

From: [Schuerman, Peter L.](#)
To: ["Bill Rooney"](#); ["Lloyd Rooney"](#); ["Steve Brown"](#); [McCutchen, Bill](#); [Avant, Bob](#)
Cc: [Schuerman, Peter L.](#)
Subject: DRAFT TERM SHEET - sorghum.docx
Date: Wednesday, January 21, 2009 9:31:35 AM
Attachments: [DRAFT TERM SHEET - sorghum.docx](#)

Corrected all references to “grain” to “seed”.

From: [Schuerman, Peter L.](#)
To: ["Bill Rooney"](#); ["Lloyd Rooney"](#); ["Steve Brown"](#); [McCutchen, Bill](#); [Avant, Bob](#)
Cc: [Schuerman, Peter L.](#)
Subject: DRAFT TERM SHEET - sorghum.docx
Date: Wednesday, January 21, 2009 9:31:35 AM
Attachments: [DRAFT TERM SHEET - sorghum.docx](#)

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From: [Steve Brown](#)
To: [Avant, Bob](#); [McCutchen, Bill](#); [Lloyd Rooney](#); [Schuerman, Peter L.](#); [Bill L Rooney](#)
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx
Date: Wednesday, January 21, 2009 9:27:37 AM
Attachments: [Steve Brown1.vcf](#)

Hi Peter,

My only concern is that we still have TFSS as the intermediary on grain production in your term sheet. I'm relatively sure that Mr. Harris already has contacts/relationships with a mill to provide those grain receiving/milling services.

Just a comment

Steve Brown
Program Director
Texas Foundation Seed Service
Email: rsbrown@ag.tamu.edu
PH: 940-552-6226
website <http://tfss.tamu.edu>
FAX: 940-552-5524

>>> "Schuerman, Peter L." <PSchuerman@tamu.edu> 1/21/2009 9:06 AM >>>
Please see revised term sheet. I'll use this as a set of talking points for the visit tomorrow.

I've used \$75K a year for each research budget, for each category of research. This reflects the inclusion of IDCs.

-Peter

From: [Schuerman, Peter L.](#)
To: ["Bill Rooney"](#); ["Lloyd Rooney"](#); ["Steve Brown"](#); [McCutchen, Bill](#); [Avant, Bob](#)
Cc: [Schuerman, Peter L.](#)
Subject: DRAFT TERM SHEET - sorghum grain.docx
Date: Wednesday, January 21, 2009 9:06:35 AM
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To: ["Bill Rooney"](#); [Lloyd Rooney](#); ["Steve Brown"](#); [McCutchen, Bill](#); [Avant, Bob](#)
Cc: [Schuerman, Peter L.](#)
Subject: DRAFT TERM SHEET - sorghum grain.docx
Date: Wednesday, January 21, 2009 9:06:34 AM
Attachments: [DRAFT TERM SHEET - sorghum grain.docx](#)

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From: [Steve Brown](#)
To: [Avant, Bob](#); [McCutchen, Bill](#); [Brummett, Robert G.](#); [Lloyd Rooney](#); [Schuerman, Peter L.](#); [Bill L Rooney](#)
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx
Date: Wednesday, January 21, 2009 8:08:06 AM
Attachments: [Steve Brown1.vcf](#)

Bob,

I spoke with one of our wheat licensees (in very general terms) about this project. He told me that there was a mill near him that was closed. They had storage, milling capacity, etc and he might have interest in production, sales, milling of grain.

I have not pursued this because the project seemed to be in somewhat of a holding pattern. Our licensee is in the Texas panhandle, but the mill is in either the OK panhandle or S. KS.

Might be a possibility.

Steve Brown
Program Director
Texas Foundation Seed Service
Email: rsbrown@ag.tamu.edu
PH: 940-552-6226
website <http://tfss.tamu.edu>
FAX: 940-552-5524

>>> "Avant, Bob" <bavant@tamu.edu> 1/21/2009 8:00 AM >>>
What about a vertically integrated enterprise to produce, harvest, store, and mill similar to the wheat production/bakery enterprise at Fort Collins?

