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**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

October 4, 2010

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By Overnight Delivery and Via E-Mail

Mr. Michael Constantino
Supervisor, Project Review Section
Illinois Health Facilities and Services Review
Board
525 West Jefferson Street
2nd Floor
Springfield, IL 62761

Re: Requested Information: Projects No. 10-051 (Lincoln Prairie Behavioral Health Center), Project No. 10-052 (Riveredge Hospital), Project No. 10-053 (Streamwood Behavioral Health Hospital)

Dear Mr. Constantino:

As an addendum to my letter to you dated September 28, 2010 responding to the staff's request for a status of the litigation involving Riveredge Hospital, and pursuant to Section 1130.635(a) of the Review Board's Rules, I wanted to address the question of voluntarily dismissal prior to closing and explain why statutory prohibitions preclude this as a viable option for the hospital.

Riveredge Hospital has not sought to voluntarily dismiss the action in order to preserve its rights inasmuch as the transfer of Riveredge Hospital to UHS remains contingent on the closing of the change of ownership transaction. Also, the Illinois Administrative Review Law ("ARL") provides a "window" of 35 days during which a complaint must be commenced. Because that 35-day period expired in October, 2009, Riveredge Hospital may be precluded from re-filing should the transaction not close.

Given the statutory provisions of the ARL, the voluntary dismissal of the Riveredge Hospital action prior to closing of the change of ownership transaction was not a viable option. As noted in my September 28th letter, Riveredge Hospital has agreed to continue the case with the understanding that it would be dismissed with prejudice if the transaction closes. That agreement is reflected in the Agreed Order entered by the Court on August 12, 2010 that is included as Attachment A to my September 28th letter.

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Mr. Michael Constantino
October 4, 2010
Page 2

Please contact me if any additional information is requested in connection with this matter.

Very truly yours,

K&L GATES LLP

A handwritten signature in black ink, appearing to read "Dan Lawler", written over the printed name below.

Daniel J. Lawler

DJL:dp

cc: Ms. Honey Jacobs Skinner, Sidley Austin, LLP
Mr. Jack Axel, Axel & Associates