desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Dana B. and W. Anthony Davis III Endowed Scholarship in the College of Education for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to undergraduate students in the College of Education.
2. Recipients shall be determined by the standing scholarship committee of the College of Education. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. Persons or entities desiring to contribute to The Dana B. and W. Anthony Davis III Endowed Scholarship in the College of Education shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, William Anthony "Tony" Davis III, born August 15, 1949, in Anniston, Alabama, completed his undergraduate and graduate education at The University of Alabama, receiving a bachelor of science in business administration in 1971 and a juris doctor in 1974; and

WHEREAS, upon graduation, Mr. Davis went to work as an Assistant State Attorney General and in 1976, joined the firm of Starnes

and Atchison in Birmingham, Alabama, where he is now a senior partner and executive committee member whose practice is devoted to civil litigation with an emphasis on natural resources law, business litigation, environmental law, insurance, municipal law, and products liability; and

WHEREAS, during college, Mr. Davis was a member of the Jasons and Omicron Delta Kappa honor societies, Kappa Alpha fraternity, and Army ROTC and continues to be involved at the University, serving as chairman of the President's Cabinet, as president of The University of Alabama's School of Law alumni association, and as a steering committee member for the *Our Students. Our Future.* capital campaign; and

WHEREAS, Mr. Davis also serves the Birmingham community through civic and philanthropic organizations, having been president of the Kiwanis Club of Birmingham, captain of the Monday Morning Quarterback Club, vice president of the Harbert Center's Civic Club Foundation, vice chairman of the Crippled Children's Foundation, and senior warden of the Cathedral Church of the Advent; and

WHEREAS, Margaret Dana Blair Davis, born September 22, 1953, grew up in Odenville, Alabama, and attended The University of Alabama, where she was active in the Kappa Delta sorority, selected a *Corolla Favorite* her senior year, and graduated with a bachelor of science in elementary education in 1975; and

WHEREAS, Mrs. Davis has been a supportive alumna of the College of Education, giving generously monetarily and through donations of her time, having enthusiastically served with her husband on the steering committee to establish the Jim and Ann Hayes Scholarship Fund and currently involved on the divisional committee for the *Our Students. Our Future.* capital campaign; and

WHEREAS, Mr. and Mrs. Davis have two children, William Anthony "Will" Davis IV and Blair Colinne Davis, who have followed in their parents' footsteps at The University of Alabama, Blair graduating in 2007, with a degree in special education, and Will soon to graduate from the School of Law; and

WHEREAS, through this endowment, Dana and Anthony Davis wish to support academic excellence within the College of Education at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Mr. and Mrs. Davis and establishes The Dana B. and W. Anthony Davis III Endowed Scholarship in the College of Education as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Dana and Anthony Davis.

Accepting gift, expressing appreciation, and establishing The Sam Diamond Endowed Scholarship in Tax Accounting at UA

#### RESOLUTION

WHEREAS, Sam I. Diamond Jr. of Montgomery, Alabama, has contributed gifts and earnings totaling \$86,832.42 to The Board of Trustees of The University of Alabama to promote the education of students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Mr. Diamond desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Sam Diamond Endowed Scholarship in Tax Accounting in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to graduate students in the Culverhouse School of Accountancy who are enrolled in the master of tax accounting degree program and have graduated from a high school in the state of Alabama. The

determining factor among qualified candidates shall be past academic performance.

2. The scholarship shall be awarded annually commencing in 2009, in conjunction with and as part of the scholarship award program of the Federal Tax Clinic sponsored at The University by the Alabama Society of CPAs and the Alabama State Bar. It shall be a continuation in perpetuity of the existing Sam Diamond Scholarship, which will be funded by the tax clinic committee through 2008. In any given year, if the fund earnings fall short of the customary amount given by Federal Tax Clinic Inc. for the scholarship in honor of its past presidents, the award may be reduced for that year or deferred until sufficient earnings are available.
3. Recipients shall be selected in the same manner as are the recipients of the tax accounting scholarships awarded by the Federal Tax Clinic committee.
4. Should the Federal Tax Clinic cease or terminate, or its scholarship program cease, or should the master of tax accounting degree program in the Culverhouse School of Accountancy at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings shall be used for graduate or undergraduate scholarships in the Culverhouse School of Accountancy. Priority of consideration shall be given to full-time students in the Culverhouse School of Accountancy who have demonstrated past academic success.
5. Persons or entities desiring to contribute to The Sam Diamond Endowed Scholarship in Tax Accounting in the Culverhouse School of Accountancy shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, Sam I. Diamond Jr. is a two-time graduate of The University of Alabama, awarded a Bachelor of Science in accounting in 1949, and a Juris Doctor in 1954; and

WHEREAS, Mr. Diamond is a generous supporter of the University, a longtime contributor to the Culverhouse College of Commerce and Business Administration, and a past president of the Federal Tax Clinic; and

WHEREAS, through this endowment, Mr. Diamond wishes to support academic excellence within the Culverhouse College of Commerce and Business Administration at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Sam I. Diamond Jr. and establishes The Sam Diamond Endowed Scholarship in Tax Accounting in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Sam I. Diamond Jr.

Accepting gifts of Joel D. Hammond and Big River Industries, Inc., expressing appreciation, and establishing The Joel D. Hammond/Big River Industries Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Joel D. Hammond of Hamilton, Georgia, and Big River Industries, Inc., have contributed \$22,996.99, including earnings, to The Board of Trustees of The University of Alabama to promote the education of students in the College of Continuing Studies at The University of Alabama; and

WHEREAS, Mr. Hammond desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Joel D. Hammond/Big River Industries. Endowed Scholarship in the College of Continuing Studies for the purposes and upon the conditions set out below:

1. First priority of consideration shall be given to students enrolled in academic degree programs facilitated through the External Degree Program in the College of Continuing Studies who are either employees or dependents of employees of Big River Industries. Second priority of consideration shall be given to other students enrolled in academic degree programs facilitated through the College of Continuing Studies who are either employees or dependents of employees of Big River Industries.
2. Recipients shall be determined by the standing scholarship committee of the College of Continuing Studies. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. Should the College of Continuing Studies at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donors' intent, as stated herein, at the discretion of the Provost and with the approval of the President of the University.
4. Persons or entities desiring to contribute to The Joel D. Hammond/Big River Industries Endowed Scholarship in the College of Continuing Studies shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, Joel Dennis Hammond was born in Macon, Georgia, son of C. D. and Kathleen Hammond, and graduated from Jordan High School in Columbus, Georgia, before attending Columbus State University and subsequently graduating from The University of Alabama; and

WHEREAS, Mr. Hammond has had a very successful career in the construction materials industry and has risen to the position of President of Big River Industries, which produces high-quality, expanded clay, lightweight aggregates for masonry and structural concrete; and

WHEREAS, active in many professional organizations, he has served on the boards of the national and of all the Southeastern U.S. concrete and masonry associations and was formerly chairman of several boards, including the Multi-Family Construction Advisory Committee of the Expanded Shale, Clay & Slate Institute, the Georgia Freight Bureau, International Intermodal Expo, and the Southeast Association of Rail Shippers; and

WHEREAS, in addition to his commitment to professional associations, Mr. Hammond has served his community through participation in the Rotary Club of Atlanta and as a fundraiser for the Juvenile Diabetes Research Foundation; and

WHEREAS, married to Barbara Ann Manuel of Birmingham, Alabama, he and his wife have raised two children, Christopher Joel Hammond and Ashley Megan Belcher, and are proud grandparents of Ladson Belcher Jr. and Caroline Ayres Belcher; and

WHEREAS, through this endowment, the donor wishes to support academic excellence within the College of Continuing Studies at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contributions of the donors and establishes The Joel D. Hammond/Big River Industries Endowed Scholarship in the College of Continuing Studies as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Joel D. Hammond.

Accepting gift of the Synovus Foundation, expressing appreciation, and establishing The Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics and Social Responsibility at UA

## RESOLUTION

WHEREAS, the Synovus Foundation of Columbus, Georgia, has contributed \$100,000 toward a \$300,000 pledge to The Board of Trustees of The University of Alabama to honor James P. "Jim" Hayes Jr. and to support *The Jim Hayes Moral Forum* in the Center for Ethics and Social Responsibility at The University of Alabama; and

WHEREAS, the donor desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics and Social Responsibility for the purposes and upon the conditions set out below:

1. Endowment earnings shall be used at the discretion of the Director of the Center for Ethics and Social Responsibility to support *The Jim Hayes Moral Forum*. The purpose of the forum is to encourage students to research and debate a controversial moral/ethical issue, thereby deepening the students' understanding of the issue and fostering both open-mindedness and conviction.
2. Uses for the earnings may include, but not be limited to, supplementary financial awards to student debaters, rental of meeting space, and other expenses associated with the conduct of the forum.
3. Should the Center for Ethics and Social Responsibility at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, at the discretion of the Provost and with the approval of the President of the University.
4. Persons or entities desiring to contribute to The Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics

and Social Responsibility shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, James P. "Jim" Hayes Jr. is a native of Brewton, Alabama, who attended The University of Alabama and earned both bachelor's and master's degrees in industrial engineering from the Capstone; and

WHEREAS, a highly successful alumnus, Mr. Hayes has served as director of planning and acquisitions for the Louisiana Land and Exploration Company and as president of J. P. Hayes & Company; and

WHEREAS, Mr. Hayes has been particularly noteworthy in his support of the State of Alabama, having worked in such roles as senior advisor to Governor Don Siegelman, director of the Alabama Development Office, revenue commissioner, and land commissioner; and

WHEREAS, Mr. Hayes currently works as president of the Economic Development Partnership of Alabama, a non-profit organization dedicated to supporting the state's long-term economic growth; and

WHEREAS, an active civic and community volunteer, Mr. Hayes has served as a board member for numerous organizations, including the Lakeshore Foundation, the Vulcan Park Foundation, the Alabama School of Fine Arts Foundation, and the University of Alabama at Birmingham Comprehensive Cancer Center; and

WHEREAS, a longtime member of the President's Cabinet, Mr. Hayes has been generous with both his time and resources to The University of Alabama over the years and is currently serving as co-chair of the national steering committee for the *Our Students. Our Future.* capital campaign; and

WHEREAS, awarded an honorary doctorate of humane letters by the University in 2004, Mr. Hayes has also been recognized as a Distinguished Engineering Fellow and has received the Alumnus of the Year Award and the College of Commerce Achievement in Finance Award; and

WHEREAS, Mr. Hayes is married to Ann Beauchamp Hayes; and

WHEREAS, through this endowment, the Synovus Foundation wishes to support *The Jim Hayes Moral Forum* in the Center for Ethics and Social Responsibility at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of the Synovus Foundation and establishes The Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics and Social Responsibility as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward support of *The Jim Hayes Moral Forum* under the policies and procedures of the University adopted from time to time to regulate and administer such funds.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies be sent to Richard E. Anthony, chairman of the board and chief executive officer of Synovus, and to James P. Hayes Jr.

Accepting gifts of family, friends, and colleagues of Patricia S. Henderson, deceased, expressing appreciation, and establishing The Patricia S. Henderson Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, family, friends, and colleagues of Patricia S. Henderson, deceased, formerly of Tuscaloosa, Alabama, have contributed \$20,000, including earnings, to The Board of Trustees of The University of Alabama to promote the education of students at The University of Alabama in the School of Library and Information Studies or in other graduate degree programs that lead to careers in academic libraries; and

WHEREAS, the donors desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Patricia S. Henderson Endowed Scholarship for the purposes and upon the conditions set out below by Louis A. Pitschmann, Dean of University Libraries, on behalf of the donors:

1. First priority of consideration shall be given to full-time University Libraries staff members who are enrolled in or

have been accepted to the School of Library and Information Studies or other graduate degree programs leading to a career in academic libraries. Second priority of consideration shall be given to any other students enrolled in such graduate degree programs who demonstrate academic promise and financial need, although not necessarily need as defined by federal guidelines.

2. Recipients shall be determined by the standing scholarship committee of the University Libraries. The committee may include the Dean of University Libraries or his/her designees and a representative from the School of Library and Information Studies or from other appropriate graduate degree programs. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of the Graduate School or such University office designated by the President for coordination of such awards.
3. The scholarship may be renewable for each of the subsequent years of a recipient's education provided the scholarship committee deems the recipient's performance and academic progress to be worthy of retention and provided the recipient remains enrolled in a graduate degree program leading to a career in academic libraries.
4. Should The University of Alabama cease to offer graduate degree programs leading to professional-level employment in academic libraries, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donors' intent, as stated herein, at the discretion of the Dean of University Libraries and with the approval of the President of the University; and

WHEREAS, the University community lost a dear friend and colleague on May 6, 2006, with the sudden death of Associate Dean of Libraries Patricia S. Henderson; and

WHEREAS, her University of Alabama library career spanned 26 years and reflected her unyielding commitment to improving the library system; and

WHEREAS, her diligence in garnering attention for the School of Library and Information Sciences through her various leadership roles in the Library School Association, the Alabama Library Association, the Alabama Association of College and Research Libraries, and the American Library Association further exemplified her dedication and service to the University; and

WHEREAS, Ms. Henderson enriched the University with her leadership, insight, and open-mindedness, and her enthusiasm inspired those who knew her; and

WHEREAS, although she took great pleasure in seeing people enjoy the programs and events she had meticulously planned and managed, Ms. Henderson never sought the limelight for herself; and

WHEREAS, regardless of the pressures of the day, Ms. Henderson always had a smile, and she treated everyone with respect and without bias; and

WHEREAS, through this endowment, the donors wish to support academic excellence at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of the donors and establishes The Patricia S. Henderson Endowed Scholarship as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Louis A. Pitschmann.

Accepting gift, expressing appreciation, and establishing The  
Dr. Charles W. Inman and Pauline Phillips Inman Endowed  
Scholarship at UA

RESOLUTION

WHEREAS, Dr. Charles W. Inman and Pauline Phillips Inman, deceased, formerly of Lakeland, Florida, contributed the remainder interest of a charitable gift annuity in the amount of \$25,135.99 to The Board of Trustees of The University of Alabama to promote the education of deserving full-time students in the College of Arts and Sciences at The University of Alabama; and

WHEREAS, Dr. and Mrs. Inman desired that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Dr. Charles W. Inman and Pauline Phillips Inman Endowed Scholarship in the College of Arts and Sciences for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to students enrolled in the College of Arts and Sciences with a preference given for those students pursuing studies in bacteriology.
2. Recipients shall be determined by the standing scholarship committee of the College of Arts and Sciences. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards; and

WHEREAS, Charles W. Inman, born July 9, 1925, in St. Petersburg, Florida, graduated from Northwestern University and Northwestern Medical School of Chicago, Illinois, and began his practice in internal medicine and cardiology in Lakeland, Florida, in 1952; and

WHEREAS, Dr. Inman served the country as a lieutenant in the U.S. Army Air Corps during WWII and spent his life helping people through medicine, retiring from his practice in 2000, but continuing to volunteer at

Lakeland Volunteers in Medicine until his death on November 14, 2007;  
and

WHEREAS, Mary Pauline "Polly" Phillips Inman began life in Centre, Alabama, on April 19, 1928, and attended The University of Alabama along with her twin sister, Josephine "Jo" Phillips; and

WHEREAS, Pauline graduated from the University with a bachelor of science in chemistry in 1950, specializing in bacteriology, and her sister graduated that year with a degree in education; and

WHEREAS, Mrs. Inman married Dr. Inman in 1952, and worked beside him as a medical technologist intermittently for 20 years, sharing many interests with him, including a passion for roses; and

WHEREAS, Mrs. Inman preceded her husband in death on July 31, 2002, and is remembered as a devoted wife, mother, and grandmother who spent much of her time raising their four children and taking care of her family; and

WHEREAS, through this endowment, Dr. and Mrs. Inman wished to support academic excellence within the College of Arts and Sciences at The University of Alabama in perpetuity; and

WHEREAS, persons or entities desiring to contribute to The Dr. Charles W. Inman and Pauline Phillips Inman Endowed Scholarship in the College of Arts and Sciences shall be free to do so provided they accept the conditions governing this fund;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Charles and Pauline Inman and establishes The Dr. Charles W. Inman and Pauline Phillips Inman Endowed Scholarship in the College of Arts and Sciences as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Peter Inman to share with family and friends.

Accepting gifts of friends and family of Sam A. Johnson III, deceased, expressing appreciation, and establishing The Sam A. Johnson III Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, friends and family of Sam A Johnson III, deceased, formerly of Demopolis, Alabama, have contributed \$21,117.60, including earnings, to The Board of Trustees of The University of Alabama to honor the memory of Mr. Johnson and to promote the education of students in the College of Engineering at The University of Alabama; and

WHEREAS, the donors desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Sam A Johnson III Endowed Scholarship in the College of Engineering for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to students in the Department of Civil, Construction, and Environmental Engineering who graduated from high schools in Demopolis, Alabama, or from high schools in Greene, Hale, Marengo, or Sumter Counties, Alabama.
2. Recipients shall be determined by the standing scholarship committee of the College of Engineering. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. Should the Department of Civil, Construction, and Environmental Engineering at The University of Alabama cease to exist, and if consistent with the policies of the Board

of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donors' intent, as stated herein, at the discretion of the Dean of the College of Engineering and with the approval of the President of the University.

4. Persons or entities desiring to contribute to The Sam A Johnson III Endowed Scholarship shall be free to do so provided they accept the conditions governing this fund.

WHEREAS, Sam A Johnson III, a registered professional engineer and land surveyor, born in Greensboro, Alabama, on September 2, 1941, graduated from The University of Alabama with a bachelor of science in civil engineering in 1964, and worked as a consulting engineer until joining Gulf States Paper Corporation in Demopolis in 1966; and

WHEREAS, a hardworking and dedicated employee, he remained at the paper mill until his death on August 10, 2006, working his way up through the ranks and serving in many capacities, including senior project engineer, technical assistant to power and recovery superintendent, section engineer, director of new construction, assistant engineering manager, director of engineering and maintenance, vice president and plant manager of manufacturing, vice president and plant manager of order fulfillment, and, eventually, vice president and general manager of the mill, now owned by Rock-Tenn Company; and

WHEREAS, Mr. Johnson brought this same competitive spirit to his interests outside work, including running, speed boat racing, hunting, and conservation, and to his courageous two-year battle with cancer; and

WHEREAS, Mr. Johnson loved helping people, particularly young engineers, and was a mentor to many and admired by all; and

WHEREAS, he was a devoted husband to his wife of 34 years, Betty W. Johnson, and a loving father and grandfather; and

WHEREAS, through this endowment, the donors wish to honor Mr. Johnson and support academic excellence within the College of Engineering at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of the friends and family of Sam A Johnson III and establishes

The Sam A Johnson III Endowed Scholarship in the College of Engineering as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Betty W. Johnson, on behalf of the donors.

Accepting gift of Mr. and Mrs. William R. Joy, Jr.,  
expressing appreciation, and establishing The Joy Family  
Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Mr. and Mrs. William R. Joy Jr. of Nashville, Tennessee, have contributed \$20,171.79, including earnings, to The Board of Trustees of The University of Alabama to promote the education of students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Mr. and Mrs. Joy desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Joy Family Endowed Scholarship in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to incoming freshman students enrolled in the Culverhouse College of Commerce and Business Administration who demonstrate financial need, although not necessarily as defined by federal guidelines, have a minimum 3.0 grade point average on a 4.0 scale, and graduated from high schools within the United States. To the extent permitted by law, additional preference shall be given

to students whose enrollment would enhance the diversity of the University's student population, thereby improving the quality of the University's educational experience and product.

2. Recipients shall be determined by the standing scholarship committee of the Culverhouse College of Commerce and Business Administration. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. Persons or entities desiring to contribute to The Joy Family Endowed Scholarship in the Culverhouse College of Commerce and Business Administration shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, through this endowment, Mr. and Mrs. Joy wish to support academic excellence within the Culverhouse College of Commerce and Business Administration at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Mr. and Mrs. William R. Joy Jr. and establishes The Joy Family Endowed Scholarship in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Mr. and Mrs. William R. Joy Jr.

Accepting gift of Harriet Hasty Downing, expressing appreciation, and establishing the Mary Tate Kicker Endowed Scholarship at UA

## RESOLUTION

WHEREAS, Harriet Hasty Downing of Williamsburg, Virginia, has contributed \$30,000 to The Board of Trustees of The University of Alabama to honor her mother, Mary Tate Kicker, and to promote the education of students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Mrs. Downing desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Mary Tate Kicker Endowed Scholarship in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to female students enrolled in the Culverhouse College of Commerce and Business Administration who have a minimum grade point average of 3.0; display character, integrity, and excellent work ethic; and demonstrate financial need, although not necessarily need as defined by federal guidelines. In the selection process, character, integrity, and financial need shall take precedence over academic performance. Scholarship recipients shall be chosen in accordance with the procedures developed in compliance with Title IX of the Education Amendments of 1972 and the regulations promulgated thereunder.
2. Recipients shall be determined by the standing scholarship committee of the Culverhouse College of Commerce and Business Administration. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.

3. Should the Culverhouse College of Commerce and Business Administration at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, with the approval of the President of the University.
4. Persons or entities desiring to contribute to The Mary Tate Kicker Endowed Scholarship in the Culverhouse College of Commerce and Business Administration shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, Mary Tate Kicker, the sixth of eight children of James Moses Kicker and Hattie Tate, was born on April 6, 1913, in the family home on Kicker Road in Tuscaloosa; and

WHEREAS, she attended Holt High School and played on the girls' basketball team, which advanced to the state championship game during that period; and

WHEREAS, Mary Kicker graduated from The University of Alabama in 1934, having matriculated in the then School of Commerce at a time few women were enrolled; and

WHEREAS, she began working for the Social Security Administration in 1937, shortly after the agency was established, and subsequently became the office manager in Tuscaloosa before transferring to Miami, Florida, in 1959; and

WHEREAS, she assisted Dr. Minnie Miles, a faculty member of the College of Commerce and Business Administration, when Dr. Miles served as president of the Federation of Business and Professional Women, and traveled with her in the U.S. and abroad promoting women's equality; and

WHEREAS, retiring from government service after a distinguished career of more than 40 years, Mary Kicker returned to Tuscaloosa in 1985, where she was active in her church, the local AARP, and the Audubon Society while continuing to travel; and

WHEREAS, a lifelong proponent of learning, she took classes into her 80s in subjects that interested her; and

WHEREAS, her family and friends miss her greatly since her death in August 2004 but remember her adventurous, generous spirit, how she selflessly gave of herself, and how even her struggle with dementia could not conquer her indomitable spirit;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Harriet Hasty Downing and establishes The Mary Tate Kicker Endowed Scholarship in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Mrs. Downing.

Accepting gift of Tom Kilgore, expressing appreciation, and establishing the Myra Blevins Kilgore Endowed Scholarship at UA

#### RESOLUTION

WHEREAS, Tom Kilgore of Knoxville, Tennessee, has contributed \$50,000 towards a pledge of \$100,000 to The Board of Trustees of The University of Alabama to honor his wife, Myra Blevins Kilgore, and to promote the education of students in the College of Engineering at The University of Alabama; and

WHEREAS, Mr. Kilgore desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Myra Blevins Kilgore Endowed Scholarship in the College of Engineering for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to full-time undergraduate students enrolled in the College of Engineering who are residents of DeKalb County, Alabama, or Jackson County, Alabama.
2. Recipients shall be determined by the standing scholarship committee of the College of Engineering. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. Persons or entities desiring to contribute to The Myra Blevins Kilgore Endowed Scholarship in the College of Engineering shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, born in Hamilton County, Tennessee, and raised in DeKalb County, Alabama, Myra Blevins graduated from Ider High School in Ider, Alabama, in 1968 and married Tommy DeWayne Kilgore during the summer following her graduation; and

WHEREAS, Mrs. Kilgore became the family breadwinner through employment as an administrative assistant at Morrison and Smith, LLC, a Tuscaloosa accounting firm, while her husband pursued a bachelor of science in mechanical engineering at The University of Alabama and completed his military obligation; and

WHEREAS, because of her unfailing support of and steadfast devotion to her husband and his academic and career goals, he was able to earn his bachelor of science in 1970, receive a master of science in industrial engineering from Texas A&M University in 1974, be recognized for academic achievement by induction into Pi Mu Epsilon mathematics honor society and Tau Beta Pi engineering honor society, and undertake a long and successful engineering career; and

WHEREAS, Mrs. Kilgore's commitment to her family has deeply touched her husband, their three children, Jennifer--a University graduate--Jeremy, and Matthew, and five grandchildren; and

WHEREAS, through this endowment, Mr. Kilgore wishes to honor his wife's longstanding encouragement of his academic and professional careers and to support academic excellence within the College of Engineering at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Tom Kilgore and establishes The Myra Blevins Kilgore Endowed Scholarship in the College of Engineering as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Myra and Tom Kilgore.

Accepting gift of Buffalo Rock Company, expressing appreciation, and establishing The James C. Lee Jr. Endowed Distinguished Faculty Fellow at UA

#### RESOLUTION

WHEREAS, Buffalo Rock Company of Birmingham, Alabama, has contributed \$250,000 to The Board of Trustees of The University of Alabama to honor James C. Lee Jr., Chairman Emeritus of Buffalo Rock Company, and to promote academic excellence in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, James C. Lee III, on behalf of Buffalo Rock Company, desires that this gift be accepted and maintained by The University of Alabama as a permanent support fund to be named The James C. Lee Jr. Endowed Distinguished Faculty Fellow in the Culverhouse College of

Commerce and Business Administration for the purposes and upon the conditions set out below:

1. The James C. Lee Jr. Endowed Distinguished Faculty Fellow fund shall be used to attract and retain outstanding faculty who will make a difference in the quality of instruction in the Culverhouse College of Commerce and Business Administration. Earnings shall be used for supplementary salary support and other expenses for the selected fellow.
2. The Lee fellow shall be selected by the Dean of the Culverhouse College of Commerce and Business Administration in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Provost of the University.
3. Persons or entities desiring to contribute to The James C. Lee Jr. Endowed Distinguished Faculty Fellow fund in the Culverhouse College of Commerce and Business Administration shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, beverage industry giant, James C. Lee Jr., grandson to Buffalo Rock Company founder Sid Lee, was born and raised in Birmingham, Alabama, and anticipated the day he would enter the family business; and

WHEREAS, Mr. Lee attended Birmingham Southern College and Auburn University before joining the business and later served in the U.S. Air Force during World War II, where he quickly attained the rank of first lieutenant; and

WHEREAS, after military service, he returned to the bottling plant and following his father's death in 1951, became president of the company at the young age of 31; and

WHEREAS, he completed the negotiations his father had begun with Pepsi Cola for the purchase of a franchise and, through his forward thinking and willingness to take risks, grew the company to the largest privately owned Pepsi bottler in the country and one of the largest bottlers in the industry; and

WHEREAS, Mr. Lee has taken an active role in the improvement and advancement of the beverage industry, serving as president of the Alabama Bottlers' Association and the National Pepsi-Cola Bottlers' Association and as director of the Dr. Pepper Bottlers' Advisory Board and the Seven-Up Developers' Board; and

WHEREAS, he has made many innovative contributions to the industry, including the 3-liter plastic bottle, bottles with aluminum spin-top closures, and the 20-pack minicase for 12-ounce cans, and he started one of the earliest profit-sharing plans for company employees, believing that employees should be treated as family; and

WHEREAS, Mr. Lee has been a strong force in the Birmingham community, assuming leadership roles on several governing and advisory boards, including the Birmingham Area Chamber of Commerce, Birmingham Metropolitan Development Board, Baptist Hospitals Foundation of Birmingham, and The University of Alabama Health Services Foundation; and

WHEREAS, a proponent of higher education, he has worked with the Alabama Commission on Higher Education and the Alabama Research Institute to forge relationships between business and higher education and has served on the advisory boards of Birmingham Southern College and Samford University; and

WHEREAS, a longtime friend and supporter of both The University of Alabama and The University of Alabama at Birmingham, Mr. Lee has served in the President's Cabinet at UA for many years and as a member and past president of UAB's President's Council; and

WHEREAS, he has given generously of his time and resources in addressing student groups at The University of Alabama, including undergraduate and graduate classes, providing a level of educational enrichment that goes well beyond the classroom; and

WHEREAS, his profound impact on the business and civic communities has earned him numerous awards, including Beverage Industry Man of the Year (1978), the Greater Birmingham Service Award (1983), and PepsiCo's lifetime achievement award (2004), as well as induction into Alabama Academy of Honor (1987), Beverage Industry Hall of Fame (1987), Alabama Business Hall of Fame (1999), and Birmingham Business Hall of Fame (2002); and

WHEREAS, under Mr. Lee's directorship, Buffalo Rock Company received many awards in recognition of industry excellence and charity, and because of his mentorship, it continues to receive such awards; and

WHEREAS, Mr. Lee takes great pride in seeing his children and grandchildren carry forward the family business with continued dedication to quality and inventiveness; and

WHEREAS, through this endowment, Buffalo Rock Company wishes to pay tribute to James C. Lee Jr. and to promote academic excellence in the Culverhouse College of Commerce and Business Administration at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Buffalo Rock and establishes The James C. Lee Jr. Endowed Distinguished Faculty Fellow in the Culverhouse College of Commerce and Business Administration as a restricted endowed support fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed support funds, and the endowment earnings shall be used for supplementary salary and other expenses of the fellow under the policies and procedures of the University adopted from time to time to regulate and administer such funds.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this board and that copies be sent to James C. Lee Jr. and James C. Lee III, President and CEO of Buffalo Rock Company.

Accepting bequests expressing appreciation, and establishing  
The William and Anne Macmillan Endowed Scholarship at  
UA

#### RESOLUTION

WHEREAS, William H. and Anne S. Macmillan, deceased, formerly of Williston, Vermont, contributed through their estates \$25,000 by means

of the William H. Macmillan Revocable Trust and \$25,000 by means of the Anne S. Macmillan Revocable Trust to The Board of Trustees of The University of Alabama to promote the education of students in the Graduate School at The University of Alabama; and

WHEREAS, both the William H. Macmillan Revocable Trust and the Anne S. Macmillan Revocable Trust read in part as follows:

“Twenty-five thousand dollars (\$25,000) thereof to the board of trustees of the UNIVERSITY OF ALABAMA of Tuscaloosa, Alabama, to be used by it to establish the William and Anne Macmillan endowed scholarship fund for graduate students at said University.”

WHEREAS, their gifts totaling \$50,000 and any further or additional distributions that may from time to time be made to the University from the estates of William and Anne Macmillan shall be maintained by The University of Alabama as a permanent fund to be named The William and Anne Macmillan Endowed Scholarship in the Graduate School for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to graduate students enrolled in the Graduate School at The University of Alabama.
2. Recipients shall be determined by the standing scholarship committee of the Graduate School. The committee may include the Dean of the School or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University.
3. Persons desiring to contribute to The William and Anne Macmillan Endowed Scholarship fund in the Graduate School shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, committed to promoting quality in graduate education, William Macmillan was dean of the Graduate School and professor of pharmacology at The University of Vermont before serving as dean of the Graduate School and professor of biology at The University of Alabama for 14 years; and

WHEREAS, Dr. Macmillan was influential in graduate education on both state and national levels through his leadership roles in the Alabama Commission on Higher Education, Alabama Council of Graduate Deans, Conference of Southern Graduate Schools, Oak Ridge Associated Universities, and the Council of Graduate Schools in the United States; and

WHEREAS, in recognition of his leadership in and service to higher education, the Joint Conference of the Association of Alabama College Administrators and the Alabama Association for Women Deans, Administrators, and Counselors named Dr. Macmillan Administrator of the Year in 1991; and

WHEREAS, through her work as a registered nurse, Anne Macmillan met Dr. Macmillan; and

WHEREAS, at the time of Dr. Macmillan's death, he and Mrs. Macmillan had celebrated 56 years of marriage; and

WHEREAS, Mrs. Macmillan was the advisor to students and scholars at The University of Vermont before she became a foreign student advisor at The University of Alabama; and

WHEREAS, Dr. and Mrs. Macmillan were both heavily involved in the local community through their work with many charitable organizations such as the Red Cross, The Community Soup Bowl, Meals-on-Wheels, and the Presbyterian Church; and

WHEREAS, the couple's commitment to international education was reflected in their extensive world travels, in Dr. Macmillan's assignment with the Ford Foundation as a science and technological advisor at Haile Selassie I University in Ethiopia, through his work in various African countries with the African Graduate Fellowship Program of the African-American Institute in New York, and in Mrs. Macmillan's work at a private school in Ethiopia; and

WHEREAS, Dr. Macmillan is remembered as an open, available man with a sophisticated manner who always did what he promised and was a wonderful representative for the Graduate School; and

WHEREAS, Mrs. Macmillan is remembered for her kindness and generosity, her support of the Graduate School, and her eagerness to help students adjust to life at the University; and

WHEREAS, through this endowment, William H. and Anne S. Macmillan wished to support the education of students within the Graduate School at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the bequests of Dr. and Mrs. Macmillan and establishes The William and Anne Macmillan Endowed Scholarship in the Graduate School as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this board and that a copy be sent to Leslie Macmillan, daughter of Anne and William Macmillan, to share with family and friends.

Accepting gift of Joe O'Neal, M.D., expressing appreciation, and establishing The Dr. Joe W. and Virginia Hursey O'Neal Endowed Support Fund at UA

#### RESOLUTION

WHEREAS, Joe O'Neal, MD, of Tuscaloosa, Alabama, has contributed \$20,000 to The Board of Trustees of The University of Alabama to honor the memory of his wife and to support the Dr. Joe W. and Virginia Hursey O'Neal Endowed Lecture Series in the College of Community Health Sciences at The University of Alabama; and

WHEREAS, Dr. O'Neal desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Dr. Joe W. and Virginia Hursey O'Neal Endowed Support Fund in the College of Community Health Sciences for the purposes and upon the conditions set out below:

1. Endowment earnings shall be used at the discretion of the Dean of the College of Community Health Sciences to support the Dr. Joe W. and Virginia Hursey O'Neal Endowed Lecture Series. The primary purpose of the lectures is to educate medical students, residents, and practicing physicians about breast cancer. The secondary purpose is to educate them about cancer prevention and early detection in general. Uses for the earnings may include, but not be limited to, travel expenses, lodging, rental of meeting space, honoraria, and other expenses associated with the conduct of the lecture series.
2. Speakers shall be chosen by the Dean of the College of Community Health Sciences in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University.
3. Endowment earnings may be used for other educational programming or needs at the discretion of the Dean in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University.
4. Should the College of Community Health Sciences at The University of Alabama cease to exist, and if consistent with the policies of the Board of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, at the discretion of the President of the University.
5. Persons or entities desiring to contribute to The Dr. Joe W. and Virginia Hursey O'Neal Endowed Support Fund in the College of Community Health Sciences shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, Joe Willard O'Neal came to Tuscaloosa in 1936, and attended Tuscaloosa Junior and Senior High School before beginning his pre-medical education at The University of Alabama in 1942; and

WHEREAS, his studies were interrupted by World War II, and he served three years in the U. S. Marine Corps before returning to the University; and

WHEREAS, he was awarded a bachelor of science in biology in 1949, and proceeded to the Medical College of Alabama in Birmingham, where he received a doctor of medicine in 1954; and

WHEREAS, after completing his residency, Dr. O'Neal returned to Tuscaloosa to open a private practice and served the community for many years, also working with the Veterans Administration Hospital and with the University's College of Community Health Sciences; and

WHEREAS, an accomplished surgeon, he became a Diplomate of the American Board of Surgery in 1965, and a Fellow of the American College of Surgeons in 1966, and served as the Tuscaloosa County Medical Society's representative to the DCH Regional Medical Center Board in 1981; and

WHEREAS, Virginia Ann Hursey O'Neal was born September 3, 1924, in Noble County, Indiana, to Virgil G. Hursey, MD, and Marie Francisco Hursey; and

WHEREAS, she graduated from Milford High School in Milford, Indiana, in 1942 and enrolled in the Wesley Memorial Hospital Nursing Program, serving in the Nurse Cadet Corps during World War II, and receiving a degree in nursing from Northwestern University in 1946; and

WHEREAS, she worked as a pediatric nurse at Elkhart General Hospital until entering the nurse anesthetist school at the Medical College of Alabama in Birmingham in 1952, where she met her soon-to-be husband; and

WHEREAS, graduating and marrying in 1953, Mrs. O'Neal worked as a nurse anesthetist at South Highlands Hospital and then as head of the pediatric nursery at the Medical College of Alabama before moving to Tuscaloosa with Dr. O'Neal in 1960; and

WHEREAS, once in Tuscaloosa, Mrs. O'Neal was active in her husband's surgical practice and joined the Tuscaloosa County Medical Auxiliary, serving as its president 1969-70; and

WHEREAS, she was also heavily involved in Holy Spirit Catholic Parish and School, a longtime member of Saint Ann's Guild, and director of nursing for several years at Forest Manor Nursing Home; and

WHEREAS, together with her husband, she lovingly raised five children, four of whom earned degrees at The University of Alabama; and

WHEREAS, in 2001, after a courageous battle with breast cancer, Mrs. O'Neal passed away, and she has been greatly missed by her family and friends; and

WHEREAS, through this endowment, Dr. O'Neal wishes to support the teaching of cancer prevention and early detection, particularly as related to breast cancer, in the College of Community Health Sciences at The University of Alabama; and

WHEREAS, he further wishes to honor the memory of Mrs. O'Neal in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Dr. O'Neal and establishes The Dr. Joe W. and Virginia Hursey O'Neal Endowed Support Fund in the College of Community Health Sciences as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed support funds, and the endowment earnings shall be used toward establishing and supporting the *Dr. Joe W. and Virginia Hursey O'Neal Endowed Lecture Series* under the policies and procedures of the University adopted from time to time to regulate and administer such funds.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this board and that a copy be sent to Dr. Joe W. O'Neal to share with family and friends.

Accepting gift of Sallie H. Pradat and R. William Pradat, Jr., expressing appreciation, and establishing The Reverend and Mrs. Ray William Pradat Endowed Scholarship at UA

## RESOLUTION

WHEREAS, Sallie H. Pradat and R. William Pradat Jr. of Birmingham, Alabama, have contributed \$20,000 to The Board of Trustees of The University of Alabama to promote the education of first-generation college students in the Culverhouse College of Commerce and Business Administration at The University of Alabama; and

WHEREAS, Mr. and Mrs. Pradat desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Reverend and Mrs. Ray William Pradat Endowed Scholarship in the Culverhouse College of Commerce and Business Administration for the purposes and upon the conditions set out below:

1. Priority of consideration shall be given to incoming freshmen enrolled in the Culverhouse College of Commerce and Business Administration who possess a 3.0 or higher grade point average on a 4.0 scale and who are considered first-generation college students (students whose natural or adoptive parents or guardians did not receive a baccalaureate degree or who, prior to the age of 18, regularly resided with or received support from only one parent or guardian who did not have a baccalaureate degree).
2. The scholarship may be renewable for each of the subsequent years of a recipient's undergraduate education provided the scholarship committee deems the recipient's performance and academic progress to be worthy of retention and provided the recipient remains enrolled in the Culverhouse College of Commerce and Business Administration.
3. Recipients shall be determined by the standing scholarship committee of the Culverhouse College of Commerce and Business Administration at The University of Alabama. The committee may include the Dean of the College or his/her designee. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.

4. Persons or entities desiring to contribute to The Reverend and Mrs. Ray William Pradat Endowed Scholarship in the Culverhouse College of Commerce and Business Administration shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, through this endowment, Mr. and Mrs. Pradat wish to support academic excellence within the Culverhouse College of Commerce and Business Administration at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Sallie H. Pradat and R. William Pradat Jr. and establishes The Reverend and Mrs. Ray William Pradat Endowed Scholarship in the Culverhouse College of Commerce and Business Administration as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward one or more scholarships under the policies and procedures of the University adopted from time to time to regulate and administer such awards.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Sallie H. Pradat and R. William Pradat Jr. and to The Reverend and Mrs. Ray William Pradat.