Could license Black Sorghum to enterprise with an exclusive contract with Harris.
Bob Avant
512/422-6171 (Cell)

----- Original Message -----

From: Bill Rooney <wlr@tamu.edu>
To: 'Steve Brown' <rsbrown@ag.tamu.edu>; Avant, Bob; McCutchen, Bill; Brummett, Robert G.; 'Lloyd Rooney' <lrooney@tamu.edu>; Schuerman, Peter L.
Sent: Tue Jan 20 12:59:13 2009
Subject: RE: DRAFT TERM SHEET - sorghum grain.docx

I don't see much value in being directly involved in the grain production, primarily because this will be directly tied to milling capacity. At mid-level or full capacity, there are commercial entities that will do this much more effectively than we ever could (or should). I think our responsibility is to provide the hybrid seed to whomever the licensee has a contract to grow it. The growing, harvest, and processing should be others' responsibility.

Regards,

Bill

Dr. William L. Rooney
Professor, Sorghum Breeding and Genetics
Chair, Plant Release Committee
Texas A&M University

College Station, Texas 77843-2474
979 845 2151

-----Original Message-----

From: Steve Brown [<mailto:rsbrown@ag.tamu.edu>]
Sent: Tuesday, January 20, 2009 10:42 AM
To: Bob Avant; Bill McCutchen; Robert G. Brummett; Lloyd Rooney; Peter L Schuerman; Bill L Rooney
Cc: David Riddle; Janie C. Hurley
Subject: RE: DRAFT TERM SHEET - sorghum grain.docx

We can probably produce grain in the early evaluation stages. However, at the production levels that were previously discussed, we would need a commercial sized grain elevator (550,000 to 600,000 bu capacity) to meet those needs.

TFSS could work as an intermediary to facilitate production/distribution of commercial grains, but would need to structure those agreements very carefully so as to avoid liability for quality issues that may come up in food grade products.

My comfort zone would be much better if we limited our involvement to hybrid seed production.

Thanks,

Steve Brown
Program Director
Texas Foundation Seed Service
Email: rsbrown@ag.tamu.edu
PH: 940-552-6226
website <http://tfss.tamu.edu>
FAX: 940-552-5524

>>> "Schuerman, Peter L." <PSchuerman@tamu.edu> 1/20/2009 10:33 AM >>>
Steve,

Understood about the difference between seed and grain. I had assumed TFSS could produce grain. Do we need to limit what TFSS does to seed production only?

-Peter

-----Original Message-----

From: Steve Brown [<mailto:rsbrown@ag.tamu.edu>]
Sent: Tuesday, January 20, 2009 9:05 AM
To: Avant, Bob; McCutchen, Bill; Brummett, Robert G.; Lloyd Rooney; Schuerman, Peter L.; Bill L Rooney
Cc: Riddle, David; Hurley, Janie C.
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx

Hi Peter,

Thanks for sharing the term sheet details with me. I couldn't get a full view on the blackberry and could only open this attachment this morning. I have a couple of questions.

In your first point, we need to make a clear distinction between SEED and

GRAIN. These are 2 entirely different things.

Production of the hybrid seed should not be a problem for us. However, your term sheet would indicate that we are to be in the commercial food grade grain business. Along with this comes several liabilities that we may not be prepared to manage in-house. As I recall, Mr. Harris indicated that at full production, he would have a need for about 30M lbs of GRAIN. (I realize that he would have to grow the business to that point) We have no facilities to handle that volume of material. I would assume that these grains (yellow and black) would have to be segregated and he would want us to carry this volume throughout the manufacturing year. In other words, we would actually be maintaining volumes of raw materials for his production cycle that span a time from one production year to the next.

Once we know that this project is going forward, it is likely that we could contract with a grain facility to manage the raw materials, but food-grade grain and feed grade grains have differing quality needs. Most commercial grain elevators either handle grain in the short term or handle only feed grade grains.

Location will be of great importance for a facility that planned to carry commercial quantities of food grade grains. Storage pests are a problem for all commercial grain elevators, but this is especially true for food grade products. A cool dry climate will be of great importance as will the ability to keep these products segregated and pure for final delivery. (In most commercial grain elevators that handle multiple grains, there is not a great deal of concern if there are small mixtures of products.)

Just some thoughts. We probably need to discuss your intent further.

Thanks,

Steve Brown
Program Director
Texas Foundation Seed Service
Email: rsbrown@ag.tamu.edu
PH: 940-552-6226
website <http://tfss.tamu.edu>
FAX: 940-552-5524

>>> "Schuerman, Peter L." <PSchuerman@tamu.edu> 1/16/2009 1:33 PM >>>
All -

For your consideration, please see the attached draft term sheet. As per our discussion today, certain blanks are available to be filled in by Drs. Rooney and Rooney.

