

**Meyers, Robert (COE)**

JNQ 08-20

**From:** Meyers, Robert (COE)  
**Sent:** Friday, February 15, 2008 4:28 PM  
**To:** 'Sandler, Raymond'  
**Subject:** RE: BioStent

Dear Dr. Sandler:

Thank you for your request for an opinion. As an employee of the Jackson Health System, you are required to seek permission from your superiors to engage in outside employment. In your particular case, outside employment commences once you become a principal in BioStent. Once the company is a going concern, you must report any income that you receive from the company's profits by July 1<sup>st</sup> of the year following the year in which you had outside employment. In other words, if you earned income in 2008, you must report it by July 1, 2009.

At the current time, I do not foresee any conflict relative to your involvement with this spin-off company and your position with Jackson Health System. A potential conflict, which we may have to address at a later date if it ever materializes, is the possibility of BioStent becoming a contracting party directly or indirectly with any hospital that is part of the Jackson Health System.

In conclusion, your contemplated relationship with BioStent creates no conflict of interest. If circumstances change, please do not hesitate to request additional opinions.

Sincerely,

Robert Meyers, Executive Director  
 Miami-Dade Commission on Ethics and Public Trust  
 (305) 350-0613

---

**From:** Sandler, Raymond [mailto:RSandler@jhs-miami.org]  
**Sent:** Thursday, February 14, 2008 3:39 PM  
**To:** Meyers, Robert (COE)  
**Subject:** BioStent

Dear Mr. Meyers,

It was a pleasure speaking to you today.

As we discussed, I am an employee of the Jackson Health System and currently am the Medical Director of Gastroenterology at Jackson North and Jackson South Hospitals. I practice clinical Gastroenterology.

I am inquiring as to any ethical considerations or concerns regarding a new venture.

I would like to become a principle in a new company, BioStent. My colleague will be contributing intellectual property (patents) and material (an alloy of nitinol). I currently have no interest or involvement in his company, Bionucleonics. He has already done some work developing coronary stents. He and I plan to spin off the technology into the new company, and continue the work to ultimately sell the technology to a larger company, e.g., Boston Scientific. At Jackson, I would have no involvement in the decision to purchase this technology (or some derivative) if and when it goes to market.

Hopefully we will be developing G.I. applications for this technology, but that will be in the future. I will stay in touch with you regarding potential conflicts, etc., as those projects develop.

Thank you for your consideration of this matter.

2/15/2008