Re: Sammy Davis, Jr. National Liver Institute

On Tuesday, I spoke with Stan Bergen regarding a proposal by Sammy Davis to establish a national liver institute associated with the University of Medicine and Dentistry in Newark. For various reasons explained in the attached correspondence, Sammy Davis wishes to establish such a facility at the UMDNJ. Bill Cosby also is tangentially involved in this effort. Stan Bergen wishes to continue to pursue the project and to ensure that the facility is located here rather than in California. He requests our direction as to what involvement, if any, Governor Kean wishes to play in announcing the development of the institute and its location.

Please advise.

K.D.M.

attachment

cc: Bob Grady/attachment
    Carl Golden/attachment
Mr. Ken Merin, Director  
Governor's Office of Policy and Planning  
The State House  
Trenton, New Jersey  08625

Dear Ken,

Attached please find memorandum concerning the Sammy Davis, Jr., National Liver Institute, Inc. as requested by you during our telephone conversation of Tuesday afternoon, January 29, 1985. If you or members of your staff require additional information or background materials, please do not hesitate to contact me directly.

I will attempt to be as responsive as possible and develop lines of communication with appropriate representatives of the parties involved as is necessary to assure the Governor's full knowledge, involvement and participation if he so chooses. I believe that it is possible that a press announcement could be made by the Governor concerning the Institute and it is hoped that we can coordinate the east coast with the west coast to enable this to take place.

Incidentally, for your information and that of the Governor, the plans at the present time include a gala dinner dance to be held at the Westin Bonaventure Hotel on Saturday night, June 8, 1985 with a benefit performance by Sammy Davis, Jr. and other entertainment personalities. Obviously, as the plans develop if the Governor should choose to attend we would be greatly honored by his presence in Los Angeles on that evening. While not a necessity, it certainly would add luster and the New Jersey presence to this possibly very significant event.

My main worry at the present time is that California, a California medical school or a major hospital facility in California will "steal" the idea and the Institute from us before the final deal can be consummated.

Thank you for your assistance. Best wishes.

Sincerely,

Stanley S. Bergen, Jr., M.D.
President

SSB:rss
attachment
c: Chancellor Hollander
   Mr. Roemmele
   Dr. Levy

The University of Medicine & Dentistry of New Jersey is an equal employment opportunity/affirmative action employer
TO: Mr. Ken Merin, Director, Governor's Office of Policy and Planning  
FROM: Dr. Stanley S. Bergen, Jr., President  
SUBJECT: Sammy Davis, Jr. National Liver Institute  

January 30, 1985

This memorandum will attempt to review for you and, subsequently through you the Governor, the current status of the Sammy Davis, Jr. National Liver Institute. I previously forwarded to Mr. Gary Stein, under cover of a letter dated September 24, 1984, a memorandum of September 7, 1984 to the Board of Trustees of the University of Medicine and Dentistry of New Jersey summarizing the status of the Sammy Davis, Jr. National Liver Institute as of that date. A copy of that memorandum to the Board of Trustees is attached for your information. Since September of 1984 the following events have transpired:

1. appropriate individuals to compose the Executive Committee of the Board of Trustees of the Sammy Davis, Jr. National Liver Institute have been identified and were convened on January 7, 1985 in an organizational meeting of the Board of the Institute. Those individuals are as follows:

a. Dr. Carroll Levy, Professor and Chairman of the Department of Medicine, UMDNJ-New Jersey Medical School; Chairman of the Board and Medical Director of the Institute.

b. Dr. Stanley S. Bergen, Jr., President, University of Medicine and Dentistry of New Jersey.

c. Mr. Herbert Roemmele, Chairman, Board of Trustees, University of Medicine and Dentistry of New Jersey.

d. Brendon Byrne, Esq., Carella, Byrne, Bain and Gilfillan; former Governor of the State of New Jersey.

e. Dr. Herbert B. Henderson, physician, Long Beach, California.
f. Ms. Treva Wilson, Vice President, Transamerica Entertainment Corporation, Beverly Hills, California.

g. John Climaco, Esq., attorney to Mr. Davis, Cleveland, Ohio.

h. Mr. Sammy Davis, Jr., honorary trustee, Los Angeles, California.

2. additional trustee members have been identified, including a number of prominent persons in the entertainment field: Mayor Bradley of Los Angeles, Mayor Morial of New Orleans, prominent New Jersey businessmen and former trustees of the University.

