May 7, 2008

Ms. Rosario Marin
Chair
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Re: Express Terms for Proposed Building Standards of the Office of the State Fire Marshall (SFM) Regarding the 2007 California Fire Code, California Code of Regulations Title 24, Part 9

Dear Sirs:

We are writing in support of the aforementioned Express Terms being proposed by the SFM to be included in Section 443 of the 2007 California Building Code. In this section of the Code, the L-Occupancy provides important controls and safety provisions for any research and development laboratory containing hazardous materials in the State of California. The L-Occupancy is critical to the ongoing growth and development of the biotechnology industry in California.

The biotechnology industry is a quickly evolving industry that requires a broad range of biological and chemical work to be performed in a laboratory environment. These facilities are best located in proximity of major research institutions in the San Diego area – such as UCSD. Researchers at educational institutions such as UCSD are also performing similar type of experimental activities. Therefore, clarifying and codifying the L-Occupancy in the 2007 California Building Code for use by any such research and development laboratory will ensure that all such facilities be developed with the same controls and safety provisions.

We believe that the State Fire Marshall has the authority to propose these code amendments as described in the California Health and Safety Code Section 18949.2(b). The State is well served by the work that the State Fire Marshall has done in ensuring that all laboratory facilities throughout the State of California are built to the same safe standards.

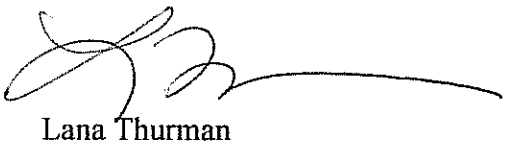
We are supportive of the extensive and inclusive process created by the State Fire Marshall's Office in the development of the L-Occupancy. It has been a very positive, constructive process that has addressed all the issues and included representatives of industry and regulatory organizations from across the State. We want to thank State Fire

10835 Road to the Cure • Suite 150 • San Diego, CA 92121
Main 858-812-7700 • Fax 858-812-7630 • www.braincellsinc.com

Marshall Kate Dargan, Chief Tonya Hoover, and their staff for their leadership in this important endeavor.

We heartily endorse these Express Terms as they serve to clarify the requirements for any research and development laboratory and to enhance the safety measures and controls that will ensure safe operations. Please adopt the Express Terms as submitted.

Sincerely,



Lana Thurman
Director of Facilities
BrainCells Inc