

# UCCSN Board of Regents' Meeting Minutes August 10-11, 1992

8-10-1992

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BOARD OF REGENTS

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

August 10, 1992

The Board of Regents met on the above date in the Computing Services video conference room at the University of Nevada, Reno and the University of Nevada, Las Vegas for a special video meeting.

Members present: Las Vegas: Mrs. Carolyn M. Sparks, Chairman

Mrs. Shelley Berkley

Mr. Joseph M. Foley

Dr. Lonnie Hammargren

Mrs. June F. Whitley

Reno: Dr. Jill Derby

Dr. James Eardley

Mr. Daniel J. Klaich

Elko: Mrs. Dorothy S. Gallagher (via  
telephone)

Others present: Chancellor Mark H Dawson

President Joseph Crowley, UNR

Mr. Donald Klasic, General Counsel

Mr. Ron Sparks, Vice Chancellor

Dr. John Richardson, Vice Chancellor

Ms. Mary Lou Moser, Secretary

Also present was Unit Senate Chairman Diane Dietrich.

Chairman Sparks called the meeting to order at 10:10 A.M. Monday,  
August 10, 1992.

1. Review of Nevada State Press Association Law Suit

Chairman Sparks stated that General Counsel Klasic had provided the Board with a written update on the law suit. Dr. Hammargren informed the Board that just prior to this meeting he had prepared a page of questions he would like answered, and requested the discussion on this item be delayed

until that page could be sent by facsimile to Reno and Elko so that the Board members would have the information before them during the discussion.

## 2. New Business

### A. Regents

Dr. Hammargren announced that he had information for the Board concerning the land acquisition in Clark County of approximately 118 acres of BLM land near the airport. He stated that the party who was suing Clark County for the land did not file an appeal with the U. S. Supreme Court and that UCCSN could now pursue the purchase from the County. Chairman Sparks referred to a letter received from the Clark County Commission, dated July 9, 1992, in which they state the County still has plans to develop a golf course on this property.

General Counsel Klasic cautioned that this matter was not posted for this meeting, but will be on the agenda for the August 27-28, 1992 meeting.

### B. Mr. William Shields introduced himself, stating he was

a candidate for Regent Berkley's district.

C. Mrs. Gallagher asked that an item be placed on a future agenda for the Regents to consider a policy concerning payment of private attorneys. Mr. Klaich stated that there is an existing statute which would have to be reviewed.

### 3. Review of Nevada State Press Association Law Suit/Request for Funding

Copies of Dr. Hammargren's fax were distributed to those present, filed as Ref. A with the permanent minutes. Mr. Foley asked whether Dr. Hammargren wanted something more than the written update from General Counsel.

Mr. Klaich stated that at least Questions No. 1 through 4 did not have anything to do with the noticed agenda, and to act would be a clear violation of the Open Meeting Law to have discussion on or to take action on at this time. Question No. 5 concerned being allowed to listen to the tape of the January 9, 1992 personnel session. General Counsel Klasic stated that he had been in contact with Dr. Hammargren's counsel on that matter, and the difficulty with al-

lowing anyone to listen to the tape was the necessity to preserve the integrity of the tape inasmuch as the Court has requested it be presented at a hearing on August 19, 1992. Dr. Hammargren's counsel stated that the same reasons for not discussing Questions No. 1 through 4 would apply to No. 5, but also that it would be his recommendation that no action be taken to listen to that tape, that in order to preserve the integrity and the chain of custody, the tape be turned over to the Judge, who will listen to it, and make a decision. Further, these questions are the ultimate issues of law which are the subject of the law suit.

Mr. Foley called for a comment by General Counsel on Question No. 6, "If General Counsel Klasic is counsel for the Board of Regents, I demand that he furnish me with all correspondence regarding this law suit which he has refused to date." General Counsel Klasic stated that part of the problem is that Dr. Hammargren is fully aware of what has happened in this matter, that:

Not only has he received previously all of the correspondence, and all of the documents which General Counsel Klasic has had in this case up to July 22, 1992, but he was present at the hearing on July 22, 1992 and

he knows exactly what the status of the case is.

The case has not gone any further from that which happened on July 22, 1992.

Essentially, the law suit was filed in March, 1992.

General Counsel Klasic filed a Motion for Summary Judgment and an answer in April, 1992. Briefs were filed.

A hearing was scheduled for July 22, 1992. The Judge decided to postpone the matter because she wanted to listen to the tape. During the July 22, 1992 meeting, she entertained an action by Dr. Hammargren which he requested that General Counsel Klasic make, that General Counsel Klasic withdraw as his counsel so that he could get his own attorney, which she approved.