Accepting gifts of Elizabeth Burford Crump and Larry Roberts Kirkland, expressing appreciation, and establishing The John F. Ramsey Great Ideas Tour Endowed Support Fund at UA

#### RESOLUTION

WHEREAS, Elizabeth Burford Crump of Montgomery, Alabama, and Larry Roberts Kirkland of Atlanta, Georgia, have contributed securities valued at \$52,611.75 to The Board of Trustees of The University of

Alabama to support *The John Ramsey Great Ideas Tour* at The University of Alabama; and

WHEREAS, the donors desire that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The John F. Ramsey Great Ideas Tour Endowed Support Fund for the purposes and upon the conditions set out below:

1. Endowment earnings shall be used for international travel expenses, including, but not limited to, roundtrip coach airfare and other intra-continental travel expenses for recipients of the John F. Ramsey Memorial Endowed Scholarship (Ramsey Award). The use of fund earnings and amount distributed each year shall be determined in the same manner as the Ramsey Award.
2. The recipients shall be determined by the President's standing scholarship committee in conjunction with the Ramsey Award. Decisions of the committee shall be made in accordance with University policies and procedures adopted from time to time, subject to the approval of the President of the University, and coordinated with the Office of Undergraduate Admissions or such University office designated by the President for coordination of such awards.
3. The travel supported by the fund will be planned by the recipient and shall be called *The John Ramsey Great Ideas Tour*. Ramsey Award winners will be offered the opportunity to travel, but acceptance is strictly voluntary.
4. For as long as the Board of Trustees of the John F. Ramsey Memorial Scholarship exists, Board members and former recipients shall offer assistance in travel planning to each new recipient, and each recipient who takes the tour shall agree to provide travel advice to future recipients and shall provide to the Ramsey Board of Trustees a narrative account of his or her travels that may be published in a way the board deems appropriate.
5. Persons or entities desiring to contribute to The John F. Ramsey Great Ideas Endowed Support Tour Fund shall be free to do so provided they accept the conditions governing this fund. Ramsey Award recipients shall be encouraged by

the Board of Trustees of the John F. Ramsey Memorial Scholarship to make a contribution to this fund at a future time following their graduation and entry into the work force, the conviction of the Board being that graduates of The University of Alabama, particularly scholarship recipients, have a responsibility to support the educational process from which they so richly benefited; and

WHEREAS, in 1959, Elizabeth Burford Crump and Larry R. Kirkland were college friends who received their bachelor's degrees from The University of Alabama—Miss Crump in English and Dr. Kirkland in biology; and

WHEREAS, Dr. Kirkland is a retired physician with a love for travel, and Miss Crump is president of Dixie Electric Company, her family's business; and

WHEREAS, as a student, Dr. Kirkland studied under John Fraser Ramsey, world traveler and esteemed history professor; and

WHEREAS, Dr. Ramsey's distinguished career at The University of Alabama spanned 42 years, and the University bestowed upon him two of the highest honors given at the Capstone—a Doctor of Humane Letters and the Algernon Sydney Sullivan Award; and

WHEREAS, a dynamic scholar and historian, Dr. Ramsey was respected and admired by many of his students and colleagues and known for his integrity, wit, and willingness to listen and advise; and

WHEREAS, while at the Capstone, Dr. Ramsey demanded a high standard of academic performance from his students, and he challenged them by incorporating art, music, literature and philosophy into his history lectures; and

WHEREAS, through this endowment, Miss Crump and Dr. Kirkland wish to support *The John Ramsey Great Ideas Tour* at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contributions of Elizabeth Crump and Larry Kirkland and establishes The John F. Ramsey Great Ideas Endowed Support Fund as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward support of *The John Ramsey Great Ideas Tour* under the policies and procedures of the University adopted from time to time to regulate and administer such funds.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this board and that copies be sent to Elizabeth B. Crump and Larry R. Kirkland.

Accepting gift, expressing appreciation, and establishing The Lisa Rains Russell Endowed Support Fund at UA

#### RESOLUTION

WHEREAS, Lisa Rains Russell of Tuscaloosa, Alabama, has contributed securities valued at \$10,301.76 to The Board of Trustees of The University of Alabama to support the Health Sciences Library in the College of Community Health Sciences at The University of Alabama; and

WHEREAS, Ms. Russell desires that this gift be accepted and maintained by The University of Alabama as a permanent fund to be named The Lisa Rains Russell Endowed Support Fund in the College of Community Health Sciences for the purposes and upon the conditions set out below:

1. Endowment earnings shall be used to support the Health Sciences Library within the College of Community Health Sciences at the discretion of the Director of the Library, in accordance with University policies and procedures adopted from time to time and subject to the approval of the Dean of the College of Community Health Sciences and the President of the University.
2. Should the Health Sciences Library within the College of Community Health Sciences at The University of Alabama cease to exist, and if consistent with the policies of the Board

of Trustees, then the endowment earnings may be expended for needs that most closely relate to the donor's intent, as stated herein, at the discretion of the Dean of the College of Community Health Sciences and with the approval of the President of the University.

3. Persons or entities desiring to contribute to The Lisa Rains Russell Endowed Support Fund in the College of Community Health Sciences shall be free to do so provided they accept the conditions governing this fund; and

WHEREAS, a native of Atlanta, Georgia, Lisa Rains Russell earned her bachelor of science in school librarianship and master of library service from The University of Alabama, working as a graduate assistant in the Health Sciences Library while completing her MLS; and

WHEREAS, after graduation, Ms. Russell worked as a research assistant in the graduate program in Hospital and Health Administration at The University of Alabama at Birmingham and subsequently as director of the medical library at Southeast Alabama Medical Center in Dothan, Alabama; and

WHEREAS, throughout her career, Ms. Russell has been active in medical library associations through service on many committees, as state association president, as secretary/treasurer of the regional association, and as president of the Tuscaloosa and Jefferson County associations; and

WHEREAS, she also served as president of the Library School Association, presented at state, national, and regional conferences, published articles in professional journals, and co-directed a project funded by the National Library of Medicine to introduce Alabama family physicians to online searching and information retrieval; and

WHEREAS, although Ms. Russell retired in 1999 as associate professor and chief medical librarian of the Health Sciences Library at The University of Alabama after 16 years of service, she continues her involvement at the University through her membership on the Lister Hill Society Board of Directors, the Board of Visitors of the College of Communication and Information Sciences, and the Library School Association; and

WHEREAS, also active in the Tuscaloosa community, she delivers meals-on-wheels, and is an elder at First Presbyterian Church, a member of the Exchange Club, and on the board of the West Alabama Food Bank; and

WHEREAS, through this endowment, Ms. Russell wishes to support excellence in the College of Community Health Sciences at The University of Alabama in perpetuity;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts the generous contribution of Ms. Russell and establishes The Lisa Rains Russell Endowed Support Fund in the College of Community Health Sciences as a restricted endowed fund.

BE IT FURTHER RESOLVED that the initial gift and any future contributions to this fund shall constitute an endowed corpus, which will be held, invested, maintained, and administered by the University in perpetuity according to its policies and procedures adopted from time to time for endowed funds, and the endowment earnings shall be used toward support of the Health Sciences Library under the policies and procedures of the University adopted from time to time to regulate and administer such funds.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Lisa Rains Russell to share with family and friends.

Accepting gift, expressing appreciation, and establishing the  
Drs. Santosh and Prakash Kansal Endowed Presidential  
Scholarship at UAB

#### RESOLUTION

WHEREAS, Drs. Santosh S. and Prakash C. Kansal have generously given a gift totaling \$50,065.76 for the purpose of endowing a scholarship in the School of Medicine at The University of Alabama at Birmingham (UAB); and

WHEREAS, it is most fitting that this fund be named the Drs. Santosh and Prakash Kansal Endowed Presidential Scholarship in Medicine to pay tribute to the lives and work of Drs. Santosh S. and

Prakash C. Kansal and their exemplary contributions to the medical profession and the School of Medicine at UAB; and

WHEREAS, Dr. Santosh S. Kansal was born on December 10, 1930, in Montgomery, Punjab, India, to a well-educated, middle-class family that stressed the importance of higher education and using one's talents to contribute to society; and

WHEREAS, Dr. Santosh Kansal earned a B.S. with honors from Delhi University in India in 1950, graduating first in her class, and she later received her M.B.B.S. medical degree in 1955, also from Delhi University; and

WHEREAS, Dr. Santosh Kansal trained in Pediatrics at Kalawati Saran Children's Hospital, affiliated with Lady Harding Medical College in New Delhi, from 1957 to 1960, and she also trained in Internal Medicine at Lady Harding Medical College Hospital from 1960 to 1963; and

WHEREAS, additionally, Dr. Santosh Kansal earned a Diploma in Child Health from Bombay University in India in 1957; received her M.D. (Board in Internal Medicine) from Delhi University in 1962; was awarded in an all-India competition a Training Fellowship in Cardiology under the USA Aid Program in 1965, but could not avail it; and subsequently completed a one-year Fellowship in Pediatric Cardiology at Case Western University Hospital in Cleveland, Ohio, in 1967; and

WHEREAS, Dr. Santosh Kansal worked as a Lecturer and Assistant Professor in Medicine at Lady Harding Medical College in New Delhi from 1963 to 1969; and

WHEREAS, Dr. Prakash Kansal was born on April 20, 1928, in Langiana, Punjab, India, to a well-educated, middle-class family that was very similar to his wife's with a demonstrated commitment to the values of education and service; and

WHEREAS, Dr. Prakash Kansal received his M.B.B.S. medical degree from Lucknow University in India in 1954; completed an internship in Internal Medicine at Rajinder Hospital in Patiala, Punjab, in 1955; served as a Medical Officer in the Indian Army Medical Corps from August 1955 to May 1959; completed training in Internal Medicine in the United Kingdom from 1959 to 1964; and received his M.R.C.P. in Edinburgh, Scotland, in 1962; and

WHEREAS, additionally, Dr. Prakash Kansal completed fellowships in Endocrinology at Philadelphia General Hospital in Philadelphia, Pennsylvania; University Hospital in Cleveland, Ohio; and Medical University of South Carolina in Charleston from 1964 to 1967; and

WHEREAS, Dr. Prakash Kansal was also a Commonwealth Medical Fellow in Medicine (Diabetes) at Queen's University in Belfast, Northern Ireland; and

WHEREAS, Dr. Prakash Kansal served as a Pool Officer at the All India Institute of Medical Sciences and Maulana Azad Medical College in New Delhi from May 1968 to November 1969; and

WHEREAS, in 1968, Dr. Santosh Kansal married Dr. Prakash Kansal, and the two moved in 1970 to Charleston, South Carolina, where Dr. Prakash Kansal served as an Instructor and Associate in Medicine at the Medical University of South Carolina before becoming a Staff Physician at the Ralph H. Johnson VA Medical Center in Charleston; and

WHEREAS, in 1971, the couple moved to Birmingham and assumed faculty positions in the School of Medicine at UAB, with Dr. Santosh Kansal serving as a Research Associate and then as a faculty member in the Division of Cardiovascular Disease until 1985, with a secondary appointment as a Consulting Cardiologist at the Birmingham Veterans Affairs Medical Center; and

WHEREAS, in 1985, Dr. Santosh Kansal entered into private practice in Birmingham, and she also served as a consultant to the Birmingham Research Group, Inc., until her retirement in 2006; and

WHEREAS, Dr. Prakash Kansal served on the faculty of the UAB Division of Endocrinology, Diabetes, and Metabolism from 1971 to 1992, at which point he entered into private practice in Birmingham, where he continues to serve the community as a physician; and

WHEREAS, respected in the medical profession, Dr. Santosh Kansal is a Diplomat of the American Board of Internal Medicine and the American Board of Cardiovascular Diseases, and she is also a Fellow of the American College of Physicians and the American College of Cardiology as well as a member of the Birmingham Cardiovascular Society and the American Society of Echocardiography; and

WHEREAS, similarly, Dr. Prakash Kansal is a Diplomat of the American Board of Internal Medicine and the American Board of Endocrinology and Metabolism, and he is a Fellow of the American College of Physicians, American College of Endocrinology, and the Royal College of Physicians in Edinburgh, Scotland; and

WHEREAS, Dr. Prakash Kansal is also a member of the American Diabetes Association, The Endocrine Society, and the American Association of Clinical Endocrinologists; and

WHEREAS, additionally, Dr. Prakash Kansal is a Patron Member of the American Association of Physicians of Indian Origin, and he is the Founder and Former President of the Alabama Association of Physicians from India and the Association of Endocrinologists of Indian Origin; and

WHEREAS, Drs. Kansal are highly involved in the activities of the local Indian community, and they are also active in the Birmingham community, giving of their time to raise funds for victims of the earthquake in Gujrat, India, and also fundraising for the Vestavia Hills Public Library; and

WHEREAS, Drs. Kansal are the proud parents of a daughter, Dr. Preeti Kansal, a cardiologist and faculty member at Northwestern University in Chicago, Illinois, and they are also very fond of their two grandchildren; and

WHEREAS, this endowment will provide the School of Medicine with a competitive edge that is crucial in recruiting outstanding students and solidifying its status as an internationally renowned medical institution; and

WHEREAS, additionally, the contributions of this endowment to the instruction of future physicians will be of lasting value not only to said recipients, but also to the countless patients whose lives are bettered through said physicians' care and treatment;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts with profound gratitude these generous gifts from Drs. Santosh and Prakash Kansal and that it herewith approves establishment of the Drs. Santosh and Prakash Kansal Endowed Presidential Scholarship in Medicine, a pure endowment of The University of Alabama at Birmingham.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to Drs. Santosh and Prakash Kansal to share with members of their family; to Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine; and to other appropriate officials of The University of Alabama at Birmingham.

Accepting gift of an Anonymous Donor, expressing appreciation, and establishing the F. Cleveland Kinney, M.D., Endowed Support Fund in Geriatric Psychiatry at UAB

#### RESOLUTION

WHEREAS, a friend of The University of Alabama at Birmingham (UAB) who wishes to remain anonymous has generously donated funds totaling \$50,000 to establish an endowed support fund in honor of Dr. F. Cleveland Kinney to benefit the Department of Psychiatry and Behavioral Neurobiology in the School of Medicine at UAB; and

WHEREAS, it is the desire of the donor that this fund be used to support the Division of Geriatric Psychiatry by providing financial aid to residents in the Division for the pursuit of various educational opportunities; and

WHEREAS, the donor further desires that this fund recognize and honor the contributions of F. Cleveland Kinney, Ph.D., M.D., and his exemplary dedication to the patients under his care and to excellence in the field of geriatric psychiatry; and

WHEREAS, as Professor and Director of the Division of Geriatric Psychiatry at UAB, Dr. Kinney works with patients suffering from Alzheimer's disease, dementing disorders, depression, and psychotic disorders, providing outstanding medical care while adhering to the highest standards of professionalism and compassion; and

WHEREAS, in addition to his duties as an active clinician in Geriatric Psychiatry, Dr. Kinney also contributes to the education of future generations of physicians, including those who desire to specialize in Psychiatry and Geriatric Psychiatry, and is a highly regarded professor and mentor; and

WHEREAS, a Birmingham native, Dr. Kinney was raised in the Forest Park area and graduated from Ramsay High School and Birmingham-Southern College; and

WHEREAS, Dr. Kinney received his Doctor of Philosophy in Anatomy, with an emphasis in Neuroanatomy, from UAB in 1976, and then taught Gross Anatomy and Neuroanatomy at UAB before earning his Doctor of Medicine from the School of Medicine in 1985; and

WHEREAS, desiring to continue his medical career at UAB, Dr. Kinney completed his internship in 1986, his residency in Psychiatry in June 1989, and his fellowship in Geriatric Psychiatry in December 1989, all at University Hospital; and

WHEREAS, Dr. Kinney has served for more than a decade as Director of the Division of Geriatric Psychiatry, and when the Department of Psychiatry and Behavioral Neurobiology found itself in need of administrative leadership in 2001, Dr. Kinney was eager to offer his time and talents and served the Department faithfully as Interim Chair for nearly five years, providing invaluable direction and guidance; and

WHEREAS, Dr. Kinney also serves as Professor of Cell Biology and Medicine and has served on numerous other School of Medicine, University Hospital, and UAB Health System committees; and

WHEREAS, in 2006, Dr. Kinney was named the first Senior Associate Dean for Clinical Affairs for the School of Medicine and oversaw the School's partnerships with clinical care affiliates including Children's Hospital, The Veterans Affairs Medical Center, UAB Highlands, UAB Medical West, and Baptist Health, Montgomery; and

WHEREAS, during his time in this capacity, Dr. Kinney acted as a liaison between the central administration for the School of Medicine and its clinical affiliates, ensuring all parties understood each others' goals and visions and together worked to complement and strengthen each others' missions; and

WHEREAS, in addition to his administrative duties, Dr. Kinney maintains an active clinical and teaching schedule and each year serves as instructor for UAB's Inpatient Geriatric Psychiatry course, serving as a teacher and mentor to third- and fourth-year medical students; and

WHEREAS, highly regarded by his students, Dr. Kinney is a three-time recipient of the Best Basic Science Instructor Award, receiving the distinction from the School of Dentistry Class of 1981, and from the School of Medicine classes of 1999 and 2003; and

WHEREAS, among 11 other honors, the Argus Society Class of 2008 awarded Dr. Kinney its first-ever "In Our Shoes Award" in 2006, recognizing Dr. Kinney as the professor with the best rapport among students and the most understanding of their educational situation; and

WHEREAS, additionally, Dr. Kinney received the Nancy C. A. Roeske, M.D., Certificate for Excellence in Medical Student Education from the American Psychiatric Association in 1996, was named Teacher of the Year for region 7 by the Association of Academic Psychiatry in 2000, and received the Irma Bland Award for Excellence in Teaching Residents from the American Psychiatric Association's Council on Medical Education and Lifelong Learning in 2006; and

WHEREAS, also decorated for his contributions to the advancement of the field of Psychiatry, Dr. Kinney received the Exemplary Psychiatrist Award from the National Alliance for the Mentally Ill in 2000 in recognition of his willingness to go the extra mile on behalf of individuals with severe mental illnesses and their families; and

WHEREAS, Dr. Kinney enjoys reading, cooking, entertaining, and traveling and each year relishes his annual trip to Norway, which he has taken for the past 20 years after developing a love for the country while stationed in Oslo for more than three years during the Vietnam conflict; and

WHEREAS, naming this endowed fund in Dr. Kinney's honor will serve as a lasting tribute to his years of service to UAB and the Birmingham community and his exemplary dedication to excellence in the fields of Psychiatry and Geriatric Psychiatry; and

WHEREAS, the ongoing contributions of this endowment to the instruction of the residents whose educational experiences are enhanced through this fund and to the lives of those who benefit from the care provided by said residents may be expected to be of significant and enduring value to the Department, the University, and the community;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts, with gratitude, this generous gift and that it herewith approves establishment of the F.

Cleveland Kinney, Ph.D., M.D., Endowed Support Fund in Geriatric Psychiatry at The University of Alabama at Birmingham, as a pure endowment.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board, and that copies or any parts of it be sent to Dr. F. Cleveland Kinney, Professor and Director of Geriatric Psychiatry; to Dr. James H. Meador-Woodruff, Professor and Chair of the Department of Psychiatry and Behavioral Neurobiology; to Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine; and to other appropriate officials of The University of Alabama at Birmingham.

Accepting gifts of The University of Alabama Health Services Foundation and an Anonymous Donor, expressing appreciation, and establishing the Robert W. Mowry, M.D., Endowed Professorship in Pathology at UAB

(see page 360)

Accepting gifts of Friends, family, and descendants of Mr. Ferris S. Ritchey, Sr., and Mrs. Annie Pharo Ritchey, expressing appreciation, and establishing the Annie P. and Ferris S. Ritchey, Sr., Endowed Scholarship in Sociology at UAB

#### RESOLUTION

WHEREAS, friends, family, and descendants of Mr. Ferris S. Ritchey, Sr., and Mrs. Annie Pharo Ritchey have given generous gifts totaling \$25,000 to The University of Alabama at Birmingham (UAB) to establish an endowed scholarship in the Department of Sociology in the School of Social and Behavioral Sciences; and

WHEREAS, it is the wish of the Ritchey family that this fund be used to encourage students in the Sociology and Social/Psychology programs at UAB by making it possible for them to focus on their studies without the burden of financial concerns; and

WHEREAS, it is the desire of the Ritchey family and other donors to honor the memories of Ferris and Annie Ritchey, who came to the United States from Lebanon in 1905 and 1914, respectively; married in Birmingham in 1917; operated grocery businesses in the Avondale and Woodlawn communities; and were blessed with 13 children, whose descendants number over 200, most of whom reside in the Birmingham area; and

WHEREAS, this Endowed Scholarship signifies the Ritchey family's efforts to fulfill Ferris and Annie's wish that the family remain cohesive and loving in future generations; and

WHEREAS, more than 30 descendants of Ferris and Annie Ritchey have attended UAB, with 19 receiving undergraduate degrees, 14 receiving graduate and professional degrees, and nine having been employed at UAB; and

WHEREAS, the Ritchey family members who are alumni and employees of UAB have fond memories of their times on campus, and it is their wish to make a positive impact on the lives and careers of future students of the University; and

WHEREAS, in the loving spirit that Ferris and Annie Ritchey bestowed on their descendants, and with their educational experiences at UAB and elsewhere, many family members have made contributions to the Birmingham area and nation as physicians, attorneys, nurses, general and special education teachers, school principals, business associates and managers, corporate chief executive officers, engineers, college professors, computer technicians, accountants, and other occupations that contribute to the betterment of society; and

WHEREAS, this scholarship is being established to perpetuate the memories of Ferris and Annie Ritchey and will be used to create unique and lasting support for the deserving students whose lives and careers will be influenced by its receipt;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby accepts with gratitude these generous gifts from the Ritchey family and other donors and that it herewith approves establishment of the Annie P. and Ferris S. Ritchey, Sr., Endowed Scholarship in Sociology, a pure endowment of The University of Alabama at Birmingham.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to representatives of the Ritchey family to share with its members; to Dr. Mark E. LaGory, Chair of the Department of Sociology; to Dr. Jean Ann Linney, Dean of the School of Social and Behavioral Sciences; and to other appropriate officials of The University of Alabama at Birmingham.

Appointing members of the Board of Directors of the Crimson Tide Foundation and ratifying their service from their original election

#### RESOLUTION

WHEREAS, Section 5 of Article II of the Bylaws of the Crimson Tide Foundation (the "Foundation") authorizes The Board of Trustees of The University of Alabama to appoint new members of the Board of Directors of the Foundation and that Directors shall serve a term of one year;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby appoints Paul W. Bryant, Jr., Angus R. Cooper II, John J. McMahon, Jr., John Russell Thomas, James W. Wilson III, and C. Ray Hayes to serve as Directors of the Crimson Tide Foundation and ratifies their service on the Foundation from their original election on September 17, 2003, and November 11, 2005.

BE IT FURTHER RESOLVED that the Secretary of the Board of Trustees shall send to the Secretary of the Foundation a certified copy of this resolution for inclusion in the records of the Foundation.

Approving the election of Charles D. McCrary to serve on the Board of Directors of the Southern Research Institute (SRI) for a Three-Year Term Ending 2011

## RESOLUTION

BE IT RESOLVED by The Board of Trustees of The University of Alabama that it approves the election of the following member to serve on the Board of Directors of the Southern Research Institute (SRI) for a three-year term ending 2011:

Charles D. McCrary

Approving establishment of the Charles R. Katholi Distinguished Dissertation Award Quasi Endowed Support Fund at UAB

## RESOLUTION

WHEREAS, administrators of The University of Alabama at Birmingham (UAB) School of Public Health desire to use \$20,000 in general funds from the Department of Biostatistics to establishment a quasi endowment to benefit students in the Department; and

WHEREAS, it is appropriate that these funds be used to establish the Charles R. Katholi Distinguished Dissertation Award Quasi Endowed Support Fund to encourage excellence in research and scholarly activities among students in the Department of Biostatistics; and

WHEREAS, it is most fitting that this award be named in honor of Dr. Charles R. Katholi to pay tribute to Dr. Katholi's longtime service to and support of UAB and the Department of Biostatistics; and

WHEREAS, born on January 2, 1941, in Charleston, West Virginia, Dr. Charles Robinson Katholi received his bachelor's in Mathematics from Lehigh University in Bethlehem, Pennsylvania, in 1963; his master's in Mathematics from Adelphi University in Garden City, New York, in 1965; and his doctorate in Mathematics/Applied Analysis from Adelphi University in 1971; and

WHEREAS, in 1970, Dr. Katholi became Assistant Professor of Biomathematics at UAB, a position he held until 1977, when he was named Associate Professor of Biomathematics, and he also held secondary appointments at UAB as an Assistant Professor of Mathematics and an Assistant Professor of Information Sciences; and

WHEREAS, in 1982 and 1987, respectively, Dr. Katholi was promoted to additional secondary appointments at UAB as Associate Professor of Mathematics and Associate Professor of Computer and Information Sciences, and in 1982, his primary appointment at UAB became Associate Professor of Biostatistics and Biomathematics, a position he held until 1995, when he was appointed Professor of Biostatistics; and

WHEREAS, in these teaching capacities, Dr. Katholi demonstrated a sincere love of teaching and daily commitment to educating the next generation of statisticians, and he enthusiastically encouraged his students to achieve at their highest level of potential; and

WHEREAS, in 1997, when the Department of Biostatistics found itself in need of administrative leadership, Dr. Katholi was eager to offer his time and talents and served the Department faithfully as Interim Chair for two years, providing invaluable leadership and guidance; and

WHEREAS, while serving as Interim Chair, Dr. Katholi continued to serve as Professor of Biostatistics, a position he held until 2003 when he was named Professor Emeritus of Biostatistics in the School of Public Health at UAB; and

WHEREAS, Dr. Katholi is regarded as a valued mentor and guide to the young faculty members in the Department, particularly on the nuances of the development and completion of successful dissertations, and he has also served as a role model for many of the junior faculty, showing a devotion to the field that is second to none; and

WHEREAS, additionally, Dr. Katholi has served as a role model for the current Chair of the Department of Biostatistics, providing guidance and direction with a voice of experience, and he has made invaluable contributions to advancing the field of

Biostatistics through more than three decades of devoted service;  
and

WHEREAS, an advocate of the invaluable role of biostatistics in the advancement of public health, Dr. Katholi has made substantial contributions to developing methods and software for several Onchocerciasis elimination programs in Africa and Central and South America during the past decade, working with the African Program for Onchocerciasis Control and the Onchocerciasis Elimination Program in the Americas; and

WHEREAS, Onchocerciasis, or river blindness, is a leading infectious cause of blindness especially common in Africa and tropical America caused by a parasitic worm and spread by the bite of an infected blackfly; and

WHEREAS, Dr. Katholi's more than 10 years of dedicated work toward the elimination of Onchocerciasis is an example of his utmost devotion to public health and improving the lives of individuals throughout the globe; and

WHEREAS, highly regarded in his field, Dr. Katholi holds membership in the Society for Industrial and Applied Mathematics, Association for Computing Machinery, American Statistical Association, Biometric Society, and Pi Mu Epsilon and Sigma Xi mathematics and scientific research honoraries; and

WHEREAS, Dr. Katholi has served the University as a chairman and member of numerous committees at the department, school, and university level, giving tirelessly to ensure UAB is carried to the next level of success and achievement; and

WHEREAS, additionally, Dr. Katholi has served associations, nonprofits, and other organizations throughout the state and nation as a statistical consultant and reviewer; and

WHEREAS, active in the community, Dr. Katholi has served on the Board of Directors of the Fellowship House Incorporated, a United Way agency, for 16 years, and he has also served the organization as Secretary/Treasurer and President; and

WHEREAS, Dr. Katholi served as Vice Chairman of the Homewood City Planning Commission and the Homewood City

Board of Zoning Adjustments and as a member of the Avondale Community School Advisory Council; and

WHEREAS, in light of Dr. Katholi's commitment to the academic success of his students and in recognition of his longtime service to graduate and doctoral students on multiple graduate committees and as a director of several doctoral dissertations, it is most appropriate that this Distinguished Dissertation Award be named in his honor; and

WHEREAS, the ongoing contributions of the Charles R. Katholi Distinguished Dissertation Award Quasi Endowed Support Fund to the training and education of the deserving students who benefit from it may be expected to be of significant and enduring value to those students' lives and to the lives of those they influence in their careers and, therefore, to the University and the community;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby desires to pay tribute to Dr. Katholi's extraordinary service to the University as one of the founding members of the Department of Biostatistics and his many years of service to the Department as a faculty member and Chair and herewith approves establishment of the Charles R. Katholi Distinguished Dissertation Award Quasi Endowed Support Fund in the amount of \$20,000.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to Dr. Charles R. Katholi to share with members of his family; to Dr. George Howard, Chair of the Department of Biostatistics; to Dr. Max Michael, Dean of the School of Public Health; and to other appropriate officials of The University of Alabama at Birmingham.

Approving Renaming the Natural Sciences and Mathematics Scholarship Endowment as the O'Neil Endowed Scholarship in Mathematics at UAB

## RESOLUTION

WHEREAS, on June 17, 2005, The Board of Trustees of The University of Alabama accepted generous gifts totaling \$10,000 from anonymous donors and, acting in accordance with the donors' wishes, established the Natural Sciences and Mathematics Scholarship Endowment to benefit students in the Department of Mathematics in the School of Natural Sciences and Mathematics at The University of Alabama at Birmingham (UAB); and

WHEREAS, the donors, Dr. and Mrs. Peter V. O'Neil, have humbly expressed the desire to now rename the scholarship they so generously funded, the Natural Sciences and Mathematics Scholarship Endowment, as the O'Neil Endowed Scholarship in Mathematics; and

WHEREAS, longtime advocates and supporters of UAB, Dr. and Mrs. O'Neil have demonstrated an exemplary commitment to the University, which Dr. O'Neil served faithfully for 30 years as a Professor, Chairman, Dean, and Provost, and continues to serve today as a Professor Emeritus in the Department of Mathematics; and

WHEREAS, raised in Albany, New York, Dr. Peter V. O'Neil earned a bachelor's degree in Mathematics and Philosophy at Fordham University in 1961 and master's and doctoral degrees in Mathematics at Rensselaer Polytechnic Institute in 1963 and 1965, respectively; and

WHEREAS, before coming to UAB in 1978, as Chairman and Professor of the Department of Mathematics, Dr. O'Neil served as Chairman and Professor of Mathematics and Computer Science at the College of William and Mary and as Instructor of Mathematics at the University of Minnesota; and

WHEREAS, at UAB, Dr. O'Neil served as Professor and Chairman of the Department of Mathematics from 1978 to 1982, and during those four years was instrumental in the Department's growth and success and also played a key role in the education of numerous students as a dedicated professor; and

WHEREAS, from 1982 to 1997, Dr. O'Neil served as Dean of the School of Natural Sciences and Mathematics and for 15 years

oversaw the development of the School, laying the foundation for the success it enjoys today through engagement in a broad range of international research projects that cross traditional disciplinary lines and reflect the diverse resources and experts at UAB and through the School's commitment to improving the teaching of science and mathematics at the K-12 level; and

WHEREAS, in 1997, Dr. O'Neil assumed the position of Interim Provost of the University and a year later was named Provost, a position he held until 2000, when he returned to the classroom to interact with students on a daily basis and encourage them to achieve success in academics and life; and

WHEREAS, in 2002, Dr. O'Neil's distinguished service to the Department was recognized, and he was named a Professor Emeritus in the Department; and

WHEREAS, beyond his exemplary commitment to his students, Dr. O'Neil continues to serve the Department of Mathematics in other ways, authoring a major portion of a proposal for a \$2.3 million grant from the National Science Foundation (NSF) recently awarded to the Department as part of NSF's Mentoring through Critical Transition Points Program which will be primarily used to provide fellowships for undergraduate and graduate students; and

WHEREAS, Dr. O'Neil holds membership in the Mathematical Association of America, American Mathematical Society, Society for Industrial and Applied Mathematics, American Association for the Advancement of Science, and Sigma Xi and Phi Kappa Phi honoraries; and

WHEREAS, Dr. O'Neil is the author of five books, one of which is in its sixth addition and another in its second edition, and numerous articles on advanced calculus, topology, linear algebra, and advanced engineering mathematics, and he also serves as a reviewer for respected professional journals and is the recipient of the Lester R. Ford Award from the Mathematical Association of America; and

WHEREAS, Dr. O'Neil is married to Mrs. Leslie Dole O'Neil, who was raised in Kansas and graduated from Kansas State University; and

WHEREAS, completing graduate work at the University of Cincinnati, Mrs. O'Neil was a member of the faculty of the Department of Modern Languages and Literature at the College of William and Mary and has been active for many years in the League of Women Voters; and

WHEREAS, Dr. and Mrs. O'Neil are the proud parents of two children—Alan, a Human Resources Software Specialist with Spectrum in Washington, D.C., and Alison, a Senior Technical Writer in the Silicon Valley area of California; and

WHEREAS, Dr. and Mrs. O'Neil continue to support the University and through their outstanding commitment to education and giving back to the community have set a wonderful example of benevolence and generosity; and

WHEREAS, the University is honored to pay tribute to Dr. O'Neil's three decades of academic and administrative leadership at UAB and express its appreciation for Dr. and Mrs. O'Neil's continued commitment to the growth and success of the University; and

WHEREAS, the ongoing contributions of the O'Neil Endowed Scholarship in Mathematics to the training and education of the deserving students who benefit from it may be expected to be of significant and enduring value to those students' lives and to the lives of those they influence in their careers and, therefore, to the University and the community;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby expresses its appreciation for these generous gifts from Dr. and Mrs. Peter O'Neil and desires to pay tribute to Dr. O'Neil's extraordinary service to the University by herewith approving renaming of the Natural Sciences and Mathematics Scholarship Endowment as the O'Neil Endowed Scholarship in Mathematics, a pure endowment of The University of Alabama at Birmingham.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to Dr. and Mrs. Peter V. O'Neil to share with members of their family; to Dr. Rudi Weikard, Chairman of the Department of Mathematics; to Dr. Lowell E. Wenger, Dean of the

School of Natural Sciences and Mathematics; and to other appropriate officials of The University of Alabama at Birmingham.

Expressing appreciation to Mr. Timothy Eugene Parker for making arrangements for Bequest to UAB

#### RESOLUTION

WHEREAS, Mr. Timothy Eugene Parker has generously made arrangements through his estate for the provision of a gift to establish an endowed support fund to benefit the Department of Surgery in the School of Medicine at The University of Alabama at Birmingham (UAB); and

WHEREAS, it is the desire of the donor that this bequest be used to establish an endowment to support research in the area of colorectal cancer, the fourth most common cancer in men and women which, if caught early, is often curable; and

WHEREAS, it is also the desire of Mr. Parker to pay tribute to his mother, Ms. Cecilia Kleinschrodt Parker, and her extraordinary determination and strength during a courageous battle with colorectal cancer through the future establishment of this endowment to be named in her memory; and

WHEREAS, Ms. Cecilia Kleinschrodt Parker was born on April 7, 1923, in Mobile, Alabama, where she resided for most of her life; and

WHEREAS, Ms. Parker graduated from Convent of Mercy High School in Mobile and then began what would become a long and memorable career with the Social Security Administration, which she served faithfully until her retirement in 1983; and

WHEREAS, the granddaughter of German immigrants, Ms. Parker was the eldest of five siblings and throughout her life demonstrated a commitment to her family and her community; and

WHEREAS, a devout Catholic, Ms. Parker was a member of St. Catherine's Catholic Church in Mobile; and

WHEREAS, Ms. Parker, talented in many areas, had a particular affinity for artistic painting, sewing, and ballroom dancing and was active until the time of her death in 1984, at the age of 61; and

WHEREAS, Ms. Parker was the proud and loving mother of Mr. Timothy Eugene Parker, the youngest of her five children, who was born in Knoxville, Tennessee, on November 11, 1958; and

WHEREAS, raised in Mobile where he attended high school and college, graduating from McGill-Toolen High School in 1977, and the University of South Alabama with a Bachelor of Science in Accounting in 1986, Mr. Parker has resided in Birmingham for the past 16 years; and

WHEREAS, currently the Senior Vice President and Regional Investment Manager for Wachovia Bank's Trust and Wealth Management Division, a position he has held since 2005, Mr. Parker has more than 20 years of executive experience in the banking and investment industries; and

WHEREAS, prior to his appointment at Wachovia, Mr. Parker served as Senior Vice President and Senior Portfolio Manager for Compass Bank's Wealth Management Group in Birmingham; Senior Portfolio Manager for the Florida State Board of Administration in Tallahassee; and Vice President and Investment Manager at Secor Bank in Birmingham; and

WHEREAS, Mr. Parker earned his Chartered Financial Analyst (CFA) designation in 2003, and remains involved in the profession as Vice President of the CFA Society of Alabama; and

WHEREAS, active in the community, Mr. Parker is the President of the Board of Trustees of the Children's Aid Society Foundation and also serves on the Board of Trustees for the Regional Planning Commission Revolving Loan Program; and

WHEREAS, a member of the Leadership Birmingham Class of 2006, Mr. Parker is a lifetime member of the University of South Alabama National Alumni Association and a former member of the Board of Trustees for Birmingham AIDS Outreach; and

WHEREAS, it is the desire of the University to recognize Mr. Parker's exemplary commitment to UAB and endorsement of cancer research initiatives in the School of Medicine; and

WHEREAS, upon receipt of this bequest, the University agrees to establish the Cecilia Kleinschrodt Parker and Timothy Eugene Parker Endowed Support Fund for Colorectal Cancer Research, subject to the approval of The Board of Trustees of The University of Alabama according to its policies and procedures;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees that it hereby expresses its sincere appreciation to Mr. Parker for his willingness to arrange for this generous bequest and act upon his desire to pay tribute to his mother by supporting research in the area of colorectal cancer at UAB.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to Mr. Timothy E. Parker to share with members his family; to Dr. Kirby I. Bland, Chair of the Department of Surgery; to Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine; and to other appropriate officials of The University of Alabama at Birmingham.

