

LAW OFFICES
O'BRIEN, BUTLER, McCONIHE & SCHAEFER

988 SEVENTEENTH STREET, N.W.

WASHINGTON, D.C. 20006-3067

TELEPHONE (202) 293-6161

TELEFAX (202) 293-1646

OF COUNSEL
PAUL L. O'BRIEN
HARRY TETER*

WILLIAM J. BUTLER JR.*
MICHAEL H. McCONIHE*
JEROME C. SCHAEFER*
STEVEN P. BENSON
A. STATTON HAMMOCK, JR.**
MARK B. SANDGROUND, JR.*
STEPHEN M. SCHAEFER*
KEVIN A. KERNAN**

*ADMITTED TO PRACTICE IN MARYLAND

*ADMITTED TO PRACTICE IN VIRGINIA

February 23, 2004

Charles H. Rose, MA, MSPH, D(ABSNM)
Program Director
Institute for Nuclear Medical Education
5660 Airport Blvd.
Suite 101
Boulder, CO 80301

Re: Certification Board of Nuclear Cardiology

Dear Mr. Rose:

This firm is legal counsel to the Certification Board of Nuclear Cardiology (CBNC), and we write in response to your letter to Manuel Cerqueira, M.D., dated January 8, 2004. Please be advised that CBNC's eligibility requirements meet all of the Nuclear Regulatory Commission's (NRC) requirements for licensure in Non-Agreement States.

Your letter to Dr. Cerqueira, as well as your letter of January 8th to Mr. Kevin Hsueh of the NRC, appears to accuse CBNC of some indeterminate impropriety. The accusatory tone of your letters is unwarranted and could be viewed as extremely damaging to CBNC's reputation and good name within the medical and scientific community. Although it was not obligated to do so, CBNC has attempted to reasonably respond to your requests for information regarding its NRC recognition. When CBNC's responses to your requests did not appear to satisfy the information you were in search of, CBNC suggested that the NRC might better be able to accommodate your request.

We expect that this letter clarifies any questions you may have regarding CBNC's status with the NRC. We request that you immediately cease and desist any communications to third parties, whether oral or written, which suggest or imply that CBNC is not in compliance with the NRC. Such continued willful actions will not be tolerated by CBNC, and CBNC will take whatever legal actions are necessary to protect its stellar reputation in the medical and scientific community.

Very truly yours,

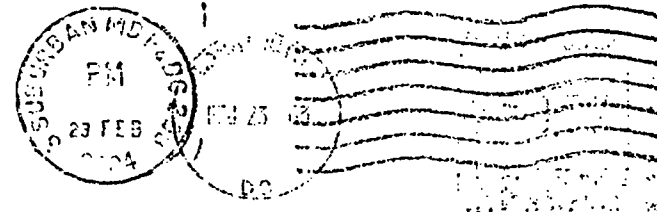

Jerome C. Schaefer

cc: Manuel D. Cerqueira, M.D.
Mr. Kevin Hsueh
William D. Nelligan, III, CAE

04 FEB 26 PM 4: 27

STP

LAW OFFICES
O'BRIEN, BUTLER, McCONIHE & SCHAEFER, P.L.L.C.
888 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20006-3967



Mr. Kevin Hsueh
Nuclear Regulatory Commission
Mail Stop # 03C10
11555 Rockville Pike
Rockville, MD 20852

20832-2738 13