There was a request by the attorney for the Nevada State Press Association to talk with Dr. Hammargren about this case. General Counsel Klasic objected on the basis of privilege. The Judge ordered Dr. Hammargren not to talk to the attorney, pending the outcome of that motion and that will be briefed. On August 19, 1992, the tape will be delivered to the Court, and presumably General Counsel Klasic will argue his motion on the privilege.

After August 19, 1992 and the Judge has had an opportu-

nity to listen to the tape, there will be another hearing, but no date has been scheduled yet. At that time, there will be a hearing on the motion.

On the issue of correspondence, General Counsel Klasic informed the Board that Dr. Hammargren is not "being kept in the dark"; that he certainly got full correspondence prior to the time he got his own attorney; he was present at the hearing in July. There is nothing new since that time.

Mr. Klaich stated that he felt the Board was wasting a great deal of time and wanted the meeting over as quickly as possible. He stated that Dr. Hammargren's first four questions are insulting to every member of the Board and appear to be nothing more than a calculated attempt to embarrass the Board. He continued that with respect to Question No. 5, he felt that General Counsel's suggestion of giving the tape to the Judge is absolutely appropriate and the Judge should deal with the tape in whatever manner she suggests. As far as correspondence coming from General Counsel, he felt that any member of the Board could have any of the correspondence he/she wants. He stated that he was getting tired of the sniping going on between Dr. Hammargren and General Counsel

Klasic, and the claim that everything that Dr. Hammargren doesn't like being General Counsel Klasic's fault. He stated he does not feel this has anything to do with the Nevada State Press Association law suit. He added that if Dr. Hammargren has a problem with how General Counsel Klasic is handling his job, then Dr. Hammargren should request the Chairman of the Board to call a personnel session on General Counsel Klasic to look into his competency; that it was the only fair thing to do for General Counsel Klasic and the only fair thing for Dr. Hammargren to do. Mr. Klaich stated that he was getting bored with Dr. Hammargren's trying to be an attorney as well as a Regent.

Chairman Sparks stated that in this matter Dr. Hammargren is the most informed of anyone on the Board since he was actually present at the court hearing. She added that the Board has done its best to satisfy his request for information, and all his various requests, of which there have been many. She stated she was not certain what was hoped to be satisfied by this meeting.

Chairman Sparks stated that there was a great deal of correspondence from another attorney of Dr. Hammargren, Mr. Alan Jones, and that she failed to see there was anything



left undone at this point.

Dr. Hammargren stated that the first thing he would like to know is the Board's position in relation to the particular issues involved. He stated the purpose was not to embarrass but was to "bring out in the open" the type of things he felt the Board should be talking about. Chairman Sparks asked him to be specific.

Dr. Hammargren stated that he would like to know whether the Board of Regents is going to make their decisions in public or in private, which is a very, very fundamental decision, and specifically how they vote as to whether they should have personnel sessions on themselves. That was the purpose of the meeting, not embarrassment, but to make a better plan for the future. Dr. Hammargren stated that he did not call for the personnel session (January 9, 1992); people objected to the personnel session going in; that he obeyed the rules of the personnel session and that the only thing he said was that "yes, it was a personnel session on me". He added that other people didn't necessarily do that, but he kept obeying the rules until he kept reading in the newspaper about the law suits in which he was discussed. He stated that he felt it was inconsistent to have an emergency item

introduced at the last Regents' meeting to protect against a "flash article in the newspaper" when there are consistent law suits that have not been brought to the Board, and the issues have not been talked about by the Board, and they are settled by either one or two people behind closed doors.

Mr. Foley stated that he did not feel anything was being accomplished with these "wild accusations" from Dr. Hammargren. He added that he felt about 80% of the Board's time since Dr. Hammargren has been a member has been his demands, and almost a command, that the Board devote all its time to his business. He stated that so long as Dr. Hammargren continues, he will continue to "holler" about it.

Mr. Foley moved that the Board deny the request by Dr. Hammargren in Item 2 for attorney fees to be paid to his special counsel, at his selection, in the law suit. Mr. Klaich seconded.

Mrs. Berkley asked that the Board hear Dr. Hammargren's comments, that he obviously was frustrated and unhappy with the procedures of this Board.

Mr. Foley stated that he had to leave the meeting but would

like to be notified when the vote would be taken.

