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6/10/2011

From: Randall J. Cebulski
Phone: 708-949-6494
Fax: 708-499-9410
Company Name: Cebulski Caton Crossing, LLC

To: Mike Constantino
Phone: 217-782-3516
Fax: 217-785-4111
Company Name: Illinois Department of Public Health

Comments:

Mike,

Enclosed is a letter in response to a part of Sun Health's Opposition letter regarding Project 11-004.

Thanks,
Randy Cebulski

Urgent For Review Please Comment Please Reply Please Recycle

Cebulski Caton Crossing, LLC
20660 Caton Farm Road, Unit H
Crest Hill, IL 60403

June 10, 2011

Mike Constantino
Illinois Department of Public Health
525 West Jefferson
Springfield, IL 62761

**RE: Response to "Opposition Letter – Sun Health 6/8/2011" Regarding Project 11-004
Crest Hill Dialysis**

Dear Mr. Constantino:

My name is Randy Cebulski and I am the Chief Executive Manager of Cebulski Caton Crossing, LLC. Cebulski Caton Crossing, LLC owns the property that is the subject of Project 11-004, Crest Hill Dialysis, located at 20660 Caton Farm Road, Crest Hill, IL 60403.

I understand that the deadline for public comment on Project 11-004 closed on June 8, 2011. However, please have the Illinois Health Facilities and Services Review Board consider my letter because my letter responds to a specific part of Sun Health's opposition letter, which was submitted to the Board at the eleventh-hour and posted to the Board's website after the time for public comment closed.

Section One of Page 2 of Sun Health's letter states that "The Letter of Intent to lease the listed space has expired." This information is based on page 30 of DaVita, Inc. and Joliet Dialysis, LLC's ("the Applicants") Application for Project 11-004. After the Letter of Intent was negotiated and signed, Cebulski Caton Crossing, LLC engaged in lease negotiations with the Applicants and agreed upon the date, July 1, 2011, as the contingency date for Certificate of Need approval. Specifically, the following pertinent language appears in the Lease:

"Notwithstanding any other provision herein, this Lease shall be contingent upon Lessee's receipt of the Certificate of Need from the Illinois Department of Health (the "CON") and neither the Term of this Lease nor the accrual of any obligation to pay Rent shall commence until Lessee has obtained a final unappealable CON. In the event that Lessee has not obtained a final unappealable CON on or before July 1, 2011, Lessee may terminate this Lease by providing Lessor with written notice and the parties hereto shall be released from all liability hereunder."

Additionally, please note published U.S. Census figures from 2000 to 2010 show a 36% population increase in Crest Hill and a 35% population increase in Will County. Please consider long-term utilization rates based on the population growth of the fast-growing subject area in addition to current utilization.

Nevertheless, I urge the Board to give greater consideration to the needs of dialysis patients and the general public affected by this project than consideration to the comments voiced by interested parties who have a financial stake in this Project, such as myself, and competitors who also have biased views.

I certify to the best of my belief that the statements contained in this letter are true and accurate.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall J. Cebulski". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Randall J. Cebulski
Chief Executive Manager
Cebulski Caton Crossing, LLC