Expressing appreciation to Mr. Darryl Guin Robinson for making arrangements for Bequest to UAB

#### RESOLUTION

WHEREAS, Mr. Darryl Guin Robinson has generously made arrangements through his estate for the provision of a gift to establish an endowed support fund to benefit the Department of Surgery in the School of Medicine at The University of Alabama at Birmingham (UAB); and

WHEREAS, it is the desire of the donor that this bequest be used to establish an endowment to support research in the area of renal cell carcinoma, the most common type of kidney cancer; and

WHEREAS, it is the desire of Mr. Robinson to pay tribute to his mother, Ms. Rebecca Gaither Boddie, and her extraordinary determination and strength as a survivor of kidney cancer through the future establishment of this endowment to be named in her honor; and

WHEREAS, Ms. Rebecca Gaither Boddie, a native and lifelong resident of Ashland, Alabama, was born on June 10, 1944, in Ashland; and

WHEREAS, the only child of Kate Willis and Otto Gaither, both descendants of pioneer families of Clay County, Ms. Boddie was raised by her parents to value the importance of using one's talents for the betterment of the community, and she learned from the example of her family members, who were known for their long and extensive participation in business, social, and community activities; and

WHEREAS, Ms. Boddie graduated from Clay County High School in 1962, and then attended Alverson Draughn Business College in Birmingham, Alabama, and enjoyed a career in sales before retiring with the Central Office of Clay County School System in Ashland; and

WHEREAS, Ms. Boddie was elected to the Ashland City Council in 1976, as the first woman to ever hold the office of Councilwoman, and she is currently in her sixteenth year of service with the Council, having also served as Mayor Pro-Tempore from 1984 to 1988; and

WHEREAS, an active and longtime member of the First Baptist Church of Ashland, Ms. Boddie is also a devoted volunteer for the American Cancer Society and former Chairperson of the Clay County Chapter, and she was recently named Honorary Chairperson of the 2008 Clay County Relay for Life event; and

WHEREAS, a current member of the Clay County Chamber of Commerce, Ms. Boddie is also a volunteer for Kid One Transport and the 2004 recipient of the Elizabeth Jenice Riley Memorial Inspiration Award in recognition of her lifelong commitment to improving the quality of life of children; and

WHEREAS, a devoted advocate for children and also possessing a great love of holidays, Ms. Boddie has for many years been known and loved for playing the Easter bunny, to the delight of children in her community; and

WHEREAS, Ms. Boddie is a Past President of the Parent Teacher Association, and she has also served on the Board of Directors of the Cheaha Mental Health Board, held membership in the Clay County Historical Society, served on the Committee for Employer Support for the Guard and Reserve, and volunteered for the American Red Cross and the Leukemia & Lymphoma Society; and

WHEREAS, treasured by her family, Ms. Boddie is a loving wife to her husband, Mr. Gerald L. Boddie, Sr., and a devoted mother to her son, Mr. Darryl Guin Robinson, and two stepsons, Jay and David Boddie; and

WHEREAS, currently residing on land owned by her maternal grandparents, the Willis family, for nearly 100 years, Ms. Boddie enjoys cooking, a talent she learned from her mother, traveling, and giving back to the community; is active in all aspects of community life; and continues to demonstrate a longtime commitment to advocating for those in need; and

WHEREAS, Mr. Darryl Guin Robinson, born November 10, 1964, in Ashland, where he was also raised, graduated from Clay County High School in 1983 and subsequently moved to Auburn to attend Auburn University; and

WHEREAS, after graduating with a Bachelor of Science in Public Administration in 1986, Mr. Robinson worked for West Point Pepperell, Inc., in Valley, Alabama, before moving to Pell City, Alabama, to take a position with Avondale Mills, Inc., where he worked until 2000; and

WHEREAS, while residing in Pell City, Mr. Robinson served on the City Council of Pell City from 1996 to 1999, also during that time serving as Mayor Pro Tempore until his election as Mayor in 1999, and he served as Pell City's first full-time mayor until 2004; and

WHEREAS, as Mayor, Mr. Robinson served the constituents under his care faithfully and wholeheartedly, overseeing the implementation of several major initiatives, including advocating for safety barriers on the Interstate 20, construction of the Center for Performing Arts, and major additions to the Parks and Recreation Department, and his administration was regarded as among the city's most progressive; and

WHEREAS, after his term as Mayor, Mr. Robinson worked with Region 2020, Inc., in Birmingham and then Jefferson State Community College, where he is currently employed as Institutional Development Coordinator; and

WHEREAS, in 2007, Mr. Robinson received his Master of Arts in Educational Leadership from The University of Alabama at Birmingham, and he also holds the designation of Certified Municipal Officer by the Alabama League of Municipalities; and

WHEREAS, active in the community, Mr. Robinson is Chairman of the Board of Directors of the Birmingham-Jefferson County Transit Authority and a member of the Board of Directors of Operation New Birmingham, Kid One Transport, and Childcare Resources, and he is also an active member of the Kiwanis Club of Greater Birmingham; and

WHEREAS, additionally, Mr. Robinson is the former Chairman of the Regional Planning Commission of Greater Birmingham and a former member of the Board of Directors of the United Way of Central Alabama, the Children's Aid Society, and the Metropolitan Development Board of Directors, the latter of which he also served as Vice Chairman of a \$12 million capital campaign; and

WHEREAS, inheriting his mother's devotion to the community and civic duty, Mr. Robinson also served on the Board of Directors of the American Cancer Society and as Co-Chairman of Relay for Life; was a three-time Chairman of the St. Clair County United Way Campaign; served as President of the Kiwanis Club of Pell City; and was the Founding President of the St. Clair County's Mayors Association; and

WHEREAS, additionally, Mr. Robinson was selected to the 2002–2003 Class of Leadership Alabama and the 2004–2005 Class of Leadership Birmingham, and he was subsequently elected by his

Class to serve as a member of the Board of Directors of Leadership Alabama and later organized the inaugural class of Leadership Pell City; and

WHEREAS, in recognition for his exemplary service to the public and numerous civic and charitable organizations, Mr. Robinson received the 2005 Public Servant Award from the Alabama Library Association, the 2004 Helping Hands Award from the Boys and Girls Club of Central Alabama, and the 2002 Academic Alumni of the Year Award from Clay County High School, and he was also named Pell City's "Citizen of the Year" in 1999 and was listed in the *Birmingham Business Journal's* "Top 40 Under 40"; and

WHEREAS, enjoying particular affinities for sports and politics, Mr. Robinson has also served as President and Vice President of the St. Clair County Auburn Club; and

WHEREAS, the son of Mr. and Mrs. Gerald L. Boddie and the late Mr. and Mrs. Pervis G. Robinson, Mr. Robinson is a fifth generation native of Ashland who continues to uphold the values of his family through his lifelong commitment to serving his community; and

WHEREAS, it is the desire of the University to now recognize Mr. Robinson's ongoing contributions to the Greater Birmingham Area and the State of Alabama as well as his outstanding support of UAB and endorsement of cancer research initiatives in the School of Medicine; and

WHEREAS, upon receipt of this bequest, the University agrees to establish the Rebecca Gaither Boddie and Darryl Guin Robinson Endowed Support Fund for Renal Cell Carcinoma Research, subject to the approval of The Board of Trustees of The University of Alabama according to its policies and procedures.

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby expresses its sincere appreciation to Mr. Robinson for his willingness to arrange for this generous bequest and act upon his desire to support research in the area of renal cell carcinoma at UAB.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that copies or any parts of it be sent to Mr. Darryl Guin Robinson to share with his mother and other members of his family; to Dr. Kirby I. Bland, Chair of the Department of Surgery; to Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine; and to other appropriate officials of The University of Alabama at Birmingham.

Noting Death of Clark Williams Hawk, Ph.D., Professor of Mechanical and Aerospace Engineering and Director of the Propulsion Research Center at UAH

#### RESOLUTION

WHEREAS, from February 1991, to his death in February 2008, Clark Williams Hawk, Ph.D., devoted seventeen years of meritorious service to The University of Alabama in Huntsville, maintaining high academic standards throughout his teaching and research; and

WHEREAS, Dr. Hawk was born on September 16, 1936, and received his B.S. degree in Mechanical Engineering in 1958, from The Pennsylvania State University, and his M.S.E. degree in Mechanical Engineering in 1968, and his Ph.D. degree in 1970, from Purdue University; and

WHEREAS, Dr. Hawk joined The University of Alabama in Huntsville in 1991, as Professor of Mechanical and Aerospace Engineering and Director of the Propulsion Research Center until his death on February 26, 2008, leaving his wife Julie Hawk, a son, a daughter and two grandchildren; and

WHEREAS, over the seventeen years of his service, Dr. Hawk helped to maintain standards of academic excellence in the Department of Mechanical and Aerospace Engineering, the College of Engineering, and The University of Alabama in Huntsville; and

WHEREAS, Dr. Hawk was the author of numerous professional publications, was technical consultant for several

organizations, and was principal investigator for multi-million dollar sponsored research; and

WHEREAS, Dr. Hawk received numerous honors and awards, including American Aeronautics and Astronautics Fellow, National Aeronautics and Space Administration Institute for Advance Concepts Fellow, and the Holger Toftoy Award for Outstanding Technical Management; and

WHEREAS, Dr. Hawk taught numerous undergraduate and graduate courses in the Department of Mechanical and Aerospace Engineering, and was advisor for several M.S.E. (with thesis) and Ph.D. students; and

WHEREAS, while on the faculty Dr. Hawk served on numerous department, college and university committees; and

WHEREAS, Dr. Hawk was very involved with community activities, both on and off campus, where he enriched the cultural life of The University of Alabama in Huntsville and Huntsville communities;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that it hereby expresses to Dr. Hawk's family, colleagues and friends its deep sorrow for the loss of such a valued husband, father, friend, teacher, mentor, researcher, and leader.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of this Board and that a copy be sent to Dr. Hawk's wife, Julie, and that a copy be placed in the M. Louis Salmon Library of The University of Alabama in Huntsville.

On behalf of the Board, Chairman Espy expressed to the staff of UAHuntsville appreciation for the great job they have done in making this a good and positive meeting.

There being no further business to come before the Board, the meeting was recessed subject to call of the Chair.

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Michael A. Bownes, Secretary

## THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA

April 11, 2008 – 10:45 a.m.

Executive Classroom 280, Bevill Conference Center and Hotel  
The University of Alabama in Huntsville

## AGENDA

- A. Roll Call
- B. Consideration of approval of minutes of February 8, 2008
- page 1 C. Consideration of Executive Committee Report
- D. Reports
  - 1. Chancellor Malcolm Portera
  - 2. UAH President David B. Williams
  - 3. UAH Faculty Rep to Board Dr. Lynn Boyd
  - 4. UAH Student Rep to Board Mr. Samuel N. Parks
- page 2 E. Administrative Report
- F. Academic Affairs and Planning Committee Report
- page 59 1. Consideration of Resolution granting final approval of an Executive Doctor of Science (D.Sc.) in Administration-Health Services (C.I.P. 51.0701) at UAB
- page 61 2. Consideration of Resolution granting final approval of a Proposal for a Ph.D. Degree in Interdisciplinary Engineering (C.I.P. Code 14.9999) at UAB
- page 63 3. Consideration of Resolution granting initial approval of and Permission to Submit to the Alabama Commission on Higher Education the Notification of Intent to Submit a Proposal (NISP) for the Ph.D. in Clinical Translational Science Degree (C.I.P. 51.9999) at UAB

- page 64            4.    Consideration of Resolution granting initial approval of and Submission to the Alabama Commission on Higher Education (ACHE) a Proposal for a Bachelor of Science (B.S.) Degree in Neuroscience (CIP Code 30.2401) at UAB
- page 65            5.    Consideration of Resolution approving establishment of the Deep South Resource Center for Minority Aging Research at UAB
6.    Administrative Action Items
- page 67            a.    Consideration of Resolution establishing the Robert W. Mowry, M.D., Endowed Professorship in Pathology at UAB
- page 70            b.    Consideration of Resolution approving appointment of John B. Fiveash, M.D., to the Robert Y. Kim Outstanding Educator Endowed Chair in Radiation Oncology at UAB
- page 72            c.    Consideration of Resolution approving appointment of David R. Klock, Ph.D., as the Second Holder of the Wachovia Endowed Chair in Business Administration in the School of Business at UAB
- page 75            d.    Consideration of Resolution approving appointment of Colonel Patricia A. Patrician, Ph.D., R.N., as the First Holder of the Donna Brown Banton Endowed Professorship in Nursing at UAB
- page 78            e.    Consideration of Resolution approving that the Degree Title for the Master of Science Degree in Management Information Systems at UAH be listed in the ACHE Inventory as MSMIS Degree
- page 79            f.    Consideration of Resolution approving that the Degree Title for the Master of Science Degree in Software Engineering at UAH be listed in the ACHE Inventory as MSSE Degree



H. Physical Properties Committee Report

1. UA Items

a. Construction Item

page 110

- 1) Consideration of Resolution authorizing execution of Architect Agreement and approving preliminary Budget for the Capstone College of Nursing at UA (Stage II)

b. Real Estate Items

page 112

- 1) Consideration of Resolution authorizing execution of a Commercial Lease with Desperados Steakhouse, Inc., for 1201 University Boulevard, Tuscaloosa, by UA

page 126

- 2) Consideration of Resolution approving assignment by Saga Petroleum Corp., successor by merger with Saga Alpha, LLC, all of its right, title and interest in and to Coalbed Methane Leases with United States Pipe and Foundry Company, Diamond B. Energy, Inc., and CDX Gas, LLC to PGP Gas Supply Pool No. 1 and to PGP Gas Supply Pool No. 2, LLC by UA

2. UAB Item

a. Construction Item

page 132

- 1) Consideration of Resolution authorizing negotiation of an Owner/Architect Agreement for a Two Story Addition to the Ninth Avenue South Parking Deck at UAB (Stages II and III)

## 3. UABHS Items

## a. Construction Items

page 134

- 1) Consideration of Resolution authorizing contract award for the Alternate Bid Proposals for the Interior Fit-Out of the Patient Rooms on the 7<sup>th</sup> Floor East Tower and the Administrative and Training Space on the 2<sup>nd</sup> Floor East Tower; approving Total Project Budget for Alternate Bid Proposals; and approving Alternate Bid Project Budgets for Women and Infant's Facility (WIF) and Radiation Oncology Replacement Facility (ROF) (Stage IV)

page 137

- 2) Consideration of Resolution authorizing negotiation of an Owner/Architect Agreement, approving preliminary Construction Budget and total estimated Project Budget, and authorizing the UAB Health System to move forward with final planning and design of Relocation of Hematopoietic Cell Processing Laboratory and Construction of Class 100,000 Cell Processing Space, 3<sup>rd</sup> Floor, Spain Wallace Building, University of Alabama Hospital, at UAB (Stage II)

## b. Real Estate Item

page 140

- 1) Consideration of Resolution authorizing execution of Lease Agreement with University of Alabama Health Services Foundation, P.C., for the 9<sup>th</sup> and 10<sup>th</sup> floors of the Women and Infant's Facility (WIF) Clinics and Offices - POB

## I. Honorary Degrees and Recognition Committee Report

## J. Administrative Action Items

## 1. Consideration of Resolutions Accepting Gifts

	<u>Name</u>	<u>Gift By</u>	<u>Amount</u>
page 162	a. The Dorothy D. and John Joseph Boyne Endowed Support Fund at UA	Dorothy Dowling Boyne	\$10,000
page 164	b. The Kathryn and Ronald Cain Endowed Scholarship at UA	Kathryn H. and Ronald A. Cain	\$20,279.48
page 166	c. The Chwe Endowed Nursing Scholarship at UA	Jung-Ja and Byoung-Song Chwe	\$20,000
page 169	d. The Brian Bankhead Cobb Endowed Scholarship at UA	Frank and Barbara Cobb	\$20,000
page 171	e. The Susan Colvin Prize at UA	Nelle Harper Lee	\$50,000
page 174	f. The J. Woodie and Ivy Sanders Cook Endowed Scholarship at UA	Dr. Anna Cook Fowler	\$20,158.50
page 176	g. The Mary Elizabeth Bashinsky Crump Endowed Scholarship at UA	Elizabeth B. Crump	\$113,287
page 179	h. The Dana B. and W. Anthony Davis III Endowed Scholarship at UA	William Anthony Davis III and Dana Blair Davis	\$20,000 toward pledge of \$100,000
page 182	i. The Sam Diamond Endowed Scholarship in Tax Accounting at UA	Sam I. Diamond, Jr.	\$86,832.42

page 184	j. The Joel D. Hammond/ Big River Industries Endowed Scholarship at UA	Joel D. Hammond and Big River Industries, Inc.	\$22,996.99
page 187	k. The Jim Hayes Moral Forum Endowed Support Fund in the Center for Ethics and Social Responsibility at UA	the Synovus Foundation	\$100,000 toward pledge of \$300,000
page 190	l. The Patricia S. Henderson Endowed Scholarship at UA	Family, friends, and colleagues of Patricia S. Henderson, deceased	\$20,000
page 193	m. The Dr. Charles W. Inman and Pauline Phillips Inman Endowed Scholarship at UA	Dr. Charles W. Inman and Pauline Phillips Inman, deceased	\$25,135.99
page 195	n. The Sam A. Johnson III Endowed Scholarship at UA	Friends and family of Sam A. Johnson III, deceased	\$21,117.60
page 198	o. The Joy Family Endowed Scholarship at UA	Mr. and Mrs. William R. Joy, Jr.	\$20,171.79
page 200	p. The Mary Tate Kicker Endowed Scholarship at UA	Harriet Hasty Downing	\$30,000
page 203	q. The Myra Blevins Kilgore Endowed Scholarship at UA	Tom Kilgore	\$50,000
page 205	r. The James C. Lee Jr. Endowed Distinguished Faculty Fellow at UA	Buffalo Rock Company	\$250,000

page 209	s. The William and Anne Macmillan Endowed Scholarship at UA	Bequest of William H. Macmillan	\$25,000
		Bequest of Anne S. Macmillan	\$25,000
page 212	t. The Dr. Joe W. and Virginia Hursey O'Neal Endowed Support Fund at UA	Joe O'Neal, M.D.	\$20,000
page 216	u. The Reverend and Mrs. Ray William Pradat Endowed Scholarship at UA	Sallie H. Pradat and R. William Pradat, Jr.	\$20,000
page 218	v. The John F. Ramsey Great Ideas Tour Endowed Support Fund at UA	Elizabeth Burford Crump and Larry Roberts Kirkland	\$52,611.75
page 221	w. The Lisa Rains Russell Endowed Support Fund at UA	Lisa Rains Russell	\$10,301.76
page 224	x. the Drs. Santosh and Prakash Kansal Endowed Presidential Scholarship at UAB	Drs. Santosh S. and Prakash C. Kansal	\$50,065.76
page 228	y. the F. Cleveland Kinney, M.D., Endowed Support Fund in Geriatric Psychiatry at UAB	Anonymous Donor	\$50,000
page 67	z. the Robert W. Mowry, M.D., Endowed Professorship in Pathology at UAB	The University of Alabama Health Services Foundation and an anonymous Donor	\$500,000

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|----------|-----|--|--|----------|
| page 231 | aa. | the Annie P. and Ferris S. Ritchey, Sr., Endowed Scholarship in Sociology at UAB | Friends, family, and descendants of Mr. Ferris S. Ritchey, Sr., and Mrs. Annie Pharo Ritchey   | \$25,000 |
| page 233 |     | 2.   | Consideration of Resolution appointing members of the Board of Directors of the Crimson Tide Foundation and ratifying their service from their original election                       |          |
| page 234 |     | 3.   | Consideration of Resolution approving the election of Charles D. McCrary to serve on the Board of Directors of the Southern Research Institute (SRI) for a Three-Year Term Ending 2011 |          |
| page 235 |     | 4.   | Consideration of Resolution approving establishment of the Charles R. Katholi Distinguished Dissertation Award Quasi Endowed Support Fund at UAB                                       |          |
| page 238 |     | 5.   | Consideration of Resolution approving Renaming the Natural Sciences and Mathematics Scholarship Endowment as the O'Neil Endowed Scholarship in Mathematics at UAB                      |          |
| page 241 |     | 6.   | Consideration of Resolution expressing appreciation to Mr. Timothy Eugene Parker for making arrangements for Bequest to UAB  |          |
| page 244 |     | 7.   | Consideration of Resolution expressing appreciation to Mr. Darryl Guin Robinson for making arrangements for Bequest to UAB   |          |
| page 248 |     | 8.   | Consideration of Resolution noting Death of Clark Williams Hawk, Ph.D., Professor of Mechanical and Aerospace Engineering and Director of the Propulsion Research Center at UAH        |          |



# ADMINISTRATIVE REPORT

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PREPARED FOR THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA

A DIGEST OF CURRENT INFORMATION  
FROM THE CAMPUSES OF  
THE UNIVERSITY OF ALABAMA SYSTEM

APRIL 11, 2008  
HUNTSVILLE, ALABAMA

## TABLE OF CONTENTS

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## STUDENT/FACULTY ACHIEVEMENTS

### 2008 PREMIER AWARD WINNERS ANNOUNCED AT UA

Recipients of the 2008 Premier Awards – the top individual honors for scholarship, leadership and service at UA – were announced by UA President Robert E. Witt at a recognition ceremony. The 2008 UA Premier Award recipients include: Jessica Garcia of Tampa, Florida, the William P. Bloom Scholarship Award; Jack Trey Hayes of Brilliant and Karoline Richardson of Montgomery, and Dr. John Holaday (non-student recipient), the Algernon Sydney Sullivan Award; Alex Flachsbert of Concord, California, the John Fraser Ramsey Award; Jan Brakefield (faculty recipient) and Tim Neunzig of Tuscaloosa (student recipient), the Morris Lehman Mayer Award; and Michelle McGaha of Albertville, the Dr. Catherine J. Randall Award.

### MORGAN NAMED DIRECTOR OF UA HONORS PROGRAM

Dr. Jacqueline V. Morgan has been named director of the University Honors Program and the University Fellows Experience in the UA Honors College. As director of both programs, Morgan will partner with other colleges and programs at the University to provide the best possible education for Honors College students. In administrative posts at the University, Morgan most recently served as Senior Associate Director of Undergraduate Admissions and Scholarships, recruiting top students nationally. Prior to joining Admissions, she founded and directed the UA McNair Scholars Program, an undergraduate research experience that

earned a ranking in the top 10 percent in the country among similar programs. Morgan holds doctorate and master's degrees from UA, as well as graduate and undergraduate degrees from Florida State University.

### HARDIN NAMED SENIOR ASSOCIATE DEAN AT UA BUSINESS SCHOOL

Dr. J. Michael Hardin has been named Senior Associate Dean of the Culverhouse College of Commerce and Business Administration at UA. Hardin replaces Dr. Robert Ingram who will return to teaching accounting. Hardin is currently the Associate Dean for Research, and he will continue to have responsibility for the research function of the business school, in addition to the activities of senior associate dean. Hardin is a professor of statistics and a specialist in data mining and knowledge discovery, data visualization, data warehousing, machine learning, statistical classification models, data management and collection methodologies, research design, informatics, the applications of statistical methodologies in the study of aging, and biostatistics.

### NATIONAL MUSIC TEACHER ASSOCIATION NAMES UA'S PENICK TEACHER OF THE YEAR

Amanda Penick, professor of music and coordinator of the piano area in UA's School of Music, has been named the Music Teachers National Association Teacher of the Year. She was unanimously selected by a three-person selection committee representing

the Music Teachers Association's membership in all 50 states and the District of Columbia. She was chosen for her service to MTNA, her ability as a teacher (including the success of her students) and her abilities as a performer. The fact that she is an MTNA Nationally Certified Teacher of Music also contributed to the award. Penick joined the UA faculty in 1953. She graduated with academic honors from Hollins College in Roanoke, Virginia, and received the Master of Music degree from UA.

**UA ENGINEERING PROFESSOR  
RECOGNIZED AS 'YOUNG LEADERS'  
INTERNATIONAL SCHOLAR**

Dr. Gregory Thompson, assistant professor of metallurgical and materials engineering at UA, was selected as a 2008 Minerals, Metals and Materials Society Young Leaders International Scholar. The award provided Thompson with a travel reimbursement to the Japanese Institute of Metals' annual meeting in Tokyo where he will present his paper, "Mechanistic Formation and Composition Distribution in FePt Nanoparticles." TMS Scholars are chosen by members of the Young Leaders Committee based on their demonstration of leadership and presentation skills, and experience in presenting technical papers.

**UA ENGINEERING PROFESSOR  
APPOINTED NEW DIRECTOR OF UTCA**

Dr. Jay K. Lindly, professor of civil, construction and environmental engineering at UA, was recently appointed the director of the University Transportation Center for Alabama. In this position, Lindly is responsible for

ensuring the advancement of technology and expertise in transportation through education, research and technology transfer. He coordinates research on the three campuses that make up UTCA, including UA, UAB and UAH. Before joining the UA faculty 21 years ago, Lindly worked for five years with Exxon Research and Engineering Co. as an engineer.

**UA PROFESSOR RANKED 22ND AMONG  
TOP 100 AUTHORS IN  
ECONOMIC JOURNALS**

Dr. Paul Pecorino, the James Patrick and Elizabeth B. Hayes Professor of Economics at UA's Culverhouse College of Commerce and Business Administration, is ranked No. 22 among the top 100 authors in public economic journals. The rankings were compiled by Francesc Pujol of the School of Economics and Business Administration at the University of Navarra in Pamplona, Spain in a paper published in a recent issue of the *Journal of Public Economic Theory*.

**UA ASSOCIATE PROVOST EXPLORES  
POETRY, SPIRITUALITY THROUGH  
BOOK OF ESSAYS AND WEB-BASED  
CHAPBOOK**

Dr. Hank Lazer, UA's Associate Provost for Academic Affairs who supervises the Creative Campus Initiative, recently published an online chapbook, *First Portions*, collecting a series of poems written in an experimental form. He also published *Lyric & Spirit: Selected Essays, 1996-2008*, which compiles works written over the course of 12 years and cover topics including experimental writing and new expressions of spirituality in

contemporary culture. Both efforts tie together Lazer's search for new ways of expressing new ways humans have of thinking about themselves and the universe. These new ways find expression in what's often called "experimental writing."

#### **UA SENIOR WON SECOND PLACE IN HEALTH CARE ESSAY COMPETITION**

Steven Spiehler, a senior from Slidell, Louisiana, majoring in health care management at UA's Culverhouse College of Commerce, has won second place in the prestigious Richard J. Stull Student Essay Competition, sponsored by the American College of Healthcare Executives. This marks the sixth time in the last nine years that a student from the UA health care management program has placed in one of the top three positions. The purpose of the competition is to stimulate and demonstrate the ability of future healthcare executives to identify and describe important issues and developments in their chosen profession. Top winners in the graduate and undergraduate categories receive monetary awards.

#### **UA STUDENTS FOCUSED ON ISSUES OF POVERTY DURING HUNGER AND HOMELESSNESS WEEK**

The UA Community Service Center hosted events for Hunger and Homelessness Week to raise awareness about the effects of poverty locally and around the world. Events included the Great American Sleep Out with students sleeping on the Quad to simulate being homeless, volunteer opportunities through the Salvation Army, the Community Soup Bowl and other

agencies; a personal hygiene products drive for Temporary Emergency Services; and a blood drive for the American Red Cross. The week concluded with a hunger banquet.

#### **KARLENE BALL WINS UAB 2008 IRELAND PRIZE FOR SCHOLARLY DISTINCTION**

UAB psychologist Karlene Ball, Ph.D., won the 2008 Carolyn P. and Charles W. Ireland Prize for Scholarly Distinction. A dinner and lecture will be held at 6:45 p.m. Thursday, May 1, at the Alys Stephens Center, Upper Lobby, 1200 10th Ave. S.

UAB presents the award annually to a full-time faculty member in the schools of Arts and Humanities, Natural Sciences and Mathematics, or Social and Behavioral Sciences for their professional and academic achievements and contributions to the university and local community. The prize, made possible by the Caroline P. and Charles W. Ireland Endowment for Scholarly Distinction, comes with a \$5,000 cash award.

Ball is an internationally renowned experimental psychologist who studies cognitive impairment and aging. She directs the UAB Center for Research in Applied Gerontology and she is Associate Director of the UAB Center for Aging in the School of Medicine. For more than 20 years, she has studied the visual and cognitive correlates of mobility problems of older adults, with an emphasis on driving skills. Her research focuses primarily on the development and testing of assessment measures and rehabilitation programs for older drivers.

Her research has resulted in the development and continued investigation

of a test called Useful Field of View (UFOV)® which measures visual attention and identifies older drivers at risk for having traffic accidents. She also was a co-author of a multi-site study, supported by the National Institute on Aging, which found that older adults benefit from training to improve reasoning, memory and speed of processing. The study was published in 2006 in the *Journal of the American Medical Association*.

**UAB THEATRE STUDENT  
HIRED BY PLAYWRIGHT  
MOISES KAUFMAN**

Tony- and Emmy-nominated director and award-winning playwright Moises Kaufman has hired UAB Theatre student Luke Harlan as assistant director for his newest play, *33 Variations*. Harlan left recently for California, where he will work with Kaufman on the play's West Coast premiere at the La Jolla Playhouse.

Harlan recently directed Kaufman's play, *The Laramie Project*, for UAB Theatre. Harlan met Kaufman January 22-24 when UAB Theatre brought Kaufman to UAB as a guest artist to lecture and work with the cast and crew of *The Laramie Project*.

*33 Variations* world premiered in Washington, D.C., at Arena Stage a few months ago. The play is an account of Beethoven's final composition, Harlan said.

"I'll be Moises' assistant, the position is through La Jolla Playhouse and the official title is assistant director," Harlan said. "Many directors use assistants differently, so I'm not sure what I will be doing, but I am sure he will keep me busy."

Last year, Harlan won the National Society of Stage Directors and Choreographers Directing Award at the national Kennedy Center American College Theater Festival at the Kennedy Center for the Performing Arts in Washington, D.C. Harlan competed against seven other student directors to win the national honor. He was awarded a \$1,000 scholarship and an all-expense paid, six-week summer internship at the O'Neill National Playwrights Conference at the O'Neill Institute in Waterford, Connecticut.

Harlan, 22, is the son of Carol and Marvin Harlan of Fayetteville, Arkansas.

Kaufman is the founder and artistic director of Tectonic Theater Project, a laboratory for new works in theater and film based in New York. Kaufman is a Guggenheim Fellow.

**UAB PROFESSOR AWARDED  
2007 CONNER PRIZE**

UAB Associate Professor Alison Chapman, Ph.D., has been named the winner of the 2007 Frederick W. Conner Prize in the History of Ideas. Chapman, who teaches in the UAB Department of English, received the award during a ceremony at 3:30 p.m. Tuesday, February 26, in the UAB Lister Hill Library, Ireland Room, 1700 University Blvd.

The Conner Prize is presented annually to a UAB faculty member for an outstanding essay on the history of ideas. The prize is named for Frederick Conner, Ph.D., former Dean of the School of Arts and Humanities.

Chapman won for her essay, "Marking Time: Astrology, Almanacs and English Protestantism." In her essay, Chapman discusses "the rise of astrology

and the astrological almanac in early modern England against the backdrop of England's movement away from Catholicism to Protestantism." Chapman's area of specialization is English renaissance literature and the cultural aftereffects of the Reformation and England's formal rejection of Catholicism.

#### **FOUR HONORED WITH UAB**

##### **PRESIDENT'S AWARDS FOR DIVERSITY**

Four individuals received the 2008 UAB President's Awards for Diversity during a public ceremony January 31. The awards recognize the importance of institutional diversity and honor those who nurture diversity of thought, culture, gender and ethnicity on the UAB campus and elsewhere. UAB President Carol Garrison, Ph.D., created the awards.

Mona Fouad, M.D., winner of the 2008 President's Diversity Faculty Award, represents someone who has taken an active role in diversity through health, education and leadership, said Thomas Alexander, Director of Student Involvement and Special Assistant for Diversity to the Vice President of Student Affairs.

Cynthia Scott, UAB director of minority student recruitment and retention, is the winner of the 2008 President's Diversity Staff Award.

Kajal Buckoreelall, pharmacology and toxicology doctoral student, is the winner of the 2008 President's Graduate Student Diversity Award. She has a record of supporting and encouraging diversity awareness, Thomas said.

Edina Mwangi, a senior economics major, is the winner of 2008

President's Undergraduate Student Diversity Award.

##### **UAB'S ROBERT RICH HONORED FOR LIFE'S WORK**

Dr. Robert R. Rich, Senior Vice President and Dean of the School of Medicine at UAB, will receive the Lifetime Achievement Award from the American Association of Immunologists at its national meeting in San Diego in April. Rich has been at UAB since 2004.

The Lifetime Achievement Award is the association's highest honor, recognizing a deserving member for a career of significant professional achievement, scientific contributions and service to the association.

He is the Editor-in-Chief of *The Journal of Immunology*, the official journal of the AAI. He also is Editor-in-Chief of the comprehensive textbook *Clinical Immunology: Principles and Practice*, the third edition of which will be published this spring. Other appointments to editorial boards have included *The Journal of Experimental Medicine*, *The Journal of Infectious Diseases*, *The Journal of Clinical Immunology and Clinical and Experimental Immunology*.

Rich has served as a member of two NIH Study Sections and on the Boards of Directors of the American Board of Allergy and Immunology, the American Board of Internal Medicine, the National Space Biomedical Research Institute and Americans for Medical Progress, on the Board of Trustees of the Association for Assessment and Accreditation of Laboratory Animal Care International, and as a Councilor of the American Clinical and Climatological Association and the American Association of Immunologists.

He is past President of the Clinical Immunology Society. He has served as Vice President of the American Academy of Allergy, Asthma and Immunology and is also past Chairman of its Professional Education Council. He served as a member of the National Human Research Protections Advisory Committee of the U.S. Department of Health and Human Services. He also is Past President and Past Chairman of the Board of Directors of the Federation of American Societies for Experimental Biology.

Rich is on the executive committee of the Boards of Directors of the UAB Health System, the University of Alabama Health Services Foundation and the Centre for Infectious Disease Research in Zambia, a member of the Advisory Panel on Research of the Association of American Medical Colleges and co-chair of the Panel on Conflicts of Interest in Research of the Association of American Medical Colleges and the Association of American Universities.

#### **TWO UAB HONORS PROGRAM STUDENTS OPT FOR TWO-YEAR SERVICE**

After graduation this May, UAB Honors Program students and seniors Lindsay M. Swain, 22, of Gardendale, and Christopher D. Watson, 21, of Dothan, will postpone graduate school to spend the next two years teaching in rural and inner city public schools.

Swain and Watson have been selected for the highly competitive Teach for America program. Teach for America is a national corps of outstanding recent college graduates and professionals of all academic majors and career interests who commit two years to

teach in urban and rural public schools and become leaders in the effort to expand educational opportunities. Swain and Watson will begin teacher training in June.

Swain is majoring in Spanish and international studies with a concentration in Latin American studies. She will teach social studies to either elementary or middle school children in the Rio Grande Valley area in Texas. Swain is the daughter of Kathy and Jeff Terrell of Gardendale.

Swain says she will attend graduate school after her two years of service to study public affairs or development. She plans to pursue a career working with education or non-profit organizations.

Watson, a biopsychology major with minors in chemistry and health sciences, is one of 50 applicants selected as a Teach for America 2008 Amgen Fellow. Amgen Fellows are math, science and engineering majors who most exemplify the criteria Teach for America seeks in corps members: critical thinking, achievement, organizational skills, perseverance and the ability to motivate and influence others to action. As an Amgen Fellow, Watson will receive a \$2,000 signing bonus and an all-expense paid trip in the spring of each year of service to the annual math and science weekend summit hosted by the Amgen Foundation.

#### **UAB MENTORS HONORED IN INAUGURAL CEREMONY**

Sixteen UAB professors from five schools and the Joint Health Science departments are recipients of the inaugural Dean's Award for Excellence in Mentorship. They were honored at a

reception, 2 p.m. Friday, March 7, Hill University Center Great Hall.

The award recognizes exceptional faculty mentorship and demonstrates that UAB is a university that values the commitment to excellence in mentorship that is exhibited by its faculty says Bryan Noe, Ph.D., Dean of the Graduate School and creator of the award. Honorees will receive an engraved plaque and a bound volume that contains the nomination letters written on their behalf.

This past fall, the Graduate School invited current and former undergraduate and graduate students and postdoctoral fellows to nominate faculty whom they believe provided excellent mentorship. They considered personal characteristics, excellence in teaching and communication and mentoring characteristics in considering whom to recommend for the award.

The 2008 inaugural Dean's Award for Excellence in Mentorship recipients: Gypsy Abbott, Ph.D., Education–Human Studies; Susan Appel, Ph.D., Nursing–Adult/Acute Health); Susan Bellis, Ph.D., Physiology and Biophysics; Jeffrey Clair, Ph.D., Sociology; Christine Curcio, Ph.D., Ophthalmology; Retta Evans, Ph.D., Education–Human Studies; John Hablitz, Ph.D., Neurobiology; James Hagood, M.D., Pediatrics; Gary Hunter, Ph.D., Education–Human Studies; Raymond Ideker, M.D., Medicine; Robin Lorenz, M.D./Ph.D., Pathology; John Mountz, M.D., Medicine; Peter Prevelige, Ph.D., Microbiology; Robert Thacker, Ph.D., Biology; Dan Welch, Ph.D., Molecular and Cellular Physiology; and Dale Williams, Ph.D., Preventive Medicine.

#### **UAB SCHOOL OF MEDICINE ART SHOW FEATURES STUDENTS, RESIDENTS AND FACULTY**

The UAB School of Medicine's 2008 Art Show, now in its 8th year, continues to examine the link between art and medicine with 37 submissions from faculty, residents and medical students.

The art show is presented by the Alabama chapter of Alpha Omega Alpha, the national honor society for medical school students, and the Alabama Museum of the Health Sciences. It runs through May 30 in the museum on the third floor of the Lister Hill Library, 1700 University Blvd. An awards ceremony and reception were held at the museum February 28, from 4-6 p.m.

The show features works including paintings, drawings, photography and sculpture. It was judged by a panel of UAB faculty, staff and students. The top three winners receive cash prizes, and all entries are on display in the museum.

"The opportunity for physicians and medical students to express themselves through art enhances their ability to interact with patients and families," said Stephen R. Smith, Ph.D., director of student life for the medical school and a contest judge. "The art show provides another means to creatively explore and express their own humanity, reinforcing a pathway to help them to connect with all people on a basic human level."

The winning student entry is an acrylic self-portrait by Jon Miller, a first-year student. Second place went to an oil pastel and charcoal work entitled *La Vie En Rose*, by third-year student Nicole Loo. First-year student Leslie Perry took

third with a pastel on paper called Gabby.

In the faculty division, the winner is Brendan McGuire, M.D., with a pencil drawing entitled Miller's Family Tradition of Trains. Second place goes to Michael Klein, M.D., for a photomicrography called Lumbar Vertebra with Osteoporosis demonstrating three healing trabecular fractures. Alex Szalai, Ph.D., took third place with a photograph titled Sunrise: Same Day.

Among the residents, first place went to Sacred, a cast iron using sacrum sculpture by Ben Stronach, M.D.. Stronach also won second place with a sculpture called Sacrum.

Also receiving recognition as Juror's Choice awards are an oil painting from Maribel Salas, M.D., Risk and Benefit; an ink drawing from Miller, Farmall; a pastel on paper from Perry, Naomi; and 2007, photography from Casey Hitt, a second-year student.

In addition to Smith, the art submissions were judged by Brett Levine, director of the UAB Visual Arts Gallery; Stefanie Rookis, curator of the Alabama Museum of the Health Sciences; and Cynthia Irby, a fourth-year medical student and Vice-President of Alpha Omega Alpha..

#### **UAB STUDENT OLIVIA TELLE NAMED TO USA TODAY THIRD TEAM**

UAB junior Olivia "Libby" Telle, 21, of Cahaba Heights, has been named to the USA Today 2008 All-USA College Academic Third Team, a prestigious ranking as one of the top 60 college students in the United States. USA Today published the winners in a special section on Thursday, February 14.

Telle is a student in the UAB Honors Program and is pursuing a double major in biology and Spanish with a minor in chemistry. She maintains a 3.89 grade point average. Following graduation, she plans to pursue a master's degree at the School of Public Health and to attend the medical school at UAB. Telle graduated from the Jefferson County International Baccalaureate School with a G.P.A. of 4.2 in 2005.

In 2004, Telle volunteered with the UAB Department of Nutrition Sciences where, under the supervision of UAB researchers Tim Nagy, Ph.D., and Maria Johnson, Ph.D., she conducted a research study on the effects of body fat in the instances of malignant tumors. In 2007, as a Ronald E. McNair Scholar, she conducted a research project on adolescent health at the UAB Department of Maternal and Child Health, under the direction of UAB Professor Frank Franklin, M.D., Ph.D. Also in 2007 she began working as a parent coach with a UAB prevention program designed to prevent shaken baby syndrome.

She is a member of the Phi Kappa Phi Honor Society and the Alpha Epsilon Delta honor society for pre-medical, dental and optometry students. In addition to her academic career, Telle is a UAB Ambassador and a resident assistant. She is the daughter of Lynn and Anthony Telle of Cahaba Heights.

#### **UAB ANESTHESIOLOGIST HONORED FOR ACHIEVEMENTS**

The Board of Trustees of the University of Alabama has appointed Thomas R. Vetter, M.D., M.P.H., the first recipient of the Maurice S. Albin Endowed Professorship in

Anesthesiology at the University of Alabama at Birmingham (UAB).

Vetter joined the UAB faculty as associate professor of anesthesiology and director of the Division of Pain management in the Department of Anesthesiology last year. He also serves as an associate professor of Health Policy and Organization in the School of Public Health.

Before coming to UAB, Vetter served as medical director of the Riley Pain Center and director of the Anesthesia Pain Medicine Services at Riley Hospital for Children at the Indiana University School of Medicine in Indianapolis, Indiana. Vetter has published results of numerous studies and given nearly 100 lectures, symposia and workshops at national and international pain medicine specialty and anesthesiology meetings. He has served on many committees including the Pediatric Anesthesia Subcommittee of the American Society of Anesthesiologists, the Publication Committee of the Society for Pediatric Anesthesia, and the Ohio Pain Advisory Committee on the Treatment of Intractable Pain for the Ohio Department of Health. He also served as a panel member of the Food and Drug Administration Anesthetic and Life Support Drugs Advisory Committee.

Vetter earned his A.B. degree from Oberlin College in Oberlin, Ohio in 1980, his medical degree from Ohio State University College of Medicine in Columbus, Ohio, in 1984, and his M.P.H. in Healthcare Outcomes Research and Management from the Rollins School of Public Health at Emory University in Atlanta in 2007.

#### **CHRISTY NAMED UAH DISTINGUISHED PROFESSOR**

One of the world's leading authorities on global climate change, Dr. John R. Christy, has been named a distinguished professor at UAH.

Christy is only the seventh UAHuntsville faculty member to receive this honor, which is based on accomplishments in teaching, research and professional service.

"It's been a busy month," said Christy, who four weeks earlier was named Associate Vice President for Research. "I am touched and honored by this, first because being named a distinguished professor starts with a nomination by your peers and second because of the high regard I have for the first six professors who received this award."

"Receiving this honor also reminds me of the debt of gratitude I owe to the many UAH colleagues who have supported our research through the years, as we tried to answer important questions about our climate."

Christy has been at UAHuntsville for 21 years, joining the university's atmospheric science faculty as a research associate and instructor in 1987. He is director of UAHuntsville's Earth System Science Center -- one of the university's largest and most successful research centers - and is also Alabama's state climatologist.

He is best known for his work in global climate monitoring. Christy and UAHuntsville Principal Research Scientist Roy Spencer use air temperature data collected by sensors on NOAA and NASA satellites to compile the most comprehensive dataset on global temperatures from late 1979 to the present.

