VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

MINUTES OF BOARD OF DIRECTORS MEETING TUESDAY FEBRUARY 11, 2003

Following notice, a meeting of the Board of Directors of the Virginia Birth-Related Neurological Injury Compensation Program was held on Tuesday, February 11, 2003, at the headquarters of the Birth-Related Injury Fund.

The following members were present:

Cynthia E. Berry, Esq., Vice Chairperson Richard Cathey Leo J. Dunn, M.D. Melina Perdue RN MBA CNA, Chairperson John R. Partridge, M.D. James Ritchie

Others in attendance:

George Deebo, Executive Director Sharon Payne, Deputy Director Tracy Hobson, Executive Assistant Marshall Cook, Hirschler Fleischer, PC Bill McElway, Richmond Times Dispatch

Jordon Irving, Equity Portfolio Manager-Merrill Lynch Michael Marsh-Private Investors- Merrill Lynch

A quorum was noted and the meeting was called to order.

1. Minutes

The minutes of the January 14, 2003 meeting were reviewed, and accepted unanimously.

Change in order of meeting to allow for Introduction by Michael Marsh, of Merrill Lynch. He presented Jordon Irving who defined the investment program, which included an Institutional Asset Management booklet of the Program's current portfolio. This portfolio was reviewed in detail. Mr. Marsh also indicated that Ted Durkin would be our point of contact should we require any information regarding our investments. Question addressed to Mr. Irvin by Dr. Dunn – What is the probable performance over the next couple of years? Reply was 4-5%, to be conservative.

2. Administrative Issues

The financial reports were reviewed and unanimously accepted.

Guidelines: Proposed van options draft was reviewed by the board. Motion to accept with adaptations that we talked about-moved by Dr. Partridge. Mr. Deebo indicated that he would like to present to advisory committee to see if they would like to make any amendments; therefore motion modified pending review by advisory committee and any amendments. Unanimously accepted.

3. Claimant Issues

– Request for Trust home

her objective for **sector**'s residential needs to accommodate her severe disabilities. She supplied a sequence of events that occurred while in the program. She is currently going through a divorce and is fighting for the custody of her two children. She does not believe that she will be able to stay in the home that she presently resides in.

Board's Response:

Move to authorize our attorney, Marshall Cook, to contact Attorney to discuss the different possibilities that are available for her at this time. Motion so moved by Mr. Ritchie, Dr. Partridge second the motion. Unanimously accepted.

Home:

Child is deceased. Family remains in the home.

Board's Response:

Offer the home for the assessed amount. If family does not wish to purchase it for that amount, they will have to move out.

4. Executive Director's Report

George Deebo addressed the Board with a report on the events currently taking place with the Virginia Birth Injury Fund (outline attached)

Other business addressed before the Board included the Legislative Report. Legislative bills currently introduced in the General Assembly were discussed. Memo from Dr. Dunn was also discussed. Motion made by Dr. Partridge to have George Deebo orchestrate with Marshall Cook to meet with Governor Warner to discuss our immediate concerns. Dr. Dunn should be asked to attend this meeting. All correspondence should be circulated to the Board members for their input.

Mr. Deebo advised of the Delegation from Ireland that is interested in starting a Birth – Related Injury Program in Ireland. They will be attending our next Board Meeting along with some interested parents and would like for some of our participating parents, as well as physicians and lawyers to attend. Unanimously accepted by board members for the delegation to join us.

Marshall Cook indicated that Wolfe case will be argued on 3/18/03.

No further business was introduced and the meeting was adjourned.