

Nathan Cummings Foundation Shareholder Resolutions & Dialogues

<u>Company</u>	<u>Resolution</u>	<u>Primary Filer</u>	<u>Outcome</u>¹
<u>2010</u>			
Chesapeake Energy	Say-on-pay	NCF	57.0%
ConocoPhillips	Political contributions	NCF	26.9%
Exxon Mobil	Climate change	Sisters of St. Dominic of Caldwell New Jersey	27.2%
Goldman Sachs Group	Pay disparity	NCF/ Benedictine Sisters	5.5%
Kimco Realty	Climate change	NCF	Withdrawn. Kimco agreed to take a number of steps to address climate change and energy efficiency, including the creation of an internal position focused on sustainability.
Lennar	Climate change	NCF	8.9% (Company has dual classes of stock with CEO controlling 46.3% of combined class A and B votes as of February 2010.)
McKesson	Equity compensation	NCF	28.8%
Mylan	Say-on-pay	NCF	49.5%
Nabors Industries	Say-on-pay	NCF	43.7%
Oracle	Equity compensation	NCF	20.8%
The Ryland Group	Climate change	NCF	37.4%

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Standard Pacific	Climate change	NCF	17.4%
UnitedHealth Group	Say-on-pay	NCF	49.2%
Valero Energy	Political contributions	NCF	26.5%
WellPoint	Political contributions/ lobbying	AFL-CIO Office of Investment	18.8%
Wal-Mart Stores	Say-on-pay	Amalgamated Bank	19.6%
<u>2009</u>			
Albemarle	Lobbying expenses /toxics	NCF	Withdrawn. Albemarle now discloses total product defense spending. It also provides qualitative guidance on spending related to different products and issues and commentary about its efforts to develop and commercialize new and improved flame retardants.
Apple	Say-on-pay	AFSCME	51.6%. Apple has agreed to implement the proposal and provide shareholders with a say-on-pay.
ConocoPhillips	Political contributions	NCF	27.5%
Exxon Mobil	Climate change	Sisters of St. Dominic of Caldwell New Jersey	29.0%
Lennar	Climate change	NCF	9.8% (Company has dual classes of stock.)

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The McGraw-Hill Companies	Political contributions	NCF	37.1%. McGraw-Hill agreed to provide annual board oversight of its political contributions and to disclose information on its memberships in trade associations along with a list of politically-driven tax exempt organizations to which the company contributes.
McKesson	Equity compensation	NCF	30.6%
Oracle	Equity compensation	NCF	20.6%
PulteGroup	Climate change	NCF	Withdrawn. Pulte agreed to include information on the energy efficiency of the homes it builds, as well as a discussion of strategies to increase the number of homes it builds above code, in its annual report. Pulte also agreed to answer the Carbon Disclosure Project (CDP) Questionnaire in 2009.
The Ryland Group	Climate change	NCF	29.9%
Standard Pacific	Climate change	NCF	15.3%
Ultra Petroleum	Climate change	NCF	The vote did not count due to a technicality.
UnitedHealth Group	Say-on-pay	NCF	40.7%
Valero Energy	Political contributions	NCF	47.4% The company has adopted a political contributions disclosure policy and provides contribution data on its website.
Wal-Mart Stores	Say-on-pay	Amalgamated Bank	18.5%
Wells Fargo & Company	Say-on-pay	NCF	Withdrawn. As a recipient of TARP funds, the company was required to give investors a say-on-pay.
Yum! Brands	Healthcare principles	NCF	6.2%

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2008			
Apple	Say-on-pay	AFSCME	50.7%
Centex	Climate change	NCF	26.0% The company announced plans to implement its Energy Advantage Program in all new homes it builds beginning in 2009. The program is expected to reduce emissions by thousands of tons over the lifetimes of the homes. The company has also released a sustainability report and provided information to the Carbon Disclosure Project.
ConocoPhillips	Political contributions	NCF	28.2%
Costco Wholesale	Toxics	Boston Common Asset Management	Withdrawn. Costco agreed to report to filers on progress relating to general sustainability efforts, with a particular focus on the reduction of PVC use.
Exxon Mobil	Climate change	Sisters of St. Dominic of Caldwell New Jersey	30.9%
KB Home	Climate change	NCF	Withdrawn. KB Home released its first sustainability report in 2008. The report included a description of how it plans to address emissions from the end-use of its products and used the WRI/WBCSD GHG Protocol to begin tracking emissions. The company also provides the proponents with ongoing progress reports.
The Kroger Co.	Climate change	NCF	39.6%
PulteGroup	Climate change	NCF	22.0%
The Ryland Group	Climate change	NCF	25.4%
Standard Pacific	Climate change	NCF	33.7%