Their findings became

controversial when the first two decades of data showed no evidence of the long-term global warming trend predicted by most global climate models. The most recent data shows long-term warming at the rate of about 1.4 C (about 2.25 degrees Fahrenheit) per century.

Christy has testified before several congressional committees on climate change issues. He was a contributor, editor and lead author of reports on global warming published by the United Nations' Intergovernmental Panel on Climate Change, an organization that shared the 2007 Nobel Peace Prize. He also serves on committees of the National Research Council.

A fellow of the American Meteorological Society (AMS), Christy has received numerous awards and prizes, including an AMS special award, the NASA Technical Achievement Award, the NASA Medal for Exceptional Scientific Achievement, the UAH Foundation research and creative achievement award and a distinguished alumnus award from California State University, Fresno.

Christy has been the lead investigator on research grants and contracts worth more than eight million dollars; his research has been supported by NOAA, NASA, the U.S. Department of Energy, the U.S. Department of Transportation, the Tennessee Valley Authority and the state of Alabama.

Christy received M.S. and Ph.D. degrees in atmospheric sciences from the University of Illinois. Prior to this career path he graduated from the California State University in Fresno, then taught physics and chemistry for two years as a missionary teacher in Nyeri, Kenya.

After earning a Master of Divinity degree from Golden Gate Baptist Seminary he served four years as a

bivocational mission pastor in Vermillion, South Dakota, where he also taught college math.

Christy is married to the former Babs Joslin, a fellow missionary he met in Kenya. They have two children and two grandchildren.

Earlier, UAHuntsville distinguished professors were S.T. Wu, Carroll Johnson and T.J. Chung from engineering, Richard McNider from science, Jim Simpson from business and Philip Boucher from liberal arts.

#### **UAH ENROLLMENT SERVICES TEAM TO LEAD RECRUITMENT EFFORTS**

Rick Barth and Sandra Patterson are taking charge of Enrollment Services.

Barth has been named Assistant Vice President and Patterson is now the department's director.

"We're looking forward to the tremendous combination of talent Rick and Sandra will contribute to Enrollment Services and the university community," said Dr. Lewis Radonovich, Provost and Vice President of Academic Affairs.

"Rick has a very thorough understanding of enrollment issues and he is data driven. He will bring great vision and insight about enrollment management to the university," Radonovich said. "And, Sandra brings an impressive background from her work at Southern Polytechnic. She is dynamic and highly motivated and we are excited about her return to UAH."

Barth's successful formula for attracting more students to UAH doesn't call for rocket science, nor does the sole responsibility lie with one person.

The solution, in a nutshell, is teamwork.

"Campus-wide unselfish teamwork

is vital," said Barth.

Barth previously served as director of admissions and professor of the College Student Personnel Program at the University of West Florida. "I am excited to be here. President Williams has an amazing vision for the university, and I feel honored to be a member of the team that will make that vision a reality."

The direct areas under Barth's supervision are admissions, financial aid, and records and registration. "There are strong directors in each of the areas I supervise, so a large part of my focus is on developing a strong recruitment model for the university and working with colleagues across campus to improve the university's retention rate and time to graduation."

Patterson remembers life as an undergraduate student at UAH as warm and nurturing, and she hopes prospective students and their families will share her experience. "I am very honored and excited to be back at UAH," she said. "There is a great energy on campus right now with a new president, a new assistant vice president of Enrollment Services, new buildings opening and a new entranceway. What a great time to be here."

Prior to joining UAH, she served as Associate Director for Student Recruitment, at Southern Polytechnic State University in Marietta, Georgia.

At UAH, Patterson will be responsible for recruiting students for admission to the university. "A few of the more dominant activities include identifying prospective students and markets in which to recruit, creating and implementing a successful communication sequence, and then visiting high schools, community colleges and college fairs at which they

attend."

"Student recruitment is all about relationships. The obvious relationship I am talking about is with our prospective students, but there are relationships with high school guidance counselors, community colleges, parents, the UAHuntsville campus community, alumni, non-profits, professional organizations, and so many other constituents that are very important as well. Look for our office to be much more active in strengthening pre-existing relationships with all these folks but also creating new interactions on a local, regional and national level," Patterson added.

#### **UAH STUDENT INTERNS AT THE WHITE HOUSE**

It was the job opportunity of a lifetime. For three months last fall, Mary Kate Gygax was assigned to the Presidential Scheduling Office in the White House.

Gygax (pronounced guy-gax), who is working on her master's degree in public affairs at The University of Alabama in Huntsville (UAH), was eager and apprehensive about her White House internship at the same time. "It was important to me that I represented Alabama well," she said. "I didn't want my visit to our nation's capital to be reminiscent of a country bumpkin going to town ... I'm confident I made the state proud."

She spent months researching specific offices and job duties seeking the "right fit" for inclusion in the prestigious White House Program, before being selected to complete a fall 2007 internship.

Gygax was initially interviewed by the intern director of the speech writing

office but ultimately landed a position in the scheduling division.

Her average day began with a 6 a.m. commute and, depending on traffic, she arrived about an hour later at the White House ready to begin her day. Before gaining entry to the scheduling office in the Eisenhower Executive Office Building, Gygax had to pass through several high-level security posts manned by Secret Service agents.

"You hear all sorts of stories about how an innocent action by a citizen is misconstrued as a terrorist threat by Secret Service. Before I arrived in Washington, I wondered what would happen if I mistakenly said or did something that would make the agents think I was making some sort of an aggressive attack," Gygax said. "Those fears were unfounded ... while the Secret Service were constantly on guard for anything out of sync with the day-to-day operation of the White House, they were always professional and perfect gentlemen. During the time I was at the White House we were evacuated twice. And, under no circumstances were interns allowed in the West Wing without administrative escort.

"Every day we attended morning staff meetings. We completed any unfinished projects and were given new assignments. All requests for appointments, meetings, or time with President Bush must be directed through the Scheduling Office. Details were meticulously planned to coordinate with the President's speech for that day's agenda," she explained.

"Melissa Bennett, the head scheduler in the West Wing, was our supervisor," Gygax said. "Our projects varied depending on specific requests and subject matter. Some of the research was very quick and other projects made you

want to beat your head against the wall."

Gygax said Meghan Espinoza, the official White House Intern coordinator, arranged for other office administrators to address the interns from time to time ... "they were very accommodating and would tell us personal stories off the record," she said.

While working in the scheduling office, Gygax attended events with a lot of famous politicians and governmental administrators, including President Bush and his staff, Mrs. Bush and her staff, several high ranking congresspersons and representatives, Secretary of State Condoleezza Rice, Secretary of the Department of Homeland Security Michael Chertoff and White House spokesman Tony Snow.

Some worldwide events that occurred during her internship at the White House included:

- Tony Snow's departure as official spokesperson
- Military support event the White House hosted for nearly 1,000 military family members
- The September 11 memorial program
- CIA leak controversy
- California fires

Gygax noted that frustration and satisfaction are two strong emotions that go hand-in-hand when working a high profile job.

She said a highlight of her internship was a farewell luncheon served in the White House Mess in the West Wing. Gygax said the United States Navy operates the "mess" and the meals are served with military precision. "Melissa insisted on our eating the world famous Chocolate Freedom dessert created for President Bush," she said. "Oh my goodness it was all this rich chocolate and so gooey ... it was absolutely

sinful.”

When her collegiate education is complete, Gygax is looking forward to a career in public service. “I would love a job working in The Office of Presidential Advance, or work in an American Embassy.”

#### **LISA MEEKS-BURGOON WILL COORDINATE DISABILITY SERVICES**

Lisa Meeks-Burgoon has been named to the post of disability services coordinator in the Office of Student Development Services at UAH.

Meeks-Burgoon has worked in private practice for Educational Associates as an educational counselor and assessment specialist, and taught developmental psychology classes at UAH. She was director of counseling and academics at Achievement Plus — The Center for Gifted Studies, and a field coordinator for American Guidance Services in Circle Pines, Minn.

“Lisa is very energetic and committed to improving our student disability services program,” said Susan L Brandt, director of the UAH Counseling Center and Disability Support Services. “Her knowledge of assessment allows her to determine appropriate accommodations for students. Her experience as an instructor at UAH helps her understand faculty needs in accommodating students. We are lucky to have Lisa as our new full time student Disability Services Coordinator.”

The position will allow Meeks-Burgoon to more effectively meet the needs of students, faculty, staff and visitors with disabilities. She said the position was established to respond to the increase of students at UAHuntsville with special needs — especially those

with learning disabilities and the hearing impaired.

Meeks-Burgoon is working on several university-wide informative plans on disability awareness. She has developed three hands-on workshops, a panel discussion including UAH disabled students. And, Student Development Services recently hired a sign-language instructor for students, faculty and staff. “I am also taking signing classes so I can better communicate with our hearing impaired students. This instructor will be available for students, faculty and staff.”

Meeks-Burgoon will also attend interactive training sessions and grant writing workshops specifically designed for properly implementing disability services. These training sessions will make sure she is legally keeping up with accommodations for disabled students and the university is complying with federal and state laws.

“There are good job opportunities for disabled students ... recently a representative of the federal agency, Workforce Recruitment Program for College Students with Disabilities was on the UAH campus seeking qualified applicants,” she said.

Additionally, her responsibilities include handling student requests for accommodations, coordinating the evaluation of diagnostic tests and monitoring student processes. Meeks-Burgoon is also calling on all departments to meet with faculty and staff in an effort to inform and assist in the expansion of learning disability support services with existing academic support units.

A graduate of The University of Central Florida in Orlando, Meeks-Burgoon holds a master’s degree from UAH, specializing in developmental

psychology testing and assessment. She is a member of the American Psychological Association and the National Association of College Admissions Counselors.

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**ADVANCES IN RESEARCH**
**MEAN GIRLS AND BULLIES: RESEARCH SHEDS LIGHT ON SCHOOL CLIQUES**

Girls who gossip and exclude others from their cliques are often labeled as popular by their classmates, and nearly all high school cliques are divided along racial lines, according to University of Alabama at Birmingham (UAB) sociologist Casey Borch, Ph.D.

Borch co-authored a study with Antonius Cillessen, Ph.D., at the Radboud Universiteit Nijmegen and the University of Connecticut, to determine how aggression, popularity and academic achievement influenced membership in cliques. The study will be published as a chapter in the forthcoming book "Modeling Dyadic and Interdependent Data in Developmental Research" later this year.

The researchers surveyed nearly 600 boys and girls, starting in the 4th grade through the 12th grade, in a public school system in a working class community in the Northeast from 1995-2004.

The study found that physical aggression helped popularity in the earlier grades but not as the children grew older. Membership in physically aggressive cliques tended to decline over time whereas membership in cliques where students gossiped, spread rumors and excluded others, which is called relational aggression, remained constant over time.

In fact, the study found that behaviors such as gossiping and spreading rumors increased the perceived popularity, or social visibility, of the students over time, Borch said. "So how well known you are is enhanced by one's ability to be

relationally aggressive. So a lot of popular kids may not be well liked, but they are relationally aggressive and their peers think that they are popular. So it makes some sense that relational aggression is a chosen tactic used by adolescents interested in popularity.

"Cliques aren't necessarily bad," says Borch. "It just depends on the kind of clique a child is in. The common misconception is that they [cliques] are inherently bad and that kids in cliques exclude other people or that they are separatists or that they're somehow disconnected from the larger network as a whole and that is fundamentally not true.

"Kids are good social observers," says Borch. "They know who the aggressive kids are and who's popular. So listen to your kids. If they say someone is trouble, they may very well be."

**HPV VACCINE DROPS UNWANTED PAP TEST RESULTS SAYS UAB RESEARCHER**

A significant drop in abnormal Pap test results happened after girls and women were given a vaccine to prevent cervical cancer, according to a UAB researcher.

The findings show the vaccine, named GARDASIL, appears to prevent the development of cell changes that lead to cervical disease, the researcher said.

GARDASIL reduced abnormal Pap test results by 43 percent compared to women not given the vaccine. The 43 percent reduction was for tests that found pre-cancerous changes called

high-grade squamous intraepithelial lesions (HSIL) more than three years after women were given the vaccine.

GARDASIL reduced other abnormal Pap results, including milder pre-malignant cell changes, by 16 to 35 percent compared to women not given the vaccine.

While the findings are not definitive that GARDASIL prevents cancer, they do signal the vaccine will spare thousands of women a diagnosis of cell abnormality or malignant changes that may lead to more tests and possibly surgery, said Warner Huh, M.D., associate professor in the UAB Division of Gynecologic Oncology and the doctor chosen to present the data.

#### **UAB RESEARCH FINDS ANTI-HIV GEL SAFE, TOLERABLE FOR WOMEN**

An experimental anti-HIV gel is safe for women to use on a daily basis, according to researchers at UAB and the University of Pittsburgh School of Medicine.

In testing the gel, called tenofovir, was favorably self-applied and tolerable to non-HIV-infected women, a significant boost to HIV and AIDS prevention efforts focused on next-generation microbicides to reduce infection rates, the researchers said.

The women study participants said if tenofovir gel is approved for the prevention of HIV infection, they would be willing to apply the gel to themselves daily or before sex, whichever is determined the best use.

"The gel is safe to use, and well tolerated by HIV-negative women. That's a key message in our findings," said Craig Hoesley, M.D., associate professor in the UAB Division of Infectious Diseases and author on the

initial Phase II results. "This sets the stage for larger studies to see if tenofovir can prevent HIV infection."

The tenofovir Phase II trial results were presented Monday, February 25 at an international microbicides meeting in New Delhi, India. The researchers are part of the U.S. National Institutes of Health-funded Microbicide Trials Network, an international team of researchers devoted to exploring and evaluating anti-HIV microbicides.

#### **UAB-LED STUDY FINDS SUBTLE DIFFERENCES IN DNA IN IDENTICAL TWINS MAY HELP DIAGNOSE DISEASE**

Identical twins are not completely identical, according to new research from an international team led by UAB scientists. The subtle differences in twin's DNA may help researchers learn more about a wide range of hereditary diseases and provide a quicker diagnosis for genetic disorders. The findings were published February 14 online in the American Journal of Human Genetics, describing results from researchers at UAB, Leiden University Medical Center and VU University, The Netherlands; and Uppsala University and Karolinska Institutet, Sweden.

The researchers studied 19 pairs of monozygotic, or identical, twins and found differences in copy number variation in DNA. Copy number variation (CNV) occurs when a set of coding letters in DNA are missing, or when extra copies of segments of DNA are produced. Humans receive one chromosome from their mother and one from their father, providing for two copies of the genome. In some cases, bits of DNA are missing from a

chromosome, leaving the offspring with just one copy of that bit of DNA. In other instances, mutations may produce three, four or more copies of a particular bit of DNA. In most cases, variation in the number of copies likely has no impact on health or development. But in others, it may be one factor in the likelihood of developing a disease.

“The presumption has always been that identical twins are identical down to their DNA,” said Carl Bruder, Ph.D. and Jan Dumanski, Ph.D., of UAB’s Department of Genetics and the study’s lead authors. “That’s mostly true, but our findings suggest that there are small, subtle differences due to CNV. Those differences may point the way to better understanding of genetic diseases when we study so-called discordant monozygotic twins, a pair of twins where one twin has a disorder and the other does not.”

The research was funded by support from UAB, the Swedish Cancer Society, the Swedish Children’s Cancer Foundation, the U.S. Army Research and Material Command, National Institutes of Health, The Netherlands Genomics Initiative and the National Institutes of Health.

#### **UAB TESTS SHOW DRUG FIGHTS CYSTIC FIBROSIS**

An experimental drug that has proven effective in treating muscular dystrophy also works for cystic fibrosis, according to researchers at the University of Alabama at Birmingham (UAB).

The new study is the latest on a compound called PTC124, which helps to “rescue” faulty proteins that lead to crippling illnesses. The drug holds promise in treating more than 1,800

genetic diseases caused by a certain class of DNA mutation.

In the UAB tests performed on mice, PTC124 restored to normal function up to 29 percent of the cases of abnormal cystic-fibrosis (CF) protein.

The findings are published in the online version of the journal *Proceedings of the National Academy of Sciences* and will soon appear in a print edition.

The study adds to research published last year in the journal *Nature*, which showed PTC124 restored up to 25 percent of the missing or abnormal protein function in mice with Duchenne muscular dystrophy.

“Our study shows strong pre-clinical evidence that PTC124 is capable of suppressing ‘nonsense mutations’ that cause cystic fibrosis,” said David Bedwell, Ph.D., professor in the UAB Department of Microbiology and lead author on the study. “We think this provides strong evidence for clinical trials with PTC124 in CF patients with this kind of mutation.”

A gene that carries a ‘nonsense mutation’ produces a shortened or faulty protein that degrades in the body. The absence of that protein is what leads to disease, Bedwell said. An estimated one-third of gene defects responsible for human disease are thought to come from ‘nonsense mutations.’ In the case of CF, the absence of a certain protein leads to an imbalance of salt and water in the linings of the lungs and other membranes.

The UAB study showed that PTC124 allowed the protein to be made in mouse cells where it was previously absent, and it was delivered in a specific location that helped restore salt and water balance in membranes. The UAB study was funded by PTC Therapeutics

with assistance from the National Institutes of Health.

**UAB PARTNERS TO STUDY  
INFECTIOUS POTENCY OF POXVIRUSES**

Scientists at UAB and Saint Louis University used X-ray crystallography to uncover new details about the infectious potency of poxviruses, furthering the understanding of how viral infections can subvert the body's immune system.

Having high-resolution detail of this protein on hand will speed the discovery of new drugs to combat inflammation and immune diseases such as atherosclerosis and rheumatoid arthritis, the researchers said.

The findings are published in the online edition of journal *Proceedings of the National Academy of Sciences* and will soon appear in a print edition.

"Now we have a visual blueprint to guide our future studies on interferon-gamma binding protein, which one day may be used to prevent inflammatory disease," said Mark R. Walter, Ph.D., an associate professor in the UAB Department of Microbiology and senior author on the study.

Interferon-gamma binding protein (IFN- $\gamma$ ) is notorious for the role it plays in helping poxviruses replicate. Normally when a virus enters the bloodstream, the immune system fights back by producing IFN- $\gamma$ , which tells surrounding cells to fight the infection. Remarkably, somewhere during the evolution of the poxvirus, it captured an IFN- $\gamma$  gene from its host and incorporated some of the protein structure into its own. As a result poxvirus has a very efficient "blocker" of the IFN- $\gamma$  antiviral response, Walter said.

The new study shows this blocking ability through crystallography, the science of mapping the atomic structure of molecules by looking at their interaction with an X-ray beam.

Poxviruses include many classes of the invasive organism, including smallpox, cowpox and monkeypox. Smallpox in particular has played a tragic role in human history: estimates show it caused between 300 million and 500 million deaths in the 20th Century.

The research was funded by grants from the National Institutes of Health and the American Heart Association.

**ANTHRAX CELLULAR ENTRY POINT  
UNCOVERED BY UAB RESEARCHERS**

The long-sought-after biological "gateway" that anthrax uses to enter healthy cells has been uncovered by microbiologists at UAB.

Anthrax spores enter the cell through something called Mac-1, a receptor that sits on the surface of certain cells.

This is the first study to uncover exactly how the bacteria get inside cells to begin with, the UAB researchers said. Previous studies have shown what happens after anthrax spores enter the body and wreak havoc.

Unraveling the anthrax-Mac-1 gateway is a milestone in the ongoing efforts to protect humans from bioterrorism and biological warfare, the UAB microbiologists said. Such a discovery will speed the development of new drugs and vaccines to fight or prevent anthrax infection, and advance the understanding of bacterial infection.

The findings are published in the online version of the journal *Proceedings*

of the National Academy of Sciences and will soon appear in a print edition.

“We know anthrax infection can occur in wild and domestic animals, but in humans this disease is extremely rare and very dangerous. It is a bioweapon,” said John Kearney, Ph.D., a professor in the UAB Department of Microbiology and co-author on the study. “This study reveals the biological paradigm that makes the anthrax spore clever enough to target the Mac-1 receptor, and use this entry point to boost its lethality.”

*Bacillus anthracis* infection occurs in three forms: cutaneous (skin), inhalation and through swallowing spores. The skin infection is the most common type and can be treated with antibiotics if diagnosed rapidly.

The more serious form is inhalation anthrax, which was diagnosed in a few adults during the anthrax scare after the September 11, 2001, terror attacks against the United States.

In the UAB study, researchers worked under strict bio-safe conditions to infect cultures of cells and laboratory-bred mice with a strain of anthrax often used in research. Funding support for the study came from the National Institutes of Health.

#### **DNA VARIATIONS SIGNAL LUPUS RISK SAY UAB RESEARCHERS**

Scientists have pinpointed a set of common variations in human DNA that signal a higher risk for lupus in women who carry them. Some of these variations are more common in relatives of lupus patients, which may help future studies examining whether lupus is more prevalent among certain racial and ethnic groups, according to a new study.

Also, the findings point to various drug targets important to the

search for cutting-edge lupus treatments, according to an international consortium of genetics researchers that includes scientists at UAB.

“Building on this finding we hope to identify those at highest risk of lupus, diagnose the disease earlier and hopefully find a cure,” said Robert Kimberly, M.D., a professor of medicine in the UAB Division of Clinical Immunology and Rheumatology and co-author on the new study.

The findings are published in the journal *Nature Genetics*.

The study, the largest of its kind to date, is the work of the International Consortium for Systemic Lupus Erythematosus (SLEGEN), of which UAB is a member. SLE is the medical term for systemic lupus erythematosus, a common form of the disease.

Looking at the genomes of 6,728 people, the researchers found the variations located on various chromosomes in women of European ancestry. The variations may be linked to as many as 67 percent of all lupus cases in women, the study authors write.

“These findings underscore that numerous genes, which are often immune-function related, contribute to the risk of developing lupus,” said Carl D. Langefeld, Ph.D., of Wake Forest University School of Medicine in Winston-Salem, N.C., the senior author on the SLEGEN study.

The Lupus Foundation of America estimates 1.5 million to 2 million Americans have a form of lupus, but the actual number may be higher. More than 90 percent of people with lupus are women and lupus rates are higher in African-American, Latino, Asian and Native American women than in women of other races and ethnicities.

Using the data from the study, UAB researchers and their SLEGEN collaborators are developing further studies to determine if the same gene variants signal higher lupus risks in certain ethnic or racial groups. Also, the scientists are examining how these genetic pathways contribute to developing lupus.

The UAB research team included scientists from the departments of Medicine, Epidemiology and Biostatistics. The consortium includes investigators from the Oklahoma Medical Research Foundation in Oklahoma City, Wake Forest University, the University of Minnesota in Minneapolis, the University of California at San Francisco, the University of California at Los Angeles, the University of Southern California in Los Angeles, the Imperial College London and the University of Uppsala in Sweden.

#### **UAHUNTSVILLE PROVIDES LINK TO NATIONAL FIBER OPTIC NETWORK**

UAHuntsville is "lighting the way" to bring unprecedented capabilities to Huntsville's research and education infrastructure by connecting the area to a national fiber optic network.

UAHuntsville is now connected to the National LambdaRail (NLR), an advanced optical network for scientific and engineering research and education that stretches across America, but has been lacking routes into Alabama.

National LambdaRail (NLR) is an initiative of U.S. research universities and private sector technology companies to provide a national scale infrastructure for research and experimentation in networking technologies and next-generation applications in science,

engineering, and education.

UAHuntsville and the University of Alabama System purchased fiber optic cable from Nashville to Atlanta and are connecting to NLR in Atlanta. UAB and UA will have similar connections to the regional optical network.

Establishing access to this network will help meet the demanding challenges in high-performance computing and advanced networking, while, at the same time, providing the capacity to support national and international research collaborations, according to President Dr. Dave Williams.

"It's crucial that UAHuntsville and Huntsville be connected to this unique fiber optic network," Williams said. "Research is becoming more computationally intensive and is requiring unprecedented amounts of data. It takes a tremendous amount of bandwidth to transmit that data to points all across the country. Thus, access to this network will help the university become more competitive when seeking research grants, and will help us recruit and retain nationally and internationally renowned researchers, educators and students."

Dr. Sara Graves, Director of the Information Technology and Systems Center at UAHuntsville, performs research in data and information technologies and understands the need for the university to stay at the forefront of advanced networking. Dr. Graves, a member of National Science Foundation Cyberinfrastructure Advisory Committee, explains that fiber optic networks are one of the underlying components of our nation's vision for an advanced cyberinfrastructure that will provide technologies to enable revolutionary science and engineering research and education.

“Advances in computational and communications technologies are helping to produce fundamental changes in the way we create, share, and use scientific and engineering knowledge,” she said. “Access to this network will serve to support the development of a new generation of tools and technologies as we move towards a more ubiquitous computing environment providing unparalleled access to people, computers, data, information, tools, and instruments.”

The new connection provides UAHuntsville with the opportunity to collaborate with leading research universities around the nation, as well as federal research laboratories such as NASA centers, Oak Ridge National Laboratory, Los Alamos, NOAA data centers, National Center for Atmospheric Research and the Pacific Northwest National Laboratory.

Marshall Space Flight Center (MSFC) is also a partner in the fiber optic infrastructure. With the implementation of a 10-gigabit-per-second wave from Atlanta, Marshall became part of the advanced, nationwide fiber optic network.

“This increase in network capacity on the NASA Research and Engineering Network (NREN) was achieved by leveraging resources from a unique partnership including contributions from Southern Light Rail (SLR), the University of Alabama System (UAS), Oak Ridge National Lab, National Lambda Rail (NLR), and NASA,” said Chris C. Kemp, Chief Information Officer at NASA Ames Research Center.

“NASA researchers and collaborators at academic institutions across the nation now have the capability to perform high-fidelity modeling and simulation applications on NASA’s

Columbia supercomputer—one of the fastest operational supercomputers in the world,” explained Kevin Jones, NREN Engineering Group Lead at NASA Ames.

A goal of the National LambdaRail is to enable technology transfer into commercial development and creation of new markets, and therefore stimulate economic development and contribute to U.S. national competitiveness.

#### **UNEXPECTED IMAGE FROM KILLER TORNADO MIGHT LEAD TO PRECISE STORM WARNINGS**

An unexpected radar image of airborne debris from the February 6<sup>th</sup> tornado that killed four people in Lawrence County, Alabama, might help scientists develop better tools for warning the public when and where strong tornadoes are on the ground.

Scientists in the Earth System Science Center at The University of Alabama in Huntsville (UAHuntsville) are studying radar data from the early morning tornado to see if the radar signature from the debris is so distinctive that computers can be programmed to instantly recognize it, so more timely and precise warnings might be issued.

“The real advantage would be the precision,” said Dr. Walt Petersen, the UAH research scientist leading the radar data analysis. “These events are usually going to be associated with large scale mesocyclones, so tornado warnings would probably already have been issued. But those large scale rotation features can cover several miles.

“With this debris signal, we might be able to pinpoint the precise spot where a tornado is on the ground. It would be great to be able to say, ‘The tornado is right there, at that town.’ If you could

automate a system to do that, it would be quite handy and useful.”

Two of Petersen’s UAH graduate students, Chris Schultz and Elise Johnson, used laptop computers to monitor the radar that morning from the safety of their temporary operations center — the bathroom in Schultz’ apartment, “in case we had to dive into the bathtub.” Later Schultz suggested to Petersen that there might be a debris signature associated with the Lawrence County storm.

This was the first time a significant tornado has hit within range of the advanced radar unit at the Huntsville International Airport since it was put in service in late 2004. Other storm-related debris sightings using similar radar technology at the National Severe Storms Laboratory in Norman Oklahoma have been rare, so every sighting adds substantially to the paltry information previously available.

The Advanced Radar for Meteorological and Operational Research (ARMOR) was developed jointly, with UAH and WHNT-TV collaborating to upgrade a decommissioned former National Weather Service Doppler radar unit.

ARMOR is a dual polarimetric radar, while most other weather radar units are single polarity. Dual polarization gives ARMOR the ability to gather more data about the size and shape of particles in the air. Initially it was thought that the dual polarization capability would help scientists learn more about severe storms, identify hail or snow, and better estimate rainfall.

The ability to recognize flying debris wasn’t something scientists really expected.

“This was totally serendipitous,” said Dr. Larry Carey, an ESSC scientist

working with Petersen. “Everything else we’ve done were things we pretty much expected. This wasn’t really planned. It is just an added benefit of the technology.”

If computers can be programmed to recognize debris in the radar data, that programming might be a standard feature when the National Weather Service upgrades its existing nationwide NEXRAD radar network to dual polarimetric capabilities beginning in 2009.

While the debris feature might not reduce the number of false tornado warnings, it could add a level of urgency and precision to warnings when tornadoes do occur, Petersen said.

ARMOR picked up the radar reflection of debris thrown as much as two miles into the air by the tornado. The funnel-shaped plume first shows up on the radar screen above the Pinhook community, close to the time that the tornado was rated as very intense (EF-3 on the extended Fujita scale).

“There’s nothing else we can come up with to explain this,” Petersen said. “Things match up so well, this is not coincidence. We think our first impressions were correct, that this is indeed a debris signature.”

#### **UAHUNTSVILLE RESEARCHERS DEVELOPING COMPUTER MODELS TO PROVIDE AMERICA’S MILITARY WITH BETTER INTELLIGENCE**

Adversaries the U.S. currently faces in Iraq rely on surprise and apparent randomness to compensate for their lack of organization, technology and firepower. If one could find some method to their madness, however, the asymmetric threat could be made significantly less serious, according to

scientists at UAH.

These UAHuntsville scientists hope to help provide a better intelligence posture on these asymmetric threats by developing computer models that identify trends in the behaviors of the adversaries.

“One way to combat these attacks is to identify trends in the attackers’ methods, then use those trends to predict their future actions,” said UAHuntsville researcher Wes Colley said. “Some trends from these attacks show important day-to-day correlations. If we can draw inferences from those correlations, then we may be able to save lives by heightening awareness of possible events or changing the allocation of our security assets to provide more protection.”

UAHuntsville teamed with a Virginia-based company, Mymic LLC, to receive an Air Force contract for the six-month study.

A four-step process was used in this research, according to Colley. Researchers reviewed the behavior signatures of terrorists on 12,000 attacks between 2003 and mid-2007 to calculate relative probabilities of future attacks on various target types.

The four steps were: create a database of past attacks; identify trends in the attacks; determine the correlation between attacks and use analysis to calculate the probabilities of future attacks and their location.

The goal was not to try to predict exactly when and what type of attack was going to happen next, but rather, which target types were more likely to be attacked next, according to Colley. “Our research won’t predict that an attack targeting civilians at a public market will take place tomorrow at 9:30 a.m.”

Instead, he said military commanders

could make choices from various options to reduce risk. “A commander with limited intelligence and security assets can concentrate resources at those locations that have higher probabilities of attack.”

This study considered two aspects of each attack: the target of the attack, and the time of the attack. Using careful statistical techniques, the team identified correlations between attacks on various target types as a function of time. For instance, if there were an attack on a government target, that somewhat increased the chance of an attack on a police target over the next several days. Armed with this knowledge, commanders could allocate greater than usual resources to protect police assets more carefully for several days after an attack on a government target. The team also observed other significant correlations such as attacks on civilian targets with other attacks on civilian targets.

One finding that surprised Colley involved sectarian violence. He said when members of the Shiite sect would attack a Sunni, other attacks on Sunnis were likely to follow. However, the converse was not true. When Sunnis attacked Shiites, there was no greater incidence of a follow-on attack than normal. Also, there seemed to be little evidence of regular retributory attacks from one group on the other, although that dataset was too limited to say for sure.

“Despite many difficulties with the dataset, we did find that our trend analysis very successfully provided enhanced predictive capability when compared to the broader attack rate,” he said. “Our concept has proven successful in identifying trends and correlations in the attacks.”

Colley said the university is seeking additional dollars to further develop the concept with more complete and reliable data. "Ultimately, we were limited by the data, which we gleaned from public Internet sources. Their information, particularly with respect to attack location, was hit-and-miss, at best. With more and better data, perhaps including classified data, we expect a dramatic improvement in the predictiveness of our method."

#### **UAH PROFESSOR TELLS IMPORTANCE OF LATINO VOTE IN THE 2008 ELECTION**

The decades old courtship between the former president and first lady, and Latino voters may save Hillary Rodham Clinton's bid to become the 2008 Democratic Presidential nominee.

"All those years ago, President Clinton left a legacy of prosperity among Latinos nation-wide," said Dr. Anne Marie Choup, assistant professor of Political Science at UAH.

Choup said support for Senator Clinton should remain strong among Latino voters even though her campaign manager, also Latino, was relieved of her duties nearly two weeks ago.

"Firing a campaign manager will affect only those who pay close attention to the campaign, and is not likely to erase the Clinton legacy which is largely supported by Latinos," she added.

"Conservative Latinos, who are particularly active in Florida politics, will generally back Republicans in any event," Choup noted. "The rest who tend to vote Democratic will have good reason to side with either Clinton or Obama — at this point they seem unlikely to come together as a group to endorse one candidate exclusively."

As far as the myth that Latinos won't support an African-American in an election, Choup agreed, it is what it is — a myth. "I don't believe that Latinos as a whole are reluctant to vote for African-Americans in general. Again, Clinton has left a legacy among Latinos nationwide. Obama is a relative newcomer on the national political scene. In regard to voting in general, some important African-American populations have been elected with the strong support of Latino populations. Unfortunately, because of our race-obsessed media, the supposed Black-Latino voter divide has been created then over-exploited," she explained.

Choup said the term Hispanic usually refers to Spanish-speakers, whereas Latino usually indicates place or national origin in addition to language. "In popular usage, Latino is starting to simply replace Hispanic to refer to the Spanish-speaking and or national origin or element."

She said issues of specific concern, "depend on which group of Latino voters we are talking about. Conservative Republican Latinos who are from, or whose parents are from, countries that have veered to the left (Cuba and to a lesser extent Venezuela) are concerned about free enterprise and business, and 'exporting democracy,'" Choup explained.

"Democratic Latinos who have less to invest money-wise in political campaigns are more interested in working-class concerns like minimum wage and health care costs. Those most directly affected by immigration issues and policy will tend to be those who cannot vote," she added.

Immigration woes, Choup said, need resolution not rhetoric. "The United States needs these workers for the

smooth functioning of our economy (especially in terms of access to cheap agricultural goods). True conservatives to the right would like to see a free flow of people across the borders to fill jobs as needed, and the left would like to see more inclusive policies across the board - so there is room to forge a consensus across the political spectrum,” Choup said. “To the center-right though, is strong anti-immigration sentiment, and this is where most Republican sentiment seems to sit - so John McCain might have a harder time forging such a consensus.

“What candidates need to do now is decide how they are going to approach securing votes from different demographic groups,” Choup said. “For example, McCain may be reluctant to reach out to Latino voters, out of fear of alienating anti-immigration folks in the Republican party.”

Choup received undergraduate degrees from the Universidad del Salvador and Georgetown University in Latin American and International Politics, and Foreign Service. She earned a master’s degree in International Affairs from George Washington University, and a Ph.D. in political science from the University of North Carolina at Chapel Hill.

#### **UA ENGINEERING RECEIVES GRANT TO ENHANCE WIRELESS TELEMEDICINE**

Dr. Yang Xiao, assistant professor of computer science at UA, and Dr. Fei Hu, assistant professor of computer engineering of Rochester Institute of Technology, were awarded a \$400,000 grant from the National Science Foundation’s Cyber Trust Program to research advancements in

wireless telemedicine. This technology allows the sharing of medical knowledge over a distance using telecommunication. Xiao will collaborate with Hu to advance the integration of radio frequency identification technology into cardiac system networks. These networks remotely monitor and transfer a patient’s heartbeat and blood pressure to doctors off-site to improve medical care awareness and availability. The team hopes that the study will lead to a significant increase in the quality of medical care, a decrease in health care costs for patients, and improvement in medical diagnosis.

#### **GENES LINKED TO PARKINSON’S PROTECTION IDENTIFIED BY UA RESEARCHERS**

UA researchers have identified five genes within animal models displaying protective capabilities against a hallmark trait of Parkinson’s disease. The research, published in the Proceedings of the National Academy of Sciences’ Early Edition, is a possible step toward identifying both new targets for drug treatment development and genetic factors that make some people more susceptible to the disease. The UA researchers’ efforts represent one of the largest functional analyses of genes ever reported for Parkinson’s disease. Shusei Hamamichi, a UA doctoral student, is lead author of the research paper and led the University’s effort, along with Renee Rivas and Adam Knight, two UA undergraduates; Songsong Cao, a former doctoral student; Dr. Kim Caldwell, assistant professor of biological sciences, and Dr. Guy Caldwell, associate professor of biological sciences and co-author of the research.

**UA POLITICAL SCIENTIST WON  
PRESTIGIOUS GUGGENHEIM GRANT**

Dr. Douglas Gibler, assistant professor of political science in the UA College of Arts and Sciences, has received a prestigious Harry Frank Guggenheim Foundation Research Grant for research into understanding global conflict. Gibler, who joined the faculty in 2006, will use the award to support his research into international conflict and state development. The award will help Gibler complete research on a book-length project. The grant is the first the Guggenheim Foundation has given to a researcher in Gibler's subfield in more than five years. Gibler's research examines how territorial conflict between countries affects their type of government.

**UA ALZHEIMER'S CARE RESEARCH  
HELPED NATIONAL PANEL IN  
PREPARING ACTION PLAN**

A key Alzheimer's disease study group, co-chaired by former U.S. House Speaker Newt Gingrich and former U.S. Sen. Bob Kerrey, has tapped the expertise of a UA researcher to brief its members on caregiver support. Dr. Louis Burgio, distinguished research professor at UA's Center for Mental Health and Aging, prepared a PowerPoint slide series to help the Alzheimer's Study Group in the area of caregiver support. The area is one of 16 on which the group is focusing. Burgio also was interviewed by telephone, and his presentation and interview will be made public by the committee.

Burgio said one key aspect in looking at national Alzheimer's policy lies in finding ways through government

policy to intervene when caregivers for Alzheimer's patients need help.

**POOR RECOGNITION OF "SELF" FOUND  
IN HIGH FUNCTIONING PEOPLE WITH  
AUTISM, ACCORDING TO BAYLOR,  
UA STUDY**

Contrary to popular notions, people at the high end of the autism spectrum disorder continuum suffer most from an inability to model "self" rather than impaired ability to respond to others, said researchers from the Baylor College of Medicine and UA in a report appearing in the journal *Neuron*. This kind of research has important implications for early diagnosis which is vital, said Dr. Laura Klinger, UA associate professor of psychology and co-author of the study. Klinger founded and directs a UA research clinic specializing in autism and related disorders.

**HOUSING AFFORDABILITY IMPROVES  
IN ALABAMA DURING FOURTH  
QUARTER OF 2007, ACCORDING TO UA  
CENTER FOR REAL ESTATE**

There is good news in Alabama despite the housing and credit challenges that face the nation. According to the Alabama Center for Real Estate at UA, the state's housing is more affordable. A combination of events in the past several months, including a decline in the average median sales price and a lowering of the composite effective mortgage rate, has produced an increase in the Alabama Housing Affordability Index, according to Shelby Batson, research coordinator for ACRE.

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## NEWS ABOUT DEVELOPMENT

### UAH DEVELOPMENT ROUND-UP

A donation of \$250,000 was given by an Anonymous donor in support of expanded student housing.

The General Electric Foundation has given a matching gift of \$50,000 to support the Shelby Center Endowment, which was established by Mr. and Mrs. Daniel Case, Jr. The endowment will support the new Applied Science building named for Senator Richard Shelby. Daniel Case, '77, and Martha Case '78, '83, graduated from the College of Science with Chemistry degrees.

Mr. and Mrs. Stephen P. Zelnak Jr., made a gift of \$20,000 to the Stephen Zelnak Business Faculty Enhancement Fund. An annual award will be made to recognize an outstanding Business Professor each year, to support continuing faculty intellectual development and renewal, to reward and support outstanding faculty, and to support innovative education, research and outreach initiatives. Stephen Zelnak '73, distinguished alum of the College of Administrative Science, is the Chairman and CEO of Martin Marietta Materials, Inc. in Raleigh, North Carolina.

A gift in the amount of \$20,000 was received from the Von Braun Center for Science and Innovation Inc. to establish the Von Braun Center for Science and Innovation Annual Scholarship. A \$5,000 scholarship will be awarded annually for the next four years to a student in the College of Engineering or College of Science based on academic merit. The Von Braun Center for Science & Innovation (VCSI) is a not-for-profit research organization that provides innovative engineering solutions and science applications for

NASA, DOD, and other government agencies.

The Olin B. King Foundation has generously given \$18,000 in support of the President's Excellence Fund. Mr. and Mrs. King are longtime supporters of UAH and have made significant contributions to the university for many years. They are President's Council active and lifetime members.

