

To Whom It May Concern:

The Texas A&M Health Science Center is distributing the adult marrow stromal cells you have requested from the laboratory of Dr. Darwin Prockop, Director of the Texas A&M Health Science Center College of Medicine Institute for Regenerative Medicine at Scott & White, according to the terms of the attached Material Transfer Agreement and pursuant to the information included in this covering memo.

The cells being transferred are to be used only for academic (non-commercial) research purposes. They may not be used in any human testing or research involving human subjects. They are provided without warranty as to fitness for a particular purpose and without any warranty that use of the cells will not infringe the intellectual property rights of third parties.

The Texas A&M Health Science Center also wishes to advise you of the following: U.S. Patent 5,716,616, issued to Thomas Jefferson University, covers methods of treating patients by administering adherent cells to a patient to treat disease characterized by a bone defect. In addition, U.S. Patent 6,653,134, issued to MCP Hahneman University/Drexel University, covers methods of differentiating stromal cells into neural cells. Also, U.S. Patent 7,056,738 issued jointly to Drexel University and Tulane University covers composition of matter of the cells. You are advised to review the claims of all three patents. The cells being provided to you may not be used for any activity that would infringe a claim of any of these patents.