

THE STATE OF NEW HAMPSHIRE

GRAFTON, SS.

SUPERIOR COURT

Docket No. 7-E-289

Association of Alumni of Dartmouth College

v.

Trustees of Dartmouth College

AFFIDAVIT OF ROBERT B. DONIN

Robert B. Donin, being first duly sworn upon oath, states as follows:

1. I am General Counsel of Dartmouth College. I have held this position since August of 2000. In my capacity as General Counsel I am responsible for providing legal advice and representation to the Board of Trustees, the President, and other officers of instruction and administration with respect to all legal issues affecting Dartmouth College. I have personal knowledge of the matters described in this affidavit.

2. On October 11, 2007, the Board of Trustees of Dartmouth College voted as follows:

that the General Counsel is authorized to represent to the Superior Court in Association of Alumni of Dartmouth College v. Trustees of Dartmouth College (Grafton County Superior Court Case No. 7-E-289) that the Board of Trustees will not fill any of the Charter Trustee positions authorized by the Board on September 8, 2007 until the earlier of (1) February 1, 2008, or (2) a final order

by the Superior Court (and the Supreme Court of New Hampshire, if the Superior Court's order is appealed) denying the plaintiff's motion for a preliminary injunction or dismissing the case.

IN WITNESS WHEREOF I have executed this affidavit this 22nd day of October, 2007.

Robert B. Donin
Robert B. Donin

Subscribed and sworn to before me
this 22nd day of October, 2007.

C. Susan Lewis

Notary Public: C. Susan Lewis
My commission expires: 12/27/11