Crestwood Medical Center's recent gift of \$16,380 will be used to employ a full-time faculty member for two academic years, including summer sessions. The position will be named the Crestwood Medical Center Clinical Educator and the chief nursing officer at Crestwood Medical Center will participate in the election of the faculty member. Crestwood Medical Center pledged \$128,520 to UAH last year to help the university's College of Nursing increase nursing student enrollment.

A generous donation of \$15,000 was given by Mr. and Mrs. Gene Sapp in support of the New Ventures Program. The gift for the program will be used to fund prize money for the "New Venture Challenge" - a business plan competition for UAH students. The competition between student teams will use either a student idea or technology that we have obtained from agreements made with the Army or local companies. The objective is to assess whether or not there is commercially viable venture. Students will initially sign up for a "Special Projects" class in business so that they can learn about writing a business plan and creating a new venture. In the class teams of students will be formed and will include science, engineering students, business students, and liberal arts students.

Dr. and Mrs. David B. Williams donated \$15,000 in December to create the Williams Family endowed scholarship that will provide full tuition to a qualified candidate. Dave and Margie have made a five-year pledge of \$120,000 to establish the new scholarship. The scholarship is to be awarded to an undergraduate student based on financial need and academic merit with preference to students who are the first in their respective families to attend college. Dr. David B. Williams is the 5<sup>th</sup> President at The University of Alabama in Huntsville and he and Margie arrived on campus in July. Dave and Margie reside at the UAH president's house, known as the Lowe House, in downtown Huntsville.

Mr. and Mrs. W. Weldon Wilson generously donated a gift of \$10,000 to establish the Wilson Family Scholarship. Weldon Wilson '83 received his degree in Political Science. He received the prestigious Alumni of Achievement award in 2006 and is a President's Council active member. Mr. Wilson is employed by Swiss Re Life & Health America, Inc. as an attorney.

The United Way of Madison County has made a contribution of \$10,000 on behalf of DESE Research Inc. to establish the DESE Research, Inc. Scholarship. DESE Research, Inc. is a family owned - business established in April of 1982 as a knowledge-based organization conducting theoretical and analytical research in the fields of Defense, Energy, Space, and Environment ( DESE). The scholarship is for undergraduate students with preference given to children of current employees of DESE Research, Inc., that are pursuing a degree in Engineering, Computer Science, Physics, or

Administrative Science based on financial need and academic merit.

A generous donation of \$10,000 has been received from The Wachovia Foundation to support the Wachovia Scholarship. The scholarship is open to an undergraduate Alabama resident from a demographic group under-represented at the University. Awards will be based on academic merit and financial need with preference given to students that demonstrate leadership and have a record of community and University involvement. Wachovia Bank is a UAH President's Council lifetime member and has been a long-time university supporter for over 30 years.

Dr. M. Leigh Lunsford and Dr. Marcus Pendergrass gave a gift of \$10,000 to the Daniel Newell Pendergrass Memorial Scholarship. Established in 2007, this scholarship is awarded to a Humanities major, undergraduate or graduate who has demonstrated ability in creative writing and a strong interest in teaching in the Humanities, especially overseas teaching. Daniel Pendergrass was a UAH alumnus and received both his Bachelor's and Master's degrees at UAH. Dr. Marcus Pendergrass is the brother of Mr. Daniel Pendergrass. Dr. Lunsford and Dr. Pendergrass are active President's Council members.

A gift of \$10,000 was given by Dr. and Mrs. Ashok Singhal to establish the Singhal Scholarship. The Singhal Scholarship is to be awarded to an undergraduate in the College of Engineering based on academic merit. Ashok and Sageeta Singhal, are active UAH President's Council members. Dr. Ashok Singhal is a past board member of the College of Engineering Industrial Advisory Board. The Singhal's established their first scholarship,

CFDRC Scholarship, through their company CFDRC in 2005.

The William H. Stevens Memorial Scholarship was established by Mrs. Virginia Stevens with a gift of \$10,000 made in memory of her husband. The scholarship is to be awarded to undergraduates pursuing a degree in Engineering and is based on academic merit with preference given to a child of a slain Huntsville Police Officer.

The AUVSI Pathfinder Chapter contributed \$10,000 in support of the newly created AUVSI Pathfinder Robotics Annual Scholarship. The Association for Unmanned Vehicle Systems International (AUVSI) is the world's largest non-profit organization devoted exclusively to advancing the unmanned systems community. AUVSI, with members from government organizations, industry and academia, is committed to fostering, developing, and promoting unmanned systems and related technologies. The scholarship will be awarded to undergraduate students majoring in Engineering or Science with a Robotics interest based on academic merit.

A gift of \$9,503 was given by Dr. Mabry B. Miller and Mr. Glenn Barr to the Frank Franz Presidential Scholarship. The scholarship was established to honor UAH's 4<sup>th</sup> president, Dr. Frank Franz. Dr. Miller and Mr. Barr are longtime supporters of UAH and are active President's Council Members.

Mrs. Minnie H. Rast donated \$7,804 in support of the Thomas and Minnie Rast Endowed Scholarship. Mrs. Rast is a long time supporter of UAH and is a UAH President's Council Lifetime Member. The scholarship was established in 1981 by her late husband,

Thomas Rast, who was a trustee of the University of Alabama. The scholarship is awarded based on academic merit to an undergraduate junior or senior.

The Alabama Car Tag Donors contributed \$6,580 to support the UAH Alabama Car Tag Scholarship. These funds are donated based on car tag sales throughout the state. UAH received over \$53,000 during 2007 from the Alabama Car Tag program which provides many scholarships to deserving UAH students.

The Mechanical and Aerospace Engineering Department has received a gift in kind of two aluminum composite molds from Brindlee Mountain Machine Inc. They are President Council active members.

Dr. John C. Wright gave a \$5,010 donation to the Margaret "Mac" Wright Scholarship. Dr. Wright was the 2<sup>nd</sup> president of UAH and has been a long-time supporter. He is a President's Council Life member and Active member. The Margaret "Mac" Wright Scholarship is awarded to junior and senior Nursing students and is based on academic merit, leadership potential, contributions to the school/community, and financial need.

McDaniel & McDaniel Corporation has given a generous gift of \$5,000 to the McDaniel, Cramer Faculty Award. This account was created to give faculty awards to Marketing and Management faculty. McDaniel & McDaniel are active President's Council members. McDaniel and McDaniel provide representation for criminal law & civil law including accidents.

Silver Stirrup Stables, LLC contributed \$5,000 to the Dr. Francis and Susan Wessling Engineering Scholarship. The scholarship is awarded to one or more full time students for

their junior and/or senior year who are pursuing a degree in Mechanical Engineering or Aerospace Engineering. The scholarship is based on academic merit to Alabama citizens. Preference is given to those students that are active in either the American Society of Mechanical Engineers or the American Institute of Aeronautics and Astronautics.

Scaled Composites - Scaled Family Support Fund has contributed \$5,000 to the Glen May Memorial Scholarship. Glen May was an employee of Scaled Composites. Scaled Composites, LLC, is an aerospace and specialty composites development company located in Mojave, California. Glen's friends and family have established the Glen May Memorial Scholarship in his memory. The scholarship is to be awarded to a student majoring in Engineering with an interest in aerospace or aeronautical engineering.

Ms. Radhika Kakani has given a \$5,000 gift to Bhavani and Radhika Kakani Scholarship. UAH Foundation board member, Bhavani Kakani '82, '85 and her daughter, Radhika Kakani '03, established the Bhavani and Radhika Kakani Scholarship in 2007 to benefit students pursuing a degree in Business Administration. The renewable scholarship is to be awarded to a female undergraduate student based on academic merit and leadership with regard to financial need.

**BALDWIN NAMED ASSOCIATE VICE PRESIDENT FOR ADVANCEMENT AT UA**

Karen Meshad Baldwin has been named Associate Vice President for Advancement at UA. Baldwin has served as Director of External Affairs and Development for the UA College of

Engineering for the last 10 years. In her new position, Baldwin will be responsible for creating a better understanding of the University's missions, goals, values and accomplishments, and securing the financial and volunteer support needed to sustain and develop UA. She will oversee UA's major gifts, planned gift capital campaign, corporate and foundation fundraising, gift records and stewardship program. Baldwin earned her bachelor's and master's degrees in American studies at UA, and she is currently completing her doctorate in education administration, also at UA.

**GIFT FROM SYNOVUS FOUNDATION ENDOWED UA'S MORAL FORUM AND NAMED IT IN HONOR OF ALUMNUS JIM HAYES**

Synovus Foundation of Columbus, Georgia, made a gift to UA to endow a debate program known as the Moral Forum and name it in honor of UA alumnus and long-time supporter James P. "Jim" Hayes, Jr. UA's Center for Ethics and Social Responsibility established the Moral Forum in 2006 to help UA students develop the skills necessary to evaluate and respond to moral claims and engage in moral discourse. The program offers students the opportunity to research and debate a controversial moral/ethical issue each year, and it culminates in a University-wide tournament, where students vie for scholarships as they present their arguments. Synovus has pledged \$300,000 to UA to support the fund. Endowment earnings are designated for supplementary financial awards to student debaters and expenses associated with conducting the forum.

**MARY AND JOHN DURR ELMORE  
GIVE TO UAB SCHOOL OF ARTS AND  
HUMANITIES**

Dr. John Durr Elmore and his first wife, Marilyn, each contributed to the enrichment of UAB programs for years until her death. Since his marriage to Mary Paty Bargeron, also a longtime contributor, the Elmore's have continued to support the university. Their recent pledge toward the Dr. William C. Carter Endowed Professorship in French and Proust Studies in the School of Arts and Humanities carries on their tradition of giving.

"Dr. Carter is a wonderful, enthusiastic speaker," Mrs. Elmore says. "By contributing to this professorship, we hope to help enhance the study of Proust and French culture. And although we don't want to see Dr. Carter retire, we hope someone just as fine as he is will carry on his work."

The Elmore's' gift was the second largest one to the Carter Professorship, the first endowed professorship to be established in the School of Arts and Humanities. The Elmore's have given generously to other parts of campus, including the Ada Long Creative Writing Workshop in the Department of English and the University Honors Program.

"My first husband, Dr. Lionel Malcolm Bargeron, was an enthusiastic follower of Proust and read most of his books in both French and English," Mrs. Elmore adds. Dr. Bargeron was with UAB for 23 years and served as head of the pediatric cardiology unit. "Dr. Bargeron and I became good friends with Dr. Carter when he started a session of weekly programs on Proust. He even put together a trip to France for our group to see all the 'Proustian places.' We were fortunate to be immersed in it for some time."

"Although Dr. Carter is known as a

rigorous and demanding professor, his courses continue to fill to capacity, especially his course on Marcel Proust. We thank Mary and John Durr Elmore for their participation in honoring him in this way," says Bert Brouwer, Dean of the School of Arts and Humanities.

"This professorship will preserve Dr. Carter's rich legacy while enhancing the study of the French language, literature, and culture at UAB," says Shirley Salloway Kahn, Ph.D., Vice President for Development, Alumni, and External Relations. "We are thrilled that Mary and John Durr are so enthusiastically supportive of this endeavor."

**UAB PRESENTS "AN AFTERNOON  
WITH" AUTHOR WARREN ST. JOHN**

New York Times reporter, author and Birmingham native Warren St. John was the featured speaker at "An Afternoon With Warren St. John," an event benefiting UAB Department of English scholarships. The event was held 3-5 p.m. Sunday, March 2, at The Birmingham News, 2201 4th Ave. N.

Warren St. John is author of the book *Rammer Jammer Yellow Hammer: A Road Trip Into the Heart of Fan Mania*. The hilarious travel book, published in 2004, examined a group of devoted University of Alabama Crimson Tide fans as they followed the football team from game to game.

In addition to writing for *The New York Times*, St. John has written extensively for *The New Yorker*, *The New York Observer* and *Wired* magazine.

**UAB ASC PRESENTS SEVENTH  
ANNUAL ALYS ROBINSON STEPHENS  
PATRON OF THE ARTS AWARD**

Judy and Hal Abroms of Birmingham are the recipients of the seventh annual UAB Alys Robinson Stephens Patron of the Arts Award.

Alys Stephens Center Executive Director Caron Thornton presented the award to the Abromses on April 5, during the center's Viva Health Starlight Gala featuring guest artist Diana Krall. The honor is given to a person or persons who have made a significant contribution to the arts in Birmingham and specifically to the Alys Stephens Center. This annual tradition honors the spirit of the center's namesake and inaugural patron, Alys Robinson Stephens, a strong and caring woman known for her love and devotion to the arts, Thornton said.

Judy and Hal Abroms are known throughout the community for being champions of the arts and longtime supporters of the Alys Stephens Center and the University of Alabama at Birmingham (UAB).

This season's gala will be chaired by Lyndy Rogers and Barbara O'Neal.

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**CONFERENCE/SYMPOSIA/PROGRAMS**
**NOTED PSYCHOLOGIST TALKED ABOUT  
FREE WILL IN UA'S DINOFF  
MEMORIAL LECTURE**

Dr. Roy F. Baumeister, Eppes Eminent Professor of Psychology at Florida State University, lectured on "Free Will as the Expensive Control of Action" at UA for the annual Michael Dinoff Memorial Lecture of the psychology department, part of UA's College of Arts and Sciences. The lecture is given in memory of Dr. Michael Dinoff who was a professor and director of the University's Psychological Clinical from 1963 until his death in 1982.

**INTERNATIONAL SOUNDS FLAVORED  
CONCERTS AT UA'S FIFTH ANNUAL  
CHURCH MUSIC CONFERENCE**

Two top concerts featuring organ, chorus and instrumental performances – including a top French organist and the world premiere of a new organ work – headlined the fifth annual Church Music Conference at UA's Moody Music Building. The conference, part of the School of Music, was sponsored in part by Canterbury Chapel and the UA Office of the President. Daniel Roth, organist at St. Sulpice in Paris, gave a concert. Also, Dr. Faythe Freese, associate professor of organ at UA and conference coordinator, performed in the world premiere of "To Call My True Love to My Dance" by Naji Hakim, the titular organist at St. Trinité Church in Paris and composer in residence at the Trinity College of Music, London. That concert also

featured other UA faculty and the University Singers.

**UA GLOBAL SUSTAINABILITY SERIES  
FEATURED ALABAMA CLIMATOLOGIST  
JOHN CHRISTY**

Dr. John R. Christy, Alabama's state climatologist and winner of NASA's Medal for Exceptional Scientific Achievement, presented his lecture, "Global Warming: By the Numbers" on the UA campus. Christy's lecture was the fourth in the Alabama Perspectives on Sustainability and Climate Change lecture series, sponsored by UA's College of Arts and Sciences, its department of physics and astronomy, and its New College program. Christy, who also is the director of the Earth System Science Center at UAH, has been involved in building long-term datasets to help document and explain what the climate is doing.

**UA ALLELE LECTURE SERIES  
PRESENTED "FINDING YOUR INNER  
FISH"**

Dr. Neil Shubin, professor of anatomy and Associate Dean at the University of Chicago, recently presented "Finding Your Inner Fish" on the UA campus. Shubin's research sits at the edge of expeditionary paleontology, developmental genetics and genomics; the goal of which is to gain insight into the evolutionary origin of anatomical features of animals. Shubin's lecture, which discussed new discoveries regarding the shift of fish to land-living animals, was the second in a series of six

speakers from The Alabama Lectures on Life's Evolution, known as ALLELE, for the 2007-2008 academic year. The third year of the series is made possible in large part by private gifts from Lou Perry of La Jolla, California, Eric Hopkins of Austin, Texas and The Barbara and Frank Peters Foundation of Corona del Mar, California.

**UA'S CAPSTONE INTERNATIONAL  
JAPAN PROGRAM CELEBRATED  
22ND ANNUAL SAKURA FESTIVAL**

The Capstone International Center Japan Program at UA celebrated the 22nd annual Sakura Festival during March. The Sakura Festival is held in honor of the budding cherry blossoms and exhibits the Japanese culture through music and dance, art displays, events and a Haiku contest. The theme for this year's festival was "kagami," or mirror, to remind us that we may see our own reflections as well as those of the people we love and respect all around us. The festival annually brings people throughout the Southeast to UA and Tuscaloosa.

**SCHOLAR OF GLOBALIZATION  
PRESENTED 2007-2008  
ARONOV LECTURE AT UA**

Dr. Arjun Appadurai, a noted social scientist, scholar of globalization and currently the John Dewey Distinguished Professor in the Social Sciences at The New School in New York City, gave the UA department of religious studies' 2007-2008 Aaron Aronov Lecture. His lecture, "The Offending Part: Sacrifice and Ethnocide in the Era of Globalization," addressed his recent work on violence, culture and globalization. His previous work on

globalization, media and cultural flows has been drawn upon by social scientists, architects, designers, media scholars and humanists. The Aaron Aronov Lecture Series, established in 2002, aims to introduce to the UA community a nationally recognized scholar of religion who is capable of reflecting on issues of wide relevance to scholars from across the humanities and social sciences.

**UA EVENTS CELEBRATED  
AFRICAN-AMERICAN HERITAGE  
MONTH**

UA celebrated African-American Heritage Month in February with the theme "Creating History Every Day" to recognize the range and diversity of contributions African-Americans have made. Events, coordinated by UA's Crossroads Community Center, were scheduled throughout the month.

**UA MUSEUM, GALLERIES GOT FIRED  
UP OVER CLAY CONFERENCE**

As part of the Alabama Clay Conference 23, UA hosted several notable exhibits of pottery ranging from the distant past to the here and now. The conference featured slide shows, demonstrations and lectures for individuals interested in the ceramic arts.

**UA ENGINEERING HOSTS ROBOTICS  
SUMMER RESEARCH EXPERIENCE**

The UA College of Engineering will host a robotics research program for undergraduates this summer. Two interns will be selected from participating Historically Black College and University schools to take part in the Advancing Robotics Technology for Societal Impact Summer Research Experience for Undergraduates program.

These interns will be exposed to new robotics curriculum and will work on teams of sensor-enabled mobile robots that communicate to efficiently monitor a region of interest.

Students will be involved with multi-robot cooperative search applications, and they will learn how to program and test autonomous robot controllers for high-end and low-end robot platforms, like K-team Koalas and iRobot Creates.

#### **UA HOSTS SILVER ANNIVERSARY MULTICULTURAL JOURNALISM WORKSHOP**

The UA journalism department is recruiting high school students to attend its 25th annual Multicultural Journalism Workshop July 11-19. In celebration of the anniversary, former participants – some of whom are now distinguished professionals – and former directors and instructors will join the new class for a banquet and awards ceremony to mark one of the nation's longest-running programs dedicated to diversifying the journalism work force. The workshop is one of the oldest of its kind in the country and is part of the University's Multicultural Journalism Program.

#### **UAB MATERIALS SCIENCE AND ENGINEERING HOSTS COMPOSITES MANUFACTURING CONFERENCE**

The UAB Department of Materials Science and Engineering is hosted an American Composites Manufacturers Association conference and workshop Tuesday-Thursday March 4-6 at Hill University Center, 1400 University Blvd.

The conference, titled "Breaking New Ground: Structural Composites

Applications in Defense, Power Industry, Infrastructure, Transportation and Corrosion-Prevention," featured a high-quality technical session focusing on state of the art developments in composites applications in power industry, transportation, automotive, defense, infrastructure, appliances and corrosion prevention.

Exhibits featured composite fabricators, material suppliers, product developers and end-users. There also was a comprehensive workshop for practicing engineers on corrosion prevention applications, among other events. For a complete schedule, visit <https://www.acmanet.org/meetings/uabshedglance.cfm>.

#### **UAB ADDRESSES LATINO HEALTH, HOSTS NATIONAL SATELLITE WEB CONFERENCE**

Latino immigrants throughout the Southeast and other parts of the country face major health care barriers. On Wednesday, February 20, UAB, in collaboration with the Alabama Department of Public Health, hosted a satellite Web cast meeting, "A Guide to Working with Recent Latino Immigrant Clients," to discuss these barriers and offer solutions to health care providers.

"We know that these barriers are mostly due to Latinos' beliefs and culture," said Isabel Scarinci, Ph.D., M.P.H., associate professor of medicine in the UAB Division of Preventive Medicine. "For example, in Latin America, people don't seek medical attention unless they are sick or injured. In the United States, we emphasize cancer screenings and other preventive measures. To close the gap and help Latinos understand the importance of preventive health care, we need to

educate both sides: the Latinos and the health care providers. This Web cast will target the health care providers, initiating a discussion about why these disparities exist and how to improve patient-provider interaction."

This Web conference, from 1 to 2:30 p.m. February 20, was part of Sowing the Seeds of Health, a program to promote cancer screenings and eliminate health care barriers for Latinos.

**FEBRUARY 15, UAB HOSTS 13TH ANNUAL GRADUATE STUDENT SYMPOSIUM IN ART HISTORY**

UAB hosted the 13th annual Graduate Student Symposium in Art History February 15, on the UAB campus. The symposium was presented by the UA and the UAB Joint Program for the Master's of Arts degree in art history. The symposium and lecture were free and open to the public. All sessions were held in the UAB Arts and Humanities Building, Room 312, 900 13th St. S.

The keynote lecture, "The Game of Looking: Interpreting Franz Xaver Messerschmidt," was presented by Professor Michael Yonan of the University of Missouri-Columbia, at 5:30 p.m. Friday, February 15, in the UAB Arts and Humanities Building, Room 312.

Among the topics presented were "The Journey of the Queen of Sheba and The Meeting of Solomon and Sheba: Two Cassoni Panels From the Workshop of Apollonio di Giovanni" by Emma Fox, UAB; "Painting Shakespeare" by Christina Dick, UAB; "Orientalism and Exoticism in Gift Book Illustration" by Andy Jones, UAB; "Analyzing the Chakrasamvara Mandala: The Relevance

of Western Context of Eastern Art" by Jason Anderson, UAB; "The Photographs of Dr. Hugh Welch Diamond and The Iconography of Mental Illness" by Amber Henson, UAB; and "The Pietá in Modern and Contemporary Memorial Images" by Mary Anna Brown, UA.

**UAB CORD HOSTS SCIENCE, ENGINEERING FAIR**

Some of Alabama's brightest middle and high school students demonstrated their knowledge of science at the Central Alabama Regional Science and Engineering Fair (CARSEF) Saturday March 8. The UAB Center for Outreach Development (CORD) sponsored the event at the UAB Campus Recreation Center, 1501 University Blvd.

About 300 middle and high school students from Bibb, Blount, Chilton, Coosa, Elmore, Jefferson, Shelby, Walker and Winston counties presented posters and table top experiments in engineering, computer science, biology, environmental and earth sciences and more. Specific topics included robotics, computer graphics, aerodynamics, energy conservation and plant ecology.

CORD is a university-wide center dedicated to advancing the outreach efforts of UAB in the Birmingham community by developing academic programs in partnership with area city schools.

**UAB URBAN CANCER CONTROL MEETING BRINGS FITNESS, NUTRITION INTO FOCUS**

Hundreds of Alabama residents came together at an East Birmingham

park to share knowledge and learn more about the cancer - and disease-fighting potential of regular exercise and good nutrition.

The 2008 Urban Cancer Prevention & Control Conference was March 15 at Hawkins Park Recreation Center, 8920 Roebuck Boulevard, from 9 a.m. to noon.

The event was sponsored by the UAB Comprehensive Cancer Center, the UAB Minority Health Research Center and the Deep South Network for Cancer Control. The conference program, subtitled "Urban WALK," focused on ways to motivate people to adopt healthier lifestyles with proper nutrition and exercise.

One program that has shown good results is an ongoing public awareness campaign for community groups and individuals to establish walking clubs and elect team captains to track each team's progress.

**AUTHOR, MILITARY HISTORIAN  
COL. JOSEPH ALEXANDER SPEAKS AT  
UAB**

Historian, author and retired Marine Col. Joseph Alexander delivered the UAB Belton Cooper Lecture, "Storm Landings in the Pacific War," 6:30 p.m. Wednesday, March 5, at the Mary Culp Hulseley Recital Hall, 950 13th St. S.

Alexander is author of the book *Edson's Raiders: The First Marine Raider Battalion in World War II*. Copies of the book were available for purchase and signing at the event.

Alexander was the chief historian and on-screen authority for 25 documentaries that have appeared on the Arts & Entertainment Network, the History Channel and PBS. The films include 1990's *Fire and Ice: The Korean*

*War*, which was nominated for an Emmy, *Unsung Heroes* in 2002 and *The Marines* in 2007. He was the on-screen authority for the documentaries *Bloody Tarawa* in 2002 and *Assault on the Mariana Islands* in 2003 for the Fox News program "War Stories."

Alexander spent 28 years as a Marine Corps assault amphibian officer, including two combat tours in Vietnam and five years at sea. He also directed the Marine Corps Research and Development Center. He retired in 1988.

The UAB Belton Y. Cooper Lecture Series, created in the UAB Department of History, presents an annual lecture on military history and social conflict. The series was named after Belton Cooper, a Birmingham-area WWII veteran.

**UAB HOSTS NATIONAL HEALTH  
ADMINISTRATION CASE COMPETITION**

The Second Health Administration Case Competition, hosted by the UAB Department of Health Services Administration, was held February 7, 2008, drawing teams of graduate students from 21 universities throughout the country. Sponsored by the UAB Health System, the competition awarded cash prizes to the top three teams selected by a panel of judges.

First place in the competition was awarded to Ohio State University; second place to the University of North Carolina – Chapel Hill; and, third place to Arizona State University. Three additional teams received special recognition for professionalism (Northwestern University), innovation (University of Florida), and most engaging presentation (University of Minnesota).

Each of the 21 teams was composed of two or three students enrolled in an accredited health administration graduate program. The case study for 2008 focused on the improvement of a hospital's emergency department. Each team received the case study scenario in early January and prepared a comprehensive analysis and a set of practical recommendations in the areas of leadership, staffing issues, operational efficiency, design challenges, finance and marketing.

UAB Health System interim CEO Dr. Ray Watts, served as master of ceremonies for the Awards Dinner. The awards ceremony was followed by the L.R. Jordan Distinguished Lecture. The lecture series, in its fourth year, honors L.R. "Rush" Jordan, a long-time health care executive and professor of health administration at UAB. The series was established to sustain Jordan's legacy of integrating health care practitioners into the classroom.

This year's presenter was Charles D. Stokes, FACHE, president of North Mississippi Medical Center in Tupelo. Stokes, a 1983 graduate from UAB's Department of Health Services Administration, led the team from NMMC that received the 2006 Malcolm Baldrige National Quality Award, the nation's highest Presidential honor for performance excellence. Their journey and the leadership lessons formed the basis of his lecture, "The Journey to Excellence through Inspirational Leadership."

**"DEF POETRY JAM" CO-FOUNDER  
DANNY SIMMONS SPEAKS AT UAB**

The UAB Black Student Awareness Committee (BSAC) presented a lecture by Danny Simmons,

artist, poet, novelist and co-founder of the Def Poetry Jam performance series on HBO at 7 p.m., Tuesday, February 26, in the Hill University Center, Alumni Auditorium, 1400 University Blvd.

Simmons is a writer and a painter of abstract expressionist oil works. His novels include *85* and *Three Days as the Crow Flies*. He is the brother of promoter, businessman and hip-hop impresario Russell Simmons and Joseph "Rev. Run" Simmons of the rap group Run-DMC.

**UAB, ALLIANCE FRANÇAISE PRESENTS  
LECTURE BY FRENCH AUTHOR  
GASTON KELMAN**

UAB and the Alliance Française of Birmingham presented a free, public lecture, "An End to The Racial Alibi." in English by French author and consultant Gaston Kelman " at 7:30 p.m. Saturday, February 16 in UAB Humanities Building, Room 105, 900 13th St. S.

Kelman, a native of Cameroon, is author of the book *I Am a Black Man and I Don't Like Manioc*, published in 2003. In this bestseller, Kelman, with provocation and a dose of humor, castigates the clichés associated with the condition of being black in society.

Among his controversial views, Kelman denies there is black culture. He thus favors what he calls an assimilating humanism and is unsympathetic toward certain associations or organizations that call for the integration of black populations while at the same time maintaining the right to assert a difference.

In 1992, Kelman started an association for the discussion of matters relating to the integration of the races, known by its French acronym as the CRI. He also owns a consulting firm that

deals with socio-cultural issues related to immigration from black Africa.

**RENOWNED SOCIAL SCIENTIST  
LIAH GREENFELD SPEAKS AT UAB**

Boston University professor, renowned social scientist and author Liah Greenfeld, Ph.D., received the UAB 2008 UAB Ireland Distinguished Visiting Scholar Prize. As the visiting scholar, she presented a free, public lecture, "Madness in Modern Society: A Key to the Mind?" on Wednesday, March 5, in Alys Stephens Center, Jemison Concert Hall, 1200 10th Ave. S.

Greenfeld is renowned as a theorist of nationalism and specializes in the analysis of modern culture. She is studying modern culture and mental disease between 1500 and 1900 in an effort to account for the rise in the rates of mental disorders in Britain, France, Germany, Russia and the United States. Her research indicates that modern societies, produced by nationalism, emphasize secularism, openness and the elevation of the individual and may play a role in causing mental illness.

This research represents the third state in her investigation of modern culture, which has focused on social structure, politics and the economy. Greenfeld's books include *Nationalism and the Mind: Essays on Modern Culture* (2006) and *The Spirit of Capitalism: Nationalism and Economic Growth* (2001).

Greenfeld is a professor of political science and sociology at Boston University. She directs the university's Institute for the Advancement of the Social Sciences.

As the UAB Ireland Distinguished Visiting Scholar, Greenfeld also will visit the UAB

campus to meet with students and faculty. The Ireland Award brings internationally renowned scholars in the arts and sciences to UAB to present a public lecture, attend a dinner in their honor and participate in campus activities. The prize is made possible through an endowment established by Caroline F. and Charles W. Ireland.

**HISTORIAN MICHAEL NEUFELD  
SPEAKS ON UAH HUNTSVILLE CAMPUS**

Space historian Michael J. Neufeld, was among The University of Alabama in Huntsville's (UAH) Eminent Scholars during the spring semester.

Neufeld is the chair of the Space History Division at the National Air and Space Museum of the Smithsonian Institution. His visit to the university was sponsored by the UAH History Department and the Humanities Center.

Neufeld gave two public lectures, one on *Wernher Von Braun: Dreamer of Space, Engineer of War* and a second on "Space Hero or Nazi Villain?: Wernher von Braun as Cold War Icon" as part of the UAH Honors Forum.

"Neufeld is the author of *Von Braun: Dreamer of Space, Engineer of War*, a biography published last fall. The book is Neufeld's account of Wernher von Braun's life.

A German scientist and rocket engineer, Von Braun was the chief architect of the Saturn V rocket. Von Braun also served as the first center director of NASA's Marshall Space Flight Center at Redstone Arsenal in Huntsville.

Neufeld received undergraduate and graduate degrees respectively from the University of Calgary (Calgary, Alberta), and the University of British Columbia (Vancouver), in History.

Additionally, he earned a master's degree and a doctorate degree in history from Johns Hopkins University in Baltimore.

He has served in numerous positions with the National Air and Space Museum, Smithsonian Institution, Washington, D.C., for nearly 20 years. He is presently chair of the Space History Division. Other positions include museum curator, museum curator in Aeronautics Division, Smithsonian postdoctoral fellow and NSF fellow, and an A. Verville Fellow.

Neufeld is the author of several books including *The Skilled Metalworkers of Nuremberg: Craft and Class in the Industrial Revolution*, and *The Rocket and the Reich: Peenemünde and the Coming of the Ballistic Missile Era*. He is the recipient of the 1995 AIAA History Manuscript Award, and the 1997 SHOT Dexter Prize. Neufeld's biography has been awarded the 2008 Richard W. Leopold Prize from the Organization of American Historians.

#### **TALLULAH BANKHEAD TOPIC OF HONORS FORUM LECTURE**

Passionate, bold, and kindhearted all describe the many moods of Hollywood legend and Huntsville native Tallulah Brockman Bankhead.

The life and times of Bankhead was discussed during a recent University of Alabama in Huntsville (UAH) Honors Forum.

The guest speaker was Dr. David Bowman of Sewanee, Tennessee, President Emeritus, of the Tallulah Bankhead Society and former columnist and writer at *The Huntsville News*. Bowman's talk is entitled "Remembering Tallulah Bankhead."

During the lecture, clips from some

of her movies were shown to the audience, as well as vintage copies of magazine and trade publication articles and interviews. Bankhead's career spanned more than five decades. She was featured on the cover of *LIFE* magazine March 1939, for her performance as Rebecca Giddens in the movie, *The Little Foxes*. Bankhead was also on the cover of the November 1948, edition of *TIME*.

Bowman also read from Bankhead's autobiography *TALLULAH* published in 1952. Bankhead actually talked in a Dictaphone about her life and had it transcribed for the book. When Bankhead's film career waned she turned to radio and TV. Her last memorable major movie role was in *Die, Die, My Darling!* in 1965.

Bankhead was born on January 31, 1902 in Huntsville. Less than one month after she was born, Bankhead's mother, Adelaide, died from complications of childbirth. Bankhead's father, William Brockman Bankhead served in the United States House of Representatives and was Speaker of the United States House of Representatives until his death in 1940. President Franklin D. Roosevelt attended his funeral in Jasper, Alabama.

When she was a teenager, Bankhead entered her photo in a movie magazine beauty contest and won. Bankhead was Hollywood bound. Over the next 50 years, Bankhead had movie roles in *Reflected Glory*, *Dark Victory*, *Forsaking All Others*, *The Little Foxes*, and *Skin of Our Teeth*. She was the recipient of the New York Film Critics Award for her appearance in Alfred Hitchcock's *Lifeboat*, in 1944.

Bankhead's bold, raucous behavior is legendary in Hollywood circles. Little known facts about Bankhead include she was terrible at remembering names and

that's why she greeted most everyone with her signature, "Hello Dahling!" And, she was the first white woman to appear on the cover of *Ebony*, the oldest African American magazine.

On May 18, 1963, Bankhead returned to Huntsville for the dedication of Bankhead Hall on the Redstone Arsenal. The building memorializes Senator John Hollis Bankhead of Alabama (her uncle) and Speaker of the U.S. House of Representatives William Brockman Bankhead (her father).

In 1993, a musical *TALLU* chronicling the life and times of Bankhead premiered at UAHuntsville. The musical was also performed in Jasper, and Birmingham.

#### **UAH GLOBAL STUDIES FEATURES HISTORIAN OF WEST AFRICAN CULTURE**

Jean M. Allman, one of America's most distinguished historians of West African culture, recently gave two public lectures at UAH.

Allman is a professor of History at Washington University in St. Louis. She was recently named the inaugural holder of the prestigious J.H. Hexter Professorship in the Humanities in Arts & Sciences.

Her visit was sponsored by the university's Global Studies Program, Allman's lecture was entitled "The Disappearing of Hannah Kudjoe: Nationalism, Feminism, and the Tyrannies of History."

Later the same day, she gave the talk "Nuclear Imperialism and the Pan-African Struggle for Peace and Freedom: Ghana 1959-1962."

The UAH Global Studies Program provides on-and off-campus opportunities for students interested in

pursuing in-depth study of the world outside the United States. The program offers a multi- and interdisciplinary cognate designed around a core of courses that provide a strong foundation in global studies, while also allowing students the choice of electives to tailor the course of study to their individual needs and interests. The Program also administers faculty-led study abroad courses and programs and promotes other study abroad opportunities for UAH students.

Allman's research work and interests focuses on African history through a range of thematically diverse, yet overlapping topics - nation and national identity, gender and colonialism, fashion and the politics of clothing, and the modernity of indigenous belief systems. She is concerned with the ways in which African women and men, in their homes and communities, through their belief systems and material cultures, have positioned themselves as central actors in the making of the modern world. Besides a prolific publication record, Professor Allman has exhibited exemplary administrative service to her academic institutions and to her academic discipline.

Allman's publications include *TONGNAAB: The History of a West African God (with John Parker)*, *Fashioning Africa: Power and the Politics of Dress*, and *Let Your Fashion Be in Line with Our Ghanaian Costume: Nation, Gender and the Politics of Clothing in Nkrumah's Ghana*.

She began her academic career at the University of Missouri before moving to the University of Minnesota and the University of Illinois. Allman studied at Northwestern University and earned an undergraduate degree in history and an undergraduate certificate in African

Studies. Additionally, she holds a graduate certificate in African Studies, and a Ph.D. in African History.

## STEROID USE IN SPORTS

### TOPIC OF SOCIOLOGY LECTURE

"Steroids Killed My Son: Steroids as the Newest Moral Panic," was the topic of the annual Social Issues Symposium.

The guest lecturer for the symposium was Robert Beamish, associate professor and chairperson of Sociology of Queen's University in Kingston, Ontario, Canada.

Beamish's talk will examine the social-political-historical process by which the use of steroids in sports has come to be defined as "deviant behavior," said Dr. Jason M. Smith, coordinator of the symposium and assistant professor of Sociology at UAH.

"Rob's talk focused on steroids, but the steroids example serves as a case study that can be generalized to understanding how many things have undergone such definition - alcohol (whether today or during Prohibition, etc.), marijuana, gay marriage - many examples exist," Smith said.

Steroids and their illicit use have become a major issue in America, receiving much attention both in the popular press and in the halls of American government. In December 2007, former Senator George Mitchell issued a report on his investigation into steroid use in Major League Baseball. The 2005 Capitol Hill hearings regarding steroid use by professional baseball players were televised, and garnered surprising ratings for congressional inquiries.

Additionally, Beamish's talk explored the historical roots of our

current understanding of "steroid use as deviance" in the development of the modern Olympic Games, the process by which steroid use has come to have its connotations of deviance, and the possible implications of such a view for the future.

As Beamish states in his 2006 book *Key Issues in Sociology*, understanding how steroids have come to be so vilified can help us not only to understand how a behavior comes to be defined as "wrong" in general, but also how formal prohibitions against certain behaviors can have "significant unintended consequences" while simultaneously not addressing the real problem at all. Such considerations of the process of defining behavior as "deviant" have applications to a broad range of activities, from cigarette smoking to premarital sex to alcohol consumption and beyond.

Beamish, holds bachelor's degrees in multiple fields, including physical education, psychology, and education from Queen's University in Canada, and graduate degrees (M.A. and Ph.D.) in sociology from Queen's University and the University of Toronto, respectively. Since joining the faculty at Queen's University, he has directed their Continuing and Distance Education Program, and served as Associate Dean of Studies for the Faculty of Arts and Sciences.

He has published nine books and over two dozen refereed articles, and contributed to nearly three-dozen other books with chapters. Beamish is an internationally renowned scholar, having given nearly four dozen invited presentations in Canada, the United States, Germany, Japan, and Denmark, as well as having served on the Editorial Boards of the *International Review for the Sociology of Sport*, *Avante*, and the

*Sociology of Sport Journal*. His work has been supported by over \$350,000 in research grants, contracts, and awards, and has been published in at least four different languages across the world.

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## CAMPUS HIGHLIGHTS

### **UAB HOSPITAL WALKS TO HELP SEND “TEAM ALABAMA” TO TRANSPLANT GAMES**

UAB Hospital and Team Alabama teamed up for a campus fundraising walk Saturday, March 1, to “Go for the Gold,” raising money to send a large contingent of UAB’s organ transplant recipients to the U.S. Transplant Games this summer in Pittsburgh.

The U.S. Transplant Games will take place in Pittsburgh July 11-16. UAB Hospital, one of the nation’s premier transplant centers, is raising money to send Team Alabama to the games. More than 70 participants went to Louisville for the last Transplant Games in 2006, and brought home 21 medals.

Transplant organ recipients, living organ donors and family of deceased organ donors will attend the games. The four-day athletic competition among organ transplant recipients is open to anyone who has received a lifesaving solid organ transplant — heart, liver, kidney, lung and pancreas. Some bone marrow recipients also are eligible to participate. The games allow recipients to test the challenges of human potential through the arena of athletic competition. They also promote the need for organ donation.

### **UAB, LOCAL HIGH SCHOOL STUDENTS TEAM UP TO GROW CRYSTALS ON SPACE STATION**

Twenty-one students from Huffman High School and Indian Springs School attended a one-day

workshop Wednesday, February 27, at the UAB Center for Biophysical Sciences and Engineering (CBSE) to prepare protein crystallization experiments that will be conducted aboard the International Space Station this fall.

Larry DeLucas O.D., Ph.D, the UAB CBSE director, former astronaut and NASA senior scientist, participated as one of the instructors in the workshop that is being offered by Joseph Ng, Ph.D., a professor at the University of Alabama in Huntsville and one of the founders of the biotechnology company ExtremoZyme Inc. The workshop’s aim was to give children the opportunity to participate in space research and to stimulate their interest in science.

