

The Committee will conduct a telephone interview (not to exceed ten minutes in length) with each candidate for the office. The Committee is requesting that each candidate submit a written response to the following questions:

1. What experience and education do you have that will most help you in this position?

- a. I am a graduate of Life University c/o 1997 and have been working in the profession for over 25 years. I have taken numerous continuing education hours in clinical and didactic studies. Since 2010, I have been in the regulatory arena where I was able to promulgate policy and regulation. I was elected by the member body and served with the Federation of Chiropractic Licensing board for the past 13 years, as State (Member Board) FCLB & NBCE voting and alternate delegate, District 3 Alternate Director, District 3 Director, Treasurer and Vice President.
- b. My experiences within and outside the Federation has taken me across the United States to Canada, and abroad from South Afrika to Europe, where I was able to gain a bird's eye view of other countries position on and or experience in regulation. This allows for conversations that support and expand our outreach for those countries seeking a model practice of how to create language in their perspective regions.
- c. I have taken several personal and professional development courses that have taught me the value of TEAM. I have taught various classes for several universities and organizations that provided CE Credits in areas to include but not limited to Diversity – Equity and Inclusion to the Introduction to Regulation, and Implicit Bias. I bring this skillset of inclusivity and fostering a culture of respect for everyone.

2. What are the personal strengths which you will bring to the office you are seeking?

- a. Enthusiatic
- b. Integrity
- c. Commitment
- d. Ethical and Inclusive Leadership
- e. Governance
- f. Assertive; Forward thinking.
- g. Organized
- h. Thorough
- i. Bring people together.
- j. Good intention – Win-Win attitude
- k. Hard work
- l. Delegate and support individual talents.
- m. Perseverance
- n. Visionary
- o. Compassion
- p. Service

q. Willingness to learn new things.

3. Have you ever had any discipline or sanction imposed upon you by any state agency in any jurisdiction or on any professional license that you hold or have held, or in your performance as a public regulator or a board member on any professional board?

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- a. No to state/jurisdiction.
- b. No to professional license.
- c. No to public regulator.
- d. Disciplined by FCLB- suspended by BOD for 6 months.
 - i. Yes, which is why I am in a legal dispute. Any questions may be directed to my legal counsel.
 - ii. Attached hereto is a public copy of the filed complaint that explains in detail the reason for the lawsuit. As such, I am involved in pending litigation against the organization and individuals and must refrain from making statements.
 - iii. Attached are the policies and procedures from our board of directors' manual pertaining to disciplinary matters for reference.
 - iv. Attached is the bylaw pertaining to disciplinary matters for reference.
 - v. Please refer to legal counsel for any questions regarding the lawsuit.

4. What is your vision for the Federation? What do you see as the important issues facing our organization?

- a. My vision is: To Ensure that the Federation is an entity that follows its mission and vision. It is my desire to increase member board participation that is inclusive and respectful of all members.
- b. It is my desire to see the Federation foster a healthy culture of;
 - i. Ethical leadership
 - ii. Inclusive leadership
 - iii. And Leadership development so that everyone is excited to lead with good intention and foundational principles that govern equally.
 - iv. I wish to propel our organization forward, expanding our international outreach. That will take a strong commitment from our team to be assertive in respecting the differences we all bring as individuals, treating everyone with respect, and dignity.
- c. Important issues facing our organization are:
 - i. Lack of commitment to diversity- equity, equality, and inclusion.
 - 1. The Federation I believe can do a better job at fostering a culture of diversity, equity, equality, and inclusion. This is not just black and white but a diversity in ideas, identification, background, experience, age, gender etc.... There is a lack of diversity on the Federations committees and those who are of a diverse

