



School of Law

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*The University of Colorado School of Law Sandgrund Award for  
Best Consumer Rights Work Fund*

**Terms of Acceptance and Administrative Protocol**

The following are the terms of acceptance and administrative protocol for the *University of Colorado School of Law Sandgrund Award for Best Consumer Rights Work* (the "Sandgrund Award"), which Sandgrund Award is the subject of an "Endowment Gift Agreement" (the "Endowment") between the University of Colorado Foundation and Ronald M. Sandgrund. The Endowment creates *The University of Colorado School of Law Sandgrund Award for Best Consumer Rights Work Fund*. This "Terms of Acceptance and Administrative Protocol" (the "Protocol") is Exhibit 1 to the Endowment. This Protocol and the Endowment are to be read, interpreted and applied together:

1. Award Criteria (Publication Period and Subject Matter):

1.1 Each Award shall be made to the best electronic or print published work (the "Work") concerning consumer rights protection, including books, treatises (including a significant chapter or chapters therein), scholarly articles, and bar association, legal periodical and law review articles. Non-substantial work or work of limited publication shall not qualify as Work. The Work may address issues affecting the nation's consumers as a whole, but the Work must have some direct application to the discussion, analysis and/or explanation of Colorado consumer rights. A Work that is the subject of the Award must have been first published during the 26 months preceding, but not within 2 months of, the Award Date (the "Publication Period"). "Consumer rights" means consumer rights and/or remedies arising from the purchase or rental of ordinary household goods, services and products and/or the purchase or lease of residential property. "Consumer rights" does not mean rights and/or remedies primarily arising from commercial or business ventures or transactions, such as claims for anti-trust violations and unfair competition, or rights primarily arising from the incurrence of bodily injury.

2. Award Criteria (Quality):

2.1 The Award Committee shall apply and give equal weight to the following factors in selecting the Work to be the subject of an Award: (a) the anticipated contribution the Work will make to supporting consumer rights, especially Colorado consumers' rights; (b) the writing clarity; (c) the depth of research; (d) the novelty of the ideas discussed; and, (e) whether the Work is objective and balanced. Special consideration and extra weight shall be given to Work concerning: (a) the expansion and/or vindication of consumer rights; and/or (b) the expansion and/or vindication of homeowner rights and/or remedies arising from the purchase of a home, such as a single-family, multi-family or manufactured home. The subject of such Work may include: (a) procedures that assist the enforcement of consumer rights, such as class and collective actions; (b) barriers to the enforcement of consumer rights, such as procedurally or

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substantively unfair contract provisions, including arbitration provisions; (c) deceptive and unfair trade practices legislation and other consumer protection laws; and (d) insurance coverage for consumer property damage claims, such as property/casualty and liability insurance, as well as improper claims handling practices. Any Work selected to be the subject of an Award must be of at least above average quality when compared to other, similar work.

3. Eligible Award Recipients:

3.1 Faculty Award recipients shall be persons who were Law School faculty members at any time between when the Work was first submitted for publication through the date of its first publication. Student Award recipients shall be persons who were Law School students at any time between when the Work was first submitted for publication through the date of its first publication.

3.2 The Faculty Award may be awarded to all eligible faculty members whose Work is deemed equally worthy, with the monetary award divided equally among them and each receiving an Award Certificate. The Student Award may be awarded to all eligible students whose Work is deemed equally worthy, with the monetary award divided equally among them and each receiving an Award Certificate. Co-authors shall share equally in an Award made for a co-authored Work; provided, however that where a Work is co-authored by a person who is not a qualifying faculty member or student, that co-author shall not be paid any part of the Award, but the co-author shall receive an Award Certificate and his or her name shall appear on the Award Plaque. Where a Work is co-authored by a faculty member and a student, each shall be treated separately, i.e., if a Work co-authored by a faculty member and student receives an Award, the faculty member shall receive the Faculty Award and the Student shall receive the Student Award.

