the voting shares of Haven Savings Bank, Hoboken, New Jersey.

Board of Governors of the Federal Reserve System, July 1, 2009.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. E9–15932 Filed 7–2–09; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center Web site at *www.ffiec.gov/nic/*.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 30, 2009.

A. Federal Reserve Bank of Richmond (A. Linwood Gill, III, Vice President) 701 East Byrd Street, Richmond, Virginia 23261–4528:

1. Eastern Virginia Bankshares, Inc., Tappahannock, Virginia; to acquire 100 percent of the voting shares of First Capital Bancorp, Inc., and thereby indirectly acquire voting shares of First Capital Bank, both of Glen Allen, Virginia.

B. Federal Reserve Bank of Dallas (E. Ann Worthy, Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. A.N.B. Holding Company, Ltd., Terrell, Texas; to aquire additional voting shares, for a total of 35 percent, of The ANB Corporation, and thereby indirectly acquire additional voting shares of The American National Bank, both of Terrell, Texas; Lakeside Bancshares, Inc., and Lakeside National Bank, both of Rockwall, Texas.

Board of Governors of the Federal Reserve System, June 30, 2009.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. E9–15776 Filed 7–2–09; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Findings of Scientific Misconduct

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Office of Research Integrity (ORI) and the Assistant Secretary for Health have taken final action in the following case:

Judith M. Thomas, PhD, University of Alabama at Birmingham: Based on a finding of scientific misconduct made by the University of Alabama at Birmingham (UAB) on January 24, 2008, a report of the UAB Investigation Committee, dated November 21, 2007, and additional analysis conducted by ORI during its oversight review, the U.S. Public Health Service (PHS) found that Dr. Judith M. Thomas, former Professor of Surgery, UAB, engaged in scientific misconduct in research supported by National Institute of Allergy and Infectious Diseases (NIAID), National Institutes of Health (NIH), grants R01 AI22293, R01 AI39793, and U19 AI056542, National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), NIH, grant U19 DK57958, and NIH/Novartis Cooperative Research and Development Agreement 96–MH–01/NIHITC–0697.

The objective of the research was to test the effectiveness of different agents, such as Immunotoxin FN18–CRM9 or 15-deoxyspergualin (15-DSG), administered around the time of renal transplantation in non-human primates, in preventing rejection of the transplanted kidney. To determine whether or not the transplanted kidney was functioning (able to sustain life) after the immunomodulating therapy, the animals were to have both of their native kidneys removed at or shortly after the time of transplant, so that their survival would depend solely on the viability of the transplanted kidney. It was postulated that the use of immunomodulating agents would increase tolerance of the host animal to the grafted kidney and thus eliminate the necessity for chronic administration of immunosuppressive medications commonly required to prevent rejection in renal transplant recipients. Failure to remove both native kidneys would render it impossible to assess the effectiveness of the immunomodulating treatment, and could give totally misleading results, suggesting that the treatment worked while in fact survival was due entirely to the remaining native kidney.

PHS found that Respondent engaged in scientific misconduct by falsifying reports of research results in NIH-supported experiments with non-human primate (NHP) renal allograft recipients in 15 publications and in progress reports in two NIH research grant applications. Specifically, PHS found that:

1. Respondent falsely reported in 15 publications that NHP renal allograft recipients had received bilateral nephrectomies of their native kidneys, while in fact many of the animals retained an intrinsic kidney. Specifically:

A. Respondent falsely reported in eight publications [1] that at least 32 specific NHPs in a renal allotransplantation study had received bilateral nephrectomies, while in fact an intrinsic kidney was left in place in each animal, and generally, in seven additional publications,[2] Respondent falsely reported that all long term surviving NHP renal allograft recipients had received bilateral nephrectomies of their native kidneys. The publications referenced are listed separately in the endnotes.

2. In seven publications,[3] Respondent falsely reported immunomodulating treatments given to NHP renal allograft recipients by not reporting the administration of donor bone marrow to seven recipients and not reporting administration of cyclosporine A to four recipients. She also falsely reported (by overstating by 15%) dosages of the immunomodulating agents that were given and/or duration by overstating the exceptionalbriefer duration of immunomodulating treatment given to four recipients and cited in at least eight publications.[4]

3. In progress reports for NIH research awards R01 AI39793 and U19 DK57958, Respondent falsely claimed that long term surviving (LTS) NHP renal