- background who want to serve, that are super talented but are being overlooked.
- 2. In the above-mentioned areas, those that are of diverse backgrounds are consolidated into the DE & I committee. This shows a lack of understanding of inclusion and utilizing our members to their highest degree in talent.
- 3. Leadership must be intentional about its commitment to DE & I. We must do what is best for our member boards to whom we serve. Elected leaders should do what is in the best interests of our member boards, which in turn strengthens the organization.
The Federations makeup IS our MEMBER BOARDS.
- 4. Leadership should reflect the population it serves. There are numerous organizations with very talented people that want to serve within the Federation but have not been provided with the opportunity.
- ii. Lack of cohesiveness:
 - 1. Our member boards have an outside view of what happens internally. The perception is a lack of ethics, transparency, and accountability. There are some past and present members of the Federation disparaging other board members seeking to elevate themselves. This behavior is unacceptable and should not be tolerated.
 - 2. Lack of consistency in treatment.
- iii. Leadership development:
 - 1. Board training to help support our BOD internally will manifest good, ethical, strong leaders that can be duplicated. Our member boards should be confident that aside from personal differences, we are here to serve and do what is best for our member boards.
 - 2. Our fiduciary duty is to serve and do what is best for our member boards. A strong foundation sets the tone.

5. Is there anything else you would like to add regarding FCLB and/ or your candidacy?

I want to thank the FCLB staff and nominating committee for the opportunity to speak on these topics. It is important that I am intentional about my responses to the questions being asked.

Some responses may not be comfortable to hear. It is only when we can speak our truth *freely*, without penalty/judgement, address areas that make us uncomfortable, and if we truly seek to understand one another, we actively listen, grow, and become stronger together. This is how we effectuate positive change.

It is time to take the Federation in a direction that is inclusive, transparent and challenges us all to be better. A Federation with updated and improved policies that are fair, and equitable. It is also my desire to see how the FCLB can become more financially secure.

As your elected Vice President, although I was unable to complete my elected term in its fullest capacity, know that I have operated with integrity, worked hard, proved my work ethic, participated, and contributed to numerous committees, volunteered my time, effort, energy, and my personal financial resources to advance my personal and professional growth.

I have followed the policies, procedures, and bylaws, been inclusive, shown respect and dignity to everyone encountered, made numerous connections with stakeholders on the national and international stage. I have upheld the mission and vision of the Federation. Lastly, I have represented, did the hard work, and conducted myself in a manner that is befitting of a President.

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Very truly,

Dr. Keita Vanterpool

Dr. Keita Vanterpool
Chair, DC BOC
Vice President, FCLB

Attachments (3)
Public copy of complaint
Bylaws - discipline
Policy- discipline

“A **true leader** has the confidence to stand alone, the courage to make tough decisions, and the compassion to listen to the needs of others. He does not set out to be a leader but becomes one by the **equality of his actions and the integrity of his intent**”.

Douglas MacArthur

If you would kindly fax or e-mail your answers at your earliest convenience, it would be appreciated.

FAX: 970-356-3599 / E-mail: info@fclb.org

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.

KEITA VANTERPOOL

Plaintiff,

v.

**FEDERATION OF CHIROPRACTIC LICENSING BOARDS;
CAROL WINKLER; and KARLOS BOGHOSIAN,**

Defendants.

**COMPLAINT FOR MONETARY AND TEMPORARY, PRELIMINARY, AND
PERMANENT INJUNCTIVE RELIEF**

The Plaintiff, Dr. Keita Vanterpool (“Dr. Vanterpool”), by her undersigned attorneys, files this Complaint seeking monetary, preliminary, and permanent injunctive and other equitable relief against Defendants Federation of Chiropractic Licensing Board (“FCLB” or “the Board”), Carol Winkler and Karlos Boghosian, and states as follows:

INTRODUCTORY FACTUAL ALLEGATIONS APPLICABLE TO ALL COUNTS

1. Dr. Vanterpool is the FCLB Vice President, an FCLB Board Member, and was eligible for candidacy for President in the upcoming FCLB elections at the 96th Annual Educational Congress in May 2023. In a purely discriminatory move, and in violation of the FCLB Board bylaws, Defendants Boghosian and Winkler orchestrated the Board’s summarily suspension of Plaintiff for a minimum of six months solely so she would not be present at the May 4-7, 2022 FCLB conference in Denver, Colorado, which is the only conference where all candidates meet with FCLB members from around the country. Moreover, as a result of the suspension, the Defendants are attempting to effectively remove Plaintiff from candidacy completely. This was done in a discriminatory manner and specifically to stifle the electoral and voting process and ensure certain Board loyalists remain in power.