4. Award Amounts:

4.1 The initial 2007 Faculty Award shall be in the amount of One Thousand Five Hundred Dollars (\$1,500.00). The initial 2007 Student Award shall be in the amount of One Thousand Dollars (\$1,000.00). The amount of each subsequent Faculty Award shall be the greater of ninety percent (90%) of the balance of the Faculty Award Fund's reinvested earnings account on the 31<sup>st</sup> day of December preceding the first day of the Publication Period for such award, or One Thousand Five Hundred Dollars (\$1,500). The amount of each subsequent Student Award shall be the greater of ninety percent (90%) of the balance of the Student Award Fund's reinvested earnings account on the 31<sup>st</sup> day of December preceding the first day of the Publication Period for such award, or One Thousand Dollars (\$1,000).

The intent of this Section 4.1 is to provide for a minimum Faculty Award of \$1,500, and to increase the amount of that award beyond \$1,500 to an amount equaling ninety percent of the balance of the Faculty Award Fund's reinvested earnings account on the 31<sup>st</sup> day of December preceding the first day of the Publication Period. Thus, if ninety percent of that balance equals \$2,500, then the amount of the award would equal \$2,500. If ninety percent of that balance equals \$900, then the award would equal \$1,500. A similar analysis would apply to the Student Award: if ninety percent of the balance of the Student Award Fund's reinvested earnings account

equaled \$2,500, then the amount of the award would equal \$2,500. If ninety percent of that balance equaled \$900, then the award would equal \$1,000.

4.2 If no author(s) of a qualifying Work is selected to receive an Award by the Award Committee, then the amount of that particular Faculty or Student Award, as the case may be, shall remain in the reinvested earnings account, to be included in calculating the next Faculty or Student Award, as the case may be, until a qualifying Work is selected by the Award Committee that meets the Award Criteria and the Award is made.

4.3 At the time for making each Award (as set forth in provision 6), the Fund Administrator shall request that the Foundation pay the amount of the award to the Law School or directly to the Award recipient.

5. Award Committee:

5.1 An Award Committee of two persons shall select the recipients of each Award. The Award Committee shall consist of: (a) the Law School Dean; and, (b) a Law School's legal writing program faculty member or a University of Colorado English, Language Arts or Writing Department faculty member. The Committee Members may delegate to another the task of selecting the three, best Works for each Award for the Committee Members' final consideration and selection of the best Work that meets the Award Criteria. The Award shall be made without personal favor for or prejudice against any author of a Work. Whether an author or co-author has previously received an Award shall have no bearing on the Award Committee selecting a Work for an award, each Work shall be judged on its own merits.

5.2 Any person may submit a Work to the Award Committee for consideration. The Law School shall use reasonable efforts to elicit submissions of Work for the Award Committee's consideration. The Award Committee may consider on its own, without the need for any formal submission, any Work, but shall consider any Work appearing in any law review or law journal published by the Law School or by the Colorado Bar Association.

6. Award Timing and Presentation:

6.1 One Faculty Award and one Student Award shall be presented and recognized every two years either at the Law School's spring graduation ceremonies or the Law School's annual awards ceremony (the "Award Date"), beginning in 2007, provided that a Work exists that satisfies the particular Award Criteria. The Faculty Award and Student Award recipients shall be announced during the Law School's spring graduation ceremonies. An Award shall not be given if no Work considered for the Award meets the Award's Criteria. The Award Committee shall meet at least 60 days before the Award Date and shall unanimously agree on the Award recipients at least 10 days before the Award Date. No Award shall issue if unanimous agreement is not reached at least 10 days before the Award Date. The presentation shall include delivery to each Award recipient of a check for the amount of the Award and an embossed certificate (the "Award Certificate") in a form substantially the same in size and quality to the diplomas awarded the Law School's graduates for the year the Award is made. The Award Certificate shall identify and describe the purpose of the *University of Colorado School of Law*

*Sandgrund Award for Best Consumer Rights Work* and state the Award winner's name, title of Work and the date the Award was presented.

