

UNGARETTI  
& HARRIS

Three First National Plaza  
70 West Madison - Suite 3500  
Chicago, Illinois 60602.4224  
Telephone: 312.977.4400  
Fax: 312.977.4405  
www.uhlaw.com

UNGARETTI & HARRIS LLP  
CHICAGO, ILLINOIS  
SPRINGFIELD, ILLINOIS  
WASHINGTON, D.C.

August 10, 2012

VIA OVERNIGHT MAIL

Courtney R. Avery, Administrator  
Illinois Health Facilities and Services Review Board  
525 W. Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

**RECEIVED**

AUG 13 2012

HEALTH FACILITIES &  
SERVICES REVIEW BOARD

**Re: Permit Renewal Request for Advanced Eye Surgery and Laser Center,  
Project Number 12-023**

Dear Ms. Avery:

Gailey Eye Surgery – Decatur, LLC ("Gailey") respectfully submits this permit renewal request for renewal of the Advanced Eye Surgery and Laser Center certificate of need ("CON") permit, project number 12-023. The Advanced Eye Surgery and Laser Center CON permit is set to expire on August 31, 2012, and Gailey hereby requests that the Illinois Health Facilities and Services Review Board (the "Board") renew its CON permit until October 31, 2012.

Gailey is proceeding with the change of ownership transaction (the "Transaction") contemplated by the CON permit with an anticipated closing on or before August 31, 2012. However, Gailey is requesting renewal of the CON permit to account for unexpected delays that may arise during the closing of the Transaction. Specifically, the closing of the Transaction requires the completion of several closing conditions that are interdependent components. A delay in any one component may delay the closing of the Transaction to a date beyond the project completion date of August 31, 2012. At this time, Gailey does not anticipate any such delays but is requesting this permit renewal to account for any unforeseen delays, including those beyond the control of Gailey. As a result, Gailey is requesting this permit renewal to ensure compliance with the CON permit and the rules of the Board. As required by the Board's rules, Gailey confirms that the project's costs and scope comply with the CON permit approved by the Board and that sufficient financial resources are available to complete the project. Gailey hereby requests that the Board renew its CON permit until October 31, 2012.

As the CON permit was approved on July 23, 2012, with a contemplated project completion date of August 31, 2012, it was not possible to submit this permit renewal

UNGARETTI  
& HARRIS

Courtney R. Avery

August 10, 2012

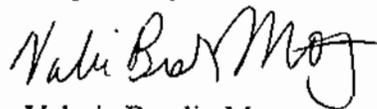
Page 2

request forty-five days before the project completion date. As such, this permit renewal request is subject to the late application processing fee of Five Hundred Dollars (\$500.00). We enclose with this permit renewal request a check for One Thousand Dollars (\$1,000.00) in payment of the application processing fee of Five Hundred Dollars (\$500.00) and the late application processing fee of Five Hundred Dollars (\$500.00).

We understand per Mike Constantino that submission of this request prevents the imposition of sanctions for closing after the project completion date (but on or prior to October 31, 2012), pending the Chairman's or Board's approval.

Please feel free to contact me with any questions or comments on this matter.

Respectfully,



Valerie Breslin Montague  
Ungaretti & Harris LLP

Enclosure

cc: Tom Restivo (via e-mail)  
Lynn Gordon (via e-mail)  
Julie Treumann (via e-mail)  
Brian Krob (via e-mail)

ORIGINAL CHECK HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE - HOLD AT AN ANGLE TO VIEW

UNGARETTI  
& HARRIS LLP

Three First National Plaza  
70 West Madison - Suite 3500, Chicago, Illinois 60602-4224  
Telephone: 312.977.4400 Fax: 312.977.4405

CHASE  
CHICAGO, IL

Check No. 186836

2-77  
710

Date August 10, 2012

Pay: One thousand and 00/100\*\*\*\*\* \$ \*\*\*1,000.00\*\*\*

Pay to the  
order of:

Illinois Department of Public Health

12-023 Advanced Eye Surgery & Laser Center

*Trisa M. Zeemanz*

*Shelly A. Kideby*

Check Void After 90 Days

⑈ 186836 ⑈ ⑆07⑆0000⑆3⑆

734446⑈

ORIGINAL VOUCHER HAS A COLORED BACKGROUND