2. Dr. Vanterpool seeks to recover damages and enjoin FCLB from wrongfully suspending her from the Board of Directors in breach of FCLB’s Board of Directors Policies and Procedures Manual and in violation of Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981 (“Section 1981”). Dr. Vanterpool further seeks damages for the civil conspiracy to violate her civil rights, perpetuated by Defendants Winkler and Boghosian; Dr. Vanterpool also seeks other

equitable relief and monetary damages, including exemplary (punitive) damages authorized by statute.

3. Defendants had no justifiable basis to suspend Dr. Vanterpool, and in doing so, violated the Board's policies and procedures, which constitutes a breach of the Board's bylaws and policies.

4. In issuing the suspension, Defendants engaged in clear disparate treatment. It issued severe discipline to Dr. Vanterpool without credible claims of misconduct or policy violations, whereas non-African American Board members who actually engaged in misconduct received little or no discipline.

5. As a result of the suspension, Dr. Vanterpool is precluded from referencing her title as an officer of FCLB, NBCE, and was barred from attending the FCLB and NBCE Board of Directors meetings and her from attending the FCLB's 95th Annual Educational Conference held on May 1-7, 2022, which was Dr. Vanterpool's (and all potential candidates) last opportunity to speak and engage members regarding her candidacy for President prior to FCLB's May 2023 election.

6. In addition, because she was unable to attend the May conference, Dr. Vanterpool lost opportunities to gain support of new and current members of FCLB, including stakeholder support for the upcoming election, resulting in significant irreparable damage. As a result of the suspension, Dr. Vanterpool has already lost the opportunity to attend meetings and events that entitle her to reimbursement for her time and attendance at those events. FCLB's suspension of Dr. Vanterpool irreparably damaged and continues to irreparably damage her.

PARTIES

7. Plaintiff, Dr. Keita Vanterpool, is the Vice President of FCLB and is a resident of the District of Columbia, residing at 2300 Good Hope Rd SE #916, Washington, DC 20020.

8. Defendant Federation of Chiropractic Licensing Boards is a Nonprofit Corporation formed under the laws of Wyoming with its principal place of business at 5401 W. 10th Street, Suite 101, Greeley, CO 80634.

9. Defendant Karlos Boghosian, upon information and belief, is a resident of Connecticut and past president of FCLB and at-large director of the National Board of Chiropractic Examiners.

10. Defendant Carol Winkler, upon information and belief, is a resident of the state of North Dakota, the president of FCLB and appointee on the National Board of Chiropractic Examiners.

11. At the time of the wrongs alleged, Dr. Vanterpool was a Vice President and member of the FCLB and governed by the Board's policies and bylaws.

12. As described below, Defendant interfered with the DC Board of Chiropractic's selection of delegates and alternate delegates for the FCLB conference.

JURISDICTION AND VENUE

13. Plaintiff's claims include federal questions, and therefore this Court has jurisdiction pursuant to 28 U.S. Code § 1331.

14. Plaintiff's state law claims are so related to Plaintiff's federal claims that this Court can exercise jurisdiction pursuant to 28 U.S. Code § 1367.

15. Venue is proper in this district because a substantial part of the events or omissions giving rise to the claim occurred in this district.

ALLEGATIONS COMMON TO ALL CAUSES OF ACTION **Despite a stellar work history, Plaintiff is suspended without basis**

16. Dr. Keita Vanterpool has served as a member of FCLB since 2011. She has served as an officer since 2016 holding many elected positions, including District III Alternate Director, District III Director, Treasurer and Vice President. Washington, D.C. is located within Defendant's District III.

17. As an officer of FCLB, Dr. Vanterpool also had an automatic appointment to the National Board of Chiropractic Examiners ("NBCE").

18. In addition, Dr. Vanterpool serves as Board Chairperson and Chiropractic Member of the Washington, D.C. Board of Chiropractic ("DC BOC"), which is a part of FCLB. Under Dr. Vanterpool's leadership, the DC BOC has won several awards and made several positive contributions to FCLB, including the creation of the Chiropractic Board Legal Advisers Committee, which allows those advising regulatory agencies the opportunity to discuss and share best practices.

19. Plaintiff intended to be a candidate for President of the FCLB.

20. FCLB suspended Dr. Vanterpool on March 5, 2022, for six months. This discrimination act was orchestrated and directed by Defendants Winkler and Boghosian for no legitimate reason and because Dr. Vanterpool is an African American female. Following the suspension, Dr. Vanterpool may only be fully reinstated with the approval of FCLB Board of Directors. Before her suspension, Dr. Vanterpool had no prior incidents of misconduct or discipline by FCLB.