I would appreciate your feedback, and any questions or concerns, by next Tuesday at the latest. Mr. Harris from NIC will be joining us later next week and it would be useful to have this ready for his consideration.

Best regards,

-Peter

Peter L. Schuerman, Ph.D. Sr. Licensing Manager
Texas A&M University System <http://otc.tamu.edu>
<<http://otc.tamu.edu>>
Office of Technology Commercialization 979.845.0907

From: [Holland, L. Diane](#)
To: [Hurley, Janie C.](#); [Schuerman, Peter L.](#); [Riddle, David](#); ["Bill Rooney"](#); ["Steve Brown"](#); [Baltensperger, David](#); [McCutchen, Bill](#); [DeLuca, Warren](#)
Cc: [Brummett, Robert G.](#); [Holland, L. Diane](#)
Subject: Approval Request of Proposed MTA and Evaluation License Agreement with Sementes Biomatrix Ltd
Date: Tuesday, January 20, 2009 2:10:34 PM
Attachments: [Proposed Material Transfer and Evaluation License Agreement with Sementes Biomatrix Ltda for multiple sorghum lines.pdf](#)
Importance: High

All –

Attached is a proposed Material Transfer and Evaluation License Agreement with Sementes Biomatrix Ltda for multiple sorghum line. Also attached is a Brief summarizing the conditions of this agreement and an Approval form. If the Agreement is acceptable as written, please indicated your approval by signing the approval form or simply by stating your approval and forwarding the entire package to the next signatory via email. Please copy everyone on this email each time you forward the attachment.

Thank you and Best Regards,

Diane Holland
Office of Technology Commercialization
Texas A&M University Systems
1700 Research Parkway, Suite 250
3369 TAMU
College Station, TX 77843-3369
979-845-8966 - phone
979-845-1402 - fax

From: [Steve Brown](#)
To: [Avant, Bob](#); [McCutchen, Bill](#); [Brummett, Robert G.](#); [Lloyd Rooney](#); [Schuerman, Peter L.](#); [Bill L Rooney](#)
Subject: RE: DRAFT TERM SHEET - sorghum grain.docx
Date: Tuesday, January 20, 2009 1:02:03 PM
Attachments: [Steve Brown1.vcf](#)

I agree!

Steve Brown
Program Director
Texas Foundation Seed Service
Email: rsbrown@ag.tamu.edu
PH: 940-552-6226
website <http://tfss.tamu.edu>
FAX: 940-552-5524

>>> "Bill Rooney" <wlr@tamu.edu> 1/20/2009 12:59 PM >>>
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Sent: Tuesday, January 20, 2009 10:42 AM
To: Bob Avant; Bill McCutchen; Robert G. Brummett; Lloyd Rooney; Peter L Schuerman; Bill L Rooney
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Subject: RE: DRAFT TERM SHEET - sorghum grain.docx

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>>> "Schuerman, Peter L." <PSchuerman@tamu.edu> 1/20/2009 10:33 AM >>>
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Sent: Tuesday, January 20, 2009 9:05 AM
To: Avant, Bob; McCutchen, Bill; Brummett, Robert G.; Lloyd Rooney; Schuerman, Peter L.; Bill L Rooney
Cc: Riddle, David; Hurley, Janie C.
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx

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Office of Technology Commercialization 979.845.0907

From: [Steve Brown](#)
To: [Avant, Bob](#); [McCutchen, Bill](#); [Brummett, Robert G.](#); [Lloyd Rooney](#); [Schuerman, Peter L.](#); [Bill L Rooney](#)
Cc: [Riddle, David](#); [Hurley, Janie C.](#)
Subject: RE: DRAFT TERM SHEET - sorghum grain.docx
Date: Tuesday, January 20, 2009 10:42:47 AM
Attachments: [Steve Brown1.vcf](#)

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Sent: Tuesday, January 20, 2009 9:05 AM
To: Avant, Bob; McCutchen, Bill; Brummett, Robert G.; Lloyd Rooney; Schuerman, Peter L.; Bill L Rooney
Cc: Riddle, David; Hurley, Janie C.
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx

