

Johnson, Janice C.

801.1(2)

From: [redacted]
Sent: Thursday, August 16, 2007 10:56 PM
To: Johnson, Janice C.
Cc: [redacted]
Subject: FW: "Political Subdivision of a State"

8/17/08
Informal written
that the [redacted]
Board is a state
agency. - Johnson
IC Berg
encs

Janice,

As a follow-up to our recent discussions, I offer the following additional facts concerning the [redacted] Board (which is the UPE of the sellers in our transaction):

- * The [redacted] Board was created by a Massachusetts statute.
- * The [redacted] Board is listed as a "state agency" on the official website of the Commonwealth of Massachusetts.
- * The [redacted] Board consists of the following nine members, none of whom receive any salary:
 - * the governor (or his designee)
 - * the state treasurer (or his designee)
 - * a private citizen appointed by the state treasurer
 - * a member of the state teachers retirement system (elected by the members of such system)
 - * a member of the state employees' retirement system (elected by the members of such system)
 - * the elected member of the state retirement board
 - * one of the elected members of the teacher's retirement board
 - * a private citizen appointed by the governor
 - * a representative of a public safety union appointed by the governor
- * The [redacted] Board currently employs 23 full-time employees, including an executive director elected by the [redacted] Board. The employees are employees of the Commonwealth of Massachusetts.

Based on the above facts (and the facts set forth in my below prior emails), please let me know whether the FTC is able to determine whether the [redacted] Board constitutes a "political subdivision of a State."

Thank you again.

[redacted]

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> From: [redacted]
> Sent: Monday, August 13, 2007 1:54 PM
> To: 'jcjohnson@ftc.gov'
> Subject: FW: "Political Subdivision of a State"
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> Janice,
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