21. Defendants never identified the policies or actions that purportedly warranted a severe sanction of a six-month suspension.

22. This is also in spite of her more than 11-year tenure with FCLB and her outstanding contributions to the FCLB, NBCE, and DC BOC.

23. In issuing Dr. Vanterpool's suspension, FCLB claimed that Dr. Vanterpool violated several FCLB "policies" and engaged in activities "inconsistent" with those expected of board members. However, FCLB failed to identify any such policies and failed to identify any such "inconsistent" activities.

24. Further FCLB failed to investigate any claims of misconduct on the part of Dr. Vanterpool as required by the Board's bylaws and policies. Likewise, FCLB could not cite the specific policy violations they alleged gave rise to the suspension.

25. Instead, FCLB attempted to silence a political rival and discriminate against Dr. Vanterpool, who is the only African American officer in the Board's history, based on her race.

Defendant has a history of discriminatory conduct towards Plaintiff

26. Since serving as Treasurer, an elected officer, since 2019 FCLB leadership has targeted Dr. Vanterpool, including raising baseless complaints in detriment to her character and reputation and making attempts to usurp her authority and disrespect her in front of FCLB members. Dr. Vanterpool's suspension is a culmination of adverse actions taken by FCLB against Dr. Vanterpool in discrimination against her based on her race.

27. For instance, when Dr. Vanterpool, as Treasurer of FCLB, refused to violate FCLB policy and reimburse a cash tip incurred by Executive Director Dr. Jon Schwartzbauer without a receipt, then-President Defendant Karlos Boghosian ("Dr. Boghosian") suggested that Dr. Vanterpool reimburse the cash tip in violation of FCLB policy. Dr. Boghosian even threatened to usurp Dr. Vanterpool's authority as Treasurer by approving the request himself. Feeling pressured by Dr. Boghosian and to maintain her professional reputation, Dr. Vanterpool stated that if he wants to reimburse Dr. Schwartzbauer, he and the board's attorney had to sign off on it. Finally, upon Dr. Vanterpool's request, Dr. Schwartzbauer submitted an explanation for the expense, and in return, she approved the request for reimbursement.

28. Dr. Vanterpool was disheartened by Dr. Boghosian's strong suggestions that she approve Dr. Schwartzbauer's request for reimbursement and threats to usurp her authority and noticed that he had never taken such a disrespectful stance with other FCLB Board of Directors, all of whom were not African American. As the only African American on the Board of Directors, Dr. Vanterpool found Dr. Boghosian's disparate treatment in attempting to usurp her authority yet giving the other non-African American Board members unfettered discretion in their roles offensive and discriminatory.

29. Dr. Vanterpool suffered additional disparate treatment by FCLB leadership in May 2021 during her campaign for Vice President of FCLB. During the campaign, outside entities began to raise claims regarding Dr. Vanterpool's performance as the Board's Treasurer. Specifically, these outside entities shared information regarding Dr. Vanterpool's duties as Treasurer that only FCLB Board members would be privy to. They also claimed that Dr. Vanterpool was unprepared and disorganized, and made numerous false assertions calling into question Dr. Vanterpool's professional reputation. Previously, when other members of the Board

of Directors raised concerns, FCLB leadership took note and addressed any such concerns. However, when Dr. Vanterpool raised concerns at a Board of Directors meeting regarding the smear campaign lodged against her, FCLB leadership, including then-President Dr. Boghosian and then-Vice President Dr. Carolyn Winkler (“Dr. Winkler”) rebuffed Dr. Vanterpool’s concerns and even failed to reference them in the Board’s meeting minutes. Dr. Vanterpool asked for her entire statement be on the record but the Board did not do so. Further, the Board minutes contain no specifics whatsoever.

30. The discriminatory treatment toward Dr. Vanterpool by Defendants continued at the FCLB elections in May 2021. This was the first time that FCLB had conducted virtual elections and Dr. Vanterpool grew concerned when delegates complained that they were able to cast votes for other elected officers, but unable to cast votes for Dr. Vanterpool.

