

DATE: 4/18/04  
TIME: 10:04 a.m.  
ACTIVITY: Home Telephone 1 incoming from (847) 833-7300  
CALL#: 219

SPEAKERS:

S. LEVINE: Sheri Levine  
LEVINE: Stuart Levine  
KIFERBAUM: Jacob Kiferbaum

\* \* \* \*

1 S. LEVINE Hello.  
2 KIFERBAUM Hi Sheri, this is Jacob.  
3 S. LEVINE Hey Jacob, how you doing?  
4 KIFERBAUM I'm doing fine. I hope I didn't wake  
5 you up.  
6 S. LEVINE No, not at all.  
7 KIFERBAUM Is Stuart at home?  
8 S. LEVINE He's somewhere. Hold on a second.  
9 (PAUSE)  
10 LEVINE Hi.  
11 KIFERBAUM How you doing?  
12 LEVINE Good, how are you?  
13 KIFERBAUM I'm very good. I am, uh, all dressed up  
14 I got my dancing shoes, and I'm uh, on  
15 my way.  
16 LEVINE I want you to know that I put on a pair  
17 of Tommy Bahama slacks just for you.  
18 KIFERBAUM (laughs)  
19 LEVINE So that I wouldn't humiliate, of course  
20 on the other hand I have certain public  
21 position now I have to look somewhat  
22 like a mensch.

1 KIFERBAUM Have to look good.

2 LEVINE I'll change when I get home.

3 KIFERBAUM Alright. (laughs) Just uh,...

4 LEVINE But, so what, so what I think um, um,  
5 uh, well I'll see you, and uh, and stop  
6 by the table. And um, uh, you know, you  
7 say "I'd like you to meet," and, and  
8 I'll introduce myself. And um, I'm  
9 gonna say, ask you something about the  
10 School.

11 KIFERBAUM Okay.

12 LEVINE About the building and then I'm going to  
13 turn to her and say uh, you know um, uh,  
14 "I'm Chairman of the Board of the  
15 medical school up there and uh, Jacob,  
16 you know he does all the building up  
17 there he just did about 50, 60 million  
18 (UI). I'm sorry \$55 million dollars  
19 worth of uh, construction," and then  
20 I'll say a few other things. And that,  
21 that, that, that'll be enough and then  
22 we'll just say have a nice breakfast.

23 KIFERBAUM That, and that's it which will, which  
24 will be perfect. That's all we need and  
25 then afterwards if she wants maybe I'll  
26 take her to the office.

27 LEVINE Oh that, that, that, that's a separate  
28 issue. But, but um, uh, um, it's um,  
29 it's, you're going to tell her that uh,  
30 it would, you know, you can tell her  
31 that the um, the, the, the eth-, the new  
32 eth-, the governor's Ethics Bill um, uh,  
33 says that any communication about a  
34 pending project with an applicant is an  
35 ex, called what's now an ex-parte  
36 communication which must...

37 KIFERBAUM Mm hm.

38 LEVINE be disclosed and as uh, uh, and, and  
39 even, so, if we had any discussion at

1 all, if she asks me how's her  
2 application going, uh, whatever it is,  
3 um, um, ah, I would have to tell  
4 publicly that I was asked that question  
5 and my answer was as follows.

6 KIFERBAUM (UI)

7 LEVINE Now so she, she must not ask me about  
8 her particular uh, anything...

9 KIFERBAUM Okay

10 LEVINE direct...

11 KIFERBAUM I'll, I'll figure I'll, I'll...

12 LEVINE directly.

13 KIFERBAUM ..talk to her. That's why I need the 15  
14 minutes before hand if she comes 5  
15 minutes late, I'm not sure, you know.

16 LEVINE And here's, and I told Nick, he's going  
17 to be carrying a folded newspaper.  
18 He'll smack her in the face if she  
19 start, if she does it and that'll stop  
20 her too.

