

**Florida Gulf Coast University Board of Trustees
April 20, 2004**

SUBJECT: Commencement of Legal Proceedings or Appeal of Adverse Rulings

PROPOSED BOARD ACTION

Authorize the President or designee, after receiving the advice of the General Counsel, to approve the commencement of legal proceedings or the appeal of an adverse ruling against the University when so doing is in the best interests of the University or is necessary to avoid application of a legal time bar such as a statute of limitations. The President or designee shall report the commencement or appeal of legal proceedings to the Board of Trustees as soon as practicable following such action.

BACKGROUND INFORMATION

To protect the interests of the University, it may be necessary or desirable from time to time to initiate legal proceedings or appeal from an adverse ruling in the name of the FGCU Board of Trustees. Most lawsuits and claims initiated by a state university are routine in nature, and time generally is of the essence with these matters.

The FGCU Board of Trustees has the authority to approve this delegation, and doing so will expedite the handling of important legal matters and alleviate the need to schedule emergency meetings of the Board.

Supporting Documentation Included: None

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Legal Review by: N/A

Submitted by: Wendy Morris, General Counsel