31. As the votes were tallied, results for other officer roles came in within minutes, while it took more than twenty minutes for FCLB to tally votes declaring Dr. Vanterpool the winner of the Vice President seat. Technical difficulties related to voting and untimely delays of election results were only apparent in Dr. Vanterpool’s race. Although Dr. Vanterpool won the race for Vice President, she was declared the winner by just one vote. This was extremely unlikely in light of the surrounding circumstances. As the only African American elected officer to run for office and given FCLB’s continued disparate treatment, Dr. Vanterpool found the technical difficulties, delay in election results, and purported tally to be both concerning and discriminatory.

32. Following the election, Dr. Winkler, initially as FCLB Vice President and later as President, regularly demeaned and disrespected Dr. Vanterpool during calls and committee meetings. Dr. Winkler went so far as to attack and criticize Dr. Vanterpool for sending a letter of appreciation to delegates from her personal email address. Dr. Winkler claimed that Dr. Vanterpool was overreaching in her role and had provided delegates with inaccurate information such that Jon Schwartzbauer would need to correct her statements through separate correspondence. Once again, FCLB leadership attempted to undermine Dr. Vanterpool, despite her role as Vice President.

33. As Dr. Winkler had not directed such behavior toward non-African American board members, several FCLB Board members contacted Dr. Vanterpool with concerns related to Dr. Winkler’s treatment toward Dr. Vanterpool. For example, on November 7, 2021, Dr. Jason Hulme (“Dr. Hulme”) took note of the disrespect directed toward Dr. Vanterpool during a committee meeting. Following the meeting, Dr. Hulme texted Dr. Vanterpool complimenting her on her ability to maintain her composure despite the attacks. In addition, members of the Diversity Equity and Inclusion committee, where Dr. Vanterpool served as chair noticed and made mention of Dr. Winkler’s disrespectful and demeaning behavior toward Dr. Vanterpool. Specifically, the DEI committee members recognized Dr. Winkler’s attempts to assert her authority and undermine Dr. Vanterpool’s authority by micromanaging her.

34. As the targeted attacks against Dr. Vanterpool intensified, Dr. Winkler often made baseless claims that Dr. Vanterpool had violated FCLB policy. In review of FCLB policies, Dr. Vanterpool noticed that Dr. Winkler had abused her authority as President, misciting policy and raising baseless violations to intimidate Dr. Vanterpool. Dr. Winkler never raised unsubstantiated

claims against FCLB's non-African American board members, and it was clear that Dr. Winkler engaged in such attacks in discrimination against Dr. Vanterpool based on her race.

35. FCLB's discriminatory animus toward Dr. Vanterpool became even more apparent when the Board suspended Dr. Vanterpool despite her stellar history and contribution with the Board and having no history of misconduct. Dr. Vanterpool won numerous awards on behalf of FCLB, effectively ran Board committees and positively contributed to the Board's diversity and equity initiatives. Accordingly, and based on her phenomenal track record with the Board, any purported basis FCLB may assert in support of its decision to suspend Dr. Vanterpool would serve as nothing more than a mere pretext.

Defendant treated Plaintiff disparately from her Caucasian colleagues

36. The FCLB suspended Dr. Vanterpool without citing any specific violations of the Board's policies. Dr. Vanterpool has never violated any FCLB or NBCE policies, and FCLB's proffered claim of violations is mere pretext to mask its discriminatory animus based on Dr. Vanterpool's race. Such animus is apparent in the disparate treatment FCLB issued Dr. Vanterpool compared to her non-African American counterparts, many of whom received no disciplinary action for their conduct.

37. For example, several FCLB members witnessed former President Ferrel Grossman make several disrespectful comments regarding the FCLB President in violation of Policies & Procedures Manual § 2.13. Despite this misconduct, neither the FCLB nor the NBCE sanctioned Dr. Grossman. Instead, FCLB leadership, including its Dr. Winker defended Dr. Grossman's misconduct.

38. In addition, FCLB member Cynthia Tays was sanctioned by the Texas Department of Insurance for fraud. Although she was fined \$2,000 for billing a patient for an examination that was never performed, the FCLB merely suspended Dr. Tays for three months whereby she missed two meetings. Dr. Tays was still permitted to attend the annual meeting and her discipline never escalated beyond the state level.