The high school students will set up the experiments so scientists can determine whether the protein found in tiny organisms called extremophiles will crystallize under microgravity conditions. Extremophiles are able to thrive in extreme hot and cold temperatures and are found in places like Antarctica and near volcanoes.

Crystallization is essential for protein engineering and drug design. Research has shown that crystals grown in space sometimes grow larger and have fewer impurities. The students’ experiments will be the first attempt ever to crystallize some of the extremophilic protein under microgravity conditions. Successful crystallization could lead to a greater understanding of the atomic details of the three dimensional structures for the extremophilic proteins, which could have commercial value.

The students and their teachers prepared crystallization samples of the

purified extremophilic protein at UAB. Once prepared, the samples were frozen at minus 80 degrees Celsius. In October, the samples will be loaded onto a Russian Soyuz rocket and taken to the International Space Station. Once the samples are returned to earth, the students and researchers at UAB and the University of Alabama in Huntsville will analyze the results.

#### **UAB ESTABLISHES NEW CENTER FOR URBAN EDUCATION**

The University of Alabama Board of Trustees approved the creation of a new UAB Center for Urban Education during its February 8 meeting.

The new center will be housed in the UAB School of Education. Directed by Deborah Voltz, Ed.D., who currently directs the school's Urban Education Project, the new center will coordinate ongoing teaching, research and service programs that promote quality education for children in poor, urban school districts.

Specifically, the new center will promote the recruitment, development and retention of leaders for urban school environments and offer education courses centered on issues of race, class and culture. Faculty in the center also will research new ways to enhance the educational achievement of students in urban schools.

The center will link faculty from the UAB schools of Education, Natural Sciences and Mathematics and Social and Behavioral Sciences, as well as researchers in the UAB Center for Aging and other centers and departments on campus.

#### **UAB FORMS NEW GROUP TO PROMOTE INTERNATIONAL BUSINESS**

In today's global economy it is increasingly important for business students to receive multicultural training. The UAB International Business Association is a new group that will promote international business, foreign cultures and foreign languages to students. The group, who will organize student enrichment programs and student-professional networking opportunities, kicked off with a Chinese New Year's Party 3-6 p.m. Thursday, February 7, in Room 320 of the Business-Engineering Complex (BEC), 1150 10th Ave. S.

Faculty adviser is K.C. Pang, director of China initiatives for the UAB School of Business. Pang leads business students in annual trips to China, where the students study international business and the culture of China.

The new group is open to all UAB students, both graduate and undergraduate, and UAB alumni.

#### **UAB OPENS NEW PEDIATRIC ENDOCRINOLOGY CLINIC AT CHILDREN'S PARK PLACE**

The UAB Division of Pediatric Endocrinology, in conjunction with Children's Hospital of Alabama, has opened a new Pediatric Endocrinology Clinic at Children's Park Place, 4th Ave. and 16th Street South. The new clinic brings under one roof comprehensive treatment for children and adolescents living with diabetes and other endocrine and metabolic diseases and disorders. Located on the first floor of Children's Park Place, the clinic features enough clinical space for four physicians to see patients at the same time, multiple conference rooms for both group

education and individual family education and the division's insulin pump program, previously housed at Children's South on Acton Road.

With close to 2,000 patients, the new clinic is the only comprehensive pediatric endocrinology clinic in the state.

"Having everything in one location is most important for our patients. By moving all of pediatric endocrinology's services under one roof, we have made visiting the doctor more convenient for them, especially if we have to refer a patient for hospital admission or for secondary tests. It's much simpler for the patient than when the clinics and programs were spread out," said Joy Atchison, M.D., associate professor of endocrinology and physician in the clinic.

#### **UAB EARNS PARKINSON'S GRANT FROM THE MICHAEL J. FOX FOUNDATION**

UAB researchers have won a highly prestigious grant from The Michael J. Fox Foundation (MJFF) to examine the function of a new gene connected to Parkinson's disease (PD). The \$200,000 grant will allow investigators to delve into the role of kinase activity in the LRRK2 gene, which may play a major role in the progression of PD.

"The Michael J. Fox Foundation recently identified LRRK2 as a gene of great interest in PD. It is known to cause some cases of PD and may be involved in many cases of the disease," said David Standaert, M.D., Ph.D, professor of neurology and director of the UAB Center for Neurodegeneration and Experimental Therapeutics. "They challenged the scientific community to

propose protocols to study the gene's role in Parkinson's and report findings within one year."

The UAB protocol is one of only four worldwide to be accepted for the Foundation's LRRK2 Critical Challenges in Parkinson's Disease Research Program.

UAB researchers say the university is uniquely positioned to meet this challenge and undertake this research. UAB's Department of Neurology is already known internationally in Parkinson's research, under the leadership of department chair Ray Watts, M.D., and Standaert. The department recently recruited Andrew West, Ph.D., assistant professor of neurology, who is one of the world's leading experts on the LRRK2 gene. And, the UAB Gene Therapy Center, directed by David T. Curiel, M.D., Ph.D., professor of medicine, is an international leader in the development of virus-based delivery systems for gene therapy.

"UAB has the people, the expertise and the facilities to move quickly on this initiative," said Curiel. "The LRRK2 gene offers tremendous potential as a target for Parkinson's research. Our job now is to more fully understand the gene's role in PD and unlock that potential."

#### **REYNOLDS HISTORICAL LIBRARY CELEBRATES 50TH YEAR**

UAB celebrated the 50th anniversary of the Reynolds Historical Library with a special lecture and reception February 8, in the Ireland Room of the Lister Hill Library of the Health Sciences. Stephen Greenberg, Ph.D., of the National Library of Medicine, History of Medicine Division,

presented “Real Books: What They Are and Why We Still Need Them”, at 4 p.m. A reception in the Alabama Museum of the Health Sciences followed.

The Reynolds Historical Library is 50 years old this year. It is a treasure trove of more than 13,000 rare medical texts, letters and other documents. The library was created in 1958 when Alabama-born physician Dr. Lawrence Reynolds donated his collection of more than 5,000 rare books and letters to UAB.

The oldest book is a copy of *Rhazes' Ninth Book of the Al' Mansuri*, a medical textbook dating from 1388, one of only three remaining in the world. Another volume, *Arnold of Villanova's Brevarium Practicae Medicinae*, is believed to date from 1485. One of the most impressive works is a leather-bound first edition of Andreas Vesalius's *On the Workings of the Human Body*, a groundbreaking volume of human anatomy from 1543, dedicated to Holy Roman Emperor Charles V.

The library holds a 1628 work by William Harvey that first described the human circulatory system. It possesses one of only five copies of *The English Physician* by Nicolas Culpeper, the first medical book published in North America in 1708.

Other holdings include letters written by Louis Pasteur, Florence Nightingale, Oliver Wendell Holmes, Sr. and George Washington.

The library is named for Lawrence Reynolds, M.D., (1889-1961) who was born in the small Alabama town of Ozark, the son of a doctor. Educated at the University of Alabama and Johns Hopkins Medical School, Reynolds served in a military hospital in France during World War I and

practiced medicine at Harvard and at Harper Hospital in Detroit. Three years before his death, he chose UAB over other suitors including Yale, Wayne State University and the University of Michigan, to house his entire collection.

#### NEW PERSONAL GUIDE TO AID UAB CANCER PATIENTS

Grappling with a cancer diagnosis and its ensuing treatment can be a confusing and emotional time for patients and their families. The American Cancer Society and UAB, thanks to support from AstraZeneca, want to help families through this trying experience.

An American Cancer Society Patient Navigator Program has just launched at the UAB Comprehensive Cancer Center to provide one-on-one support and education service that pairs cancer patients and their caregivers with a trained ‘navigator.’

The UAB-based navigator will serve as a personal guide for patients as they face various challenges in their cancer experience. Patients may receive assistance handling the psychological, emotional and financial toll that a cancer diagnosis may cause. Navigator services are free and confidential, and place an emphasis on assisting the medically underserved.

Drug maker AstraZeneca has pledged \$10 million to the Society to expand the development of at least 50 new Patient Navigator Program sites during a five-year period in communities throughout the United States.

“A cancer diagnosis can be a life-changing experience for patients, their families and their caregivers,” said Carlette Hines, director of survivorship for the Society’s Mid-South Division.

“Our patient navigators are able to provide support every step of the way, from explaining what to expect with chemotherapy, to making sure patients have transportation to and from appointments. Fighting cancer is a difficult, challenging journey; with the help of trained navigators, patients don’t have to go through it alone.”

UAB was among the first sites picked for the expansion and is the first Patient Navigator Program in the Society’s six-state Mid-South region. AstraZeneca’s support will enable the navigator to work full time and help more than 800 cancer patients at UAB overcome barriers to care each year.

Formally launched in 2005, the American Cancer Society Patient Navigator Program is collaboration with community-based hospitals and cancer centers. There are currently 84 Patient Navigator Program sites across the nation.

#### **COLLEGE OF NURSING ADDS DOCTOR OF NURSING PRACTICE**

The UAH College of Nursing, the University of Alabama, and the University of Alabama at Birmingham are combining their health care skills and expertise to offer a joint doctoral program to address demands of the evolving health care field.

The new Doctor of Nursing Practice (DNP) program puts the UAH College of Nursing and the other schools of nursing in the University of Alabama System at the forefront of a national movement in nursing education aimed at improving patient care and patient outcomes.

The DNP degree is an advanced practice degree, preparing nurses at the highest levels of specialty practice. It

will help meet the challenges facing the nation due to advancing technology, a diverse and aging population, growing numbers of the chronically ill, and an increasingly complex health care system. It is designed to prepare nurses to face the ever-changing future of health care and the needs of the population.

“Health care is complex and technology-driven,” said Dr. Fay Raines, Dean of the UAH College of Nursing. “Nurses are expected to manage more and more knowledge, and practice at increasingly advanced levels. The DNP program will prepare nurses for advanced specialty practice. It is a practice doctorate rather than a research degree and will prepare advanced practice nurses as clinical experts in direct patient care, in the management of delivery systems and the education of new nurses.”

The three institutions will begin the program this year, first admitting students who already hold master’s degrees. The following year, the courses will be offered to bachelor’s degree nurses.

The DNP is consistent with the practice doctorate in other health care disciplines and is in response to calls to improve the country’s health care system. In 2005, the National Academy of Sciences urged the development of a clinical doctoral degree in nursing. The American Association of Colleges of Nursing (AACN), the voice for baccalaureate and higher degree nursing education in the nation, has adopted a position statement calling for moving the preparation of advanced specialty practice nursing to the DNP level by 2015.

### **UAH OFFERS THREE BUSINESS DEGREE PROGRAMS AT NIGHT**

Three bachelor's degree programs in business that can be completed entirely at night are now being offered through the business school at UAH.

Working students who take only night classes can now complete degrees in accounting, management or management information systems (IT) at UAH, the only business school in North Alabama accredited by AACSB-International, according to Dr. Jim Simpson, Dean of the UAH business school.

"There is a growing demand for business professionals in North Alabama and we want to fill as much of that demand as possible with people from our region," Simpson explained. "These night programs give people who are working and supporting their families the means to pursue new careers and take advantage of the job opportunities that are coming to Huntsville and North Alabama.

"At the same time, our traditional students gain by doing class projects and interacting with working students who might have different perspectives on careers and the workplace."

In addition to the traditional coursework needed for degrees in general accounting, general management and MIS, UAH also offers at night specialized courses in federal contract accounting, federal finance and contracts, acquisition management and supply chain management.

### **SEVEN UA STUDENTS NAMED TO USA TODAY'S ALL-USA COLLEGE ACADEMIC TEAM**

UA leads the nation with seven students named to the 2008 *USA Today*

All-USA College Academic Team. With seven team members, UA students account for more than 10 percent of the 60 students nationwide named to *USA Today's* First, Second and Third Teams. UA has the most team members of any school. Yale comes in second with five team members. This year's team brings UA's total for the last six years to 31, a figure that tops all other colleges and universities. The *USA Today* All-USA College Academic Team honors the "best of the best" undergraduate academic all-stars from across the nation. The team recognizes college students who not only excel in scholarship but also extend their intellectual abilities beyond the classroom to benefit society.

### **UA RANKED AMONG BEST IN ENROLLMENT OF NATIONAL MERIT SCHOLARS**

In keeping with its strong record of attracting some of the nation's most outstanding students, UA ranks 12th among public universities in the enrollment of National Merit Scholars for 2007-2008 and 30th among all universities. The rankings, based on the National Merit Scholarship Corp.'s newly-released 2006-2007 annual report, place UA among the top 10 percent of colleges and universities that enrolled National Merit Scholars. UA's fall 2007 freshman class includes 73 National Merit Scholars, more than half of the 131 National Merit Scholars who enrolled at all Alabama colleges and universities combined. UA is also a leader in the enrollment of National Achievement Scholars, a recognition awarded to top African-American students, ranking 4th among public

universities and 18th among all universities.

#### **UA RECOGNIZED NEW GROUP OF COCA-COLA FIRST GENERATION SCHOLARS**

A select group of students at UA were recognized as this year's UA Coca-Cola First Generation Scholars at a luncheon held in their honor. Made possible by a \$1 million gift to the University's "Our Students. Our Future." campaign, the Coca-Cola First Generation Scholarships are awarded to deserving students who are the first in their families to attend college. The 12 students who were recognized are the second group in a series of UA students who will receive \$5,000 scholarships each year for four years, courtesy of the Coca-Cola First Generation Scholarship program. Groups of 12 students have or will be selected as Coca-Cola First Generation Scholars in years 2006, 2007, 2008 and 2009. A total of 48 students will receive \$20,000 scholarships. The donation also includes \$40,000 in scholarships for freshman prep classes and orientation.

#### **UA LISTED ON PRESIDENT'S HONOR ROLL FOR DISTINGUISHED COMMUNITY SERVICE**

UA was named by the Corporation for National and Community Service to the President's Higher Education Community Service Honor Roll for exemplary service efforts and service to disadvantaged youth. Honorees for the award were chosen based on a series of selection factors including the scope and innovativeness of service projects, percentage of student participation in service activities,

incentives for service and the extent in which the school offers academic service learning courses. Launched in 2006, the Community Service Honor Roll is the highest federal recognition a school can achieve for its commitment to service learning and civic engagement. The Honor Roll is jointly sponsored by the Corporation through its Learn and Serve America program, and the Department of Education, the Department of Housing and Urban Development, USA Freedom Corps and the President's Council on Service and Civic Participation.

#### **SNEAD STATE, UA PARTNERSHIP OFFERS NURSES MOBILITY**

Advanced nursing degrees are within easier reach for registered nurses through a new Internet-based partnership between Snead State Community College and UA's Capstone College of Nursing. The agreement provides registered nurses with a flexible avenue for continued education, including specific opportunities for the nurses to obtain a Bachelor of Science in Nursing and/or a Master of Science in Nursing degree. It also improves communication between local entities and UA. Through the use of the Internet, nurses can complete the required nursing courses for the BSN degree in one year by choosing the best time to go online and complete the requirements. Clinical activities are designed on an individual basis. UA has established similar partnerships with 10 other community colleges and universities and six clinical agencies.

**NEW UA COMPETITION GIVES UNDERGRADS CHANCE TO SHOWCASE RESEARCH/CREATIVITY PROJECTS**

At UA, undergraduates will showcase their research and creative activity projects at UA's inaugural "Undergraduate Research and Creative Activity Conference," April 21 on campus. The event will display a wide variety of out-of-class research and creative activities by undergraduates and give them practical experience in defending or performing their work before judges with the chance to win cash prizes. This competition is important because it provides students with experience that is essential for them to be at the top of their field, especially when it comes to applying for a job or to graduate school, according to Dr. David Francko, Assistant Vice President for Academic Affairs and Dean of the Graduate School at UA.

**TO KILL A MOCKINGBIRD ESSAY CONTEST WINNERS RECOGNIZED AT UA**

Winners of the seventh annual *To Kill a Mockingbird* Essay Contest were recently honored on campus with a luncheon awards ceremony and reception with Pulitzer Prize-winning journalist and UA faculty member Rick Bragg. There were 71 high school students who won their individual school's competition. The winners visited UA for a luncheon at Smith Hall Gallery (in the Alabama Museum of Natural History) followed by an awards ceremony. Shakera Snelling from Bessemer Academy was recognized as the winner of this year's statewide competition for her essay. As the statewide winner, Snelling received \$500, and \$500 was also awarded to

Bessemer Academy. The essay contest was created to honor *To Kill a Mockingbird* author, Harper Lee's induction into the Alabama Academy of Honor in 2001.

**UA, BLACK BELT COMMUNITY FOUNDATION SPONSOR *BLACK BELT 100 LENSES* DOCUMENTARY**

Highway signs, vintage buildings, crop rows and fishing holes are some of the images Sumter County students have captured as part of a Black Belt documentary project shown in Livingston. *Black Belt 100 Lenses*, a joint project of the Black Belt Community Foundation and UA, was on display at the University of West Alabama's Webb Hall Gallery in Livingston. The project brought together students in grades 7-11 to document their communities in photographs. The Sumter County pilot program will be carried to other Black Belt counties, including Bullock, Choctaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Perry, Pickens and Wilcox.

**NEW CROSSROADS DIRECTORS BRING MULTICULTURAL EXPERIENCES TO UA**

The UA Crossroads Community Center is under the direction of two new leaders this academic year with Dr. Beverly Hawk named director and Brice Miller as assistant director. Hawk and Miller coordinate the efforts of graduate and undergraduate students as they shape innovative programs in UA Crossroads, now in its third year as the campus center for intercultural conversation. Hawk brings to Crossroads some 20 years of experience as a college professor and student mentor. Miller is an award-winning K-12 educator with

more than 12 years experience in multicultural education and community building. His intercultural philosophy is shaped by his international performance tours and community-building workshops. He has more than 15 years programming experience in community cultural enrichment.

**UA HOSTS GRIDIRON BASH™ THIS  
SPRING: ALAN JACKSON TO PERFORM  
AT BRYANT-DENNY STADIUM**

UA and New York City-based MSL Sports and Entertainment will host Gridiron Bash™ *The Ultimate Fan Competition*™ the day before the annual A-Day Game. The event – the first of its kind at Bryant-Denny Stadium - will take place April 11 and include a live performance by Grammy award-winning country singer-song writer Alan Jackson, as well as a giant pep rally introducing the team, appearances by coaches, video highlights, and other festive fan activities.

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**RETIREMENTS/DEATHS**
**UAH**Retirements:

Melville Adams, Research Scientist VI, Office for Economic Development  
 Doris Lacey, Assistant Director, Financial Aid Programs,  
 Henry J. Walker, Associate Director, Information Technology Systems Center  
 Joanne R. Katechis, Secretary II, Materials Science

Deaths:

Clark W. Hawk, Director/Professor Propulsion Research Center  
 Ruth B. Linde, Learning Resources Assistant, College of Nursing

**UA**Retirements:

Dr. Gary April, Faculty, College of Engineering  
 Carroll J. Brown, Staff, Facility Custodial  
 Sylvia Burroughs, Staff, Brewer-Porch Children's Center  
 Keenan Childree, Staff, Building Maintenance  
 Carolyn D. Craig, Staff, Human Resources  
 Dr. William A. Dennis, Faculty, Communications  
 Linda Hord, Staff, College of Communications  
 Larry T. Hughen, Staff, Facilities  
 Karen J. Johnson, Staff, College of Continuing Studies  
 Vicki H. Johnson, Staff, College of Community Health Sciences  
 Dr. Stephen P. Kavanaugh, Faculty, Mechanical Engineering  
 Sandra Kirby-Witt, Staff, Advancement  
 Dr. David L. Klemmack, Faculty, New College  
 Joanne Malone, Staff, University Medical Center  
 Scarlett S. Pate, Staff, University Medical Center  
 Dr. Dennis Peck, Faculty, Arts and Sciences  
 Dorothy Smithy, Staff, Mechanical Engineering  
 Kathleen Spencer, Staff, Alumni Affairs  
 Sheila A. Springer, Staff, Women's Resource Center  
 Troy Trimm, Staff, Athletics  
 Sandra B. Webb, Staff, Enterprise Technology

Deaths:

Norman M. Agnew, Retired Staff  
 Dr. Carl E. Cecil, Retired Faculty, Education  
 Frances M. Geddes, Retired Staff, New College  
 Dr. Robert E. Johnson, Retired Faculty, History  
 Robert J. Lespi, Active Faculty, English

Dr. Morris Mayer, Retired Faculty, Management and Marketing  
 Dr. John F. Vallery, Retired Faculty, Commerce and Business Administration

## **UAB**

### Retirements:

Teresa Barrera, Registered Nurse, Resource Management Systems  
 Wendy C. Booth, Nurse Practitioner, Nursing Undergraduate Program  
 Shelby R. Brasher, Craft Group Leader, Hospital Maintenance  
 Dorothy A. Brazzill, Food Services Aide Food & Nutrition Services  
 Alma L. Brown, Radiology Attendant, Radiology-Hospital  
 Uvarta S. Coleman, Administrative Associate, Center for AIDS Research  
 Carol C. Crisp, Program Manager I, Med - Preventive Medicine  
 Robert B. Cummings, Director Learning Resource Center, Learning Resource Center  
 Rosemary C. Davenport, Library Assistant III, Mervyn H. Sterne Library  
 David E. Green, Associate Professor OB/GYN MD, Huntsville Med-OB/GYN Program  
 Karen D. Head, Dental Hygienist, Clinical Affairs  
 Mary Katrine Hodge, Technical Writer, Center for Community Outreach Development  
 Susan S. Holt, Associate Librarian, Mervyn H. Sterne Library  
 Sandra Keith Hudson, Office Services Specialist III, School of Education Dean's Office  
 Gwendolyn M. Jones, Library Assistant III, Lister Hill Library of Health Sciences  
 Robert E. Koehler, Professor/Chairman, Radiology Chair Office  
 Aurelia P. Leblanc, Registered Nurse, Women's & Infants' Services  
 Joyce D. Lowe, Office Associate I, Epidemiology  
 John A. Mahan, Research Associate, OB/GYN Chair Office  
 Shirley J. McCloud, Environmental Services Specialist - Campus, Building Services  
 Carolyn T. Miller, Office Associate I, Civitan International Research Center  
 Dwight Moore, Research Assistant, Center for Biophysical Sciences/Engineering  
 Marie Ann Moore, Office Services Specialist III, Radio Paging  
 Betty J. Nutt, Pharmacy Technician Senior, Pharmacy-Hospital  
 Kent G. Palcanis, Professor/Associate Dean, Periodontology  
 Brenda D. Robinson, Security Systems Technical Assistant, Physical Security  
 Wanda G. Sandlin, Administrative Director Medical Nursing Services, Medical Nursing  
 Gary L. Sapp, Professor, Education 12 Months, School of Education Dean's Office  
 Angela A. Shaw, Registered Nurse, Rehabilitation Nursing Services  
 Seng-jaw Soong, Professor, Medicine, Med - Hematology & Oncology  
 Barbara R. Struggs, Pharmacy Technician Certified, Pharmacy-Hospital  
 Ricky A. Surrent, Electrician, Campus Maintenance  
 Randy Thomas, Radiology Technical Supervisor I, Radiology-Hospital  
 Charlene Walker, Assistant Director Institutional Review Board, Institutional Review Board  
 Candace M. Wallace, Nurse Coordinator, Med - Cardiovascular Disease  
 Kimberly Christian Washington, Optometric Technologist, Optometry Clinical Services  
 Robert L. Weisberg, Driver, Parking & Transportation Services  
 Kathryn C. Williams, Registered Nurse, Neurosurgery

Deaths:

Davis Chatman, Prior to HURS

Linda Fowler, Senior Pharmacy Technician, Pharmacy-Hospital

Treasa Hawkins, Registered Nurse, Emergency Services Trauma/Burns

Billy J. Holcombe, Prior to HURS

Edith C. Jones, Prior to HURS

Stephen F. Hand, Unit Secretary, Resource Management Systems

Thomas W. Jones, Consultant, Oral & Maxillofacial Surgery

Michelle N. Roye, Clinical Data Analyst, Comprehensive Cancer Center



20080131000150970 1/15  
Bk: LR200860 Pg: 15639  
Jefferson County, Alabama  
I certify this instrument filed on:  
01/31/2008 02:23:27 PM XINT  
Judge of Probate- Alan L. King



20080201000156210 1/15  
Bk: LR200802 Pg: 5750  
Jefferson County, Alabama  
I certify this instrument filed on:  
02/01/2008 01:13:54 PM XINT  
Judge of Probate- Alan L. King

**ASSIGNMENT, BILL OF SALE AND CONVEYANCE**  
**(JEFFERSON-ALABAMA-GENERAL)**

State of Alabama	)) 403D acres	JEFFERSON COUNTY
	)) 23,963,000	MINERAL TAX 604.50
County of Jefferson	))	DEED TAX 23,963.00

*114.50  
M - 604.50  
D - 23,963.00  
-----  
24,682.00*

**THIS ASSIGNMENT, BILL OF SALE AND CONVEYANCE** ("Assignment"), dated effective October 1, 2007 at 7:00 a.m. Mountain Daylight Time (the "Effective Date"), is from Saga Petroleum Corp., a Colorado corporation, 600 17<sup>th</sup> Street, Suite 1700 North, Denver, Colorado, 80202 ("Assignor") to PGP GAS SUPPLY POOL NO. 1, LLC ("Pool No. 1"), a Georgia Limited Liability Company, and PGP GAS SUPPLY POOL NO. 2, LLC, ("Pool No. 2") a Georgia limited liability company, in the undivided interest more specifically set forth below, (collectively, "Assignee"). This Assignment covers Properties within and adjacent to the BWM Project, Narrows Project, and the Starveacre Project (the "Fields").

1. For \$100.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns, transfers, grants, bargains and conveys to Assignee a total undivided thirty-six percent (36%) of Assignor's right, title and interest in and to the real and personal property interests collectively defined below as the "Properties" allocated between Pool 1 No. and Pool No. 2 as follows:

To Pool No. 1, the full undivided thirty-six percent (36%) interest insofar as each Well described on Exhibit B-1 and the Properties related thereto, including without limitation the Leases insofar as they cover lands within the producing or spacing unit for such Well.

As to all other Properties, to Pool No. 1, an undivided thirteen percent (13%) interest and to Pool No. 2, an undivided twenty-three (23%) interest.

The Properties covered by this Assignment, Bill of Sale and Conveyance shall include the following:

(A) The oil and gas leases described in Exhibit A-1 (the "Leases"), the lands covered by the Leases subject to any area or depth limitations set forth in said Leases or any conveyance documents relating thereto on Exhibit A-1 (the "Land" or "Lands"), together with all other oil and gas interests of every kind and nature, including, without limitation, fee mineral and royalty interests, surface rights and overriding royalty interests in the Lands and any lands within the field described in the preamble hereto and within two miles of the Lands, regardless of whether such property, interests and rights are completely or legally sufficiently described on Exhibit A-1, and the contracts and agreements relating to the Leases and Land, including without limitation, all operating agreements, exploration agreements, pooling, communitization and unitization agreements, farmout agreements, surface use agreements, product purchase and sale contracts, transportation, processing, treatment or gathering agreements, leases, permits,

rights-of-way, easements, licenses, declarations, orders, contracts, and instruments in any way relating to the Leases;

(B) The oil and gas wells specifically described in Exhibit B-1 (the "Wells"), and the leases covering the spacing or unit areas for the Wells, whether or not correctly described on Exhibit A-1, together with all injection and disposal wells on the Leases or Lands or on lands pooled or unitized therewith, and all personal property, equipment, fixtures, improvements, permits, rights of-way and easements used in connection with the production, gathering, treatment, processing, storing, sale or disposal of hydrocarbons or water produced from the properties and interests described in subsection (A);

(C) The pooling and communitization agreements, declarations and orders, and all other such agreements relating to the properties and interests described in subsections (A) and (B) and to the production of hydrocarbons, if any, attributable to said properties and interests;

(D) All existing and effective sales, purchase, exchange, gathering, transportation and processing contracts, operating agreements, proprietary seismic data and licensed seismic data which relate to the Leases and Lands and which can be transferred under the applicable licensing agreements (provided Buyer shall be responsible for paying any and all fees due by reason of any such transfer, assignment or sublicense, if any), interpretations, data, maps and information related to any such seismic data, balancing agreements, farmout agreements, service agreements, and other contracts, agreements and instruments insofar as they relate to the properties and interests described in subsections (A) through (C);

(E) To the extent sold by the Purchase Agreement, all equipment, tools, supplies, inventory, yards and field offices used or held for use in connection with the properties and interests described in subsections (A) through (C); and

(F) The oil, gas and water gathering, pipeline and transportation systems and all personal property, equipment, fixtures, platforms, improvements, permits, rights-of-way, surface leases and easements used in connection therewith and all contracts and agreements relating to the properties and interests described in subsections (A) and (B), specifically including that certain pipeline, if any, described on Exhibit A-1.

TO HAVE AND TO HOLD the Properties unto Assignee, in their undivided interests set forth above, and its successors and assigns forever.

It is the intent of this instrument to convey to Assignee an undivided thirty-six percent (36%) of Assignor's right, title and interests in the Properties of Assignor lying and situated in Jefferson County, Alabama whether or not correctly described within this instrument, unless specifically reserved herein, and Assignor has sold, assigned, transferred, granted, bargained and conveyed and does hereby sell, assign, transfer, grant, bargain and convey unto Assignee, its successors and assigns, such undivided thirty-six

percent (36%) of such Properties owned by Assignor located in Jefferson County, Alabama without limitation, whether or not correctly described by this instrument.

2. This Assignment is made subject to the following terms and conditions:

(A) This Assignment is being made pursuant to the terms of the Purchase Agreement Effective October 1, 2007, between Assignor and Assignee (the "Purchase Agreement"). All capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to them in the Purchase Agreement. The Assignor and Assignee intend that the terms of the Purchase Agreement remain separate and distinct from and not merge into the terms of this Assignment.

**(B) ASSIGNOR WARRANTS TITLE TO THE PROPERTIES FROM AND AGAINST ALL PERSONS CLAIMING BY, THROUGH AND UNDER ASSIGNOR, BUT NOT OTHERWISE, AND, EXCEPT FOR THAT WARRANTY AND THE PROVISIONS OF THE PURCHASE AGREEMENT, THIS ASSIGNMENT IS MADE SUBJECT TO THE FOLLOWING:**

**(i) THE EXPRESS WARRANTY OF ASSIGNOR CONTAINED IN SECTION 2(B) ABOVE IS EXCLUSIVE AND IS IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, AND, WITHOUT LIMITATION ON THE EXPRESS WARRANTY CONTAINED IN SECTION 2(B) ABOVE, ASSIGNOR EXPRESSLY DISCLAIMS, AND ASSIGNEE HEREBY EXPRESSLY WAIVES ANY RIGHT OR CAUSE OF ACTION ARISING FROM OR RELATING TO, ANY AND ALL OTHER REPRESENTATIONS AND WARRANTIES (WITHOUT LIMITATION, EXCEPT FOR THE EXPRESS WARRANTY CONTAINED IN SECTION 2(B) ABOVE, THE PROPERTIES SHALL BE CONVEYED PURSUANT HERETO WITHOUT ANY WARRANTY OR REPRESENTATION WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, RELATING TO THE CONDITION, QUANTITY, QUALITY, FITNESS FOR A PARTICULAR PURPOSE, CONFORMITY TO THE MODELS OR SAMPLES OF MATERIALS OR MERCHANTABILITY OF ANY EQUIPMENT FOR ITS FITNESS FOR ANY PURPOSE). ASSIGNEE HAS INSPECTED, OR WAIVED ITS RIGHT TO INSPECT, THE PROPERTIES FOR ALL PURPOSES AND SATISFIED ITSELF AS TO THEIR PHYSICAL AND ENVIRONMENTAL CONDITION, BOTH SURFACE AND SUBSURFACE, INCLUDING BUT NOT LIMITED TO CONDITIONS SPECIFICALLY RELATED TO THE PRESENCE, RELEASE OR DISPOSAL OF HAZARDOUS SUBSTANCES, SOLID WASTES, ASBESTOS AND OTHER MAN MADE MATERIAL FIBERS (COLLECTIVELY, "MMMF"), OR NATURALLY OCCURRING RADIOACTIVE MATERIALS ("NORM"). ASSIGNEE IS RELYING UPON ITS OWN INSPECTION OF THE PROPERTIES, AND ASSIGNEE HEREBY ACCEPTS ALL OF THE SAME IN THEIR "AS IS, WHERE IS" CONDITION. ASSIGNOR DISCLAIMS ALL LIABILITY ARISING IN CONNECTION WITH THE PRESENCE OF NORM OR MMMF ON THE PROPERTIES AND, IF TESTS HAVE BEEN**

**CONDUCTED BY ASSIGNOR FOR THE PRESENCE OF NORM OR MMMF, ASSIGNOR DISCLAIMS ANY WARRANTY RESPECTING THE ACCURACY OF SUCH TESTS OR RESULTS. IN ADDITION, ASSIGNOR AND ITS REPRESENTATIVES MAKE NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, AS TO THE ACCURACY OR COMPLETENESS OF ANY DATA, INFORMATION OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED ASSIGNEE IN CONNECTION WITH THE PROPERTIES OR AS TO THE QUALITY OR QUANTITY OF OIL, GAS AND OTHER HYDROCARBON RESERVES (IF ANY) ATTRIBUTABLE TO THE PROPERTIES OR THE ABILITY OF THE PROPERTIES TO PRODUCE OIL, GAS AND OTHER HYDROCARBONS. ANY AND ALL SUCH DATA, INFORMATION AND OTHER MATERIALS FURNISHED BY ASSIGNOR AND ITS REPRESENTATIVES WAS PROVIDED TO ASSIGNEE AS A CONVENIENCE AND ANY RELIANCE ON OR USE OF THE SAME HAS BEEN AND SHALL BE AT ASSIGNEE'S SOLE RISK. ASSIGNEE ACKNOWLEDGES THAT THIS EXPRESS DISCLAIMER AND WAIVER SHALL BE CONSIDERED A MATERIAL AND INTEGRAL PART OF THIS TRANSACTION AND THE CONSIDERATION THEREOF; AND ACKNOWLEDGES THAT THIS DISCLAIMER AND WAIVER HAS BEEN BROUGHT TO THE ATTENTION OF ASSIGNEE AND EXPLAINED IN DETAIL AND THAT ASSIGNEE HAS VOLUNTARILY AND KNOWINGLY CONSENTED TO THIS DISCLAIMER AND WAIVER.**

(C) (i) Assignee hereby agrees (a) to assume, and to timely pay and perform, all duties, obligations and liabilities relating to the ownership and/or operation of the Properties after the Effective Date (including, without limitation, those arising under the contracts and agreements described in Section 1 above), and (b) to indemnify and hold Assignor (and the affiliates of Assignor, and the respective directors, officers, employees, attorneys, contractors and agents of such affiliates and Assignor) harmless from and against any and all claims, actions, causes of action, liabilities, damages, losses, costs or expenses (including, without limitation, court costs and attorneys' fees) of any kind or character arising out of or otherwise relating to the matters set forth in this Section 2. In connection with (but not in limitation of) the foregoing, it is specifically understood and agreed that such duties, obligations and liabilities arising out of or otherwise relating to the ownership and/or operation of the Properties after the Effective Date shall (notwithstanding anything herein appearing to be to the contrary, but subject to the express undertakings of Assignor in the Purchase Agreement) be deemed to include all matters arising out of the condition of the Properties on the Effective Date (including, without limitation, within such matters all obligations to properly plug and abandon, or replug and re-abandon, wells located on the Properties, to restore the surface of the Properties and to comply with, or to bring the Properties into compliance with, applicable environmental laws, rules, regulations and orders, including conducting any remediation activities which may be required on or otherwise in connection with activities on the Properties), regardless of whether such condition or the events giving rise to such condition arose or occurred before or after the Effective Date, and the assumptions and indemnifications by Assignee provided for in the first sentence of this Section 2(C)(i)

shall expressly cover and include such matters. Assignee's indemnification obligations to Assignor shall be unlimited as to amount and scope. **THE FOREGOING ASSUMPTIONS AND INDEMNIFICATIONS SHALL APPLY WHETHER OR NOT SUCH DUTIES, OBLIGATIONS OR LIABILITIES, OR SUCH CLAIMS, ACTIONS, CAUSES OF ACTION, LIABILITIES, DAMAGES, LOSSES, COSTS OR EXPENSES ARISE OUT OF (i) NEGLIGENCE (INCLUDING SOLE NEGLIGENCE, SINGLE NEGLIGENCE, CONCURRENT NEGLIGENCE, GROSS NEGLIGENCE, ACTIVE OR PASSIVE NEGLIGENCE) OF ANY INDEMNIFIED PARTY, OR (ii) STRICT LIABILITY.**

(ii) As used in this Section 2(C)(ii) of this Assignment, the term "Claims" shall mean claims, demands, causes of action, liabilities, obligations, damages, losses, penalties and judgments of any kind or character, known and unknown, and all costs and fees in connection therewith, including, but not limited to attorney's fees. The provisions of this Section 2(C)(ii) are subject to the express undertakings of Assignor in the Purchase Agreement.

a. The Properties have been used for exploring, developing, producing, treating and transporting oil and gas. Spills of wastes, crude oil, produced water, hazardous substances, and other materials may have occurred in the past in connection with the Properties. There is a possibility that there are currently known and unknown inactive wells and facilities, abandoned wells, plugged wells, pipelines and other equipment and facilities on or underneath the Properties or in proximity thereto that are or were used in connection with the Properties. Additionally, the Properties may contain MMMF, hazardous substances, or NORM. NORM and/or MMMF may affix or attach itself to the inside of wells, materials, and equipment as scale or in other forms; wells, materials and equipment located on the Properties may contain NORM and/or MMMF; and NORM and/or MMMF containing material may have been buried or otherwise disposed of on the Properties. Special procedures may be required for remediating, removing, transporting and disposing of MMMF, NORM, hazardous substances and other materials from the Properties. Assignee's agreement to accept the Properties in their "as is, where is" condition, as set forth in this Assignment, is made with an awareness of the matters set forth in this Section 2(C)(ii).

b. **ASSIGNEE, ITS SUCCESSORS AND ASSIGNS, RELEASE AND FOREVER DISCHARGE ASSIGNOR FROM ANY AND ALL CLAIMS, WHETHER DIRECT OR INDIRECT, KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, THAT MAY ARISE ON ACCOUNT OF OR IN ANY WAY CONNECTED WITH THE PHYSICAL CONDITION OF THE PROPERTIES OR ANY LAW OR REGULATION APPLICABLE THERETO, INCLUDING, WITHOUT LIMITATION, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED (42 U.S.C. & 6091 ET. SEQ.), THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (42 U.S.C. & 6901 ET. SEQ.), THE CLEAN WATER ACT (33 U.S.C. & 466 ET. SEQ.), THE SAFE DRINKING WATER ACT (14 U.S.C. & 1401 -1450), THE HAZARDOUS MATERIALS TRANSPORTATION ACT (49 U.S.C. & 1401- 7401 ET. SEQ.) AS AMENDED, THE CLEAN AIR ACT AMENDMENTS OF 1990, AND ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAW.**

**c. THE INDEMNIFICATION, RELEASE AND ASSUMPTION PROVISIONS EXPRESSLY AGREED TO BY ASSIGNEE IN THIS ASSIGNMENT SHALL BE APPLICABLE WHETHER OR NOT THE CLAIMS IN QUESTION AROSE FROM THE CONCURRENT, GROSS, SINGLE, SOLE, ACTIVE OR PASSIVE NEGLIGENCE OF ASSIGNOR OR ANY THIRD-PARTY AND REGARDLESS OF WHO MAY BE AT FAULT OR OTHERWISE RESPONSIBLE UNDER ANY OTHER CONTRACT, OR ANY STATUTE, RULE, OR THEORY OF LAW, INCLUDING, BUT NOT LIMITED TO, THEORIES OF STRICT LIABILITY. ASSIGNEE AND ASSIGNOR ACKNOWLEDGE THAT THE FOREGOING INDEMNITIES TOGETHER WITH THIS STATEMENT COMPLY WITH THE EXPRESS NEGLIGENCE RULE AND ARE CONSPICUOUS.**

(D) To the extent permitted by law, Assignee shall be subrogated to Assignor's rights in and to representations, warranties and covenants given with respect to the Properties. Assignor hereby grants and transfers to Assignee, its successors and assigns, to the extent so transferable and permitted by law, the benefit of and the right to enforce the covenants, representations and warranties, if any, which Assignor is entitled to enforce with respect to the Properties, but only to the extent not enforced by Assignor.

(E) The references herein to liens, encumbrances, burdens, defects and other matters shall not be deemed to ratify or create any rights in third parties or merge with, modify or limit the rights of Assignor or Assignee, as between themselves, as set forth in the Purchase Agreement or other documents executed in connection therewith.