Chairman Sparks stated she felt the Board has "bent over backwards" to be fair to Dr. Hammargren; they had listened; they had read "reams of paper"; there has not been anything new or different presented in the last two months.

Dr. Hammargren continued that the intent was not to embarrass, unless the Board is embarrassed by the non-public way it does business. Chairman Sparks objected to Dr. Hammargren's accusation that the Board does business in a non-public way. Dr. Hammargren stated that the waste of time in this meeting was, in his mind, to try to discuss these issues as a Board of Regents, and to come up with a decision, and instead, the first thing that was said was that the Board could not talk about this, because it hadn't been noticed specifically. He stated that the first four questions were the "heart" issues of the Nevada State Press Association law suit, which was noticed. He stated that he found it strange that the Board could not discuss them, and suggested that those items could be noticed again in detail. He stated that he felt the Board was making a travesty of the Open Meeting Law by demanding every little detail and discussion be noticed.

Chairman Sparks stated that it was a law suit and details should not be discussed, but the suit was reviewed. Dr. Hammargren said that it was not a question of a review of the past, that he was trying to make something constructive of it, and that is, what is the position of the individual Regents -- they can't meet privately and discuss this issue; they can't meet publically and discuss this issue.

Mr. Klaich suggested that the Attorney General of the State of Nevada, and the court system of the State of Nevada, are charged with enforcing, interpreting the Open Meeting Law, and that was not the job of the Board of Regents. He added that was not making a mockery of the statute; it's not doing anything, it is just saying it is the Board's job to take care of higher education in the State of Nevada, or is it the Board's job to interpret the Open Meeting Law? Mr. Klaich related that the Attorney General has already expressed her opinion on most, if not all, of these questions. If a District Judge in Clark County disagrees with that interpretation, then that will be another interpretation of the law.

Dr. Hammargren stated that helped him put into perspective

his thoughts, because he was the one who has been embarrassed, not the Board of Regents, in relation to this. He agreed that it was not the Board's job to interpret State law except as to how it does business every day, and he felt every day that he is trying to learn how to do the business, the rules change. He gave as an example, this meeting in which the Chairman stated Dr. Hammargren could review the January 9, 1992 tape, but Counsel said that he could not.

Mr. Klaich declared Dr. Hammargren's comments was a misstatement because Counsel had not informed the Chairman of his conversation with Mr. Dickerson (Dr. Hammargren's attorney); General Counsel corrected the Chairman as soon as the statement was made and she stated that she was mistaken.

Mr. Klaich suggested that if Dr. Hammargren had a difference with Mr. Dickerson, then the Board should hear about that, but that he should not state that the rules had been changed because that is not what happened. Chairman Sparks interjected that Dr. Hammargren did know, through his attorney, that he could not listen to the tape. Dr. Hammargren stated that he did not know that.

Dr. Hammargren referred to some information which purported-

ly was sent to the Regents, that the Chairman and the Chancellor had both told him about the information, but that he was not privileged to the information, and that other Regents were prevented from giving him that information in relation to what the law suit at the present time was about.

He declared that communication was still withheld from him, and so therefore there was misinformation that has purposely been withheld.

Chairman Sparks, speaking to Dr. Hammargren, stated that he has chosen to separate himself from the individual members of the Board by seeking his own counsel. She stated that the Board had not forced him to do this nor did they recommend it. She stated that the Board is a 9-person elected Board of Regents whose job is to oversee the policy and budget making of the UCCSN. She added that Mr. Foley is correct when he stated the Board has spent 80% of its time in this last year dealing with items which have no interest or concern to the other institutions in this System; it has had to take an extreme amount of personal time and meeting time to deal with subjects that simply are not pertinent to this Board. She stated she felt the Board had given him every courtesy, had made every attempt to provide him with time in a forum to conduct his business, and he has chosen

to separate himself from the other members of this Board, and that is not anything that the Board members feel they have to deal with him personally. She stated she would not feel the Board had to pay for any of its members' elections campaigns. She continued that if Dr. Hammargren chooses to take a position separately from the individual members of the Board, it is following the statutes of the State of Nevada, the Code of UCCSN, it goes by the rules established by the Board, and if he does not like those rules, the Board can see about changing them. However, she added, that the Board cannot constantly disrupt every action it takes by something that Dr. Hammargren knows full well going into the meeting the answer to every one of his questions. She stated that they have been discussed in full detail and he did know where the Board stands on the items and yet he persists in making a public spectacle of all the members.

