

The Education Trust Board of New Mexico



THE HONORABLE SUSANA MARTINEZ
GOVERNOR OF NEW MEXICO

DR. JOSÉ Z. GARCIA, CABINET SECRETARY
NEW MEXICO HIGHER EDUCATION DEPARTMENT

BOARD MEMBERS
DR. JOSÉ Z. GARCIA, CHAIRMAN
ROBERT J. DESIDERIO, VICE-CHAIR
ROBBIE HEYMAN, ESQ.
TREVOR SERRAO

This is the APPROVED September 4, 2013 ETB
meeting minutes and are the official minutes.

APPROVED

Meeting Minutes of September 4, 2013 3:00 p.m. (Via Teleconference)

New Mexico Higher Education Department
2048 Galisteo St., Santa Fe, NM 87505

Board Members in Attendance

Dr. José Garcia, Chairman

Board Members in Attendance (By Phone)

Robert Desiderio, Vice-Chair
Robbie Heyman, Member
Trevor Serrao, Member

Other Individuals in Attendance

Kevin Deiters, Executive Director
Angela Gallegos, Board Secretary

Other Individuals in Attendance (By Phone)

David Mathews, HED Attorney
Helen Atkeson, Partner, Hogan Lovells US LLP
John Boyd, Freedman Boyd
Joe Goldberg, Freedman Boyd

AGENDA

1) CALL TO ORDER

Chairman Garcia called the meeting to order at 3:08 p.m. Board Secretary Angela Gallegos called the roll and announced that four of four members were present and that a quorum existed.

2) **APPROVAL OF AGENDA**

Chairman Garcia called for a motion to approve the agenda.

Mr. Serrao made a motion to approve the agenda. Vice-Chairman Desiderio seconded the motion. The agenda was approved unanimously.

3) **EXECUTIVE SESSION – discuss program litigation**

Chairman Garcia called for a motion to move into executive session to discuss program litigation.

Mr. Heyman made a motion for the Board to move into executive session to discuss program litigation. Vice-Chairman Desiderio seconded the motion. A roll call vote was taken and all four members voted unanimously to move into executive session at 3:06 p.m.

Chairman Garcia announced that the Board had returned to open session at 4:08 p.m. and that no action was taken in executive session.

4) **CONSIDERATION AND POSSIBLE ACTION REGARDING PING LU V. EDUCATION TRUST BOARD, NO. D-0101-CV-200902051**

Chairman Garcia called for a motion.

Mr. Heyman made a motion that the Board authorize litigation counsel to continue in negotiations of the stipulation of settlement with special emphasis on the proposed attachment that which the Board has not had an opportunity to see and to report back to the Board when negotiations have resulted in agreed documents for the Board's consideration. Vice-Chairman Desiderio seconded the motion. The motion was approved unanimously.

5) **ADJOURNMENT**

Chairman Garcia called for a motion to adjourn the meeting.

Mr. Serrao moved to adjourn the meeting. Mr. Heyman seconded the motion. The motion was approved unanimously.

Chairman Garcia adjourned the meeting at 4:12 p.m.

Approved by the Education Trust Board

December 11th, 2013 Meeting

Angela M. Gallegos
Angela M. Gallegos, Board Secretary