39. Another FCLB member, Karen Campion submitted unratified notes to several people within her district resulting in extremely negative publicity in the Chiropractic Chronicles about the Board and its then-President Dr. Boghosian. Despite Dr. Campion's infraction, the FCLB never issued discipline and merely recommended she complete board training.

40. In contrast, FCLB issued stiff penalties against Dr. Vanterpool, as the only African American Board of Director, despite her stellar performance record and contributions to the Board. Specifically, FCLB has stripped Dr. Vanterpool of all committee assignments. She is not allowed to acknowledge her role as Vice President of FCLB or Director of NBCE. In addition, she may not participate in any FCLB activities or as an appointee of the NBCE meetings, and as a result, she has lost available reimbursements for attendance at these meetings, the accumulated value of which is over \$20,000. She is also precluded from attending, speaking, voting at the annual conference and annual meeting. Finally, FCLB has banned Dr. Vanterpool from discussing the suspension now or in the future and explained that a violation of any of the terms of her suspension could result in termination from FCLB.

41. As a result of FCLB's illegal discrimination against Dr. Vanterpool based on race, she has experienced severe emotional distress and incurred attorneys' fees, costs, and other damages.

COUNT I
(Breach of Contract)

42. Plaintiff hereby repeats and realleges each of the paragraphs of this Complaint as if fully set forth herein.

43. The FCLB Board of Directors Policies and Procedures Manual governs the Board's operations and are legally enforceable as a contract among members of the Board.

44. FCLB has failed to comply with the Board of Directors Policies and Procedures Manual which requires the Board to investigate any complaints of inappropriate or unprofessional conduct by a Board member. In addition, if the severity of a complaint warrants further action, the FCLB Board President is required to bring the complaint to the next regular meeting of the Board for discussion in executive session.

45. Although FCLB claimed that Dr. Vanterpool had violated Board policies and engaged in misconduct, FCLB failed to conduct any investigations or proffer any evidence or documentation to support these claims. Instead, FCLB, in violation of its Board of Directors Policies and Procedures Manual, immediately suspended Dr. Vanterpool.

46. As a proximate and direct result of the aforementioned breaches, Dr. Vanterpool has sustained, continues to sustain and will sustain, monetary damages and irreparable injury

COUNT II
(Discrimination in Violation of Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981)

47. Plaintiff hereby repeats and realleges each of the paragraphs of this Complaint as if fully set forth herein.

48. Defendants have violated Section 1981 by subjecting Plaintiff to disparate treatment in its disciplinary measures by suspending Plaintiff despite no credible claims of misconduct or policy violations and disciplining Dr. Vanterpool more harshly than her non-African American counterparts. Defendants conduct described in this complaint was done because she is an African American female and would not have been done but for Dr. Vanterpool is an African American female.

49. As a direct and proximate result of Defendants' discriminatory conduct in violation of Section 1981, Plaintiff has suffered and continues to suffer monetary and/or economic damages, including but not limited to, loss of past and future income, compensation and benefits for which she is entitled to an award of monetary damages and other relief.

50. As a direct and proximate result of Defendants' discriminatory conduct in violation of Section 1981, Plaintiff has suffered and continues to suffer mental anguish and emotional distress including but not limited to, depression, humiliation, embarrassment, stress and anxiety, and emotional pain and suffering for which she is entitled to an award of monetary damages and other relief.

51. Defendants' unlawful retaliatory conduct constitutes a willful and wanton violation of Section 1981, was outrageous and malicious, was intended to injure Plaintiff, and was done with conscious disregard of Plaintiff's civil rights, entitling Plaintiff to an award of punitive damages.

Count III
(Conspiracy to Interfere with Civil Rights – 42 U.S.C. § 1985)

52. Plaintiff hereby repeats and realleges each paragraph of this Complaint as if fully set forth herein.

53. As it more particularly described above as to dates and times, Defendants Winkler and Boghosian entered into agreements to deprive Plaintiff of her civil rights by subjecting Plaintiff to disparate treatment in its disciplinary measures by suspending Plaintiff despite no credible claims of misconduct or policy violations and disciplining Dr. Vanterpool more harshly than her non-African American counterparts. Defendants conduct described in this complaint was done because she is an African American female and would not have been done but for Dr. Vanterpool is an African American female.

