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Alcor News Bulletin

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Judgment in the Williams Case

The court has finally issued a final judgment in the TW matter as it pertains to the rights of the nephews to examine the document of gift.

Upon the issuance of the August 31st minute entry establishing the right of the nephews to "examine and copy" the document of gift, Alcor filed for a final judgment in early September that granted the nephews everything they sought. Our form of judgment explicitly followed the judge's minute entry without deviation. However, the opposition objected to the form of judgment on four points:

- \* They demanded attorney's fees and expenses that had the potential to run into many thousands of dollars;
- \* They demanded filing fees and incidental expenses;
- \* They wanted to expand the judges minute entry to

include ordering Alcor from "further violations of the Arizona Anatomical Gift Act" ever again, which implied an admission of guilt in having violated the act in the first place, and it required us to anticipate future litigation without limit, in a very murky area of law; and  
\* They demanded that we provide them with the "original" note signed by Ted Williams.

Alcor subsequently filed its own objection to the four points above on the grounds that they were not legally entitled to attorneys fees, that extending the scope of the August 31st minute entry order was not appropriate, and that their remedy to "examine and copy" the document of gift should be limited to the documentation we actually have in our possession.

Readers should note that every single objection raised by the opposition to our original filing for final judgment in early September in response to the August 31st minute entry was DENIED by the court except one. As a result of the unnecessary delays they created, they were in fact awarded the princely sum of \$284.20 for their troubles. For the record The August 31st minute entry was NOT an order to compel Alcor to deliver any documents whatsoever and the false statements made by these same nameless posters on the internet that Alcor has ignored or violated a court order is simply WRONG.

While we consider this judgment a significant victory, Alcor reserves the right to exhaust our legal remedies in this case and we will review the order with legal counsel to determine if further legal action is required prior to the December 30th deadline.

This judgment puts the TW affair to rest for now. However, that does not mean to say that John Heer will not try to come back with another attack. [JW]

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#### On Neuro-Vitrification with Whole-Body Cryoprotection

A full-scale model of the whole-body cryoprotection enclosure has been built, and the acrylic prototype is being constructed by the same person who built the cephalon enclosure. Testing was carried out on the original design, and worked as planned in nearly all respects. Cooling efficiencies were significantly better than expected in this plywood model, and the enclosure was able to maintain the environment at dry ice temperature (-79 degrees C).

The enclosure itself consists of two primary elements: containment boxes for the patient and for the mechanical systems. Each part will be separately cooled, and both the patient and the perfusate mixing reservoir will be maintained at optimal perfusion temperatures (per the current protocols). A pass-through system allows the tubing to go between the pumps, reservoirs and patients. The patient enclosure itself was designed to open in sections, to facilitate the various aspects of surgery.

The only part of the original design that did not function

as intended was a "spillway" between the patient and the mechanical section. It was hoped that this spillway would eliminate the need to cool the two boxes separately, as the nitrogen vapor used to cool the patient would fall over into the mechanical system. Thermal testing indicated that not only were perfusion temperatures not maintained, they were sufficiently high in the mechanical section to warrant a separate controller. The design was subsequently modified prior to releasing the drawings for acrylic construction. [TJ]

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#### Southern California Vehicle Vandalized

Earlier this week, I received a call from one of the southern California Coordinators. She informed me that while she was away for the weekend, the southern California transport vehicle was broken into and nearly everything inside was stolen.

Left behind were the ice bath and ice chests. Things taken include the meds kit (not including the actual med pack, which was stored inside in a refrigerator) and the meds support kit. Additional ancillary items are also missing, things like the body bag, plastic bags for ice, buckets and ice scoop. Fortunately, the ATP and ATP support kit were also stored inside and are safe.

A police report has been filed, and we will be provided a copy.

An estimate will be obtained on the repair of the door. It was heavily damaged in the break-in, and the repairs needed may be extensive.

Southern California was stocked with nearly two full kits; and we believe that there are enough components on hand to perform a transport, if needed, though they would now have to rent a van in case of emergency. A detailed inventory of what remains is being prepared, and we will replenish any essential missing elements immediately on receipt of the inventory.

Alternative storage locations for this vehicle are now being considered. [TJ]

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#### Readiness Improvements

As a result of a lack of cryoprotectants done in the two recent straight-frozen cases, where only a limited amount of supplies were used, the operating room received something of a shakedown to ensure a higher state of readiness.

Our computer monitoring system has been fully integrated with the perfusion circuit and is ready to be used on the next case with the caveat that we will be using a couple of new National Instrument PCI boards and a new refractometer. There could be some calibration issues associated with the new hardware, though this is a minor issue since it is not

used as an official reading, but is used for trending. The handheld refractometer is used to establish the official reading.

