



1750 Ocean Park Boulevard, #200, Santa Monica, CA 90405 - 4938
Tel: 310-392-0522 • Fax: 310-392-8874 • Net: consumerwatchdog.org
April 12, 2007

Robert Birgeneau
Chancellor
University of California, Berkeley
200 California Hall #1500
Berkeley, CA 94720-7464

Dear Dr. Birgeneau:

Thank you for your recent letter responding to our concerns about the proposed \$500 million deal with BP to establish the Energy Biosciences Institute.

At first reading a number of your assertions are reassuring. Frankly however, recent events prompt me to wonder if the public can take your words and the words of other university officials at face value.

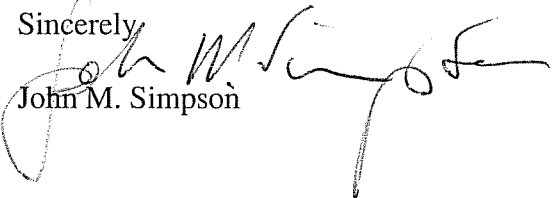
You write: "Our proposal to BP was developed in an open, not secretive, way." That is simply not the case. University officials have referred to the EBI proposal posted on the official website to promote the institute as the complete document.

Now it transpires that students have discovered that the posting did not include 115 pages of appendices. In the face of a Public Records Act request from the student campaign StopBP-Berkeley, the missing pages have now been posted.

Included in the formerly secret documents are names and resumes of Berkeley faculty members who potentially could be part of the EBI. Ironically some are professors who have publicly opposed the EBI deal. They were shocked to discover their names and resumes were included.

You also go out of your way to tout Berkeley as business friendly, including as another appendix a reprint of an article from Inc. magazine naming Berkeley as first on a list of "Five Universities You Can Do Business With."

Could you please explain why the documents were held back and why I should I accept the substantive assertions of your letter as correct when such a fundamental mischaracterization of the deliberative process as "open" has occurred?

Sincerely,

John M. Simpson

cc: UC Regents