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July 18, 2006

**By Facsimile & Federal Express**

Honorable Christopher J. Christie  
United States Attorney  
United States Attorney's Office  
970 Broad Street, Room 700  
Newark, NJ 07102

Re: UMDNJ; Presidential Search

Dear Mr. Christie:

I wish to respond to Judge Stern's letter to you of July 17 and to report that, as the result of research and conferences (including those of the Ad Hoc Committee) which have taken place between the June 27 Board meeting and the present date, a presidential search process is underway and will be formally addressed at the next Board meeting a week from today on July 25.

1

By way of background, Dr. Vladeck and I have been intent -- indeed, since our first meeting -- on starting a timely search for a permanent president of the University. However, we believed that certain steps had to be taken before the process commenced were we ever to induce qualified candidates to show an interest.

One step was to obtain a qualified and effective Board of Trustees. The kind, quality and commitment of the Board would of course be important to any qualified candidate. You will recall that in February and early March the Board was in shambles due to resignations and the effects of deleterious events. Also, an interim president had to be found. The Governor addressed these problems by

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seeing to the appointment of Dr. Vladeck as Acting President and then by proceeding to appoint new, qualified Trustees to the Board bringing it to full complement. Due to the search for the best and the statutory need for Senate confirmation, the process spanned four months -- I was sworn in at the end of March and Anita Spivey will be sworn in at the July meeting. I enclose resumes of the six new Trustees.<sup>1</sup> The Board has thus been fully reconstituted and has the wise and experienced people who can govern effectively.

We also thought it important to show positive action by the Board -- hence the creation of an Audit Committee modeled on Sarbanes/Oxley, a restructuring of Board Committees, the adoption of a job description for a Compliance Officer and the engagement last week of a Compliance Officer.

There is more detail about all of this in the enclosed copy of my opening statement at the June meeting.

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In advocating a search in his June 15 letter, Judge Stern characterized the Board bylaw governing the search process as having proven cumbersome and time consuming in the past two searches. I thought it would be useful to see if the process could be improved before we embarked on the project. I appointed an Ad Hoc Committee to review the bylaw and to comment on the process before matters got officially underway. The Ad Hoc Committee was composed of Neil Rudenstine (former President of Harvard and former Provost of Princeton), Harold Shapiro (former President of both Princeton and Michigan) and myself with the direction that it "undertake and complete its work promptly and . . . report to the Board before the Board's next regular meeting in July." The Committee has been functioning. In addition, Dr. Vladeck and I have had ongoing discussions with third parties about the appropriate size and composition of the search committee. I have also done considerable research about the search process used (and recommended) by other institutions such as Harvard University and Rice University. As a result, we were and are prepared to recommend the following at the July meeting:

- that the current bylaw should be retained (just so long as it is read to insure that the Board has the final say on who will be selected), that the bylaw is helpful in directing that constituent groups of the University have input on the selection, and that the delay which an amendment would entail is not desirable;

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<sup>1</sup> Mr. Terracciano was appointed by Governor Codey but agreed to be sworn in only at the behest of the Governor and myself.

- that the search process should begin forthwith;
- that the search committee should be composed of some 11 to 15 members drawn from the constituent elements of the University (faculty, Deans, etc.), from the Board and from a pool of qualified, respected independent people;
- that the Chair of the search committee should be a qualified, respected person with impeccable credentials and experience;
- that the search committee use a national search firm (Dr. Vladeck has been preparing a list of candidates);
- that, in addition to representation on the search committee, all constituent groups mentioned in the bylaw be represented in a consulting capacity; and
- that the search committee's mandate be to find the very best person to be our President and to conduct its affairs in as transparent a fashion as possible.

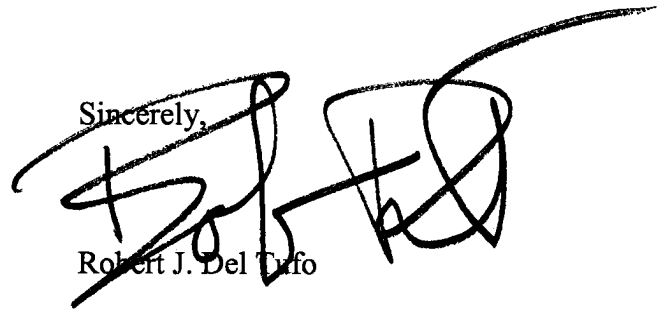
I was under the mistaken impression that the Monitor's staff was aware of these activities. Unfortunately, there must have been failures in communication and these lapses must have led to misperceptions. For this I apologize. In this connection, however, it is important to note the Monitor's July 17 letter mistakenly assigns to the Board an intention to change the bylaw and to deny a voice to the University community in identifying a new president. Neither was of course ever the case. Moreover, as to the latter, the participation of the University family as a whole is basic and essential to the selection of a person who will not only be of the highest quality but who will also have the support needed to succeed in doing his or her job. As to the former, the assignment to the ad hoc group was not to change the bylaw but to study if a bylaw change was desirable -- i.e. "if the bylaw should remain [as is] or be modified." As noted above, the conclusion reached is that we should proceed under the bylaw as now written.

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The above is a brief description of our activities and of our intentions to move ahead at the July 27 meeting. I would of course be pleased to discuss all of this with you in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Del Tufo". The signature is written in a cursive, somewhat stylized font. A long, thin horizontal line extends from the right side of the signature across the top of the page.

Robert J. Del Tufo

RJD:vs

cc: The Honorable Herbert J. Stern