

December 13, 2013

Open Letter to the LICH Community

Dear all:

I have received literally dozens of calls and emails from many folks concerned about LICH, including about rumors that SUNY will soon award an “irrevocable” contract to one of the parties who responded to the Request for Proposal (“RFP”). I want to reassure you of three things.

- First, all of the Petitioners in the legal actions against SUNY and the Department of Health — the Public Advocate, the many community groups, Concerned Physicians, the New York State Nurses Association, and 1199 SEIU — are working very hard to make sure we keep medical services at LICH.

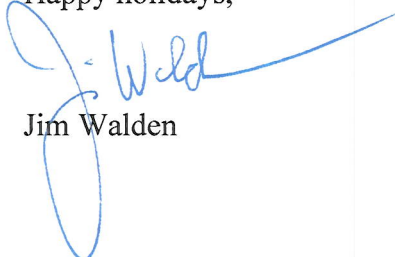
- Second, if SUNY selects a party for the RFP award, it is **NOT** the end of the RFP process: they still need a period of time to actually negotiate a contract. During that time, we will explore every possible legal option, including the viability of a new lawsuit on everyone’s behalf to block the contract.

- Third, any deal to transfer the hospital will **STILL REQUIRE** approval from Justice Carolyn Demarest. So, no matter what, the case has to go back to court.

As you know, we have delayed the contempt hearing to let the process play out a bit more. This was a difficult decision, since all the people affected by SUNY’s wrongful and illegal actions deserve justice. As much as all the Petitioners’ lawyers are hoping to have that justice delivered, we believe the legal victories to date have elevated decision-making within SUNY. It seems that cooler heads are using more mature judgment. We are hopeful SUNY’s actions, and their negotiations, will be marked by good faith in the coming weeks. We are seeing the first hopeful signs. **But — I promise you — we will not hesitate to act if the situation again deteriorates, as we have in the past.**

If a settlement does not occur, the contempt hearing is rescheduled before Justice Johnny Lee Baynes for January 21, 2014.

Happy holidays,



Jim Walden