(F) Assignor or Assignee may execute separate governmental form assignments of the Properties on officially approved forms, in sufficient counterparts to satisfy applicable statutory and regulatory requirements. Those assignments shall be deemed to contain all of the exceptions, reservations, warranties, rights, titles, power and privileges set forth herein as fully as though they were set forth in each such assignment. The interests conveyed by such separate assignments are the same, and not in addition to, the Properties conveyed herein.

(G) This Assignment binds and inures to the benefit of Assignor and Assignee and their respective successors and assigns.

(H) Assignor and Assignee agree to take all such further actions and execute, acknowledge and deliver all such further documents and instruments that are necessary or useful in carrying out the purpose of this Assignment in accordance with the terms and provisions of the Purchase Agreement.



EXECUTED on the dates contained in the acknowledgments of this Assignment, to be effective for all purposes as of the Effective Date.

ASSIGNEE:

PGP GAS SUPPLY POOL NO. 1, LLC

PGP, INC., as its sole member

By: [Signature]  
Name: Susan G. Reeves  
Title: Its President

ACKNOWLEDGMENT

STATE OF GEORGIA                    )  
  ) ss.  
COUNTY OF Cobb                    )

I, Rebecca B. Fuller, a Notary Public, in and for said County, in said State, hereby certify that Susan G. Reeves, whose name as President of PGP, Inc., as the sole the member of PGP Gas Supply Pool No. 1, LLC, a Georgia limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she, as such officer of PGP, Inc., as the sole member of PGP Gas Supply Pool No. 1, LLC, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Witness my hand and official seal the 11<sup>th</sup> day of January, 2008.  
My commission expires: \_\_\_\_\_

Notary Public  
Cobb County, Georgia  
My Commission Expires  
October 10th 2010

Rebecca B. Fuller  
Notary Public

EXECUTED on the dates contained in the acknowledgments of this Assignment, to be effective for all purposes as of the Effective Date.

ASSIGNEE:

PGP GAS SUPPLY POOL NO. 2, LLC

PGP, INC., as its sole member

By: [Signature]  
Name: Susan G. Reeves  
Title: Its President

ACKNOWLEDGMENT

STATE OF GEORGIA )  
COUNTY OF Cobb ) ss.

I, Rebecca B. Fuller, a Notary Public, in and for said County, in said State, hereby certify that Susan G. Reeves, whose name as President of PGP, Inc., as the sole member of PGP Gas Supply Pool No. 2, LLC, a Georgia limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she, as such officer of PGP, Inc., as the sole member of PGP Gas Supply Pool No. 2, LLC, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Witness my hand and official seal the 11<sup>th</sup> day of January, 2008.  
My commission expires: Notary Public

Cobb County, Georgia  
My Commission Expires  
October 10th 2010

Rebecca B. Fuller  
Notary Public

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This document prepared by:  
Foster C. Arnold, Esq.  
Rosen Harwood, P.A.  
P.O. Box 2727  
Tuscaloosa, Alabama 35403-2727  
(205) 344-5000

For purposes of recording, this instrument covers 4030 net mineral acres.

**EXHIBIT "A-1"**

**The following Leases located in Jefferson County, Alabama and any amendments, extensions, modifications and ratifications thereof whether specifically set forth herein or not.**

**NARROWS PROJECT/FIELD  
LEASES**

LESSOR	LESSEE	LEASE DATE	COUNTY	STATE	TWN	RGE	SEC	DESCRIPTION	GROSS ACRES	NET ACRES	DEED BOOK	PAGE
UNITED STATES STEEL CORPORATION	DE-GAS	5/20/83	Jefferson	AL					5025.00	5025.00	495	49
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA	DIAMOND B ENERGY, INC.	7/7/82	Jefferson	AL					1560.00	1560.00	479 471??	447 475??
USX CORPORATION	KUKUI, INC.	6/21/01	Jefferson	AL					400.00	400.00	200161	9591
RGGS LAND & MINERALS LTD., LP	SAGA PETROLEUM CORP.	5/27/05	Jefferson	AL					2,575.44	2,575.44	200562	1743
LEE M. PEARSON, JR., etux.	SAGA PETROLEUM CORP. petr	6/14/06	Jefferson	AL	18S	6W	8		5.00	5.00	200663	18907
CS K & C COAL AND MINERAL COMPANY	SAGA PETROLEUM CORP.petr	2/19/07	Jefferson	AL	18S	6W	8		5.00	5.00	200760	29670
MARTHA STEWART	SAGA PETROLEUM CORP.	4/11/06	Jefferson	AL	17S	7W	36		6.66	6.66	200662	14197
FAYE OWEN	SAGA PETROLEUM CORP.	5/4/06	Jefferson	AL	17S	7W	36		6.66	6.66	200662	14200
MINNIE FRANCIS BLAKE	SAGA PETROLEUM CORP.	4/26/06	Jefferson	AL	17S	7W	36		6.66	6.66	200662	14194
Mary Susan Newton Niedzwiadz	SAGA PETROLEUM COPR.	7/1/06	Jefferson	AL	18S	6W	8	N2 N2 NE NW	5	5	200860	3984

Casimir Tippin Niedzwiedz	SAGA PETROLEUM COPR.	7/1/05	Jefferson	AL	18S	6W	8	N2 N2 NE NW	5	5	200860	3987
Paul Shippee	SAGA PETROLEUM COPR.	7/1/06	Jefferson	AL	18S	6W	8	N2 N2 NE NW	5	5	200860	3990

**STARVACRE PROJECT/FIELD LEASES**

**INSOFAR AND ONLY INSOFAR AS SAID LEASES PERTAIN TO DEPTHS FROM SURFACE TO THE BASE OF THE POTTSVILLE**

LEASE #	LESSOR	LESSEE	LEASE DATE	COUNTY	STAT E	TWN	RGE	SEC	DESCRIPTION	GROSS ACRES	NET ACRES	DEED BOOK	PAGE
	United States Steel LLC	CDX Gas, LLC	12/20/01	Jefferson	AL	18S	5W	20	Part of SE SW, Part of SW SE	13.43	13.43	200261	2003
	United States Steel LLC	CDX Gas, LLC	12/20/01	Jefferson	AL	18S	5W	28	Part of SW NW, Part of W2 SW	30.00	30.00	200261	2003
	United States Steel LLC	CDX Gas, LLC	12/20/01	Jefferson	AL	18S	5W	29	Part of N2 NE, S2 NE, Part of E2 NW, Part of W2 SE, Part of E2 SE	290.00	290.00	200261	2003
SS	United States Steel LLC	CDX Gas, LLC	12/20/01	Jefferson	AL	18S	5W	32	E/2 NE, Part of W2 NE, E2 SW, SE	366.50	366.50	200261	2003
	United States Steel LLC	CDX Gas, LLC	12/20/01	Jefferson	AL	18S	5W	33	Part of W/2 NW, Part of N2 SW, Part of SW SW	128.50	128.50	200261	2003
	The Board of Trustees of The University of Alabama	CDX Gas, LLC	11/18/02	Jefferson	AL	18S	5W	32	W2 SW	80.00	80.00	200360	732
	University of Alabama	United States Pipe and Foundry Company *	June 26, 1974	Jefferson	AL	19S	5W	6 & 8	N/2 NE/4; S/2 N/2 & S/2 Sec 6; N/2 NW/4 & SW/4 NW/4 Sec 8.	680.00	680.00	591	528

**EXHIBIT B-1  
ALABAMA  
SAGA/FGP**

Case Name	State	Field	Location
BWM U OF A 6-01-25	AL	BWM PROJECT	19S-05W-06-01-025
BWM U OF A 6-02-26	AL	BWM PROJECT	19S-05W-06-02-026
RGGS 01-06-156	AL	NARROWS PROJECT	18S-07W-01-06-156
RGGS 05-02-173	AL	NARROWS PROJECT	18S-06W-05-02-173
RGGS 05-16-187	AL	NARROWS PROJECT	18S-06W-05-16-187
RGGS 06-14-157	AL	NARROWS PROJECT	18S-06W-06-14-157
RGGS 07-12-159	AL	NARROWS PROJECT	18S-06W-07-12-159
RGGS 08-02-186	AL	NARROWS PROJECT	18S-06W-08-02-186
RGGS 08-03-181	AL	NARROWS PROJECT	18S-06W-08-03-181
RGGS 11-08-182	AL	NARROWS PROJECT	18S-07W-11-08-182
RGGS 11-16-183	AL	NARROWS PROJECT	18S-07W-11-16-183
RGGS 13-06-184	AL	NARROWS PROJECT	18S-07W-13-06-184
RGGS 13-10-162	AL	NARROWS PROJECT	18S-07W-13-10-162
RGGS 18-04-161	AL	NARROWS PROJECT	18S-06W-18-04-161
RGGS 18-06-176	AL	NARROWS PROJECT	18S-06W-18-06-176
RGGS 18-14-163	AL	NARROWS PROJECT	18S-06W-18-14-163
RGGS 31-14-154	AL	NARROWS PROJECT	17S-06W-31-14-154
RGGS 32-06-166	AL	NARROWS PROJECT	17S-06W-32-06-166
RGGS 32-12-153	AL	NARROWS PROJECT	17S-06W-32-12-153
RGGS 36-16-155	AL	NARROWS PROJECT	17S-07W-36-16-155
U OF A 05 03 090 - PDP	AL	NARROWS PROJECT	18S-06W-05-03-090
U OF A 05 04 165	AL	NARROWS PROJECT	18S-06W-05-04-165
U OF A 05 05 087 - PDP	AL	NARROWS PROJECT	18S-06W-05-05-087
U OF A 05 12 174	AL	NARROWS PROJECT	18S-06W-05-12-174
U OF A 05 13 083 - PDP	AL	NARROWS PROJECT	18S-06W-05-13-083
U OF A 06 03 082 - PDP	AL	NARROWS PROJECT	18S-06W-06-03-082
U OF A 06 05 079 - PDP	AL	NARROWS PROJECT	18S-06W-06-05-079
U OF A 06 07 080 - PDP	AL	NARROWS PROJECT	18S-06W-06-07-080
U OF A 06 09 077 - PDP	AL	NARROWS PROJECT	18S-06W-06-09-077
U OF A 07 01 036 - PDP	AL	NARROWS PROJECT	18S-06W-07-01-036
U OF A 07 02 037 - PDP	AL	NARROWS PROJECT	18S-06W-07-02-037

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CaseName	State	Field	Location
U OF A 07 04 019 - PDP	AL	NARROWS PROJECT	18S-06W-07-04-019
U OF A 07 06 158	AL	NARROWS PROJECT	18S-06W-07-06-158
U OF A 07 07 021 - PDP	AL	NARROWS PROJECT	18S-06W-07-07-021
U OF A 07 11 042 - PDP	AL	NARROWS PROJECT	18S-06W-07-11-042
U OF A 08 05 033 - PDP	AL	NARROWS PROJECT	18S-06W-08-05-033
U OF A 08 07 175	AL	NARROWS PROJECT	18S-06W-08-07-175
U OF A 08 08 030 - PDP	AL	NARROWS PROJECT	18S-06W-08-08-030
U OF A 08 09 035 - PDP	AL	NARROWS PROJECT	18S-06W-08-09-035
U OF A 08 10 034 - PDP	AL	NARROWS PROJECT	18S-06W-08-10-034
U OF A 08 16 160	AL	NARROWS PROJECT	18S-06W-08-16-160
U OF A 18 02 053 - PDP	AL	NARROWS PROJECT	18S-06W-18-02-053
U OF A 18 03 014 - PDP	AL	NARROWS PROJECT	18S-06W-18-03-014
U OF A 18 07 016 - PDP	AL	NARROWS PROJECT	18S-06W-18-07-016
U OF A 18 09 017 - PDP	AL	NARROWS PROJECT	18S-06W-18-09-017
U OF A 18 16 164	AL	NARROWS PROJECT	18S-06W-18-16-164
USX 01 03 070 - PDP	AL	NARROWS PROJECT	18S-07W-01-03-070
USX 01 05 065 - PDP	AL	NARROWS PROJECT	18S-07W-01-05-065
USX 01 09 067 - PDP	AL	NARROWS PROJECT	18S-07W-01-09-067
USX 01 11 068 - PDP	AL	NARROWS PROJECT	18S-07W-01-11-068
USX 01 15 069 - PDP	AL	NARROWS PROJECT	18S-07W-01-15-069
USX 02 15 119 - PDP	AL	NARROWS PROJECT	18S-07W-02-15-119
USX 05 01 089 - PDP	AL	NARROWS PROJECT	18S-06W-05-01-089
USX 05 07 088 - PDP	AL	NARROWS PROJECT	18S-06W-05-07-088
USX 05 08 152 - PDP	AL	NARROWS PROJECT	18S-06W-05-08-152
USX 05 09 085 - PDP	AL	NARROWS PROJECT	18S-06W-05-09-085
USX 05 11 086 - PDP	AL	NARROWS PROJECT	18S-06W-05-11-086
USX 05 15 084 - PDP	AL	NARROWS PROJECT	18S-06W-05-15-084
USX 06 01 081 - PDP	AL	NARROWS PROJECT	18S-06W-06-01-081
USX 06 11 078 - PDP	AL	NARROWS PROJECT	18S-06W-06-11-078
USX 06 13 075 - PDP	AL	NARROWS PROJECT	18S-06W-06-13-075
USX 06 13 075 - REFRAC ADD PAY	AL	NARROWS PROJECT	18S-06W-06-13-075
USX 07 03 038 - PDP	AL	NARROWS PROJECT	18S-06W-07-03-038
USX 07 09 008 - PDP	AL	NARROWS PROJECT	18S-06W-07-09-008
USX 07 10 041 - PDP	AL	NARROWS PROJECT	18S-06W-07-10-041
USX 07 13 043 - PDP	AL	NARROWS PROJECT	18S-06W-07-13-043
USX 07 16 007 - PDP	AL	NARROWS PROJECT	18S-06W-07-16-007
USX 08 01 029 - PDP	AL	NARROWS PROJECT	18S-06W-08-01-029

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CaseName	State	Field	Location
USX 08 06 031 - PDP	AL	NARROWS PROJECT	18S-06W-08-06-031
USX 08 11 032 - PDP	AL	NARROWS PROJECT	18S-06W-08-11-032
USX 08 14 006 - PDP	AL	NARROWS PROJECT	18S-06W-08-14-006
USX 11 01 120 - PDP	AL	NARROWS PROJECT	18S-07W-11-01-120
USX 11 07 121 - PDP	AL	NARROWS PROJECT	18S-07W-11-07-121
USX 11 09 122 - PDP	AL	NARROWS PROJECT	18S-07W-11-09-122
USX 12 03 124 REFRAC ADD PAY	AL	NARROWS PROJECT	18S-07W-12-03-124
USX 12 04 141 - PDP	AL	NARROWS PROJECT	18S-07W-12-04-141
USX 12 05 125 REFRAC ADD PAY	AL	NARROWS PROJECT	18S-07W-12-05-125
USX 12 08 118 - PDP	AL	NARROWS PROJECT	18S-07W-12-08-118
USX 12 09 145A -REFRAC ADD PAY RTP	AL	NARROWS PROJECT	18S-07W-12-09-145
USX 12 11 126 -REFRAC ADD PAY AND RTP	AL	NARROWS PROJECT	18S-07W-12-11-126
USX 12 13 127 -REFRAC ADD PAY RTP	AL	NARROWS PROJECT	18S-07W-12-13-127
USX 12 15 128 -REFRAC ADD PAY RTP	AL	NARROWS PROJECT	18S-07W-12-15-128
USX 12 16 072 REFRAC ADD PAY	AL	NARROWS PROJECT	18S-07W-12-16-072
USX 13 01 129 - PDP	AL	NARROWS PROJECT	18S-07W-13-01-129
USX 13 03 130 -REFRAC ADD PAY RTP	AL	NARROWS PROJECT	18S-07W-13-03-130
USX 13 05 131 -REFRAC ADD PAY R	AL	NARROWS PROJECT	18S-07W-13-05-131
USX 13 07 132	AL	NARROWS PROJECT	18S-07W-13-07-132
USX 13 08 142	AL	NARROWS PROJECT	18S-07W-13-08-142
USX 13 09 133	AL	NARROWS PROJECT	18S-07W-13-09-133
USX 13 11 134 - PDP	AL	NARROWS PROJECT	18S-07W-13-11-134
USX 13 13 135 -REFRAC, ADD PAY AND RTP	AL	NARROWS PROJECT	18S-07W-13-13-135
USX 13 14 143	AL	NARROWS PROJECT	18S-07W-13-14-143
USX 13 15 136 - PDP	AL	NARROWS PROJECT	18S-07W-13-15-136
USX 13 16 144 REFRAC ADD PAY	AL	NARROWS PROJECT	18S-07W-13-16-144
USX 14 07 138 -REFRAC ADD PAY RTP	AL	NARROWS PROJECT	18S-07W-14-07-138
USX 17 02 002 - PDP	AL	NARROWS PROJECT	18S-06W-17-02-002
USX 17 03 003 - PDP	AL	NARROWS PROJECT	18S-06W-17-03-003
USX 17 05 004 - PDP	AL	NARROWS PROJECT	18S-06W-17-05-004
USX 17 06 026 - PDP	AL	NARROWS PROJECT	18S-06W-17-06-026
USX 17 07 027 - PDP	AL	NARROWS PROJECT	18S-06W-17-07-027
USX 17 08 028 - PDP	AL	NARROWS PROJECT	18S-06W-17-08-028
USX 17 09 009 - PDP	AL	NARROWS PROJECT	18S-06W-17-09-009
USX 17 11 011 - PDP	AL	NARROWS PROJECT	18S-06W-17-11-011
USX 17 13 061 - PDP	AL	NARROWS PROJECT	18S-06W-17-13-061
USX 17 15 059 - PDP	AL	NARROWS PROJECT	18S-06W-17-15-059

Case Name	State	Field	Location
USX 17 16 055 - PDP	AL	NARROWS PROJECT	18S-06W-17-16-055
USX 18 11 024 - PDP	AL	NARROWS PROJECT	18S-06W-18-11-024
USX 18 13 048A - PDP	AL	NARROWS PROJECT	18S-06W-18-13-048
USX 18 15 050 - PDP	AL	NARROWS PROJECT	18S-06W-18-15-050
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US STEEL CORP 32-10-14	AL	STARVEACRE PROJECT	18S-05W-32-10-014
US STEEL CORP 32-11-07	AL	STARVEACRE PROJECT	18S-05W-32-11-007
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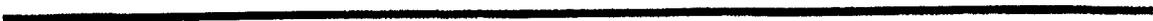
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 Deed Tax - \$23963.00  
 Total of Fees and Taxes - \$24682.00  
 KMBESS

560

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 Total of Fees and Taxes - \$40.50  
 LVM

STATE OF ALABAMA - JEFFERSON COUNTY  
 I hereby certify that no mortgage tax or deed tax  
 has been collected on this instrument.  
*Alan J. Finx* Judge of Probate  
 "NO TAX COLLECTED"

Execution Copy



**LEASE AGREEMENT**

Dated \_\_\_\_\_, 2008

Between

**THE BOARD OF TRUSTEES OF  
THE UNIVERSITY OF ALABAMA**

and

**UNIVERSITY OF ALABAMA  
HEALTH SERVICES FOUNDATION, P.C.**



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Exhibit A - Description of Real Property	

## LEASE AGREEMENT

This Lease Agreement (this "Lease") is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2007 (the "Effective Date"), between **THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA**, a public corporation and instrumentality of the State of Alabama ("Landlord"), and **UNIVERSITY OF ALABAMA HEALTH SERVICES FOUNDATION, P.C.**, a nonprofit professional corporation organized under the laws of the State of Alabama ("UAHSF" or "Tenant").

### Recitals

Landlord owns a fee simple interest in certain land located on the campus of University Hospital in the City of Birmingham, Alabama and proposes to construct thereon a multi-story healthcare facility with approximately \_\_\_\_\_ square feet, a portion of which is intended by Landlord to be used for a women and infants' healthcare facility and a radiation oncology center.

Landlord and Tenant have agreed that Landlord will lease a portion of the Building to Tenant for medical office and other purposes described herein.

### Agreement

**NOW, THEREFORE**, in consideration of the rents to be paid hereunder and of the covenants and agreements herein contained and to be performed, the parties agree as follows:

## ARTICLE 1

### Definitions and Rules of Construction

#### SECTION 1.1 Definitions

For all purposes of this Lease, except as otherwise expressly provided or unless the context otherwise requires, the following terms shall have the meaning indicated:

"**Architect**" means the professional architect licensed to do business in the State of Alabama engaged by Landlord in connection with the construction of the Building.

"**Base Rent**" shall mean the rent payable by Tenant as provided in *Section 3.1*.

"**Building**" means the building to be constructed by Landlord on the campus of University Hospital in the City of Birmingham, Alabama, on the real property described on *Exhibit A*.

"**Building Shell**" means the Building with the following improvements substantially completed: (a) outside walls and unfinished concrete floors; (b) building standard power supplied to panels provided on floors; (c) HVAC completed on each floor of the Building in accordance with the Plans and Specifications; (d) main elevator lobby of the Building with elevator stops provided on all floors; (e) adequate vertical transportation for contractors and subcontractors to construct the Leasehold Improvements; and (f) sprinkler risers on each floor of the Building.

"**Commencement Date**" means the date of this Agreement.

"**Construction Term**" means the period of time, during which the Building Shell shall be completed, beginning on the Effective Date and ending on the Tenant Occupancy Date.

**"Extended Term"** shall have the meaning set forth in *Section 2.2*.

**"Initial Term"** shall have the meaning set forth in *Section 2.2*.

**"Leased Premises"** means the 9<sup>th</sup> and 10<sup>th</sup> floors of the Building, which are to be leased and occupied by Tenant pursuant to the terms hereof on the Tenant Occupancy Date. The Leased Premises contain approximately 117,000 gross square feet of space.

**"Leasehold Improvements"** means the improvements to be made to the Leased Premises by the Tenant.

**"Operating Expenses"** shall have the meaning set forth in *Section 3.2*.

**"Plans and Specifications"** means the plans and specifications for the construction of the Building Shell prepared by the Architect and approved by Landlord and Tenant.

**"Project Designer"** means the person or firm engaged by Tenant in connection with the planning, design and preparation of drawings for the construction of the tenant improvements to the Leased Premises.

**"Rent"** means the Base Rent and any other sums to be paid by Tenant to Landlord hereunder.

**"Tenant Default"** shall have the meaning set forth in *Section 8.1*.

**"Tenant Occupancy Date"** means the earlier of (i) the date on which a certificate of occupancy for the Leased Premises is issued, and (ii) the date on which the Architect issues a certificate of substantial completion for the Leased Premises.

**"Tenant Services"** means those services to be furnished by Landlord pursuant to *Section 7.1*.

**"Term"** means a period beginning on the Commencement Date and ending on the last day of the Initial Term and any Extended Term of this Lease.

## **SECTION 1.2 General Rules of Construction**

For all purposes of this Lease, except as otherwise expressly provided or unless the context otherwise requires:

(a) Defined terms in the singular shall include the plural as well as the singular, and vice versa.

(b) All references in this instrument to designated "Articles", "Sections" and other subdivisions are to the designated Articles, Sections and subdivisions of this instrument as originally executed.

(c) The terms "herein", "hereof" and "hereunder" and other words of similar import refer to this Lease as a whole and not to any particular Article, Section or other subdivision.

(d) The term "including" means "including without limitation" and "including, but not limited to".

## ARTICLE 2

### Leased Premises and Lease Term

#### SECTION 2.1 Grant of Leasehold

Subject to and upon the terms, provisions and conditions hereinafter set forth, and each in consideration of the duties, covenants and obligations of the other hereunder, Landlord does hereby lease, demise and let to Tenant, and Tenant does hereby lease from Landlord, the Leased Premises.

#### SECTION 2.2 Lease Term

(a) The initial term of this Lease shall commence on the date of this Lease and shall continue for 30 years from the Tenant Occupancy Date (the "Initial Term").

(b) The Initial Term of this Lease may be extended, at the option of Tenant, for two successive periods of 30 years each (each, an "Extended Term"). At the end of the Initial Term and any Extended Term, the term of this Lease shall be automatically renewed for an Extended Term unless Tenant shall give Landlord notice, not less than 90 days prior to the end of the Term as then in effect, that the term of this Lease will not be so extended. Each Extended Term shall be on the same terms and conditions as provided in this Lease for the Initial Term. Any termination of this Lease during the Initial Term or any Extended Term shall terminate all rights of any further extension hereunder. Upon termination of this Lease, Tenant shall turn over the Leased Premises and any Leasehold Improvements in good working condition, ordinary wear and tear excepted.

#### SECTION 2.3 Construction of Building Shell; Leasehold Improvements

(a) *Construction by Landlord.* Landlord agrees to construct the Building Shell in accordance with the Plans and Specifications and to notify Tenant when the Building Shell has been completed to the extent that Tenant can commence construction of the Leasehold Improvements.

(b) *Acceptance of Leased Premises.* Tenant agrees to accept possession of the Leased Premises when the Building Shell has been substantially completed, with all facilities that constitute part of the Building Shell for the Leased Premises in operating order, as determined by the Architect or Project Designer, and Landlord shall complete any remaining work on the Building Shell as soon as practicable.

(c) *Leasehold Improvements.* Tenant shall complete the Leasehold Improvements at its sole cost and expense and will coordinate with Landlord on appropriate design standards. Landlord shall cooperate with Tenant to insure reasonable access to the Leased Premises by Tenant, its agents and employees and Tenant's Project Designer, contractor, subcontractors and others engaged in the construction of the Leasehold Improvements.

#### SECTION 2.4 Quiet Enjoyment

Tenant shall, and may enjoy the Leased Premises against all persons claiming by, through or under Landlord, subject to the other terms hereof, provided that Tenant pays the Rent and other sums herein required to be paid by Tenant and performs all of Tenant's covenants and agreements herein.

## SECTION 2.5 Holding Over

No possession by Tenant after the expiration of the Term shall be construed to extend the Term unless Landlord has consented to such possession in writing. If Tenant holds over without Landlord's written consent after expiration or other termination of this Lease, or if Tenant continues to occupy the Leased Premises after termination of Tenant's right of possession pursuant to *Article 8*, Tenant shall throughout the entire holdover period pay Rent equal to the then fair market rental rate of the Leased Premises taking into consideration the age and condition of the Building and the Leased Premises.

## ARTICLE 3

### Rent

#### SECTION 3.1 Base Rent

(a) Tenant hereby agrees to pay to Landlord Base Rent for the Term in the amount of \$ \_\_\_\_\_, such Base Rent to be paid in installments as provided in *Section 3.1(b)*. The Base Rent shall cover the Initial Term and any Extended Terms.

(b) The Base Rent shall be payable by Tenant to Landlord in installments during the construction of the Building Shell. The amount of the installments of Base Rent shall be equal to a pro rata portion (determined on the basis of the allocated cost of the construction of the Leased Premises in relation to the cost of construction of the entire Building) of the ongoing costs of construction of the Building Shell as certified by Landlord to Tenant. The aggregate of the installments shall not exceed the amount of Base Rent provided in *Section 3.1(a)*.

#### SECTION 3.2 Additional Rent – Operating Expenses

(a) *Operating Expenses.* In addition to the Base Rent, Tenant agrees to pay as additional rent Tenant's portion of all costs and expenses of owning and operating the Building which Landlord shall pay or become obligated to pay in connection with the ownership, operation, maintenance and repair of the Building, which costs and expenses shall include liability and casualty insurance costs, maintenance and repair costs for the Leased Premises, ad valorem taxes (if any), utilities costs (subject to the provisions of *Section 3.2(c)*), pest control costs, costs of the Tenant Services and the costs of other services provided by Landlord to Tenant (the "Operating Expenses").

(b) *Payment Date.* Tenant shall, on the first day of each calendar month after the Occupancy Date, reimburse Landlord for Tenant's portion of the Operating Expenses.

(c) *Utilities.* The parties agree that utilities provided to the Leased Premises will be metered separately from utilities provided to the remainder of the Building and, except as provided in the following sentences of this subsection, Tenant shall pay Landlord for utilities usage at the same rate as Landlord is charged for such utilities. Landlord shall provide separately metered chill water, steam and hot water service to Tenant at a rate to be agreed upon from time to time by Landlord and Tenant. If the parties are unable to agree to a rate, the parties shall retain an independent engineer agreeable to, and at the expense of, both parties who shall advise the parties in establishing a commercially reasonable rate for such service.

(d) *Estimate of Operating Expenses.* In order to provide for the payment of the Operating Expenses, on or prior to the Occupancy Date and at such intervals as Landlord shall thereafter determine (but at least annually), Landlord shall estimate the Operating Expenses on a per month payment basis and

such estimate shall be the amount due by Tenant for said month and each succeeding month until Landlord provides Tenant with a new estimate. Certain services, such as insurance and maintenance, will be assessed on an allocated basis and are not subject to the reconciliation process set forth in subsection (e).

(e) **Actual Operating Expenses.** Notwithstanding Landlord's determination of an estimated amount of Operating Expense and the payment of such amount on a monthly basis by Tenant, Tenant is liable for the payment of the actual Operating Expenses throughout the Term of this Lease. At least annually during the Term, Landlord shall determine the actual Operating Expenses for the period since the last such determination and an appropriate payment by Tenant or refund to Tenant will be made within 30 days of the making of such determination.

(f) **Determination of Operating Expenses.** The determination of the estimated and actual Operating Expenses by Landlord shall take into account, among other things, the amount of space occupied by Tenant, the types of activities conducted by Tenant on the Leased Premises and by Landlord and any other occupants of the remainder of the Building, the utilities usage by Tenant and other Building occupants, the services provided to Tenant by Landlord and the normal hours of occupancy of the Leased Premises by Tenant.

(g) **Verification of Operating Expenses.** Landlord shall, upon request, furnish Tenant such information as may be necessary for Tenant to verify Operating Expenses and shall cooperate with Tenant in verifying such amounts.

#### ARTICLE 4

##### Use of the Leased Premises

###### SECTION 4.1 Permitted Use

The Leased Premises shall be used for medical office and related purposes, including, without limitation, administrative offices, research facilities and medical education facilities.

###### SECTION 4.2 Prohibition of Hazardous Activities and Materials

(a) The office of UAB Occupational Health and Safety shall be responsible for overseeing and administering hazardous activities and material, which shall include administration of this section 4.2.

(b) Tenant agrees not to occupy or use, or permit any portion of the Leased Premises to be occupied or used for any business or purpose that is unlawful or deemed to be extra-hazardous. Tenant will not keep any substance or carry on or permit any operation which might emit offensive gas, smoke, fumes, dust, odors, waste products or conditions into other portions of the Building, or use any apparatus which might make undue noise or cause vibrations in the Building.

(c) Tenant agrees not to occupy or use, or permit any portion of the Leased Premises to be occupied or used, for the storage, generation, maintenance, disposal, processing, production or manufacture of any Hazardous Material other than those necessary for in connection with the operation of the Leased Premises for medical office purposes; provided that such Hazardous Materials are used, stored, generated, maintained, disposed, processed, produced or made in compliance with all laws, rules or regulations applicable thereto. For purposes of this Lease, "Hazardous Material" means and includes any hazardous substance or any pollutant or contaminant defined as such in (or for purposes of) the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, any so-called

"Superfund" or "Superlien" law, the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq., or any other Federal, state or local statute, law, ordinance, code, rule, regulation, order or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic or dangerous waste, substance or material, as may now or at any time in the future be in effect, or any other hazardous, toxic or dangerous, waste, substance or material. Tenant agrees to indemnify Landlord for any loss or damage resulting from any Hazardous Materials being located on the Leased Premises.

(d) If Tenant creates or its business operation produces any infectious waste or biohazardous waste, as defined by any governmental department or agency having jurisdiction over such matters, Tenant will cooperate with Landlord to assure pickup and disposal of such material in accordance with applicable law.

#### **SECTION 4.3 Compliance with Law**

Tenant shall comply with all applicable laws, ordinances, rules and regulations of any governmental entity, agency or authority having jurisdiction over the Leased Premises or Tenant's use of the Leased Premises.

### **ARTICLE 5**

#### **Care of the Leased Premises**

##### **SECTION 5.1 Condition of Leased Premises**

Any subsequent modifications to the Leased Premises required by governmental laws, rules or regulations becoming effective after the Commencement Date shall be the sole responsibility of Tenant. At all times during the Term, including any extensions thereof, Tenant agrees to give Landlord prompt notice of any apparent defective condition in or about the Leased Premises.

##### **SECTION 5.2 Tenant Services**

(a) Landlord and Tenant shall agree from time to time on the Building services to be provided by Landlord to Tenant (the "Tenant Services") and the rates for the Tenant Services.

(b) The failure by Landlord to furnish, or the interruption or termination of, the Tenant Services, in whole or in part, resulting from causes beyond the reasonable control of Landlord, shall not render Landlord liable in any respect nor relieve Tenant from the obligation to fulfill any covenant or agreement of this Lease. In the event of any such interruption or termination of any of the Tenant Services, Landlord shall use reasonable, diligent efforts to restore such services.

(c) Nothing contained herein shall require Tenant to obtain Building maintenance services from Landlord. Tenant shall have the right to have any or all of such services performed by its own employees or to contract with other parties to provide such services.

##### **SECTION 5.3 Repairs by Landlord**

Unless otherwise expressly stipulated herein, Landlord shall not be required to make any improvements or repairs of any kind or character on the Leased Premises during the Term, except such repairs as may be required by normal maintenance operations, which shall include repairs to the exterior walls, corridors, windows, roof and other such structural elements and equipment of the Building, and

such additional maintenance as may be necessary because of damages by persons other than Tenant, its agents, employees, invitees or visitors

#### **SECTION 5.4 Repairs by Tenant**

Tenant shall, at Tenant's own cost and expense, repair any damage done to the Building, or any part thereof, including replacement of damaged portions or items, caused by Tenant or Tenant's agents, guests, employees, invitees, licensees, customers or visitors, and Tenant covenants and agrees to make all such repairs as may be required to restore the Building to as good a condition as it was in prior to such damage. Tenant further agrees to maintain and keep the interior of the Leased Premises, including the Leasehold Improvements, in good repair and condition at Tenant's expense. All such work or repairs by Tenant shall be effected in compliance with all applicable laws. Expenses associated with extraordinary repairs (such as replacement of the roof, elevators or HVAC systems) will be allocated to Tenant in accordance with the amount of space occupied by each party or as otherwise mutually agreed-upon by Tenant and Landlord.

#### **SECTION 5.5 Signage**

Landlord shall provide and install, at Landlord's cost, original, revised or replaced letters or numerals in the common areas, if any, of the Leased Premises and in Building directories. All such letters and numerals shall be in the standard graphics for the Building. All other signage for the Leased Premises shall be provided by Tenant and shall be of such design as shall be satisfactory to Tenant. Life safety signage and signage in common space must also be approved by Landlord, which approval shall not be unreasonably withheld.

#### **SECTION 5.6 No Waste**

Tenant shall not commit or allow any waste to be committed on any portion of the Leased Premises, and at the termination of this Lease, Tenant shall deliver the Leased Premises to Landlord in as good condition as at the date of the commencement of the Term of this Lease, ordinary wear and use excepted.

#### **SECTION 5.7 Alterations or Additions by Tenant**

Tenant shall have the right to make such alterations to the Leased Premises as Tenant deems necessary or desirable and will coordinate with Landlord on appropriate design standards. In the event of any construction work by Tenant on the Leased Premises after the initial completion of the Leasehold Improvements, Tenant shall provide Landlord prior notification of the commencement of any such construction and shall cooperate with Landlord to minimize any disruption of other occupants of the Building that may be caused by such construction. In connection with any such alterations, Tenant shall (i) obtain all necessary permits, governmental or otherwise, including special use permits and signage permits, (ii) be responsible for the conformity of such alterations with the requirements of any building code or other municipal or governmental regulation or ordinance, (iii) if a mechanics' or materialmen's lien is filed against the Leased Premises in connection with such construction, promptly have it discharged of record, (iv) obtain any necessary public liability and property damage insurance.

#### **SECTION 5.8 Property of Landlord**

Any and all alterations to the Leased Premises shall become the property of Landlord upon termination of this Lease (except for movable equipment or furniture owned by Tenant or any lessee of Tenant), and Tenant shall have no obligation to remove any Leasehold Improvements.

### **SECTION 5.9 Entry by Landlord**

Tenant shall permit Landlord or its agents or representatives to enter into and upon any part of the Leased Premises upon prior notice and at all reasonable hours (and in emergencies at all times) to inspect the condition, occupancy or use of the Leased Premises, or to clean or make repairs.

### **SECTION 5.10 Furniture, Fixtures and Personal Property**

Tenant may (and will, if so requested by Landlord) remove its trade fixtures, office supplies and movable office furniture and equipment (that may be removed without damage to the Building) not attached to the Building provided: (a) such removal is made within (10) days after the termination of the Term; and (b) Tenant is not in default of any obligation or covenant under this Lease at the time of such removal at Tenant's sole cost and expense. All other non-personal property at the Leased Premises and alterations and additions to the Leased Premises and any other article attached or affixed to the floor, wall or ceiling of the Leased Premises shall become the property of Landlord and shall remain upon and be surrendered with the Leased Premises as a part thereof at the termination of this Lease, by lapse of time or otherwise, and Tenant hereby waives any rights to any compensation therefor.

### **SECTION 5.11 Tenant Not to Permit Liens**

Tenant will not create or permit to be created or to remain, and will discharge, any lien (including the liens of mechanics, laborers, artisans or materialmen for work or materials alleged to be done, furnished or delivered in connection with the Leased Premises), encumbrance, or other charge upon the Leased Premises or any part thereof, upon Landlord's interest therein, or upon Tenant's leasehold interest; provided, that Tenant shall not be required to discharge any such liens, encumbrances or charges as may be placed upon the Leased Premises or Building by the act of anyone other than Tenant or Tenant's agents, employees, servants or contractors. Tenant shall have the right to contest, in good faith by appropriate legal proceedings, the validity or amount of any mechanics', laborers', artisans' or materialmen's lien or other claimed lien. On final determination of such lien or such claim for lien, Tenant will immediately pay any judgment rendered with all proper costs and charges and shall have such lien released or judgment satisfied at Tenant's sole expense. Tenant will pay, protect and indemnify Landlord, within ten (10) days after demand therefor, from and against all liabilities, losses, claims, damages, costs and expenses, including reasonable attorneys' fees, incurred by Landlord by reasons of the filing of any lien and/or removal of same.

### **SECTION 5.12 Taxes on Tenant's Property**

Tenant shall be liable for all taxes levied or assessed against personal property, furniture or fixtures placed by Tenant in the Leased Premises.

## **ARTICLE 6**

### **Assignment and Subletting**

#### **SECTION 6.1 Assignment or Sublease**

(a) Tenant shall have the right, with the prior approval of Landlord, to sublease all or any part of the Leased Premises to one or more tenants whose use of the Leased Premises is consistent with the use of the Leased Premises for the purposes provided in *Section 4.1*.

(b) Landlord acknowledges and agrees that (i) the rights of Tenant under this Lease will be assigned by Tenant to The Medical Clinic Board of the City of Birmingham – UAHSF (the "Board") in

connection with the issuance by the Board of its bonds (the "Bonds") for the benefit of UAHSF; (ii) the Board, as Tenant, will sublease the Leased Premises to UAHSF pursuant to a lease agreement entered into in connection with the issuance of the Bonds; and (iii) after the Bonds are paid the Board, as Tenant, will assign back to UAHSF the rights of Tenant under this Lease.

(c) Except as set forth in *Section 6.1(a)* and *(b)*, Tenant shall not assign, sublease, transfer, pledge, or encumber this Lease or any interest therein without Landlord's prior written consent.

(d) In the event Tenant desires to assign this Lease or, except as permitted in *Section 6.1(a)* and *(b)*, sublet the Leased Premises or any part thereof, Tenant shall give Landlord written notice thereof, including the name of the proposed assignee or sublessee and a copy of the proposed assignment or sublease instrument, at least forty-five (45) days in advance of the date on which Tenant desires to make such assignment or sublease. Landlord shall have a period of thirty (30) days following receipt of such notice within which to consent or refuse to consent to the assignment or sublet of such space. The consent of Landlord to any such request by Tenant shall not be unreasonably withheld. If Landlord should fail to respond in writing to Tenant's request within said thirty (30) day period, Landlord shall be deemed to have consented to such assignment or sublet. No assignment or subletting by Tenant shall relieve Tenant of any obligation under this Lease.

(e) Tenant shall be entitled to retain all revenues received from any such sublease or assignment.