54. As a direct and proximate result of Defendants' discriminatory conduct in violation of Section 1983, Plaintiff has suffered and continues to suffer monetary and/or economic damages, including but not limited to, loss of past and future income, compensation and benefits for which she is entitled to an award of monetary damages and other relief.

55. Defendants' unlawful retaliatory conduct constitutes a willful and wanton violation of Section 1983, was outrageous and malicious, was intended to injure Plaintiff, and was done with conscious disregard of Plaintiff's civil rights, entitling Plaintiff to an award of punitive damages.

Count IV
(Injunctive Relief)

56. Plaintiff hereby repeats and realleges each of the paragraphs of this Complaint as if fully set forth herein.

57. Plaintiffs seek preliminary and permanent injunctive relief enjoining Defendant to reinstate Plaintiff as Vice-President and a board member; and precluding Defendants from engaging in baseless, discriminatory disciplinary actions.

58. These actions are designed by Defendant to stifle a political rival and are discriminatory.

59. The benefits to Plaintiff in obtaining injunctive relief is greater than an possible potential harm to Defendant in injunctive relief is granted. Defendant can suffer no harm from following its own procedures, allowing its Vice President to join in the election process, and stop discriminating against Plaintiff because of her race.

60. In contrast, Plaintiff will suffer irreparable harm unless preliminary, and permanent injunctive relief is granted. For example, Plaintiff would suffer significant reputational harm and will be effectively cut out of further election processes.

61. The public interest is best served by grating injunctive relief because the public can only benefit from good faith and fair dealing, fair disciplinary processes for chiropractors, a free and fair election process, and the proper use of power.

62. Given Defendant's failure to follow its on procedures and by-laws, there is a high likelihood Plaintiff will succeed on the merits.

Count V
(Declaratory Judgment)

63. Plaintiff hereby repeats and realleges each of the paragraphs of this Complaint as if fully set forth herein.

64. Antagonistic claims exist between the parties.

65. Plaintiff requests a declaratory judgment as to the rights and liabilities of the parties to this Complaint.

66. Plaintiff requests a declaratory judgment rescinding the suspension against her, a finding that Defendant violated its own procedures, that Defendant unlawfully suspended Plaintiff, and unlawfully, removed her from the meeting and electoral process.

Count VI
(Award of Attorney's Fees and Expert Witness Fees – 42 U.S.C. 1988)

67. Plaintiff hereby repeats and realleges each of the paragraphs of this Complaint as if fully set forth herein.

68. Pursuant to 42 U.S.C. 1988, should Plaintiff prevail she is entitled to an award of her attorney's fees and expert witness fees.

WHEREFORE Plaintiff, Dr. Keita Vanterpool demands entry of a judgment in her favor, and against Defendant, Federation of Chiropractic Licensing Boards:

- A. For a preliminary and final injunction and declaratory judgment that:
 - a. FCLB rescind Dr. Vanterpool's suspension from the Board of Directors; and
 - b. FCLB permit Dr. Vanterpool to continue in her role and duties as Vice President of FCLB and Director of NBCE, including access to all privileges associated with those role, including attendance at future FCLB's annual meetings.
- B. For monetary damages in an amount in excess of \$150,000;
- C. For exemplary damages;
- D. For reasonable attorney's fees;
- E. For pre and post-judgment interest;
- F. For costs; and
- G. For such other and further relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Clarence E. Gamble

Clarence E. Gamble

Ramos Law

10190 Bannock Street, #200

Northglenn, CO 80260

Phone Number: (303) 733-6353

Fax Number: (303)865-5666

Email: clarence@ramoslaw.com

Attorneys for Plaintiff

a successor shall be elected to fill the _____ until the next regularly scheduled election

B. District Directors and Alternate District Directors

District Director vacancies shall be filled by the duly elected Alternate Director from that district, who shall serve until the next Annual Meeting of the Delegate Assembly, at which time a District Director shall be nominated and elected to complete the unexpired term.

A vacancy in the position of Alternate District Director shall not be filled until election by the District Delegates in conjunction with the next Annual Meeting of the Delegate Assembly, at which time an Alternate District Director shall be nominated and elected to complete the unexpired term.

