



Office of the University Custodian of Records
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June 13, 2012

Via E-mail Only
Edward Hammond
3103 Powell Circle
Austin, TX 78704
ehpricklyresearch.com

OPEN PUBLIC RECORDS ACT REQUEST # 1292

Dear Mr. Hammond:

Please accept this letter as the University Custodian's response to your request for records pursuant to the Open Public Records Act ("OPRA"). On May 18, 2012, this office received your request for the following:

1. "All material transfer agreements applicable to Combretum biological materials utilized by the laboratory of James Simon."
2. "All material transfer agreements for biological materials originating in Senegal utilized by the laboratory of James Simon, from 1 January 2007 to the present."
3. "All material transfer agreements for biological materials originating in Liberia utilized by the laboratory of James Simon, from 1 January 2007 to the present."

You further stated that the records of NJAES were included in the request. Via e-mail dated May 25, 2012, I explained that the employee with knowledge of the records you seek access to was out of the country until May 31, 2012, and requested an extension until June 13, 2012 to respond to your request.

This office has diligently searched for records responsive to your request and responds as follows:

Item 1

You requested "all material transfer agreements applicable to Combretum biological materials utilized by the laboratory of James Simon." The following records are responsive to your request:

1. 1292 Memorandum of Understanding
2. 1292 Protocole

These records are being provided to you with this letter, via e-mail as requested.

Item 2

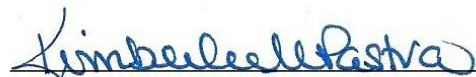
You requested “all material transfer agreements for biological materials originating in Senegal utilized by the laboratory of James Simon, from 1 January 2007 to the present.” The Department of Plant Biology and Pathology has advised this office that records responsive to this request do not exist. OPRA provides access to existing, identifiable records. N.J.S.A. 47:1A-1.1. Because records responsive to your request do not exist, your request is denied.

Item 3

You requested “all material transfer agreements for biological materials originating in Liberia utilized by the laboratory of James Simon, from 1 January 2007 to the present.” The Department of Plant Biology and Pathology has advised this office that records responsive to this request do not exist. OPRA provides access to existing, identifiable records. N.J.S.A. 47:1A-1.1. Because records responsive to your request do not exist, your request is denied.

If your request has been denied, you may take your appeal to the Government Records Council which has mediation and dispute resolution procedures or you may file a lawsuit with the New Jersey Superior Court, as provided by N.J.S.A. 47:1A-1, et seq. A brochure listing the procedures for appeal is being provided to you with this letter.

Very truly yours,



Kimberlee M. Pastva
Compliance Associate
848-932-2457