

From: "Healy, Paul" <phealy@hbs.edu>

To: "Edelman, Benjamin" <bedelman@hbs.edu>

Cc: "Mucciarone, Rae" <rmucciarone@hbs.edu>, "Nohria, Nitin" <nnohria@hbs.edu>

Subject: Re: FRB P&P "the allegation"

Date: Tue, 15 May 2018 19:28:04 +0000

Importance: Normal

Ben,

Sorry about the delay in getting back to you. I had a trip to Melbourne that took me out of the office for a week.

I've given careful thought to our conversation and, at your suggestion, re-read the comments submitted at the time your case was reviewed. As you know, the confidentiality of our tenure process means that I cannot get into specifics with you. But, I can provide you with feedback that "respect for others," the category that seems to cover your questions related to the FRB process, was not mentioned as a concern by a significant majority of those who voted against your case.

I hope that you find this helpful.

Best

Paul

On May 15, 2018, at 9:40 AM, Edelman, Benjamin <bedelman@hbs.edu> wrote:

Paul,

Do you have a sense of when you'll be ready to discuss further? I'm mindful of the nearing end of the university's fiscal year and appointment year, which has potential bearing on when and how we proceed.

Thanks,

Ben

From: Healy, Paul

Sent: Saturday, April 28, 2018 2:19 PM

To: Edelman, Benjamin <bedelman@hbs.edu>

Subject: Re: FRB P&P "the allegation"

Ben:

Many thanks for the additional information. I will be away for the coming week but will look further into your concerns when I return.

P

On Apr 28, 2018, at 7:51 AM, Edelman, Benjamin <bedelman@hbs.edu> wrote:



Paul,

Thanks for making time to discuss my concerns yesterday, all the more so on short notice.

Reflecting on our discussion, I realized that I didn't respond optimally to your remarks about the "the allegation" wording in P&P. You suggested that FRB's 2017 effort was intended to assess evidence of changed behavior since 2015. Indeed, the FRB's 2017 July 6, 2017 email to me framed the question that way (in the three bullet points of that email). For an inquiry framed as seeking evidence of changed behavior, almost anything could be in scope, as you pointed out. But reading the FRB P&P, I think it requires more specificity in the initial allegation and scope of review – not just that the FRB specify the general subject it is examining (such as evidence of changed behavior), but rather that the FRB's focus be a specific "the allegation" (calling for a listing, at the outset, of specific factual circumstances giving rise to concern, broadly as specified in the last paragraph of P&P page 1, and indeed as exemplified in the 2015 FRB initial message to me).

No doubt there are multiple ways to understand aspects of the P&P, and further complexity from the 2017 FRB continuing the 2015 review, which isn't exactly what the P&P contemplates. But I wanted to make sure I have fully articulated my assessment so you can consider it appropriately.

Thanks,

Ben