Dr. Hammargren questioned where the Board stands on any one of the items, and asked for justification for that action.

Mr. Foley stated that it was done through discussion, and suggested that Dr. Hammargren put his questions on the agenda. Dr. Hammargren stated that Mr. Foley always interrupts when he is talking, but that he remembers a famous

interruption Mr. Foley had made, because Mr. Foley had not been present for the January personnel session, and when served with the law suit, Mr. Foley had declared he was going to sue because he was not a party to the session.

Dr. Hammargren asked why Mr. Foley was so upset with a law suit in which he was not involved. Mr. Foley replied that it wasn't the law suit that was upsetting him.

Mrs. Gallagher asked whether Dr. Hammargren's attorney was present, with the answer being that he was not. Mrs.

Gallagher stated she felt the attorney would be delighted with Dr. Hammargren being his own attorney after he had retained an attorney. Dr. Hammargren replied that he was not trying to be an attorney in the law suit, and added that he was certain the attorney would "reprimand" him, just as Mrs. Gallagher had suggested.

Dr. Hammargren stated that he was trying to get at the issues of how the Board does business, which is what "people" were trying to ignore.

Mrs. Gallagher stated she was highly offended with this discussion because she did not feel that the Board does business behind closed doors, and that she is offended



when Dr. Hammargren accuses the Board without any facts that it is doing business behind closed doors. She added that she feels he often times feel that because of his own inattention. She stated she resented the manner in which he is portraying this matter because he is "pointing fingers" with "absolutely nothing" to support it.

Dr. Hammargren asked where was the deliberation of the position of the Board of Regents on this issue.

Chairman Sparks asked for a clarification of the item 2 request since it appears that Dr. Hammargren has more than one attorney. She asked if the request was for all attorneys and referred to the letter from Mr. Alan Jones.

Dr. Hammargren stated he was requesting only for this situation and that is payment for Mr. Dickerson, and stated he had asked the Secretary to change the notice to that effect. He added that this request was only to do with this particular personnel item as a decision of can a person have a different opinion? and added that "we all" may have different personal opinions, but the Board does have a collective decision. He stated that he would "go along" with collective problems of the Board, but that is not what led to this law suit, and the Board's own at-

torney, in writing, has said that he would not represent Dr. Hammargren; would not present any opinion, even though Counsel is representing Dr. Hammargren as an individual and as the Board, and, therefore, Dr. Hammargren was abiding by State law that allows that if there is a conflict, a public official may have a representative of a different attorney.

Chairman Sparks again asked for a clarification, that General Counsel Klasic has not said he would not represent Dr. Hammargren; that Dr. Hammargren had made the request to not be represented by General Counsel Klasic. General Counsel Klasic answered Chairman Sparks' question that he had not stated he would not represent Dr. Hammargren, that Dr. Hammargren was referring to an affidavit he wanted General Counsel to submit to the court which was entirely contrary to the legal position this Board has taken, and General Counsel Klasic told Dr. Hammargren that he just did not believe he could do that. General Counsel Klasic denied that he had at any time said he would not represent Mr. Hammargren.

Mr. Klaich made an analogy between questions asked of an attorney and of a neurosurgeon. He stated the answers, in

his opinion, would depend on the circumstances of actions of a particular case at a particular time, but if the questions were asked in a vacuum, the answers would or might be different.

Dr. Derby stated she felt there was an important issue around the motion on the floor, and that has to do with how the Board does business under the circumstances of facing a law suit that pertains particularly to the behavior of the Board of Regents. She continued that if there is a division of opinion on how the law suit should be perceived, she asked how the Board should deal with it.

Mrs. Berkley stated she tended to agree with Dr. Derby that the Board does need to make a determination, and that her opinion was that majority rules. She stated that her question has to do with procedure, and when she was practicing law her clients told her the position they wished the attorney to take, and she followed through with their wishes. She added that she was not certain the Board did business in that manner when it pertained to law suits that were significant to them as a Board. She stated that it seemed to her that General Counsel takes the lead in these matters and the Board does not have the opportunity as a full Board

to come to an understanding as to what the Board's position will be before it enlists the services of its attorney. She stated she understood it was somewhat different when the Board has an in-house attorney than when a client goes to an attorney, but she felt the Board was lax, and that so long as the Board was the client that it would make a determination as to what it wishes their attorney to present as its position in a law suit and then the attorney carries out its wishes. Mrs. Berkley stated that in this particular case, and it is indicative that all of the cases that the Board is involved in, she did not recall, as a Board, ever sitting down and having a frank and open discussion about this law suit, and reaching a consensus, no matter what the consensus is, of how to instruct the Board's attorney to go forward with the law suits. She stated she felt that was the way the Board should do business. She stated that what the Board generally tends to do is that its counsel goes forward and then advises the Board members of the progress. She stated she felt that was backwards.

