

# UNIVERSITY OF MINNESOTA

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*Office of the Senior Vice President  
for Finance and Operations*

301 Morrill Hall  
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Minneapolis, MN 55455

January 25, 2021

Elizabeth Lincoln, Director  
Legislative Reference Library  
645 State Office Bldg.  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1050

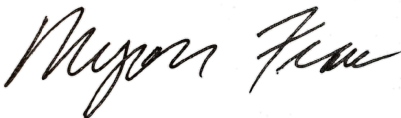
Dear Ms. Lincoln:

On behalf of the Board of Regents of the University of Minnesota, I submit the following annual report to the Legislature under Minnesota Statutes Section 137.52(b) regarding the University's efforts and the efforts of the United States Department of Defense to remedy environmental impacts associated with the former Gopher Ordnance Works (GOW), a World War II smokeless powder production facility located on University land in Rosemount, Minnesota. That land includes Vermillion Highlands: A Research, Recreation and Wildlife Management Area, which is managed under a cooperative agreement between the University and the Department of Natural Resources. Per the requirements set forth in Minnesota Statutes Section 3.197, the cost to prepare this report was \$763.20.

The University's litigation in federal district court against the Army Corps and its contractor for GOW, E.I. du Pont de Nemours and Company (DuPont), is ongoing. In that litigation, the University seeks recovery of a money judgment including the approximately \$3.3 million the University has incurred in past investigation costs and a declaration that the Army Corps and DuPont must pay their fair shares of future cleanup expenses.

The litigation has been stayed since June 2020 due to COVID-19 and pending the Court's ruling on cross-motions for partial summary judgment. In October 2020, the Court granted the University's motion for partial summary judgment, finding that the University is not obligated under an indemnification provision in a deed transferring part of the property to the University in 1948 to pay the United States' or DuPont's shares of the investigation and cleanup costs. All parties participated in a Court-ordered settlement conference in December 2020, but efforts to resolve the litigation were unsuccessful. Discovery and motion practice will now go forward in the case, with a trial anticipated in late 2021 or early 2022.

Sincerely,



Myron Frans  
Senior Vice President for Finance and Operations

cc: Brian Steeves, Executive Director and Corporate Secretary, Board of Regents  
Douglas Peterson, General Counsel, University of Minnesota  
Michael Berthelsen, Vice President, University Services  
Matt Kramer, Vice President, University Relations  
J.D. Burton, Chief Government Relations Officer, University Relations  
Leslie Krueger, Assistant Vice President for Planning, Space, and Real Estate  
Jami Markle, Central Region Wildlife Manager, DNR, Vermillion Highlands Joint Steering Committee