

THE UNIVERSITY OF MICHIGAN  
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Subcontract Agreement between the University of Michigan and Exo Dynamics LLC

Action Requested: Authorization to enter into Agreement

Preamble:

A statutory conflict of interest situation was identified by the Office of Research and Sponsored Projects while reviewing the Proposal Approval Form which then triggered a review by the UMOR Conflict of Interest Review Committee. A plan for management of the possible risks associated with the conflict of interest was then developed and approved by the Committee and agreed to by the parties involved.

This proposed agreement ("Agreement") falls under the State of Michigan Conflict of Interest Statute because Dr. Daniel D. Johnson is an employee of the University of Michigan ("University"), and a partial owner of Exo Dynamics LLC. The law permits such an Agreement provided it is disclosed to the Board of Regents ("Regents") of the University of Michigan and approved in advance by a 2/3 vote.

Background:

Dr. Johnson, Program Manager of the Multidisciplinary Design Program and Research Fellow in the Department of Mechanical Engineering, is the partial owner of a for-profit company called Exo Dynamics LLC (the "Company"). The Company wishes to fund a NIH (prime) SBIR Phase I project entitled "Development of an Active Spinal Orthosis for the Treatment of Vertebral Compression and Burst Fractures" (ORSP# 16-PAF05873) in the Department of Mechanical Engineering under the direction of Dr. James Ashton-Miller. The purpose of this project is to attempt to develop and validate an active thoracolumbar orthosis for the treatment of thoracic and lumbar compression and burst fractures.

Agreement Terms:

The terms of the Agreement conform to University policy. The period of performance for the project is approximately six (6) months. The amount of funding support will not exceed \$20,153. Since research projects are often amended, this agreement includes provisions for changes in time and scope. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Impact of the Agreement

The Agreement will support an effort by Dr. James Ashton-Miller to use his expertise and University laboratory, as well as other University resources, to aid the technical development of the proposed orthosis, and bench-top test it prior to testing functionality and validating its safety.

Recommendations:

This matter has been reviewed and approved by the UMOR Conflict of Interest Review Committee. In light of this disclosure and our finding that the Agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve the University's entering into this Agreement with Exo Dynamics LLC.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Jack Hu". The signature is fluid and cursive, with the first name "S." and last name "Hu" clearly distinguishable.

S. Jack Hu  
Vice President for Research

December 2016