

THE LUSTGARTEN FOUNDATION

RESEARCH GRANT POLICIES AND INSTRUCTIONS

Effective July 2009

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INTRODUCTION

ABOUT THE LUSTGARTEN FOUNDATION

The Lustgarten Foundation (“LF”) is a non-profit organization created in 1998 to advance the scientific and medical research related to the diagnosis, treatment, cure and prevention of pancreatic cancer. Today, the Lustgarten Foundation is the nation’s largest private supporter of pancreatic cancer research.

GUIDELINES

GENERAL

Liability and Responsibility

By accepting a grant from LF, the Sponsoring Institution, Grantee/Principal Investigator agrees to the terms and conditions of these policies. LF assumes no responsibility or liability for the authorized or unauthorized use of human subjects and materials in any research funded by any LF grant and the LF grantee and sponsoring institution shall indemnify each and hold The LF harmless from any damages or injuries resulting from the use of human subjects and materials.

The LF assumes no responsibility or liability for any such biohazards or the failure of any safeguard in any research funded by any Lustgarten grant and the Lustgarten grantee and sponsoring institution shall indemnify each and hold The LF harmless from any such biohazards whether known or unknown.

The LF assumes no responsibility or liability for the use or care of any animal used in any research funded by any Lustgarten grant and the Lustgarten grantee and sponsoring institution shall indemnify each and hold The LF harmless from any damages or injuries resulting from the use and care of any animal used in any such research.

GRANT FUNDS

Notification of Funding

The LF Scientific Advisory Board will review all applications. Those chosen grantees will be notified by January of the grant year.

All grant awards are approved by the board of directors of The LF, in its sole discretion, acting upon the recommendation of the Scientific Advisory Board.

Use of Funds

The funds awarded shall be used solely for the purposes specified in and in strict compliance with the application submitted to LF, as executed by the Applicant, Sponsoring Institution,

Sponsor and collaborating staff and institutions, or any subsequent approved budget. The LF shall have the right to audit the use of grant funds.

Distribution of Funds

A contract will be forwarded for signature by the Grantee/Principal Investigator and Sponsoring Institution representative. Funds will not be distributed until the LF receives the grant agreement executed by all appropriate individuals. Grant start dates for RFP awards is January 1.

All grant payments shall be made pro rata bi-yearly (that is, January and June). Payments shall be mailed to the controller or financial officer of the Sponsoring Institution as indicated in the grant application. It is expected that awarded funds shall be expended on a pro rata basis so that in the event of premature termination of the grant, the prorated unspent funds shall be returned to the LF by the Sponsoring Institution. The Sponsoring Institution shall be responsible for disbursing funds to the Grantee/Principal Investigator during the term of the grant and in accordance with the budget, as approved by LF.

Transfer of Funding

If the Lustgarten grantee or primary investigator desires to transfer to another sponsoring institution while the Lustgarten grant is in effect, the new sponsoring institution shall provide The LF with a detailed plan outlining a commitment to continue the research project once the LF grantee or primary investigator has transferred to the named institution.

The Lustgarten grantee shall submit intent to transfer in writing to the Research Program Manager not later than the date on which the new sponsoring institution has agreed to the transfer or thirty (30) days prior to the anticipated transfer, whichever date is earlier.

Reallocation, Carry-over, Reinstatement of Funds

Request for reallocation of Lustgarten grant funds and requests to carry over funds from the previous year must be made at least thirty (30) days prior to the anticipated need and are subject to the prior written authorization of the board of directors, in its sole discretion. A maximum of 25% may be carried over from the previous year.

Budget Changes

Any proposed changes to the approved project budget must be submitted in writing to the Research Program Manager of The LF. The written request must include the amount and date of proposed change, reason for proposed change, and anticipated impact on the research project. Changes to the approved budget are subject to the prior written authorization of the board of directors, in its sole discretion. If the Lustgarten grantee is proposing modifying the research project as already approved, the grantee shall submit a written statement containing a complete description of the research project as modified.

The LF reserves the right to disapprove any modification of a funded research project in its sole discretion for any reason with or without cause.

Default

If any of the LF grantee, sponsoring institution fails to follow or adhere to any policy or requirement expressed in this POLICY STATEMENT TERMS AND CONDITIONS GOVERNING GRANT AWARDS or fails to carry out the research supported by The LF grant, The LF may terminate the Lustgarten grant award and the Lustgarten grantee and sponsoring institution must return any remaining funds.

WHO CAN APPLY

There are no restrictions for applicants as to age, race, religion, sex, creed, national origin or any other protected characteristic. National and international applications will be accepted. Applicants must have completed one or more of the following degrees or its equivalent: M.D., Ph.D and hold an independent, faculty- level position with or without tenure at time of review.

Research Environment

The proposed investigation must be conducted at a university, hospital or research institution possessing not-for-profit status. Payment will be made payable to the sponsoring institution as indicated on page 1 of the application. The institution is responsible for the disbursing of funds to the grantee in accordance with the budget submitted with the application. A grant award does not constitute an employer-employee relationship between The LF and the grant recipient.