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Ultra Petroleum	Climate change	NCF	36.6%
Valero Energy	Political contributions	NCF	38.7%
Wal-Mart Stores	Say-on-pay	Amalgamated Bank	17.1%
<u>2007</u>			
3M Company	Healthcare	NCF	Omitted.
Bed Bath & Beyond	Climate change	Sierra Club Mutual Funds	25.0% (<i>Unofficial Result</i>). Although the vote will not count due to a technicality, BBBY has acknowledged shareholders' desire for reporting on energy efficiency, emissions reductions and climate change. BBBY assembled a team to gather information and consider ways to report on these topics. The team was also charged with considering the development and implementation of additional related measures. BBBY also responded to the CDP in 2007.
Centex	Climate change	NCF	Omitted.
ConocoPhillips	Political contributions	NCF	11.9% The company provided some information relating to political contributions on its website in response to our proposal.
D.R. Horton	Energy efficiency	NCF	Withdrawn. The company agreed to complete the requested report.
Kohl's	Healthcare	NCF	Omitted.
The Kroger Co.	Climate change	NCF	37.4%
Smithfield Foods	Sustainability reporting	NCF	Withdrawn. Smithfield agreed to commence reporting on NOVs occurring on contract farms and to undertake a facility-level report for a company-owned farm.

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Standard Pacific	Energy efficiency	NCF	Omitted.
Ultra Petroleum	Climate change	NCF	30.9%
<u>2006</u>			
Centex	Energy efficiency	NCF	9.0%
D.R. Horton	Energy efficiency	NCF	5.5%
The Home Depot	Energy efficiency	NCF	Withdrawn due to the following commitments: completion of the 2006 CDP4 Questionnaire, continuation of a dialogue with the proponents, and disclosure of various indicators and information relating to climate change and energy efficiency.
Lowe's Companies	Energy efficiency	NCF	Withdrawn due to the following commitments: expansion of Lowe's sustainability reporting, and disclosure of various indicators and information relating to climate change and energy efficiency.
The Ryland Group	Energy efficiency	NCF	Omitted.
Smithfield Foods	Sustainability reporting	NCF	29.3%
Standard Pacific	Energy efficiency	NCF	39.3%
Ultra Petroleum	Climate change	NCF	22.3%
Vintage Petroleum	Climate change	NCF	This resolution did not go to a vote as Vintage was acquired by Occidental Petroleum.

2005

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Anadarko Petroleum	Climate change	Trillium Asset Management	Withdrawn due to the following commitments: adoption of a GHG management plan and ongoing collection of baseline emissions data, formation of a climate change committee, discussion of the company's strategies for managing climate risk in its 10-K and utilization of carbon-constrained scenario planning.
Apache	Climate change	Boston Common Asset Management	Withdrawn due to the following commitments: estimation of GHG emissions intensity for all of Apache's operated properties in Kyoto Annex I countries as well as operated properties in the US and Australia, discussion of the progress made on all major GHG mitigation projects undertaken by the company, issuance of a statement regarding climate change endorsed by the company's CEO, and reporting on climate change-related projects, initiatives and issues to the company's Board of Directors.
Centex	Energy efficiency and climate change	NCF	Withdrawn. The company agreed to: include a short section in its proxy statement indicating that it received a proposal regarding climate change, continue to discuss climate change related issues with the proponents, and place information on energy efficient homes on its website.
Lennar	Energy efficiency and climate change	NCF	2.3%
Merck & Co.	Political contributions	NCF	8.8%. As a result of the resolution, Merck took steps to improve access to information about its PAC contributions. The Company posted a link on its website to Merck PAC data on the Federal Election Commission's website. In addition, Merck annually posts information about its corporate contributions in the United States, categorized by state, candidate office and amount. This information is updated annually.
Pfizer	Reimportation of prescription drugs	AFSCME	10.8%

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The Ryland Group	Energy efficiency and climate change	NCF	7.9%
Smithfield Foods	Sustainability reporting	NCF	24.8%.
Vintage Petroleum	Climate change	NCF	25.6%
XTO Energy	Climate change	NCF	Withdrawn. XTO agreed to: create a climate change committee to address issues relating to GHG emissions, publicly acknowledge that climate change is an important issue and disclose the actions it is currently taking to address this issue, disclose its emissions baseline, update emissions data annually, and formulate a plan for the reduction of methane emissions from current operations.
<u>2004</u>			
Anadarko Petroleum	Climate change	Trillium Asset Management	31.4%
Merck & Co.	Political contributions	NCF	10.1%
Pfizer	Political contributions	NCF	10.9%. The company agreed to take the requested actions.
Smithfield Foods	Sustainability reporting	NCF	20.9%
Valero Energy	Climate change	NCF	9.3% The company agreed to take the following actions: reduce projected 2008 emissions by 5% below business as usual, reduce emissions related to the combustion of its gasoline by an additional 2 million tons a year, complete and post an annual emissions inventory, and publicly list the ways in which the company is attempting to reduce its emissions.

2003

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Merck & Co.	Ethical criteria for the extension of patents	Province of St. Joseph of the Capuchin Order	6.4%
Smithfield Foods	Sustainability reporting	NCF	Omitted. Ongoing dialogue between company and investors commenced.

¹Reported votes are calculated as follows: votes FOR as a percentage of the total votes FOR and AGAINST the proposal.