

**THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION**

**Approved by the
Regents
October 16, 2014**

ACTION REQUEST

Subject: Regental Action Required Under the State of Michigan Conflict of Interest Statute

Action Requested: Authorization for the University to transact with Emag Technologies, Inc. (University of Michigan Employee, Kamal Sarabandi, Owner).

Background:

The University of Michigan Department of Electrical Engineering and Computer Science seeks approval to transact with Emag Technologies, Inc. ("Emag") to purchase a license for EM.CUBE Pro Suite software, a package for simulation of wave propagation, scattering, antenna design and circuit design. It also has some unique capabilities essential to the research that are not available in similar software. The software has five modules (EM solver) which all run from the same graphical user interface. There is a wave propagation module in the package that does not exist in most other commercial packages. The modules are uniquely designed to run with the graphic cards of PCs to accelerate computations. The package includes wire-MoM, specifically for metallic mesh structures that are needed for the Radiation Lab research.

A trial version has been used by the students in the Radiation Lab for more than a year, and they indicated that they need this software for continuing their research.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute, as Kamal Sarabandi is a University employee as Professor of Electrical Engineering and Computer Science with the College of Engineering and would be party to the agreement as owner of Emag.

However, the Statute allows the University to enter into such agreements if the following conditions are met:

- a) The public servant promptly discloses any pecuniary interest in the contract to the official body which has power to approve the purchase, which disclosure shall be a matter of record in its official proceedings.
- b) The purchase is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of the public servant making the disclosure.
- c) The official body discloses the following summary information in its official minutes:
 - i) The name of each party involved in the contract.
 - ii) The terms of the purchase, including duration, financial consideration between the parties, facilities or services of the public entity included in the purchase, and the nature and degree of assignment of employees of the public entity for fulfillment of the purchase.
 - iii) The nature of any pecuniary interest.

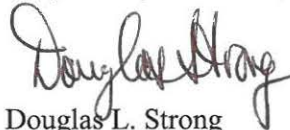
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its Department of Electrical Engineering and Computer Science and Emag.
- ii) The agreement is for EM.CUBE Pro Suite software with 5-Pack One-year Subscription-Basis Node-locked licenses for a total cost of \$2,500.
- iii) The pecuniary interest arises from the fact that University of Michigan employee, Kamal Sarabandi, is the Owner of Emag.

Kamal Sarabandi has met state law requirements with the disclosure of his pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable under the Medical School's or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the agreement between the University of Michigan and Emag subject to requirements, if any, that either the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Douglas L. Strong
Interim Executive Vice President
and Chief Financial Officer

October 2014