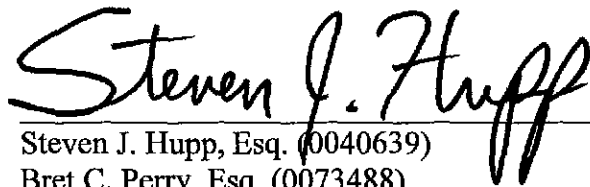


NOTICE OF APPEAL OF DEFENDANTS-APPELLANTS

Defendants/Appellants, University Emergency Specialists, Inc. and Apollo Rivera, M.D., hereby give Notice of Appeal to the Supreme Court of Ohio from the judgment of the Cuyahoga County Court of Appeals, Eighth Appellate District, journalized in Court of Appeals Case No. CA-07-090041 on September 2, 2008.

This case raises a substantial constitutional question and is one of public and greater general interest.

Respectfully submitted,



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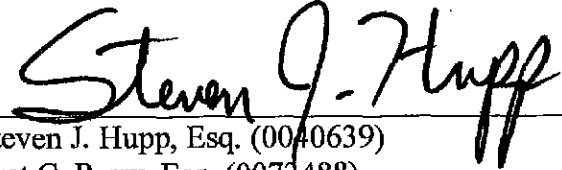
Dr. Apollo Rivera and

University Emergency Specialists, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Appeal was sent by ordinary U.S. Mail on this 10th day of October, 2008 upon the following:

Richard Berris, Esq.
Weisman Kennedy & Berris
1600 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115

A handwritten signature in black ink that reads "Steven J. Hupp". The signature is written in a cursive style and is positioned above a horizontal line.

Steven J. Hupp, Esq. (0040639)
Bret C. Perry, Esq. (0073488)