

To Whom It May Concern:

Tulane University is distributing the adult marrow stromal cells you have requested from the laboratory of Dr. Darwin Prockop, Director of the Tulane Center for Gene Therapy, 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.

Tulane 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. You are advised to review the claims of both patents. The cells being provided to you may not be used for any activity that would infringe a claim of either of these patents.

Attachment