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David Prescott – Bar # 44092  
Edwin Grauke – Colorado Bar # 030701  
VERITAS JUSTICE and BIOETHICS INSTITUTE  
22365 El Toro Road, Suite 109  
Lake Forrest, California 92630  
(714)649-0661

Attorneys for Plaintiffs

ENDORSED  
FILED  
San Francisco County Superior Court

MAY 17 2004

GORDON PARK-LI, Clerk  
NADITA MASON  
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

LAURENCE TAIN, D.C.; DONALD NIELSEN, D.C.; )  
ROBERT BITTERS, D.C.; STEPHANIE )  
WATTENBERG, D.C.; and LORI PRESCOTT, D.C. )

Plaintiffs/Petitioners, )

v. )

STATE BOARD OF CHIROPRACTIC EXAMINERS; )  
CALIFORNIA ACUPUNCTURE BOARD; THE )  
COUNCIL ON CHIROPRACTIC EDUCATION, INC.; )  
and DOES 1 to 20 )

Defendants/Respondents. )

NO: CGC-03-419378

NOTICE OF PARTIAL  
APPEAL; ELECTION  
TO PROCEED UNDER  
CALIFORNIA RULE OF  
COURT 5.1

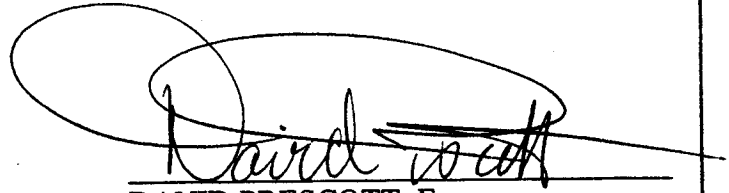
TO THE CLERK OF THE ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN that the Plaintiff/Petitioners LAURENCE TAIN, D.C.;  
DONALD NIELSEN, D.C.; ROBERT BITTERS, D.C.; STEPHANIE WATTENBERG, D.C.;  
and LORI PRESCOTT, D.C. appeal from the judgment in favor of the Defendant/Respondent  
STATE BOARD OF CHIROPRACTIC EXAMINERS entered on April 20, 2004 following an  
order granting the STATE BOARD OF CHIROPRACTIC EXAMINER'S motions for  
summary judgment as to the First, Second and Third Causes of Action to the  
Plaintiff/Petitioners Second Amended Complaint.

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NOTICE IS FURTHER GIVEN that the Plaintiff/Petitioners elect to proceed under the provisions of rule 5.1 of the California rules of Court.

Dated: May 10, 2004



DAVID PRESCOTT, Esq.  
Veritas Justice and Bioethics Institute  
Attorneys for Plaintiff/Petitioners

(PROOF OF SERVICE BY MAIL – 1013a, 2015 C.C.P.)

STATE OF CALIFORNIA            )  
  )  
COUNTY OF ORANGE            )            ss.

I am a citizen of the United States. I am over the age of eighteen years and not a party to the within entitled action. My business address is 22365 El Toro Rd., Suite 109, Lake Forrest, California 92630.

On May 10, 2004 I served the within NOTICE OF PARTIAL APPEAL; ELECTION TO PROCEED UNDER CALIFORNIA RULE OF COURT 5.1 on the Chiropractic Board, Acupuncture Board and on The Council on Chiropractic Education by placing a true and correct copy in a sealed envelope addressed as follows:

CHIROPRACTIC BOARD  
Ms. Char Sachson, Esq.  
Deputy Attorney General  
455 Golden Gate Ave., Ste. 11000  
San Francisco, Calif. 94102-3664

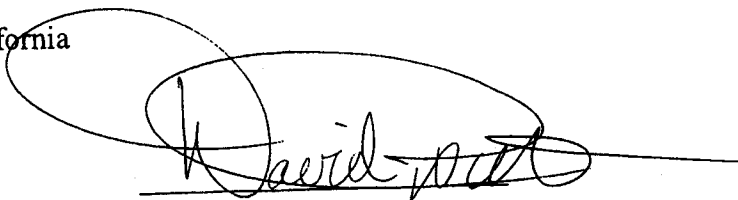
ACUPUNCTURE BOARD  
Mr. Jose Guerrero, Esq.  
Deputy Attorney General  
1515 Clay St., 20<sup>th</sup> Floor  
Oakland, Calif. 94612-0550

THE COUNCIL ON CHIROPRACTIC EDUCATION  
Mr. Michael Schroeder, Esq.  
1851 East First Street, Suite 1160  
Santa Ana, Calif. 92705

I deposited the envelope in the U.S. Postal Service the same day with first-class postage thereon fully prepaid at Lake Forrest, California.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed on May 10, 2004, at Lake Forrest, California

  
David Prescott