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To: [Avant, Bob](#); [McCutchen, Bill](#); [Brummett, Robert G.](#); [Lloyd Rooney](#); [Schuerman, Peter L.](#); [Bill L Rooney](#)
Cc: [Riddle, David](#); [Hurley, Janie C.](#)
Subject: Re: DRAFT TERM SHEET - sorghum grain.docx
Date: Tuesday, January 20, 2009 9:05:37 AM
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To: ["Bill Rooney"](#); ["Lloyd Rooney"](#); [McCutchen, Bill](#); [Avant, Bob](#); ["Steve Brown"](#); [Brummett, Robert G.](#)
Cc: [Hurley, Janie C.](#); [Riddle, David](#); [Schuerman, Peter L.](#)
Subject: DRAFT TERM SHEET - sorghum grain.docx
Date: Friday, January 16, 2009 1:33:11 PM
Attachments: [DRAFT TERM SHEET - sorghum grain.docx](#)

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Office of Technology Commercialization 979.845.0907

.



From: [Schuerman, Peter L.](#)
To: ["Don Nordlund"](#)
Cc: [Schuerman, Peter L.](#)
Bcc: ["Bill Rooney"](#)
Subject: request for materials
Date: Thursday, January 08, 2009 10:57:51 AM
Attachments: [NFCA 58-6435-8-328N.PDF](#)
[Material Request Form.doc](#)

Don,

Hope all is well with you. I understand that Dr. Anna Hale has identified some materials that she is interested in obtaining from us, that were developed in the course of our project (see attached agreement).

To move forward with this, please have Anna fill out the attached Material Request Form, and we'll develop an MTA for your review.

Best regards,

-Peter

Peter L. Schuerman, Ph.D. Sr. Licensing Manager
Texas A&M University System <http://otc.tamu.edu>
Office of Technology Commercialization 979.845.0907

From: [Schmitt, Brian C.](#)
To: [Schuerman, Peter L.](#)
Cc: [Mullet, John E.](#); "[wlr@tamu.edu](#)"; "[JBrady@ag.tamu.edu](#)"; "[pklein@tamu.edu](#)"; [McCutchen, Bill](#); [Riddle, David](#); "[rmurphy46@tamu.edu](#)"; "[dmorishige@tamu.edu](#)"
Subject: TAMUS 2580 Enablement Requirement Analysis-Discovery and Utilization of Sorghum Genes [REDACTED] [In Corn]
Date: Thursday, January 08, 2009 9:34:25 AM
Attachments: [TAMUS 2580 Enablement Analysis of \[REDACTED\].in Corn.pdf](#)

Peter:

Please find attached as an Adobe PDF document, TAMUS 2580 Enablement Requirement Analysis-Discovery and Utilization of Sorghum Genes [REDACTED] [In Corn].

If you should have any questions or concerns, feel free to contact me.

Very Truly Yours,

Brian Schmitt

Brian Schmitt
IP Manager
Office of Technology Commercialization
Texas A&M University System
1700 Research Parkway, Suite 250
College Station, TX 77845
979-862-6832
bschmitt@tamu.edu

From: [Schuerman, Peter L.](#)
To: ["Bill Rooney"](#)
Cc: [Hurley, Janie C.](#); [Schuerman, Peter L.](#)
Subject: Proposed Terms for Portfolio Licensing v4 - TAMUS reply Dec182008.doc
Date: Thursday, January 08, 2009 9:06:59 AM
Attachments: [Proposed Terms for Portfolio Licensing v4 - TAMUS reply Dec182008.doc](#)

Bill, here is where we are with Ceres; see the attached term sheet. Please let us know if you want to discuss; thanks.

-Peter

From: [Schuerman, Peter L.](#)
To: ["Bill Rooney"](#)
Cc: [Hurley, Janie C.](#); [Schuerman, Peter L.](#)
Subject: Proposed Terms for Portfolio Licensing v4 - TAMUS reply Dec182008.doc
Date: Thursday, January 08, 2009 9:06:59 AM
Attachments: [Proposed Terms for Portfolio Licensing v4 - TAMUS reply Dec182008.doc](#)

Bill, here is where we are with Ceres; see the attached term sheet. Please let us know if you want to discuss; thanks.

-Peter

From: [Bill Rooney](#)
To: [Schuerman, Peter L.](#)
Subject: NFCA 58-6435-8-328N.PDF - Adobe Acrobat Professional
Date: Wednesday, January 07, 2009 7:31:52 PM
Attachments: [NFCA 58-6435-8-328N.PDF](#)

Anna Hale