

2520032901181

LAW OFFICES

SHOOK, HARDY & BACON LLP

GENEVA
HOUSTON
KANSAS CITY
LONDON
MIAMI

84 CORPORATE WOODS,
10801 MASTIN, SUITE 1000
OVERLAND PARK, KANSAS 66210-1671
TELEPHONE (913) 451-6060 ■ FACSIMILE (913) 451-8879

NEW ORLEANS
SAN FRANCISCO
TAMPA
WASHINGTON, D.C.
ZURICH

May 9, 2002

CERTIFIED MAIL - RETURN
RECEIPT REQUESTED

Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644, U. S. Department of Labor
200 Constitution Avenue N.W.
Washington, D.C. 20210

Gentlemen:

Pursuant to Reg. §2520.104-23, the following corporation hereby declares that as an employer it maintains the following unfunded employee benefit plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

Corporation: PAINCARE, P.A.
10501 Metcalf
Overland Park, KS 66212-1842

Employer Identification Number: 01-0594308

Plan: PainCare, P.A. Shareholders' Agreement

Effective Date: June 1, 2002

Number of Current Participants: Two (2)

The above plan is maintained pursuant to a written plan document, which will be provided to the Secretary of Labor or his delegate on request as required by §104(a)(1) of the Employee Retirement Income Security Act of 1974.

Very truly yours,


Alison R. Martin

ARM/crc

April 18, 2002

Page 2

cc: PainCare, P.A.
10501 Metcalf
Overland Park, KS 66212-1842

CERTIFIED MAIL

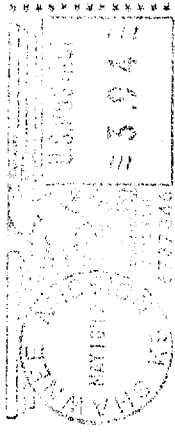
LAW OFFICES

SHOOK, HARDY & BACON LLP

CRC-X86021
84 CORPORATE WOODS
10801 MASTIN SUITE 1000
OVERLAND PARK KS 66210-1671



7000 0600 0025 5932 3145



TOP HAT PLAN EXEMPTION
PENSION AND WELFARE BENEFITS ADMINISTRATION
ROOM N-5644 US DEPARTMENT OF LABOR
200 CONSTITUTION AVENUE NW
WASHINGTON DC 20210

20210+0001