Mrs. Whitley stated that in General Counsel Klasic's defense there had been many occasions when he had called her and asked her position on cases, and most of them were personnel cases, they discussed the cases and she gave her opinion

as a Regent, and that General Counsel Klasic would discuss what some of the other Regents' positions were on the particular case. She stated that when it comes to hiring an attorney outside the realm of General Counsel Klasic's office, she did not agree with that. She continued, that if, however, in a particular case, and this one might fall into the realm of her statement, that there is a personnel problem that General Counsel Klasic may not have the expertise for, or any other kind of problem, that she did not see why this Board could not allow him to go outside the office and hire a lawyer who does have that expertise. But, she added, that it should be for the whole Board to decide, not for an individual.

General Counsel Klasic stated that he felt Mrs. Berkley had confused "apples and oranges" in this instance. He explained that in most of the cases, the "slip and fall" cases, the Board just does not get involved. He stated that in other cases where something comes up and he does not know what the Board plans to do for the future, he does go to the Board every single time, because he does not know what the Board position will be. He gave the example of the NCAA vs. Miller case, in which he brought it forth to the Board, the Board made a decision, and he acted accordingly.

Another example was one that happened a number of years ago where the question was whether the System would back up a couple of employees in the UNR College of Agriculture who had problems with the Public Employees Retirement System. That matter was brought to the Board and permission was given to enter into the law suit on their behalf. He stated that was the "apples".

General Counsel Klasic continued that this particular case is the "oranges", because this is a situation where the Board already took a decision. Its decision was to have a closed meeting concerning one of its officers; the meeting was held and the Board was sued over it. General Counsel Klasic stated that the only thing he could have done was to come to the Board and ask whether it wanted him to confess judgment, or did it want to plead guilty? Obviously, he stated, the Board did not want to do that or it would not have had the meeting in the first place. General Counsel Klasic stated that he filed a defense in behalf of the Board. He declared that was standard operating procedure for in-house counsel, and during the course of this law suit, as things came up, he stated he has kept the Board informed.

Chairman Sparks stated that the general procedure in the 8 years she has been receiving law suits, that when she is served with anything, she immediately calls General Counsel Klasic and gets the details. She added that it is very seldom that Board members are served individually on these suits.

Mrs. Berkley stated that with all due respect, not all Board members were advised of that closed personnel session and there were a number of Regents who walked into the closed personnel session without knowing what it was all about, and she felt that was a deliberate effort to keep some of the members uninformed of what was to transpire. Mrs. Whitley stated she was not aware, either, and when she walked into the session she asked another Regent what the session was about. Chairman Sparks explained that the purpose of that meeting was to deal with a request by an employee who had a problem. General Counsel Klasic stated that the matter should not be discussed because the matter is under litigation at this point.

General Counsel Klasic stated in response to some of the comments he had just heard that while it may even be true that some didn't know until that moment, a motion was made,

a second was made, there was discussion in open meeting as to what the purpose of that meeting was going to be about, and there was a vote taken. Those who objected could have voted "no". The vote was unanimous in favor of going into that meeting.

Chairman Sparks stated that it just happened that one Regent happened to be the focus point, the intent of that meeting was not to discuss any Regent, it was to have a meeting.

One Regent happened to have been the one involved in all of this. Mrs. Whitley asked whether when the vote was taken the question had been asked who the person was, or whether there had been just a broad statement as is the usual manner? General Counsel Klasic stated the individual was discussed in open session; that Dr. Hammargren was mentioned in open session during the discussion of the motion.

Dr. Derby asked why Dr. Hammargren feels that it would be appropriate for the Regents to pay for his special counsel.

Mrs. Gallagher stated that if the Board did pay for individual counsel for individual members, it would open up a condition that the Board could not handle. The Board has been through horrendous attorney fees the last year or two because it has been representing everybody on both sides of



the question insofar as paying for the attorneys. She stated this would be setting a very poor precedent if the Board volunteered to pay for any Regent's outside counsel when it retains an office with competent attorneys to do as the Board requests them. She emphasized that she would be very opposed to setting that kind of precedence.