Co-mingling / Offset

The use of grant funds cannot be duplicated by funds received by the Sponsoring Institution or the Grantee/Principal Investigator from any other sources, but, the grant funds may be used to supplement support from other sources.

REPORTING AND PUBLICATIONS**Final Report**

Within thirty (30) days of the expiration of the grant period, the Grantee/Principal Investigator shall submit a Final Annual Report, including a summation of all research activities, together with copies of all publications stipulated in the final progress report. Again, a one paragraph summary of the research project's progress must be included for the general audience public.

Progress Reports

A brief (1-2 paragraph) scientific progress report will be submitted 6 months after the inception of funding progress report documenting his or her research progress. This report shall also include a one-paragraph summary written for the lay public and any reprints of publications resulting from the research.

Financial Accounting Reports

The Financial Officer of the Sponsoring Institution must submit Annual Financial Accounting Report detailing how the grant funds were expended during the year. These reports shall be

submitted within thirty (30) days after each grant anniversary date. Any unexpended funds must be returned to LF within thirty (30) days of the expiration or termination of the grant.

The Sponsoring Institution also agrees to submit a cumulative Final Financial Accounting Report immediately upon completion or termination of the grant.

Prior Notification of Publication

The Sponsoring Institution and Grantee/Principal Investigator shall give the LF written notice at least seven (7) days prior to any advertising, promotion, publication, presentation or exhibition relating to the results of work supported by grant funds from LF (which notification shall include a copy of the materials intended for release, as well as the details of the information to be disclosed and the time, place and manner of disclosure). The Sponsoring Institution and Grantee/Principal Investigator shall cooperate with the LF in connection with any written, photographic, filmed, broadcast or any other forms of materials LF elects to produce to publicize the work.

Acknowledgements

Publications (including abstracts or presentations at scientific meetings) resulting from projects supported by the LF shall carry the following acknowledgement:

“Supported by a grant from The Lustgarten Foundation .”

Data Sharing

It is the intention of the Foundation that grantees will have meaningful information to share with the research community engaged in efforts to deal with pancreatic cancer. It is expected that research funded by the LF will be released and made available in a timely manner for use by other researchers.

INSTITUTIONAL EXPENDITURES

LF grants are not designed to cover the total cost of the research proposed nor the investigator's entire compensation. The grantee's institution is expected to provide the required physical facilities and administrative services normally available in an institution.

Permissible Direct Costs include the Grantee's/Principal Investigator's salary, wage, or stipend and fringe benefits. Benefits may be paid from a Grantee's/Principal Investigator's award as mutually determined with the Sponsoring Institution. Benefits are generally accepted to be medical and dental insurance, life insurance and retirement benefits. Benefit charges applied against the Grantee's/Principal Investigator's award requires that he/she is eligible to be a participant in such programs. Expenditures for laboratory costs/equipment, travel funds, etc. are explicitly excluded as fringe benefits.

LF grants do not provide funds for such items as:

Secretarial/administrative salaries, tuition, foreign travel, books and periodicals, membership dues, office and laboratory furniture, office equipment and supplies, rental of office or laboratory space, recruiting and relocation expenses, non-medical services to patients, construction, renovation, or maintenance of buildings/laboratories.

Indirect Costs (often referred to as Institutional overhead, IDC, M&A, G&A or pooled costs) are those costs incurred for common or joint objectives that cannot be readily identified with a particular project (general maintenance, utilities, library, etc.) as defined in Office of Management and Budget Circular A-21. Indirect costs are limited to ten percent (10%) of total direct costs. For Sponsoring Institutions that do not choose to use these funds for indirect costs, LF allows the funds to be applied to the Grantee's/Principal Investigator's stipend or fringe benefits cost.

INTELLECTUAL PROPERTY

During the course of this project, ideas, concepts, improvements, inventions and discoveries will occur and some of these may be patentable. Your institution may determine whether intellectual property protection should be filed on work resulting from this project. In such cases, your institution would be the owner of such patents and would be responsible for executing patent applications and licensing them for commercial development. You shall provide copies of all documents relating to the filing and prosecution of such patent rights in sufficient time to review such documents and comment thereon, if desired prior to filing. Within ninety (90) days of disclosure of any such Invention to The LF, your institution shall notify The LF whether or not it elects to obtain patent coverage for such Invention. The LF would offer to reasonably assist your institution in the preparation, filing, and prosecution of such application(s) and The LF shall be entitled to an equitable share of the net proceeds from the license fees and royalties resulting from such Invention taking into consideration the relative financial contribution of the parties to such Invention. If your institution elects not to file or prosecute such applications or maintain such Letters Patent, the Institution shall so notify The LF, in which event, The LF shall have the right to file or prosecute such applications and to maintain such Letters Patent, entirely at The LF's expense and your institution shall be entitled to an equitable share of the net proceeds from license fees and royalties resulting from such inventions taking into consideration the relative contribution (financial and scientific) of the parties to such Invention.