#### **SECTION 6.2 Transfers by Landlord**

Landlord shall have the right to transfer and assign, in whole or in part, all its rights and obligations hereunder and in the Building and the Leased Premises referred to herein, and in such event and upon such transfer, Landlord shall be released from any further obligations hereunder, and Tenant agrees to look solely to such successor in interest of Landlord for the performance of such obligations.

### **ARTICLE 7**

#### **Insurance**

##### **SECTION 7.1 Landlord**

Landlord shall, at all times during the Term of this Lease, maintain a policy or policies of insurance or equivalent coverage, issued by and binding upon the State of Alabama Department of Risk Management Self-Insured Fund or one or more insurance companies licensed to do business in the State of Alabama, insuring the Building and the Leasehold Improvements against loss or damage by fire, or other insurable hazards and contingencies in an amount not less than the full insurable value thereof, exclusive of excavation costs, foundation costs, pilings, underground conduits, and other similar underground items; provided that Landlord shall not be obligated to insure any furniture, equipment, machinery, goods, supplies or other personal property or trade fixtures that Tenant may bring or obtain upon the Leased Premises. Landlord shall also at all times during the term of the lease maintain general liability insurance on the premises including all common areas in the building. At Landlord's option, coverage may be provided through a funded self-insurance program.

## **SECTION 7.2 Tenant**

Tenant shall, during the Term, at its sole expense, obtain and keep in force, (i) comprehensive general liability coverage, personal injury, bodily injury, broad form property damage, operations hazard, and products and completed operations liability coverage, and (ii) all risk property insurance for Tenant's property (personal property, fixtures and leasehold improvements other than the Leasehold Improvements) in or on the Leased Premises for the full insurable value thereof. At Tenant's option, any of such coverage may be provided through a funded self-insurance program.

## **SECTION 7.3 Certificates of Insurance**

Upon request of the other party, Landlord and Tenant shall each provide to the other certificates evidencing the coverage described in *Sections 7.1* and *7.2*.

## **SECTION 7.4 Casualty Damage**

If the Leased Premises or any part thereof shall be damaged by fire or other casualty, Tenant shall give prompt written notice thereof to Landlord. In case the Building shall be so damaged that the substantial alteration or reconstruction of the Building shall, in Landlord's sole opinion, be required (whether or not the Leased Premises shall have been damaged by such casualty), Landlord shall commence and proceed with reasonable diligence to restore the Building to substantially the same condition in which it was immediately prior to the happening of the casualty, except that Landlord's obligation to restore shall not exceed the scope of the work required to be done by Landlord in originally constructing the Building and as set forth in the Plans and Specifications, nor shall Landlord be required to spend for such work an amount in excess of the proceeds actually received by Landlord from insurance or equivalent coverage as a result of the casualty. When the Leased Premises have been restored by Landlord in accordance with the Plans and Specifications, Tenant shall complete the restoration of the Leased Premises, including the restoration of Tenant's furniture and equipment. Landlord shall not be liable for any inconvenience or annoyance to Tenant or injury to the business of Tenant resulting in any way from such damage or the repair thereof.

# **ARTICLE 8**

## **Events of Default; Remedies**

### **SECTION 8.1 Events of Default by Tenant**

The occurrence of any of the following events shall constitute a Tenant Default:

- (a) the failure of Tenant to pay any Rent or other sums of money when due hereunder and such default shall continue for fifteen (15) days after written notice thereof by Landlord; or
- (b) any failure to observe or perform any other of the terms, conditions or covenants of this Lease, to be observed or performed by Tenant for more than thirty (30) days after written notice thereof shall have been given to Tenant by Landlord, or if such failure shall reasonably take more than thirty (30) days to cure and Tenant shall not have commenced to cure the same within said thirty (30) day period and diligently prosecuted the same to completion; or
- (c) Tenant's leasehold interest shall be taken on execution or other process of law against Tenant; or

(d) Tenant shall become bankrupt or insolvent, or file a petition in bankruptcy or insolvency or for reorganization or for the appointment of a receiver or trustee of all or a portion of Tenant's property; or if a petition or answer proposing the adjudication of Tenant as a bankrupt or its reorganization under any present or future federal or state bankruptcy or similar law shall be filed in any court and such petition or answer shall not be discharged or denied within ninety (90) days after the filing thereof; or if Tenant makes an assignment for the benefit of creditors, or petitions for or enters into an arrangement, or suffers this Lease to be taken under any writ of execution.

#### **SECTION 8.2 Landlord's Remedies for Tenant Default**

(a) In the event of a Tenant Default, Landlord, at its option (without further notice or demand of any kind to Tenant or any other person except as hereinafter expressly provided), shall have the following described remedies:

(1) to collect, by suit or otherwise, each installment of rent or other sum as it becomes due hereunder,

(2) to enforce by suit for specific performance or otherwise, any other term or provision hereof on the part of Tenant required to be kept or performed; or

(3) to terminate this Lease, in which event Tenant agrees immediately to surrender possession of the Leased Premises; provided, however, that prior to exercising this remedy Landlord must demonstrate to the applicable body in accordance with *Article 10* that it is unable to obtain relief from a breach by Tenant of its obligations under this Lease pursuant to *8.2(a)(1)* or *(2)* because it is impossible for Tenant to perform its obligations under this Lease.

(b) For the purpose of computing the Rent and other charges due in the event that Landlord elects to terminate this Lease, the Rent payments payable to Landlord under this Lease shall include the Base Rent and other charges due hereunder, but shall not include Additional Rent for any period after such termination.

#### **SECTION 8.3 Landlord's Remedies are Cumulative**

All the remedies of Landlord in the event of Tenant default shall be cumulative. Forbearance by Landlord to enforce one or more of the remedies upon an event of default shall not constitute a waiver of such default.

#### **SECTION 8.4 Obligation to Pay Rent is Independent; No Setoff**

The obligation of Tenant to pay the Base Rent and the obligations of Tenant to perform Tenant's other covenants and duties hereunder constitute independent and unconditional obligations. Tenant waives and relinquishes all rights which Tenant might have to claim any nature of lien against, withhold, deduct or offset against, any Rent and other sums provided hereunder to be paid Landlord by Tenant.

#### **SECTION 8.5 Events of Default by Landlord**

If Landlord shall fail to comply with or default in the performance of any obligation imposed upon Landlord under the provisions of this Lease and Landlord shall not have cured such failure or default within thirty (30) days after notice thereof to Landlord or if such failure or default shall reasonably take more than thirty (30) days to cure and Landlord shall not have commenced to cure the same within said thirty (30) day period and diligently prosecuted the same to completion, then,

notwithstanding any provision herein contained to the contrary, Tenant shall have, in addition to any other right or remedy provided by law or this Lease, the following described remedies:

(1) to collect, by suit or otherwise, each installment of rent or other sum as it becomes due hereunder,

(2) to enforce by suit for specific performance or otherwise, any other term or provision hereof on the part of Landlord required to be kept or performed; or

(3) to terminate this Lease upon ten (10) days' notice to Landlord, whereupon this Lease shall terminate and an amount equal to the unamortized value of the prepaid Base Rent based on an amortization schedule agreed-upon by the Operating Committee shall promptly be refunded by Landlord to Tenant.

## **ARTICLE 9**

### **Mortgages**

#### **SECTION 9.1 Mortgages by Landlord**

Landlord shall not create or permit to exist any mortgage or, except as otherwise permitted by this Lease, any other lien (a "Landlord Mortgage") upon the Building without the prior written consent of Tenant, which consent shall not be unreasonably withheld; provided, however, that Tenant shall have no obligation to consent to any Landlord Mortgage unless Tenant's leasehold interest in the Leased Premises and the undisturbed occupancy by Tenant of the Leased Premises for the Term of this Lease in accordance with the terms hereof is assured to Tenant.

#### **SECTION 9.2 Mortgages by Tenant**

Tenant shall not create or permit to exist any mortgage or, except as otherwise permitted by this Lease, any other lien (a "Tenant Mortgage") upon the Leased Premises without the prior written consent of Landlord, which consent shall not be unreasonably withheld; provided, however, that Landlord shall have no obligation to consent to any Tenant Mortgage unless Landlord is provided assurance that in the event of any proceedings brought for the foreclosure of, or in the event of the exercise of the power of sale under any Tenant Mortgage, the mortgagee or purchaser shall recognize Landlord as the landlord under this Lease in accordance with the terms hereof.

#### **SECTION 9.3 Estoppel Certificates**

Tenant and Landlord each agree that it will from time to time upon request by the other party to this Lease execute and deliver to such persons as requested, a statement in recordable form certifying that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same is in full force and effect as so modified), stating the dates to which Rent and other charges payable under this Lease have been paid, stating that the other party hereto is not in default hereunder (or, if any such default is alleged, stating the nature of such alleged default) and further stating such other matters as shall be reasonably requested.

## ARTICLE 10

### Resolution of Disputes

#### SECTION 10.1 Operating Committee

(a) Landlord and Tenant hereby establish an Operating Committee for the purpose of negotiating and agreeing to certain matters provided for in this Lease to be determined by the parties. The initial members of the Operating Committee shall be the CFO of University Hospital for Landlord and the Executive Vice President of Tenant. Landlord and Tenant shall have the right to appoint replacements for their respective Operating Committee members at any time upon notice to the other party.

(b) In the event that the Operating Committee is unable to reach an agreement regarding any matters to determined pursuant to this Lease, the matter shall be determined pursuant to the dispute resolution procedures provided for in *Section 10.2*.

#### SECTION 10.2 Resolution of Disputes

(a) *Procedures*. In the event of a Dispute (as defined below), the procedures set out in this Section shall be followed in resolving such Dispute.

(b) *Definition of Dispute*. For purposes of this Lease, "Dispute" shall include any and all questions, claims, controversies or disputes arising out of or relating to this Lease, including the validity, construction, meaning, performance, effect or breach of this Lease and any inability of the Operating Committee to reach any agreement regarding matters provided for in this Agreement.

(c) *Operating Committee*. The Operating Committee shall endeavor in good faith to resolve any Dispute.

(d) *Executive Management Group*. If the Operating Committee is unable to resolve a Dispute referred to it, the Operating Committee shall refer the Dispute to the President, UAB and the President of Tenant (the "Executive Management Group").

(e) *Executive Committee of the Board of Directors of UAB Health System*. If the Executive Management Group is unable to resolve a Dispute referred to it by the Operating Committee, the Dispute shall be referred to the Executive Committee of the Board of Directors of UAB Health System for resolution.

## ARTICLE 11

### Miscellaneous

#### SECTION 11.1 Relationship of Parties

Nothing contained in this Lease shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the parties hereto, it being understood and agreed that neither the method of computation of Rent, nor any other provisions contained herein, nor any acts of the parties herein, shall be deemed to create any relationship between the parties hereto other than the relationship of Landlord and Tenant.

## **SECTION 11.2 No Waiver**

The failure of Landlord to insist at any time upon the strict performance of any covenant or agreement or to exercise any option, right, power or remedy contained in this Lease shall not be construed as a waiver or a relinquishment thereof for the future.

## **SECTION 11.3 Partial Payment**

No payment by Tenant or receipt by Landlord of an amount less than is due hereunder (whether as Base Rent or otherwise) shall be deemed to be other than payment towards or on account of the earliest portion of the amount (whether Base Rent or otherwise) then due by Tenant nor shall any endorsement or statement on any check or payment (or in any letter accompanying any check or payment) be deemed an accord and satisfaction (or payment in full), and Landlord may accept such check or payment without prejudice to Landlord's right to recover the balance of such amount or pursue any other remedy provided herein.

## **SECTION 11.4 Force Majeure**

Whenever a period of time is herein prescribed for the taking of any action by Landlord or Tenant, neither Landlord nor Tenant shall be liable or responsible for, and there shall be excluded from the computation of such period of time, any delays due to strikes, riots, acts of God, shortages of labor or materials, war, governmental laws, regulations or restrictions, financing, or any other cause whatsoever beyond the control of such party.

## **SECTION 11.5 Severability**

If any Term or provision of this Lease, or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and enforced to the fullest extent permitted by law.

## **SECTION 11.6 Recordation**

Landlord and Tenant agree that a memorandum of this Lease in accordance with Alabama law may be executed and recorded.

## **SECTION 11.7 Governing Law**

This Lease and the rights and obligations of the parties hereto shall be governed by the laws of Alabama.

## **SECTION 11.8 Time of Performance**

Except as may be otherwise expressly provided herein, time is of the essence of this Lease with respect to all required acts of Tenant.

## **SECTION 11.9 Section Headings**

The section or subsection headings are used for convenience of reference only and do not define, limit or extend the scope or intent of the sections or this Lease.

**SECTION 11.10 Entire Agreement**

This Lease and any attached schedules, exhibits and riders constitute the entire agreement between Landlord and Tenant with respect to the Leased Premises and no prior or contemporaneous oral promises or representations shall be binding. This Lease shall not be amended, changed or extended except by written instrument signed by both parties hereto.

**SECTION 11.11 Successors and Assigns**

All of the covenants, agreements, terms and conditions to be observed and performed by the parties hereto shall be applicable to and binding upon their respective heirs, personal representatives, successors and, to the extent assignment is permitted hereunder, their respective assigns.

**SECTION 11.12 Notices**

(a) **To Landlord:** Tenant shall pay the Rent and shall forward all notices to Landlord at the following address (or at such other place as Landlord may hereafter designate in writing):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) **To Tenant:** Landlord shall forward all notices to Tenant at the following address (or at such other place as Tenant may hereafter designate in writing):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Any notice provided for in this Lease must, unless otherwise expressly provided herein, be in writing, and may, unless otherwise expressly provided, be given or be served by depositing the same in the United States mail, postage prepaid and certified and addressed to the party to be notified with return receipt requested, or by delivering the same in person to an officer of such party.

(d) Notice deposited in the mail in the manner hereinabove shall be effective upon receipt, unless such mail is unclaimed, in which event notice shall be effective five (5) days after the date of mailing.

**SECTION 11.13 No Merger**

There shall be no merger of this Lease or of the leasehold estate hereby created with Landlord's interest in the Leased Premises or any part thereof by reason of the fact that the same person may acquire or hold, directly or indirectly, (i) this Lease or the leasehold estate hereby created or any interest in this Lease or in such leasehold estate or (ii) any interest in Landlord or its interest in the Leased Premises.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Lease.

**LANDLORD:**  
**THE BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ALABAMA**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**TENANT:**  
**UNIVERSITY OF ALABAMA HEALTH  
SERVICES FOUNDATION, P.C.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that \_\_\_\_\_, whose name as \_\_\_\_\_ of THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA, a public corporation and instrumentality of the State of Alabama, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said public corporation.

Given under my hand and office seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

NOTARIAL SEAL

My commission expires: \_\_\_\_\_

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that \_\_\_\_\_, whose name as \_\_\_\_\_ of UNIVERSITY OF ALABAMA HEALTH SERVICES FOUNDATION, P.C., an Alabama nonprofit professional corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said professional corporation.

Given under my hand and office seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

NOTARIAL SEAL

My commission expires: \_\_\_\_\_

**EXHIBIT A**

**Description of Real Property**

EXHIBIT E

Lot 6, Block 1, according to the map and survey of Sanderson Subdivision, a Resubdivision of Lot 14 and part of Lot 13, J.B. Woodall's Longview Subdivision, Huntsville, Alabama, as recorded in Plat Book 1, page 368, Probate Records of Madison County, Alabama.

[708 Erskine Street, Huntsville, AL 35805]

UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. Erskine708

Property Description, Property Address, Legal Description, Assessor's Parcel No., Tax Year, R.E. Taxes, Special Assessments, Buyer, Current Owner, Occupant, Property rights, Neighborhood or Project Name, Sale Price, Lender/Client, Appraiser, Location, Built up, Growth rate, Property values, Demand/supply, Marketing time, Neighborhood boundaries and characteristics, Market conditions, Project information for PUDs, Dimensions, Specific zoning classification, Utilities, Comments, GENERAL DESCRIPTION, ROOMS, INTERIOR, FINISHED area above grade contains, Additional features, Adverse environmental conditions.

**UNIFORM RESIDENTIAL APPRAISAL REPORT**

File No. Erskine708

Valuation Section

ESTIMATED SITE VALUE	= \$	30,000
ESTIMATED REPRODUCTION COST-NEW-OF IMPROVEMENTS:		
Dwelling 1,714 Sq. Ft. @ \$ 70.00	= \$	119,980
Sq. Ft. @ \$	=	
Front porch, kitchen appliances	=	2,500
Garage/Carport 562 Sq. Ft. @ \$ 40.00	=	22,080
Total Estimated Cost New	= \$	144,560
Less Physical Functional External	= \$	80,238
Depreciated Value of Improvements	= \$	64,322
"As-Is" Value of Site Improvements	= \$	5,000
INDICATED VALUE BY COST APPROACH	= \$	119,322

Comments on Cost Approach (such as, source of cost estimate, site value, square foot calculation and for HUD, VA and FmHA, the estimated remaining economic life of the property): The primary source for the Cost Approach to value is the Marshall & Swift National Cost Data Service. Specific reference was made to pages 19-28 of the Marshall & Swift Residential Cost Handbook, which reflect ranch-style design, brick veneer over frame, average quality construction. Depreciation is estimated at 42% using the age/life method, assuming an effective age of 25 years and an economic life of 60 years.

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	708 Erskine Street Huntsville	400 Arthur Street	916 Woodall Lane	388 College Park Court
Proximity to Subject		+/- One-half mile east	+/- One mile northeast	+/- One mile east
Sales Price	\$ N/A	\$ 115,000	\$ 96,000	\$ 109,900
Price/Gross Living Area	\$ 0	\$ 67.65	\$ 62.46	\$ 72.02
Data and/or Verification Source	Inspection	Huntsville Board of Realtors Multiple Listing Service	Huntsville Board of Realtors Multiple Listing Service	Huntsville Board of Realtors Multiple Listing Service
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION +/- \$ Adjust.	DESCRIPTION +/- \$ Adjust.	DESCRIPTION +/- \$ Adjust.
Sales or Financing Concessions		Seller paid \$1,532 closing	Seller paid \$5,760 closing	Seller paid \$3,600 closing
Date of Sale/Time		5/21/2007	2/26/2007	2/20/2007
Location	Sanderson subd.	Similar	Similar	Similar
Leasehold/Fee Simple	Fee simple	Similar	Similar	Similar
Site	+/- 0.34 acre	0.36 acre, siml	0.34 acre, siml	0.37 acre, siml
View	Typical street	Corner, similar	Interior, similar	Corner, similar
Design and Appeal	Ranch, average	Ranch, similar	Ranch, similar	Ranch, similar
Quality of Construction	Brick veneer, avg	Brick vnr, similar	Brick vnr, similar	Brick vnr, similar
Age	+/- 45 years	Similar	Similar	Similar
Condition	Average/dated	Superior -5,000	Similar	Similar
Above Grade Room Count	Total : Bdrms : Baths 8 4 2	Total : Bdrms : Baths 6 3 1.5 +1,500	Total : Bdrms : Baths 6 3 2.5 -1,600	Total : Bdrms : Baths 7 3 2
Gross Living Area	1,714 Sq. Ft.	1,700 Sq. Ft.	1,537 Sq. Ft. +7,100	1,526 Sq. Ft. +7,500
Basement & Finished Rooms Below Grade	None	None	None	None
Functional Utility	Average	Similar	Similar	Similar
Heating/Cooling	Central	Central, similar	Central, similar	Central, similar
Energy Efficient Items	Energy eff.	Similar	Similar	Similar
Garage/Carport	Garage-2	Carport-1 -7,500	Carport-1 +7,500	Garage-2
Porch, Patio, Deck, Fireplaces, etc.	Covered porch	Porch, patio, Fence, -2,500	Covered porch, Patio -1,500	Porch, patio
Fence, Pool, etc.		Detached storage/workshop		
Net Adj. (total)		⊗ + ⊖ - \$ 1,500	⊗ + ⊖ - \$ 11,600	⊗ + ⊖ - \$ 7,500
Adjusted Sales Price of Comparable		\$ 118,500	\$ 107,600	\$ 117,400

Comments on Sales Comparison (including the subject property's comparability to the neighborhood, etc.): The three comparable sale properties cited above represent recent sales of dwellings located in the general area of the subject neighborhood, which possess characteristics similar to those of the subject property. Comparable Sales #2 and #3 are adjusted for differences in gross living areas, with these adjustments estimated on the basis of \$40.00 per square foot. Comparable Sales #1 and #2 are both adjusted to reflect the two-car garage of the subject dwelling. See additional comments regarding the various adjustments to the comparable sales properties in the addenda to this report.

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Date, Price and Data Source, for prior sales within year of appraisal	None	None of record.	None of record.	None of record.

Analysis of any current agreement of sale, option, or listing of subject property and analysis of any prior sales of subject and comparables within one year of the date of appraisal: None

INDICATED VALUE BY SALES COMPARISON APPROACH ..... \$ 117,000

INDICATED VALUE BY INCOME APPROACH (if Applicable) Estimated Market Rent \$ N/A /Mo. x Gross Rent Multiplier N/A = \$

This appraisal is made  "as is"  subject to the repairs, alterations, inspections or conditions listed below  subject to completion per plans & specifications.  
 Conditions of Appraisal: This appraisal report reflects the estimated "as is" market value of the subject property as of the date of inspection. A copy of a Statement of Limiting Conditions is included in the addenda to this report.

Final Reconciliation: The Sales Comparison, or Market Approach to value is generally considered to provide the most relevant indication of value for single-family residential property, and will serve as the primary basis for the final estimate of value for the subject property in this instance.

The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report, based on the above conditions and the certification, contingent and limiting conditions, and market value definition that are stated in the attached Freddie Mac Form 439/FMVA form 1004B (Revised \_\_\_\_\_).  
 (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE REAL PROPERTY THAT IS THE SUBJECT OF THIS REPORT, AS OF January 16, 2008

(WHICH IS THE DATE OF INSPECTION AND THE EFFECTIVE DATE OF THIS REPORT) TO BE \$ 117,000

APPRaiser: *CBS LP* SUPERVISORY APPRAISER (ONLY IF REQUIRED)  
 Signature: *Thomas E. Garrett* Name: Thomas E. Garrett, MAI  Did  Did Not Inspect Property  
 Date Report Signed: *1/23/08* Date Report Signed  
 State Certification #: R00607 State AL State Certification #: G00192 State AL  
 Or State License # State Or State License # State

**Supplemental Addendum**

File No. Erskine708

Borrower/Client	Ray Thome		
Property Address	708 Erskine Street		
City	County	State	Zip Code
Huntsville	Madison	AL	35805
Lender	University of Alabama Huntsville		

**Comments On Sales Comparison Analysis**

Comparable Sale #1 is located in the Daniel subdivision, approximately one-half mile east of the subject property. Comparable Sale #1 was adjusted to reflect the superior condition of this dwelling, due primarily to a recent renovation of the kitchen in this property. Comparable Sale #1 was also adjusted to reflect the two-car garage of the subject property, and the detached storage and workshop building of this sale property. Although this dwelling only contained three bedrooms, it was very similar in size, and no adjustment was deemed appropriate.

Comparable Sale #2 is located in the McThornor Acree subdivision, approximately one mile northeast of the subject property. Comparable Sale #2 was adjusted to reflect the larger living area of the subject dwelling, with this adjustment calculated on the basis of \$40.00 per square foot of gross living area. Comparable Sale #2 was also adjusted to reflect the two-car garage of the subject property.

Comparable Sale #3 is located in the College Park subdivision, which is east of Jordan Lane and south of Holmes Avenue, approximately one mile east of the subject property. The only significant adjustment to Comparable Sale #3 was made to reflect the larger living area of the subject dwelling, with this adjustment calculated on the basis of \$40.00 per square foot of gross living area.

The three comparable sales presented in this report indicate a range of value from approximately \$108,000 to \$117,000 for the subject property. Comparable Sale #3 is considered to be very similar to the subject property, only requiring an adjustment for the difference in size, and will serve as the primary basis for the final estimate of market value for the subject property.

**Additional Comments On Appraisal**

Based upon a review of the Madison County Tax Collector's records, it appears that the subject property was exempt from ad valorem taxes for the 2007 tax year.

Due to the new construction and development currently taking place throughout the University of Alabama in Huntsville campus, the highest and best use of the subject property appears to be for the continued expansion of the University.

It should be noted that the crawl space of the subject dwelling was not readily accessible on the date of inspection. For the purpose of this appraisal, the appraisers have made the assumption that there are no problems associated with the structural, electrical, plumbing, and mechanical systems in the subject dwelling. The appraisers recommend an inspection and consultation with a qualified expert regarding any specific questions concerning the condition of these items.

708 ERSKINE STREET SUBJECT PHOTOGRAPHS



Typical View of  
Subject Property



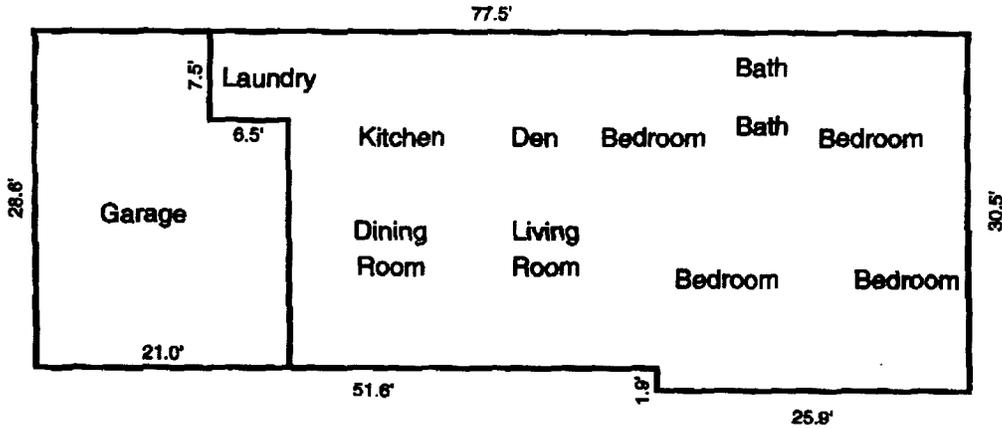
Rear View of  
Subject Property



Street Scene

# SKETCH/AREA TABLE ADDENDUM

Property Address 708 Erdine Street  
 City Huntsville County Madison State Alabama Zip 35806  
 Borrower University of Alabama Huntsville  
 Lender/Client University Alabama Huntsville  
 Appraiser Name Claude E. Moore, Jr. Appr Address 2816-A Memorial Parkway Huntsville, AL 35801



Comments:

Scale: 1 = 12

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Totals
GLA1	First Floor	1713.86	1713.86
GA1	Garage	551.85	551.85

LIVING AREA BREAKDOWN		
Breakdown	Subtotal	
First Floor		
25.3 x 30.5		789.95
28.6 x 30.6		875.16
6.5 x 7.5		48.75

TOTAL LIVABLE (rounded) 1714
3 Calculations Total (rounded) 1714

587

STATE OF ALABAMA    )  
   )  
 MADISON COUNTY     )

### REAL ESTATE SALES CONTRACT

**THIS CONTRACT** is made and entered into by and between **Raymond J. Thome**, an unmarried man (referred to herein as the "**Seller**"), and **The Board of Trustees of The University of Alabama**, a public educational and constitutional instrumentality of the State of Alabama, incorporated by statute, for and on behalf of The University of Alabama in Huntsville (hereinafter referred to as the "**Buyer**").

#### WITNESSETH:

**IN CONSIDERATION** of the mutual promises and covenants herein set forth, and other good and sufficient consideration, it is agreed by and between the parties as follows:

1.     **Identification of Property.** The **Seller** hereby agrees to sell to the **Buyer**, and the **Buyer** hereby agrees to purchase from the **Seller**, the following described real property:

Lot 6, in Block 1, according to the map and survey of Sanderson Subdivision, a Resubdivision of Lot 14 and part of Lot 13, J.B. Woodall's Longview Subdivision, Huntsville, Alabama, as recorded in Plat Book 1, page 368, Probate Records of Madison County, Alabama. [708 Erskine Street, Huntsville, AL 35805]

The following described personal property shall also be included in the sale: carpets; all heating, air conditioning, plumbing, and lighting fixtures; and shrubs and trees.

2.     **Purchase Price.** The total purchase price for the above described real and personal property (referred to collectively herein as the "Property") shall be **ONE HUNDRED THIRTY-SEVEN THOUSAND AND NO/100 (\$137,000.00) DOLLARS**. The purchase price shall be payable as follows: the **Buyer** shall pay the purchase price, with any adjustments provided for in this Contract, in cash in the form of a certified or cashiers check.

3.     **Condition - Formal Approval.** The obligation of the **Buyer** to purchase the Property under this Contract shall be conditional upon the formal approval of the Contract and the transaction contemplated hereunder by The Board of Trustees of The University of Alabama or the Executive Committee thereof. The necessity for such approval shall constitute a condition precedent, and the failure of the Board of Trustees or the Executive Committee to give its approval on or before the closing date shall result in the termination of this Contract, neither party in such event having any further obligation hereunder.

4. **Closing.**

4.01 The parties agree that a closing for this transaction shall be held within forty-five (45) days after the execution of this Contract, at a specific date to be mutually agreed upon by them. It is further agreed, however, that for good cause either party may request and shall receive an additional thirty (30) days beyond the time stated above to prepare for the closing.

4.02 At closing, the **Seller** shall convey to the **Buyer** by general warranty deed a good and merchantable fee simple title to the Property, subject only to the following exceptions:

- a. Ad valorem taxes becoming a lien on the Property October 1, 2007 and being due and payable October 1, 2008.
- b. Easements, licenses, rights-of-way, and restrictions of record.
- c. Zoning ordinances.

4.03 The right of possession to the Property shall pass to the **Buyer** no later than ninety (90) days after the date of closing, at which time the Property shall be delivered to the **Buyer** by the **Seller** and the **Seller** shall vacate the Property. From the time of closing to the time of vacation of the Property by the **Seller**, as stated above, the **Seller** shall occupy and possess the Property under a lease agreement with the **Buyer**, according to the terms of which no rental shall be payable by the **Seller** but all other costs associated with the possession of the Property, such as, without limitation, the cost of utilities, repairs and maintenance, etc., shall be borne by the **Seller**. Each party agrees to execute a lease agreement, prepared by the **Buyer** and reflecting the provisions contained in this paragraph and other appropriate and reasonable provisions, at the request of the other party.

4.04 The **Seller** shall provide the **Buyer** with a copy of the most recent termite inspection report in a form acceptable to the **Buyer**.

4.05 The **Buyer** shall be responsible for providing the deed and for paying the deed recording fee.

4.06 Ad valorem taxes that are a lien on the Property as of the date of closing shall be prorated and accounted for by the parties at closing.

4.07 The **Buyer** shall procure an interim title insurance commitment and owner's title policy on the Property, evidencing good and marketable fee simple title to the Property, subject only to the liens and encumbrances set forth in paragraph 4.02 above. The cost of such commitment and policy shall be borne by the **Buyer**.

4.08 The **Seller** agrees to execute at the time of closing a Seller's Affidavit prepared by the **Buyer** and relating to the property.

4.09 The **Seller** shall, on or before closing, remove all personal property on the Property not

being conveyed to the **Buyer** hereunder.

5. **Seller's Warranties.**

5.01 The **Seller** hereby represents and warrants the following to the **Buyer**:

- a. There are no parties other than the **Seller** in possession of any part of the Property.
- b. There is no pending or threatened condemnation or similar proceeding or assessment affecting the Property, or any part thereof.
- c. The **Seller** has complied with all applicable laws, ordinances, regulations, statutes, rules, and restrictions relating to the Property, or any part thereof.
- d. There are no mechanics' liens affecting the Property.
- e. The **Seller** is not a party to any litigation affecting the Property or the **Seller's** right to sell the Property or any interest therein, and the **Seller** knows of no litigation or threatened litigation affecting the Property.
- f. There are no major structural defects in the improvements on the Property known to the **Seller**, and the fixtures, appliances, and other personal property to be conveyed hereunder are in good operating condition.
- g. The **Seller**, and the **Seller** alone, can convey good and merchantable fee simple title to the **Buyer**, free and clear of all liens and claims of third parties, except those referred to in paragraph 4.02 above, and the **Seller** has done or committed no act, and is not guilty of any failure to act, that would prevent, impair, or adversely affect his ability to convey such title to the **Buyer**.

5.02 The **Seller** will not cause or permit any action to be taken that would cause any of the foregoing representations or warranties to be untrue as of the closing date. The **Seller** further agrees to notify the **Buyer** in writing of any event or condition occurring prior to the closing date and known to him that causes a change in the foregoing facts or affects the truth of the foregoing representations or warranties. Such representations or warranties, limited to conditions existing at the time of or prior to the date of closing, shall survive the deed of conveyance given by the **Buyer**.

6. **Possession Prior to Closing.** The **Seller** shall have sole right of possession of the Property until the closing date, except that the **Buyer**, or its representative(s), shall be given reasonable access to the Property for the purpose of conducting inspections thereof.

7. **Lease to Seller.** The parties agree that, after closing, the Property shall be leased by the **Buyer** to the **Seller** at no cost to the Seller for a period of up to ninety (90) days from the closing date,

as set forth more fully in paragraph 4.03 above.

8. **Risk of Loss.**

8.01 The **Seller** shall bear all risk of casualty loss to the Property prior to closing and shall maintain in full force and effect hazard insurance insuring the Property against loss and damage or destruction through the closing date.

8.02 In the event of any substantial damage to or destruction of the Property improvements occurring prior to closing, the **Buyer** shall proceed with the closing and be entitled to receive the full amount of any proceeds of the hazard insurance maintained by the **Seller** on the Property. In such event, any loss shall be settled with the insurer only with the written consent of the **Buyer**. If at the time of closing there shall remain losses which have not been settled or adjusted, the **Seller** shall transfer and assign the insurance claim to the **Buyer**.

9. **Remedies upon Breach.** Upon the default or breach of any obligation, representation, or warranty hereunder by a party, the other party shall have available to it any and all remedies provided under Alabama law. In the event either party shall bring any action or proceeding to protect or enforce his/its rights under this Contract, the prevailing party shall be entitled to recover in such action or proceeding reasonable attorneys' fees and court costs, to the extent allowed by Alabama law.

10. **Miscellaneous.**

10.01 All notices required or permitted to be given under the terms of this Contract shall be in writing and shall be sent by United States mail or delivered by personal service to the parties at their respective addresses given below:

For the **Seller**:

Mr. Raymond J. Thome  
708 Erskine Street  
Huntsville, AL 35805

For the **Buyer**:

Mr. Ray Pinner  
Vice President for Finance and Administration  
The University of Alabama in Huntsville  
Huntsville, Alabama 35899

The name and address to which notices shall be sent may be changed by either party by written notice sent or delivered as specified above. A notice which is properly mailed shall be deemed to have been given on the fifth (5th) calendar day after the date of its posting.

10.02 No failure by either party to insist upon the strict performance by the other of any term, condition, covenant, or provision of this Contract or to exercise any right or remedy consequent upon a breach thereof shall constitute a waiver of any such breach of such term, condition, covenant, or provision. No waiver of any breach shall affect or alter this Contract, but each and every term, condition, covenant, or provision of this Contract shall continue in full force and effect with respect to any other then existing or subsequent breach.

10.03 If any provision hereof shall be determined or declared invalid, illegal, or unenforceable by a court of competent jurisdiction, the remainder of this Contract shall continue in full force and effect and shall in no way be affected, impaired, or invalidated.

10.04 Neither party may transfer or assign any rights, duties, or obligations arising under this Contract.

10.05 The language in all parts of this Contract shall in all cases be simply construed according to its fair meaning and not strictly for or against either party.

10.06 This Contract shall be binding on the respective successors, heirs, personal representatives, and assigns of the parties.

10.07 This Contract states the entire agreement between the parties and merges herewith all statements, representations, and covenants heretofore made, and any other agreements not incorporated herein are void and of no effect. No representations or promises not expressly stated herein have been used to induce either party to enter into this Contract.

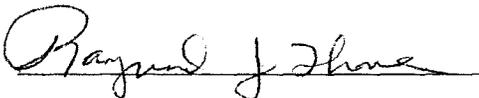
10.08 Any changes, modifications, or amendments to this Contract must be reduced to and approved in writing by both parties to be valid.

10.09 This Contract, and all matters or issues collateral to it, shall be governed by and construed in accordance with the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties have executed this contract in duplicate original on the dates indicated below.

**SELLER:**

RAYMOND J. THOME



3-25-08  
Date

**BUYER:**

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA, FOR AND ON BEHALF OF THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

BY: 

Ray Pinner  
Vice President for Finance & Administration  
3/25/08  
Date

UAH INSTITUTIONAL PRESENTATION  
APRIL 11, 2008

Trustees, campus representatives, and guests gathered in Executive Classroom 280 of the Bevill Conference Center and Hotel at The University of Alabama in Huntsville on Friday, April 11, 2008.

President David B. Williams presented the attached slide presentation.

**UAHuntsville**  
THE UNIVERSITY OF ALABAMA HUNTSVILLE

**Growth and the Power of Ten**



**UAHuntsville**  
THE UNIVERSITY OF ALABAMA HUNTSVILLE

## **Foundation for Growth In Huntsville**

Army Base Realignment and Closure (BRAC) command relocations

NASA ARES, Lunar Lander, and Lunar Precursor Robotics Vehicle

Anchor of the second largest University Research Park in the nation

Campus Infrastructure

Sound Financial Base



## **Our Goals**

**Students**

**Academics**

**Research**

**Fundraising**

**Put a Team In Place**

## **Students**

### **Strengths**

- Stable Numbers
- Competitive Tuition and Fees
- High Academic Standards
- Competitive Student Athletes

### **Challenges**

- Stable Numbers
- Competitive Tuition and Fees
- Geographic Diversity
- Retention/Time To Graduation
- Scholarships and Financial Aid

## **Students**

### **Goals by 2013**

- 10,000 Students
- 100% Growth in Diversity
- 100% Growth in Out of state students
- 10% increase in standards

## **Academic Programs**

### **Strengths**

Sound Infrastructure  
Growth in Technology, Entrepreneurship, Nursing Infrastructure

### **Challenges**

Separation of Academics and Research  
Infrastructure Needs  
Few Interdisciplinary Programs  
Limited Institutional Involvement

## **Academic Programs**

### **Goals by 2013**

1 International Campus  
10 New Programs - Cross Disciplinary Programs

## Research

### Strengths\*

- 20th in NASA-funded Environmental Science
- 18th in federally-funded Atmospheric Science
- 16th in federally-funded "other" Engineering
- 16th in total R&D funding for Atmospheric Science
- 15th in Department of Defense-funded Computer Science
- 12th in NASA-funded Computer Science R&D
- 11th in total NASA funding for R&D
- 10th in NASA-funded Engineering R&D
- 4th in NASA-funded Computer Science R&D
- 4th in all federally-funded research in Business & Management

### Challenges

- Dependence on NASA and Army Funding
- Lack of Competitive Funding

\*National Science Foundation rankings for research and development expenditures in FY 2006.

## Research

### Goals by 2013

- 100 Ph.D.s awarded per year
- \$100,000,000 in research awards per year

## **Integration of Industry Partnerships Academic Programs and Research**

### **Program**

Ph.D. Students - \$50,000 stipend, corporate benefits and full tuition

4-Year accelerated degree

20 Companies working with all Ph.D. departments

### **Goal**

20 Ph.D.s per year by 2013

## **Fundraising**

### **Strengths**

Industrial Partnerships  
Local Alumni

### **Challenges**

No History of Asking  
Local Alumni

## **Fundraising**

### **Goals by 2013**

\$10,000,000 Annual Giving

\$100,000,000 Total Endowment

## **Immediate Goals**

### **Building the Team**

Admissions and Retention

Advancement

Academic Programs

Research

*PHOTO OF BARTH, PATTERSON,  
SANDS, NEW PROVOST HERE*

## Immediate Goals

### Develop a New Mission Statement

*The University of Alabama in Huntsville, a research-intensive university, is committed to rigorous scholarship, innovative education, technological research, cultural growth and entrepreneurial creativity in order to enrich our global community.*

## The Power of Ten

1. Students		
10% Increase In Entry Standards		$10^{-1}$
10,000 Undergraduate and Graduate Students		$10^0$
2. Academics		
1 International Campus Partnership		$10^1$
10 Innovative Educational Degrees		$10^2$
1000 Co-ops and Internships Per Year		$10^3$
3. Research		
\$100,000,000 In Annual Research Expenditures		$10^4$
100 Ph.D's Per Year		$10^7$
4. Fundraising		
\$10,000,000 in Annual Giving		$10^8$
\$100,000,000 Endowment		$10^8$

**UAHuntsville**  
THE UNIVERSITY OF ALABAMA IN HUNTSVILLE