



# University of Pittsburgh

*Office of General Counsel*

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February 16, 2007

Nate Carlisle  
550 South 500 East  
Apartment 15  
Salt Lake City, UT 84102

Dear Mr. Carlisle:

Your February 5, 2007 letter, addressed to Chancellor Mark A. Nordenberg, has been referred to me for review and response.

I understand you seek certain records "related to the drug testing of University of Pittsburgh athletes." However, please note that the Pennsylvania Right-to-Know Act, which you cited in your letter, is not applicable to the University of Pittsburgh. The statute does not include the University within the definition of "Agency." Further, case law has determined the statute does not apply to Pennsylvania's state-related universities, including the University of Pittsburgh. See Mooney v. Board of Trustees of Temple University, 448 PA 424, 292 A.2d 395 (1972) and Roy v. Pennsylvania State University, 130 Pa. Cmwh. Ct. 468, 568 A.2d 751 (1990). Therefore, the University respectfully declines to provide information in response to your request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard A. Holmes".

Richard A. Holmes  
Associate General Counsel

RAH:bas