

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-02517-RPM

MURRY L. SALBY,

Plaintiff,

v.

PROVOST PHILIP DISTEFANO,

Defendants.

AFFIDAVIT OF FRANK W. BRUNO

Affiant, **FRANK BRUNO**, after being duly sworn, states as follows:

1. I am the Vice Chancellor for Administration for the University of Colorado at Boulder. I have held this position since June of 2008.

2. I have personal knowledge of the matters set for in this Affidavit.

3. One of my responsibilities is to oversee the management of the physical property and facilities on the Boulder campus. Among the properties overseen by my office are the research laboratories utilized by faculty and other employees to conduct research and other professional pursuits.

4. All campus buildings, including research laboratories, are titled to and owned by the University of Colorado under the legal name, "The Board of Regents of the University, body corporate," and that no ownership interest in such facilities rests with any colleges, departments, or other academic or research unit. Likewise, no faculty member or other employee enjoys any ownership interest in the facilities assigned to them. This is in accordance with Colorado statute,

Colorado Fiscal Rules, and long-standing policies of the University, all of which have been in effect since at least 2002.

5. Decisions concerning allocation and assignment of research space rest with the Chancellor, Provost, other Vice Chancellors, and the Deans. No faculty member or other employee has any interest in being assigned to a particular research space for either a defined period or on a continuing basis. Instead, such space may be reassigned at any time based upon the needs and interests of the University.

FURTHER AFFIANT SAYETH NAUGHT.

Frank W. Bruno

Frank W. Bruno

STATE OF COLORADO)
)ss.
COUNTY OF Boulder)

SUBSCRIBED AND SWORN to me before this 12th day of February, 2009, by Frank Bruno.

By: s/ Maureen Holland
Notary Public
My Commission Expires: 1/4/12