If both the District Director and Alternate District Director positions are vacant, the President with the input and approval of the Board of Directors shall appoint a qualified individual from the District in which the vacancy occurs to serve as District Director until the next Annual Meeting of the Delegate Assembly at which time a District Director and Alternate District Director shall be nominated and elected to complete the unexpired term.

D. Administrative Fellow Director

A vacancy shall occur immediately if the Administrative Fellow Director fails to maintain employment with a Member Board during the term of service. The President with the input and approval of the Board of Directors shall appoint a qualified Administrative Fellow to serve until the next Annual Meeting of the Delegate Assembly at which time an Administrative Fellow Director shall be nominated and elected to fill the unexpired term.

Section 8. Removal.

A member of the Board of Directors may be removed prior to the end of his/her term when, in the judgment of the Board of Directors, the best interest of the Federation would be served, and in accordance with policies adopted by the Board of Directors. Removal shall require a two-thirds vote of the remaining members of the Board of Directors.

ARTICLE VIII. BOARD OF DIRECTORS MEETINGS

Section 1. Regular Meetings of the Board of Directors.

The Board of Directors shall hold meetings from time to time as deemed necessary to carry out its responsibilities to the Member Boards, and in such format (in person or electronic) as may be determined by the Board of Directors.

Section 2. Special Meetings of the Board of Directors.

Special Meetings of _____ Board of Directors may be convened at the discretion of the President. A Special Meeting of the Board of Directors shall be convened by the President within thirty (30) days after having received a written request for such meeting from two-thirds of the members of the Board of Directors.

Section 3. Notice and Agenda.

Notice and proposed agenda for any regular meeting of the Board of Directors shall be given to the directors at least fifteen (15) days prior to the meeting. Notice and proposed agenda for special meetings shall be given as soon as practical before the special meeting.

Section 4. Executive Session.

The Board of Directors may meet in executive session in accordance with policies adopted by the Board of Directors.

Section 5. Minutes.

The Board of Directors shall keep minutes of its meetings, and shall make these minutes available to any Member Board.

ARTICLE IX. COMMITTEES

Section 1. Nominating Committee.

A. Composition and Appointment

There shall be six members of the Nominating Committee which shall include one representative from each of the five Federation Districts and also the Immediate Past President who shall serve as Chair. The five District members shall be elected by majority vote by the Delegates duly registered and present at the Annual Meeting of the Delegate Assembly. The term of the Nominating Committee members shall be for one (1) year.

B. Eligibility

At the time of nomination and election or appointment, Nominating Committee members shall be a Fellow or Administrative Fellow and shall have attended at least two (2) Annual Meetings. To be considered by the Nominating Committee, interested candidates must submit a letter of intent and curriculum vitae sixty (60) days prior to the Annual Meeting of the Delegate Assembly to be eligible to be slated. Candidates may also be nominated from the floor during the Annual Meeting. No one may serve more than three (3) consecutive terms on the Nominating Committee.

C. Duties

The Nominating Committee shall submit to the Member Boards at least thirty (30) days before the Annual Meeting

Chapter – Corporate Structure / Board Organization

Removal of Board members 2.20

It is the policy of the Board to remove Board members who consistently fail to perform the expected duties of a Board member. A Board member may be removed from the Board for:

- gross or willful negligence of Board duties and responsibilities.
- failure to attend Board meetings regularly.
- illegal activity as a member of the Board.
- acting in any manner deemed detrimental to the FCLB.
- misuse of Federation funds.
- conviction of a felony.
- revocation of the individual's chiropractic license or registration.
- intentional lack of public support for the FCLB mission, staff or programs.
- failure to inform the Board about issues that might impact Board decisions.
- improper conduct.

A director may be removed only by a two-thirds vote of the remaining Board members, and the motion to remove will state clearly the cause for removal.

Adopted:	3/19/2012	Effective Date	3/19/2012
Last Reviewed	3/19/2012	Next Scheduled Review	As needed

Board member emeritus 2.21

Veteran Board members occasionally find that they are not able to devote the necessary time and energy to the Board member job. A Board member may not be able to fully participate as a member of the governing Board, but might wish to continue a strong connection to the FCLB. Therefore, the position of Board Member Emeritus has been established as an honored and official position. Current and former Board members may be promoted to this position at any time by official action of a majority vote of the Board.

A Board Member Emeritus: