

LEGAL STATUS AND DISPOSITION CHOICES

We have been advised and understand that the legal status of the frozen pre-embryos has not been fully determined. In this regard, we acknowledge that we have been advised to seek independent legal counsel concerning our respective rights with regard to each pre-embryo placed in the cryopreservation program, that any decision regarding the disposition of our pre-embryos will be made by mutual consent. In the event we are under to reach a mutual decision regarding the disposition of our pre-embryos, we must petition to a Court of competent jurisdiction for instructions concerning the appropriate disposition of our pre-embryos.

We are aware that for a variety of reasons, (e.g. our choice, death of both of us, our achieving our desired family size) one or more pre-embryos may remain frozen and will not be wanted or needed by us. By this document, we wish to provide the Center with our mutual direction regarding disposition of our pre-embryos upon the occurrence of any one of the following four (4) events or dates:

- A. The death of the surviving spouse or in the event of our simultaneous death.
- B. In the event we mutually withdraw our consent for participation in the cryopreservation program.
- C. Our pre-embryos have been maintained in cryopreservation for five (5) years after the initial date of cryopreservation unless the Center agrees, at our request, to extend our participation for an additional period of time.
- D. The Center ceases its in vitro fertilization and cryopreservation program.

At the earliest of the above-mentioned events or dates, we authorize and request that of the following options be utilized for the disposition of our pre-embryos remaining in cryopreservation:

- (1) That our pre-embryos be donated to another infertile couple (who shall remain unknown to all parties concerned), selected by the attending physician and/or the medical director of the Program, in which case we would relinquish any and all claim of a maternal and/or paternal right to the donated pre-embryos;
- (2) That our pre-embryos be donated for approved research and/or investigation;
- (3) That our pre-embryos be thawed but not allowed to undergo further development;
- (4) That our pre-embryos be disposed of in accordance with the best judgement of the professional staff of the Center.

In the event that our chosen option cannot be effectuated upon reasonable efforts by the Center, we understand that we will be contacted to select another option. In the event we cannot be contacted after reasonable efforts directed to our last known address, we authorize the Center to utilize Option, above.