

Feuchtenberger, Karen

From: Omar Y. McNeill <mcneill@freehgroup.com>
Sent: Monday, January 16, 2012 4:26 PM
To: Frazier, Kenneth C.; Tomalis, Ronald
Cc: Louis Freeh
Subject: RE: PSU -- Special Investigations Task Force/Board of Trustees Meetings
Attachments: PSU Rec Near Term 1 16 Draft.docx

Ken and Ron –

Attached is the updated listed of interim recommendations with Ron's suggestion included and the typo corrected.

We still are in process of finding, in print, the Erickson comment regarding a General Counsel search during his early press conference, but below is the January 22, 2010, article from Penn State Live announcing Baldwin's appointment as General Counsel. Note the highlighted section which states that "she will serve in a transitional role as in-house counsel to help establish and organize the office, manage Penn State's legal function, and pave the way for a permanent general counsel to be hired following a national search." We have revised the recommendation to tie to the "earlier reported plans to hire a permanent General Counsel after a national search is conducted."

Please let me know if you have any further comments or questions.

Regards,
 Omar



Penn State names new vice president and general counsel

Penn State names new vice president and general counsel

Friday, January 22, 2010



Credit: Greg Grieco Cynthia Baldwin speaking at the groundbreaking for the Lewis Katz Building, now home to the Penn State Dickinson School of Law at University Park, in 2007

University Park, Pa. — Penn State's Board of Trustees today (Jan. 22) approved the appointment of former Pennsylvania Supreme Court Justice Cynthia Baldwin to serve as the University's full-time general counsel and

chief legal officer.

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Baldwin, currently a partner in the Pittsburgh office of the law firm Duane Morris LLP, was elected the first African American female judge of the Allegheny Court of Common Pleas and is past chair of the Penn State Board of Trustees.

She will serve in a transitional role as in-house counsel to help establish and organize the office, manage Penn State's legal function, and pave the way for a permanent general counsel to be hired following a national search.

The University's decision to create an in-house legal counsel is based on a recommendation from an external peer review conducted last year. The conventional model used now by peer institutions is to have in-house counsel oversee legal work and to perform core activities such as reviewing contracts and policies, establishing procedures, and advising the Board of Trustees and senior management.

McQuaide Blasko, a State College-based law firm, has served as general counsel for the University for more than five decades. Much of the University's legal work will continue to be done by McQuaide Blasko. "We have been served extraordinarily well by McQuaide Blasko and we will maintain a significant relationship with them well into the future," said Penn State President Graham Spanier. "We are fortunate to have in Cynthia Baldwin someone with such vast legal expertise at the highest level and also a thorough understanding of the University and its needs," said Spanier. "Her oversight during this transition will allow us to implement a model for legal services that addresses our anticipated future needs."

From: Louis Freeh [<mailto:freeh@freehgroup.com>]
Sent: Monday, January 16, 2012 12:00 PM
To: Omar Y. McNeill
Cc: Frazier, Kenneth C.; Tomalis, Ronald
Subject: Re: PSU -- Special Investigations Task Force/Board of Trustees Meetings

We'll confirm

Thanks

Sent from my iPhone

On Jan 16, 2012, at 5:57 PM, "Omar Y. McNeill" <mcneill@freehgroup.com> wrote:

Ken --

I will correct the typo. As to the public nature of the GC search, in one of Erickson's first press conferences as President, when he was asked if he was replacing any of his staff, I recall that he said that he was replacing the VP of F&B (Schultz) and also that a search was underway for a permanent GC. I'll review the articles to confirm, but we can simply remove that if there is any discomfort in listing it now.

Regards,
Omar

Sent from my iPhone

On Jan 16, 2012, at 11:34 AM, "Frazier, Kenneth C." <ken_frazier@merck.com> wrote:

Omar,

These look good as a start for the SITF's work. I have two modest comments: Is the GC search sufficiently public at this point to include in this initial list? Second (and I apologize) "policies" is misspelled in the first line.

From: Omar Y. McNeill [mailto:mcneill@freehgroup.com]
Sent: Monday, January 16, 2012 10:40 AM
To: Frazier, Kenneth C.; Tomalis, Ronald
Cc: Louis Freeh
Subject: PSU -- Special Investigations Task Force/Board of Trustees Meetings

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Feuchtenberger, Karen

From: Omar Y. McNeill <mcneill@freehgroup.com>
Sent: Monday, January 16, 2012 2:03 PM
To: Louis Freeh; Frazier, Kenneth C.
Cc: Tomalis, Ronald
Subject: RE: PSU -- Special Investigations Task Force/Board of Trustees Meetings

Regards,
Omar

From: Louis Freeh [mailto:freeh@freehgroup.com]
Sent: Monday, January 16, 2012 1:42 PM
To: Frazier, Kenneth C.
Cc: rtomalis@pa.gov; McNeill@FreehGroup.com
Subject: Re: PSU -- Special Investigations Task Force/Board of Trustees Meetings

Dear Ron and Ken

Regards

Louie
Sent from my iPhone

On Jan 16, 2012, at 7:08 PM, "Frazier, Kenneth C." <ken_frazier@merck.com> wrote:

Agree
Sent from Blackberry

From: Tomalis, Ronald [mailto:rtomalis@pa.gov]
Sent: Monday, January 16, 2012 12:39 PM
To: Louis Freeh <freeh@freehgroup.com>; Frazier, Kenneth C.
Cc: Omar Y. McNeill <mcneill@freehgroup.com>
Subject: RE: PSU -- Special Investigations Task Force/Board of Trustees Meetings

Omar/Louie

Agree with Ken. If Omar/Louie agree it is appropriate, I would add one item – which I believe would be best positioned under Administrative issues. Separate from the GC item, I think we need to introduce to the Board this week the need to examine the rigor of the oversight responsibility of the Board in relation to the Administration, and the rigor of the oversight responsibility of the Administration in relation to the various Departments, with specific focus on Athletics.

Ken, I'm sure you know John S. is moving in this direction, and believe that we can help him get there. In this preliminary report it can be explained this week in such a way as to provide broadest flexibility regarding potential final recommendations, yet also signal that this is a concern we are examining.

From: Louis Freeh [mailto:freeh@freehgroup.com]
Sent: Monday, January 16, 2012 11:59 AM
To: Frazier, Kenneth C.
Cc: Omar Y. McNeill; Tomalis, Ronald
Subject: Re: PSU -- Special Investigations Task Force/Board of Trustees Meetings

Sent from my iPhone

On Jan 16, 2012, at 5:34 PM, "Frazier, Kenneth C." <ken_frazier@merck.com> wrote:

Omar,

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