

October 2, 2023

Via Email: john.kniery@illinois.gov

State of Illinois Health Facilities and Services Review Board
525 W. Jefferson St.
Springfield, IL 62761
c/o Debra Savage, Board Chair

RE: 23-024 Dekalb County Rehab and Nursing Center

Dear Chair Savage and members of the Board:

At the July 27, 2023 HFSRB public meeting regarding the above, the HFSRB continued the hearing to tomorrow, October 3, 2023 and requested information and documentation from the applicant Dekalb County. On August 9, the information requested of the County was provided by letter from David Berault, Chief of the Dekalb County State's Attorney's Civil Division. This information was also forwarded to applicant attorney Mark Silberman for delivery to the HFSRB. Attendance at the October 3, 2023 hearing by Mr. Silberman's clients, the principals of applicants Dekalb Healthcare Holdings, LLC and Dekalb SNF Land Holdings, LLC was also requested.

We wish to inform you that, although the application has not been withdrawn, Dekalb County has been informed by the applicants Dekalb Healthcare Holdings, LLC and Dekalb SNF Land Holdings, LLC that they consider their purchase contract to be terminated, and that they have no intention to attend the hearing tomorrow. Dekalb County has rejected their assertion that the contracts are terminated based on the conditions they imposed.

For your information, there had been discussions between the parties regarding a change of LLC members, in an effort to satisfy concerns about the principals of the Dekalb Healthcare Holdings, LLC and Dekalb SNF Land Holdings, LLC entities. However, the Dekalb Healthcare Holdings, LLC and Dekalb SNF Land Holdings, LLC entities would only agree to do so on the condition that the County agree to serious financial concessions that were unacceptable to the County.

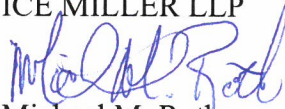
Dekalb County remains hopeful that the HFSRB will move forward with the Certificate of Need process. If the Dekalb Healthcare Holdings, LLC and Dekalb SNF Land Holdings, LLC entities do not proceed with the purchase of the Dekalb County Rehab and Nursing Center, the Certificate of Need can be withdrawn or rescinded.

As a courtesy to the HFSRB, we are providing this information and letting you know that County representatives plan to be in attendance at the hearing tomorrow. However, if the

HFSRB does not intend to proceed tomorrow, we would like to know so we can advise many people that plan on attending.

Very truly yours,

ICE MILLER LLP



Michael M. Roth
Attorney for Dekalb County

cc: Brian Gregory
David Berault
Mark Silberman