3. papers of incorporation have been filed, bylaws developed and approved by the Executive Committee and various operating procedures developed.

4. the University has agreed to "front-end funding" to assist the Institute in its early months of operation. In addition, the University, through its Board of Trustees, has committed to provide space upon its Newark campus, at reasonable rental rates commensurate with prevailing costs, for the initiation of activities of the Institute in the areas of patient service, education and research, such activities and rental of space to initially take place in the summer of 1985.

5. the University has committed to provide appropriate land on its Newark campus for the eventual construction of a permanent facility for the Institute, such facility to be completely funded through the corporation representing the Institute and from outside funds generated by the corporation and its participating partners and benefactors.

Following the initial meeting of the Executive Committee of the Board of Trustees, former Governor Byrne, Mr. Roemmele, Dr. Leevy and I expressed some anxiety as to the accuracy of information being transmitted to us by representatives of Mr. Davis. Therefore, a trip was arranged for Governor Byrne and Dr. Leevy to meet with Mr. Davis at Lake Tahoe on Saturday, January 26, 1985. Such meeting was held and reports available to me indicate that Mr. Davis not only confirmed his commitment to the Institute but evidenced extensive preparations already underway for both a gala dinner dance to be held in Los Angeles on June 8, 1985 and a telethon for the purposes of fund raising to be held in September 1985.

Mr. Bill Cosby, who was previously known to Governor Byrne, met separately with Governor Byrne and Dr. Leevy to confirm Mr. Davis' commitment to this project and the fact that he has agreed to appear with Mr. Davis at both events. With this confirmation in hand, we have agreed with Mr. Davis and his staff to develop a joint press release which will announce the creation of the Board of the Liver Institute Corporation and its intended purpose of developing a facility in Newark, New Jersey, directing its attention toward the treatment of liver disease, education of health professionals and the
lay-public in liver disease problems and research activities, hopefully leading to the development of new information and the possible cure for various forms of liver disease.

Thus far Mr. Davis' only stipulation is that the Institute be open to individuals from all parts of the country and that it not be considered an institute limited to a New Jersey clientele. He is apparently expressing some anxiety that his friends in California will criticize him with the question "why not here in California?"

Unless you have misgivings, we will continue to pursue this project and await your direction as to possible involvement by Governor Kean in announcing the development of the Institute and its location upon our Newark campus. Thank you.

SSB:rss
attachment
September 24, 1984

Mr. Gary Stein
Director
Policy and Planning
State of New Jersey
Executive State House
Trenton, New Jersey 08625

Dear Gary:

In keeping with our telephone conversation of Thursday afternoon, September 20, 1984, I am enclosing three memoranda:

1. to the Board of Trustees concerning the Sammy Davis, Jr. Liver Institute, dated September 7, 1984;

2. memorandum from Dr. Smith to me concerning Tie Pharmaceuticals, dated September 4, 1984; and

3. memo for the record concerning "colocation" — a project to bring together United Hospitals Medical Center and University Hospital on a single site in Newark, dated September 21, 1984.

If you have questions concerning any of these items or wish an in-person briefing, please do not hesitate to contact me.

In addition, if you have any suggestions concerning the planning or steps that should be taken in these projects, please call me immediately. Thank you.

Sincerely,

Stanley S. Bergen, Jr., M.D.
President

SSB:ph
attachment
cc: Mr. Roemmele

The University of Medicine & Dentistry of New Jersey is an equal opportunity employment/affirmative action employer
The University of Medicine and Dentistry of New Jersey has the unique opportunity not only to develop a significant health care research and educational institute but also to gain national prominence and enhancement of our image by the development and construction of such a facility.

Approximately two years ago Dr. Carroll Leevy, Chairman of the Department of Medicine, UMDNJ-New Jersey Medical School, and his group — which is internationally famous for its study and treatment of various forms of liver disease — were referred a Dr. Herbert B. Henderson as a patient. Dr. Henderson had been diagnosed as suffering from a form of liver disease which could have affected his continued employment and retirement status. During the process of the evaluation of Dr. Henderson and establishing the correct diagnosis, which was different from that previously entertained, Dr. Henderson became aware of the extensive efforts of Dr. Leevy to study various forms of liver disease and to conduct research activities in this area.