Our surgical trays have been improved with the purchase of two 12" Satterlee bone saws, and three 11" (16 oz. head) Miltex Mallets. These purchases standardize our surgical trays, and everything on our trays is medical grade.

Our Promit/Dextran shortage is finally resolved now that we can order Hetastarch through another existing supplier we regularly make purchases from. It is 35% cheaper than the two meds it is replacing. An old portable ice bath/spray cooling device (PIB/SCD) that came back from Laughlin was upgraded to the newer format and reintegrated into our existing stock of remote kits. The UK ATP pump has been repaired and is being returned. Our team members will then test it to ensure it is in good working order.

With direction and support from Joe Waynick the cryoprotection budget (cost spreadsheet associated with performing a cryopreservation) has been upgraded to include a checkbox field that allows those reviewing a case to mark which line items have been used, followed by an auto calculation field to summarize the costs for any given case. Line items that are virtually guaranteed to be used have already been checked to help expedite the accounting process at the completion of each cryoprotection. Also, the calculations performed in other fields were improved to reduce the time for future maintenance. And finally, an SOP was created to provide instruction in use of the spreadsheets. [MS]

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#### Financial Matters

Our entire chart of accounts was revamped and simplified during the month of November. Previously, all accounts for the various funds were separated by using the numbered extensions for general operations, clinical, lab, patient care, etc. We eliminated this method, and combined all of the various expenses into a single account, with no extension, breaking out the separate funds by column. This change, which is most noticeable on the Statement of Earnings, has shortened the report from 20+ pages to 14. By separating out each of the funds expenses by "class", the new Statement of Earnings is much easier to read, with all expenses for a specific account showing on one line for all the funds, rather than having to be read between multiple pages for comparison.

In addition, the new Budget Variance report gives information for the previous month, as well as year to date info. (Budget variance is information that Alcor has never tracked electronically. Previously, if someone wanted to know how well income and expenditures were meeting budgetary expectations, the calculations were done by hand.)

The 2003 Annual Tax Returns were finally completed by our accountant on Nov. 15th. We are still awaiting the Final Draft of the 2003 Financial Statements. I plan to have

these available, hopefully in PDF format, by the next board meeting. I am quite confident that our 2004 Financials will be ready to send to our accountant no later than January 15th, and expect that we should have no problem completing our Annual Return on time: by March 15th, 2005 or shortly thereafter. [TR]

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#### Save the Dates: 2005 Conference Scheduled

It has been decided that Alcor will host its 2005 conference at the Arizona Science Center during the weekend of August 12th-15th, 2005. Over the coming weeks we will be finalizing the speakers list and preparing for our publicity campaign to the membership and public. The 2005 conference will be covered by the local media and possibly by the national media. Attendees will have the opportunity to tour the Alcor facility on Friday, August 12, before the conference formally begins. We will also announce the winners of our first annual Scientific Achievement Awards at the conference. [JW]

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#### Public Relations

Alcor has given the green light for creating a high-quality documentary about cryonics. The documentary is being filmed in HDTV by a professional film crew and it is being produced by Debra Johnson, a professional producer with many years of experience in the television industry. This film will take a scientific approach to the subject of cryonics and it will contain many interviews with leading scientists throughout the industry. It will also contain member interviews and footage of the Alcor facility. The finished product will be made available to members to use as a recruiting tool. It will also be used on selected broadcast media stations to publicize Alcor and the field of cryonics. [JW]

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#### Personnel Notes

Diane Cremeens was added to the staff as a permanent employee this past month. Diane has been assisting Jennifer Chapman in the membership department and has been doing a stellar job. Her enthusiasm and determination are making a real difference in our growth rate, and we look forward to this trend continuing. Welcome, Diane! [TJ]

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#### Membership Statistics

On November 30, 2004 Alcor had 697 members on its Emergency Responsibility List. Ten memberships were approved during this month, no memberships were reinstated, two memberships were cancelled at the members' request and no members were cryopreserved. Overall, there was a net gain of eight members this month.

At the end of this month, Alcor had 107 applicants for membership. There was a net loss of eight applicants with ten approvals, five incoming applicants and three exiting the application process on their own request. [JC]

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Next Board Meeting

The next Board meeting is scheduled for Saturday, January 8, 2005 at 11:00 AM (MST).

Board meetings are held on the first Saturday of the month at the Alcor facility (7895 East Acoma Drive in Scottsdale, AZ). Members and the public are encouraged to attend.

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End of Alcor News bulletin #33 dated December 10, 2004.  
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