Dr. Hammargren stated he had not prepared a statement other than that included in the memorandum previously mentioned. He continued that in accordance with NRS 41.034, which states: "Special counsel paid by the State may be employed on behalf of a public officer when it has been determined to be impractical, ... constitute a conflict of interest to provide the usual defense." He stated that he felt it was "crystal clear" by General Counsel Klasic's own word, "I do not believe that submitting this affidavit would be in the best interests of the remaining defendants in this case, whom I also represent." (General Counsel Klasic's memo of July, 1992.) He continued that General Counsel Klasic had written there was a conflict of interest; he made some other suggestions on the affidavit that were objections, so Dr. Hammargren had them re-done according to General Counsel Klasic's form, and then asked him again in court if he would present them to the Judge and he refused, for the second

time. He continued that, therefore, the real issue is that there is a conflict of interest and Nevada law covers that very well. He added that the Board of Regents' position may be different from him, and as an elected official, everybody has that right to counsel.

Dr. Hammargren stated there was also another minor point because ... it was an ambush, not by a concerted act of the Board of Regents, but it was an ambush by a few people on the Board, and that is, some people are notified ahead of time, and they boycotted the meeting. He stated that Mr. Foley left because he didn't believe in the personnel session. Other people objected to the personnel session right in the beginning; they then agreed to go along with it. Dr. Hammargren continued that he happened to make the motion because he was advised that it was legal and he was "sort of brash and impulsive" and not afraid of such a session. He stated that he did not cause this action; that it was the Board of Regents' action that caused this. And, he continued, it was also secretive action by select members of the Board of Regents. And, so therefore, Dr. Hammargren stated, that he felt he had the right as a "personnel", if he is a "personnel", which the Board is trying to accuse him of being, then he asked for the rights of a personnel.

Dr. Derby asked that General Counsel Klasic comment on Dr. Hammargren's comments. General Counsel Klasic stated he did not think there was a conflict; Dr. Hammargren was sued as a defendant; all members of the Board were sued as defendants. The position he took, General Counsel Klasic said, was consistent with that of defendants. He continued that Dr. Hammargren attempted to file an affidavit which took the position of the plaintiff, and that certainly is not consistent with the position of the defendants. He explained that if Dr. Hammargren wishes to go on the side of the plaintiff, he can do that, that is his choice, but the law doesn't say that the Board pays for someone to sue them, the law states that the Board pays for a defense. General Counsel Klasic stated that Dr. Hammargren has chosen voluntarily to take that position.

Chairman Sparks repeated the motion, item number 2, whether or not to pay Dr. Hammargren's private, individual law suit.

Dr. Hammargren corrected that, stating that it was to pay his individual law suit as a Regent.

Mr. Foley related that the motion was that the Board not pay for such special counsel. Chancellor Dawson asked

whether that pertained to the Legislative Commission inquiry and the Grand Jury inquiry, or just the Nevada State Press Association law suit? Mr. Foley stated that the motion was to not pay for Dr. Hammargren's private counsel. Dr. Hammargren stated he had not asked anyone to pay for his private counsel, that he was asking the Board of Regents to pay for the suit in which he had been sued as a Regent, not as a private person. He continued that the motion has nothing to do with what he asked for. Mr. Foley countered that Dr. Hammargren is using private counsel, he is not using the counsel the rest of the Board is using, which is the counsel of the Board.

Mr. Klaich questioned Dr. Hammargren, stated that in a letter of July 13, 1992 from Alan Jones to Chancellor Mark Dawson, Alan Jones identified himself as Dr. Hammargren's lawyer, and requested payment be made for the doctor's fees in all these matters, the Legislative investigation, the Grand Jury investigation and the Nevada State Press Association litigation. General Counsel Klasic corrected that Mr. Jones had asked for only two of those three. Mr. Klaich asked whether the request of Dr. Hammargren was solely for the Nevada State Press Association law suit? Dr. Hammargren agreed in the affirmative. Mr. Foley stated that whatever

is on the agenda (Ref. B, filed with the permanent minutes)  
in the nature of paying for Dr. Hammargren's counsel is a  
motion to deny it. It was explained that a "yes" vote would  
deny payment for Dr. Hammargren's outside counsel.

On a roll call vote, the motion carried to deny payment for  
Dr. Hammargren's outside counsel.

No : Regents Berkley, Hammargren

Aye: Regents Derby, Eardley, Foley, Gallagher, Klaich,  
Whitley, Sparks

The meeting adjourned at 11:10 A.M.

Mary Lou Moser

Secretary of the Board

08-10-1992