As part of the long-range plan of UMDNJ we have noted the possibility of developing various specialty institutes upon the campuses of the University, including the possibility of such an institute dedicated to research, education and patient treatment of various forms of liver disease. Dr. Leevy shared this concept of a liver institute with Dr. Henderson.

Following his discharge from the hospital, Dr. Henderson decided to pursue this possibility and began an extensive letter-writing campaign in an attempt to stimulate interest among corporate and foundation leaders. His efforts were performed as a "solo" operation and only became known to us in November, 1983 when the Allied Corporation of New Jersey contacted Mr. Malachy Glynn, Executive Director of the Foundation-UMDNJ, requesting background information on the proposed institute prior to considering a donation. There is no doubt that this communication took place as a result of a long standing professional friendship between a member of the medical staff at Allied Corporation and of Dr. Leevy, including previous participation in joint research activities.
Obviously, we were surprised and chagrined at Dr. Henderson's activities and due to the sensitivity of relationships with Mr. Glynn and the Foundation-UMDNJ we ordered him to terminate these efforts since they were without sanction from anyone in the University administration, including Dr. Leevy. Dr. Henderson terminated his letter-writing campaign and since he had moved to California with his wife and daughter — both of whom are extremely active in the entertainment business. However, it is now apparent that he soon directed his energies toward another potential source of support for "a liver institute."

Early in August of this year it suddenly became apparent that Dr. Henderson had succeeded in gaining access to Ms. Treva Wilson, Assistant to the President of Transamerica Entertainment Corporation. Ms. Wilson indicated the interest of one of their clients, Mr. Sammy Davis, Jr., in participating in the development of a liver institute upon the Newark campus of the University of Medicine and Dentistry of New Jersey. Since that communication of August 7, 1984 (copy attached), Dr. Leevy, Dr. Henderson, Dr. Lanzoni and I have been emmeshed in a series of fast-moving events bringing us to the following conclusions, being presented to you for consideration and direction at our September 13, 1984 meeting:

1) Dr. Henderson has been successful in opening doors to Transamerica Entertainment Corporation and met directly with Ms. Wilson on August 18, 1984.

2) Mr. Sammy Davis, Jr., as related, has agreed to lend his name to a liver institute which would conduct both research and patient treatment upon the Newark campus of the University.

3) The institute would be named the "Sammy Davis Jr. National Liver Institute" and would be made available to potential patients from all parts of the country.

4) Dr. Carroll Leevy would be the first medical director of the institute and would be charged with the responsibility of developing its programs.

5) Mr. Davis and many others in the entertainment field would offer their services to sponsor a fundraising event, the proceeds of which would act as the seed money for the development of the institute (subsequent communication between Ms. Davenport and Ms. Wilson has indicated that Dr. Henderson may have overstated the current status of this commitment).
6) In addition, a gala dinner dance would be held in California with Mr. Willie Brown, President of the California State Legislature, as Master of Ceremonies, to assure "front-end" funding.

7) The liver institute would be a private, non-profit corporation located upon our campus and renting space and/or land from us to house the institute.

8) The institute would be completely funded by private donations and supplemented by research grants and other types of financial aid, received through usual funding sources at national and regional levels.

9) A board of trustees of prominent national citizens would be formed and charged with the ongoing fundraising activities.

10) In order to proceed with formation of such a private corporation they must receive the approval of the Board of Trustees of the University. Such corporation would then develop an affiliation contract with the University so that the liver institute would be closely tied to the University for purposes of staff recruitment and research activities.

I respectfully request from you the following actions:

a) advice and direction as to the next steps to be taken;

b) realization and understanding of the early nature of negotiations but also the concommitant need to move quickly in order to take advantage of this unique opportunity;

c) approval and direction to legal counsel to begin drafting an agreement between Transamerica Entertainment Corporation, Mr. Sammy Davis, Jr. and/or appropriate other parties and the University;

d) approval for me to initiate communication with Ms. Treva Wilson and Dr. Henderson concerning our commitment to this project; and

e) clarification with the State Treasurer and other State officials of the importance of ownership and control of our land and facilities by the Board of Trustees of the University.

I thank you for your consideration of these matters and will attempt to answer any questions you may have during executive session of the Board of Trustees on September 18, 1984.

SSB:rss
cc: Drs. Leavy, Lenzoni, Ms. Davenport, Mr. Glynn