

# Exhibit 4

October 1, 2011

Annette Whittemore  
President  
Whittemore Peterson Institute

Dear Mrs. Whittemore

I am responding to your letter dated September 30, 2011 in which you confirmed my termination and stated the reason as being "insubordination" for failing to give Vince Lombardi the package of CAL1 cells, a dendritic cell line on which he wants to do basic research.

The problem, which you state was cause for my termination has arisen from our disagreement about the appropriate supervision of Dr. Lombardi's basic research. Dr. Lombardi was designated a postdoctoral fellow on the NIH R01 grant under my supervision. I was the Director of Research and am the principal investigator (PI) on 3 grants. I have a fiduciary and professional obligation as the PI to see that the funds are used to further only the specific aims for which the funds were allotted.

It was and still is my scientific opinion that the project for which the Cal-1 cells were intended, a study of the regulation of IFN $\alpha$  in a dendritic cell line, is outside the scope of Dr. Lombardi's responsibilities on the NIH project and that he is not qualified to perform such a project, as evidenced by his failure to perform on the R01 aim for which the grant is funded. That opinion has been supported in writing to you on multiple occasions by both me and Dr Frank Ruscetti, who wrote the letters of support with respect to that aim of the R01 project

Your letter is incorrect in that Dr Lombardi did not ask me for permission to acquire or use the cells and he never told me for what purpose he wanted to use them. In fact, he circumvented my authority twice previously. You were aware and permitted this insubordination without my knowledge until the events of September 29<sup>th</sup>. It was completely appropriate for me to deny Dr. Lombardi access to the cell line, since that project is part of my RO1 project. Because he is unwilling to take my direction and has been unable to secure any research funds, he should not be starting a sub-project without my permission while neglecting his other duties. I have been concerned for some time that he may not be devoting the amount of time that was specified on the R01 project despite perhaps receiving salary from the NIH grant.

I have been unable to properly supervise Dr, Lombardi not only because of his over-inflated assessment of his own capabilities, but also because of your insistence on protecting him and your investment in VIPDx. Even after the BWG results were unblinded, when it was obvious that he was making unsubstantiated statements about the data to you and everyone else, you continued to defend his

inappropriate and inadequate performance. This made me reluctantly come to realize that it was an unsolvable problem. Considering the untrustworthiness of his data and his word, you put me in an impossible position and gave no choice but not to work with him. You were told this verbally and in writing in August.

Because you are not trained in science, it would have been advisable in this situation for you to ask my advice and the reasons for my actions. However, as has been too often the case over the past several years, you have demonstrated unwillingness to listen to your experienced scientific research director, but instead make decisions on your own.

You mentioned that you would like a "smooth transition". The best way to prevent unpleasantness is for WPI is to honor commitments that were made to me. I have a contract that ends on Nov. 15, 2011. Carli sent me an email indicating I would get two weeks of pay, thus inappropriately discontinuing my salary well before my contract ends. I am on official business travel, to Ireland October 7-15<sup>th</sup> as confirmed by you in your email to Ireland several weeks ago. Harvey informed me that I was to declare my office hours and be present at all times from July 20 to Nov 5, and as a result I postponed my vacation. I expect to be paid for the 21vacation days that I have not been able to take the past two years. As you are well aware, I have been working far more than 40 hours/week, and have given up many standard holidays in order to secure government grants and to make as rapid progress as possible.

I am pleased that you respect my dedication to the patients. I expect full cooperation and a smooth transition of all of the grants on which I am the PI (the NIH R01, the DOD and NIH-Lipkin grants) to a new institution that can adequately support my research and my commitment to the patients.

Sincerely

Judy A. Mikovits, PhD