



May 31, 2007

Peter Gutmann  
Womble Carlyle Sandridge & Rice, PLLC  
1401 Eye Street, NW, 7th Floor  
Washington, DC 20005

Dear Mr. Gutman:

As we have discussed, I hereby make the following statement under the penalties of perjury:

(1) Under Massachusetts General Laws, ch. 75, § 1, the University of Massachusetts is to be governed by a Board of Trustees. The members of the Board of Trustees are appointed pursuant to ch. 75, § 1A, which provides for nineteen voting members, seventeen to be appointed by the Governor of Massachusetts and two elected from the student body. Any amendment to this appointment process would require legislative enactment. See Mass. Const, Pt. , c. 1, § 1, art. 4; *Corning Glass Works v. Ann & Hope, Inc. Of Danvers*, 363 Mass. 409, 421, 294 N.E.2d 354 (1973).

(2) Members of the Board of Trustees, including elected student members, are subject as special state employees to General Laws, ch. 268A, the Massachusetts Conflict of Interest Law, and the University of Massachusetts Conflict of Interest Disclosure Policy, each of which requires disclosure of any business dealings or financial interests which might create a real or potential conflict with the interests of the University. That would include broadcast interests which might potentially conflict with those of the University. No current Trustee has indicated any broadcast interests which might conflict with University interests.

Signed under the penalties  
of perjury

  
Lawrence T. Bench  
Interim General Counsel