7. Award Recipient Recognition:

7.1 Award recipients shall be described in a plaque (the "Plaque"). The Plaque shall be located in a prominent space in the Law School Building where it will be regularly seen by a significant majority of the students and faculty. The Plaque shall list all Award winners by name, title of Work and the year the Award was made, and the names of the Award recipients shall be updated on the Plaque within 3 months after the Award is presented. Additional Plaques may be used as older Plaques become full so long as all Plaques are displayed. The Plaque shall state the following:

*The University of Colorado School of Law Sandgrund Award for  
Best Consumer Rights Work*

This award was established in 2005 to serve as an incentive for and reward to University of Colorado Law School faculty and students who author the best published work concerning consumer rights.

2007: Faculty Award: [award recipient's name(s)], [title of Work]  
Student Award: [award recipient's name(s)], [title of Work]

8. Publicizing Award Availability:

8.1 A general description of the availability of each Award and the Award Criteria, and how to access the full text of the Award terms and conditions, shall be published in a physically tangible format, in addition to any electronically-stored publication in which it may appear, and reasonable efforts shall be made to deliver the physically tangible publication to all Law School faculty and student body members annually.

8.2 A general description of the availability of each Award and the Award Criteria, and a link to access to the full text of the Award terms and conditions, shall be published on the Law School's website, or other, substantially similar information source.

8.3 Any published information regarding an Award shall contain a good faith estimate of the anticipated amount of the Award based on the Fund Reports.


9. Payment of and Limitations on Administrative Expenses of The Sandgrund Award

9.1 The Fund Administrator may request that the Foundation pay to the Law School the amount, if any, needed to pay the expenses of administering the Award. Such administrative expenses shall be strictly limited to paying direct, out-of-pocket expenses incurred to create and maintain the Award Certificates and Award Plaques described in Sections 6.1 and 7.1 of the Sandgrund Award, and to paying for the reasonable cost of copying physically tangible material delivered to Law School faculty and student body members in accordance with Section 8.1 of the

Sandgrund Award, and shall not include paying any other expense, such as overhead or compensation, or the cost of publicizing the award to Law School alumni and others who are not members of the Law School faculty and student body.

10. Acknowledgement and Agreement

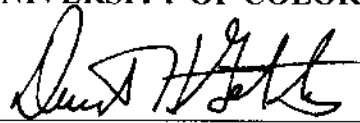
**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed on the date below.

  
\_\_\_\_\_  
Ronald M. Sandgrund

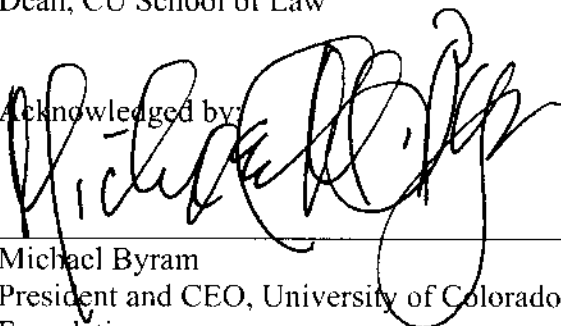
December 19, 2005  
\_\_\_\_\_  
Date

Donor's Address: 546 Donn Court, Boulder, CO 80303  
Donor's initial designee: Cheryl I. Barr  
Donor's initial designee's address: 546 Donn Court, Boulder, CO 80303

**THE UNIVERSITY OF COLORADO SCHOOL OF LAW, BOULDER CAMPUS BY:**

  
\_\_\_\_\_  
David H. Getches  
Dean, CU School of Law

12/16/05  
\_\_\_\_\_  
Date

Acknowledged by:  
  
\_\_\_\_\_  
Michael Byram  
President and CEO, University of Colorado  
Foundation

12-27-05  
\_\_\_\_\_  
Date

RM