

From: brian.e.doll@exxonmobil.com
Sent: Monday, March 05, 2007 6:12 PM
To: Snyder, Phil J SCC-DCS/2
Cc: Clegg, Patsy M SCC-DCS/22; mfitzsim@steptoe.com; burnetdm@bp.com; Mike.d.Johnston@ConocoPhillips.com; ZachWong@chevrontexaco.com; anita.balaraman@chevrontexaco.com; jennifer.b.galvin@ConocoPhillips.com; hughm7@bp.com; michael.g.bird@exxonmobil.com; Tsai, Shan P SHLOIL-SHS; stephen.m.bowes@exxonmobil.com; Cagen, Stuart Z SHLOIL-SHOIL-SHS; alex.yelland@chevron.com; myron.c.harrison@exxonmobil.com; heroldra@bp.com; trisha.m.perkins@exxonmobil.com; glenna.m.kyle@exxonmobil.com
Subject: Re: FW: Shanghai extension 3-5-07

Phil Synder - Shell (for Patsy Clegg),

Thanks for forwarding and for filling in for Patsy. The attached letter addresses most of our concerns. It does not, however, acknowledge that the Oversight Committee had endorse the CinPathoGen structure on January 29, and that Dr. Irons was aware of this approval and appropriately represented this to his management. We feel that is a critical element that needs to be included in the letter to set the record straight.

Longer term (i.e., the next two weeks), this unfortunate episode demonstrates a lack of alignment between API and the BHRC member companies that has put the completion of the study in jeopardy. This is all the more puzzling given that API staff have been involved in all of our meetings and conference calls, with the exception of the February 23 conference call with Dr. Irons and our conference call last Thursday night to discuss API's ultimatum. It is critical to have a meeting to get alignment on the way this study will be managed from this time forward.

I cannot speak for others on the BHRC OC, but in my view the demonstrated areas of nonalignment include the following:

-- There seems to be a negative bias against the CinPathoGen funding route that has crept into discussions between API and University of Colorado. To my knowledge, the Oversight or Technical Committees never formally agreed to express such a negative bias nor had authorized API to do so. In fact, the only formal vote that I recall on this issue was the one taken on January 29 where we agreed to move forward positively to progress the CinPathoGen route.

-- Again, I was unaware of the decision to send these retraction letters. API's insistence on the use of the blunt retraction letters by the committee chairs needs to be explained so we all understand why a simple clarifying letter would not suffice, as had been suggested by BHRC outside counsel.

-- We also need to understand why the retraction letters were signed by the BHRC committee chairs on API letterhead versus SHS letterhead.

-- We need to discuss how API plans to operate with the BHRC member companies going forward, specifically with regard to Section 8 of the 2001 Agreement, "API Responsibilities: API's activities under this section shall be subject to oversight and approval by the Oversight Committee and governed by API Policies and Procedures as closely as practicable..."

Regards,
Brian Doll
ExxonMobil

(See attached file: Shanghai extension 3-5-07 ExxonMobil.doc)

<phil.snyder@shell.com>

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03/05/07 12:57
PM

<brian.e.doll@exxonmobil.com>

To

cc

Subject

FW: Shanghai extension 3-5-07

Phil Snyder
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-----Original Message-----

From: Howard Feldman [mailto:Feldman@api.org]
Sent: Monday, March 05, 2007 11:29 AM
To: Snyder, Phil J SCC-DCS/2
Cc: Clegg, Patsy M SCC-DCS/22; Russell White
Subject: Shanghai extension 3-5-07

Phil,

I see that you are on point for this today. Attached is the working draft API letter. Per our agreement on Friday, we are forwarding this directly to you on behalf of the Oversight Committee. Obviously, if there are any comments, we would like them as expeditiously as possible.

Howard Feldman

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(See attached file: API proposal guide.doc) (See attached file: Shanghai extension 3-5-07.doc)

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