21 KIFERBAUM (laughs)

22 LEVINE (laughs)

23 KIFERBAUM Ahh...

24 LEVINE It's gonna be fine.

25 KIFERBAUM One more thing you know yesterday I got  
26 a fax from a friend up north um, the  
27 opinion letter that'll go to the Board  
28 regarding their review of the  
29 application, and the review was not  
30 complimentary.

31 LEVINE No, no, under our present laws, they  
32 can't, we can't give it to them, unless  
33 the Board decides to give it to them.  
34 The entire uh, uh, their lawyers uh, uh,

1 saw it last week.

2 KIFERBAUM Okay.

3 LEVINE And I've seen it. You know you see uh,  
4 uh, you have to show a present uh, um,  
5 a, a need that there's a, there's an  
6 insufficient capacity. We are, we are  
7 counting on population growth.

8 KIFERBAUM Yeah.

9 LEVINE And our rules currently don't make that  
10 as a matter of course. The Board can do  
11 whatever it wants. And in all of these  
12 applications uh, uh, I think that's  
13 there's a very strong support among the  
14 Board that we have to take into account  
15 future uh, population growth so that,  
16 that the community is prepared, not has  
17 to react suddenly uh, when, when, I mean  
18 it's bad enough there's people having  
19 babies in taxicabs. This is a crisis  
20 for Christ sake.

21 KIFERBAUM I agree with you.

22 LEVINE Don't, don't worry about it. That's,  
23 there's, most staff reports have a lot  
24 of negative uh, uh, things in them.  
25 That's the whole purpose of the hearing  
26 is the Board to determine if there's  
27 anything about those things that...to  
28 make the record and so forth.

29 KIFERBAUM She will be blunt with me, and ask me,  
30 is it going to be, or isn't it going to  
31 be? What do you, what do you think?

32 LEVINE Uh, uh, uh, uh, you can tell her that  
33 uh, that um, uh, it's your understanding  
34 uh, well, that it's your understanding,  
35 that uh, well, is she gonna enter into  
36 an agreement with you?

37 KIFERBAUM If she, that's what, you know, I could  
38 tell her that, if she, then it will and  
39 if she isn't, it won't.

1 LEVINE No, you know I, I think that uh, I think  
2 that uh, that um, uh, here's what you  
3 wanna say. I think that what you wanna  
4 say uh, uh, uh, is that uh, that um, if  
5 you have a deal with her, you will do  
6 anything that you possibly can to see to  
7 it that she's successful, and you have  
8 no reason to believe that she wouldn't  
9 be. Don't, don't ever say to her, you  
10 know, it's this or that.

11 KIFERBAUM Okay.

12 LEVINE And sh-, I mean if she is so fucking,  
13 let me tell you something if she doesn't  
14 enter into, into a contract with you.  
15 She'll, I'll still give her the building  
16 on Tuesday, but she won't ever build it.

17 KIFERBAUM Mm hm.

18 LEVINE You know what, it's a complicated game  
19 and, and, and uh, um, uh, uh,...

20 KIFERBAUM I like the last two words that you said.  
21 That's what I'm gonna add. Okay.

22 LEVINE She'll never, never. And, and, and,  
23 and, this and, and between you and I and  
24 I told this to uh, to Nick. Getting  
25 this phase of it, will, does not  
26 automatically mean that she's also gonna  
27 get the hospital.

28 KIFERBAUM Well and that's what I tell her where  
29 she needs me most. She's needs my  
30 advice.

31 LEVINE Well, you know I, I wouldn't...you know  
32 what, you know, she knows why she's  
33 there with you. She's either gonna do  
34 it or she's not gonna do it, and the  
35 fact of the matter is, she may not get  
36 the hospital.

37 KIFERBAUM I, I hear you.

38 LEVINE And, but, but uh, uh, when this whole

1 process is finished, I assure you that  
2 nobody will ever be able to say that it  
3 uh, that um, uh, uh, you can tie up the  
4 fact of who got a contract with Jacob  
5 and who got a, who got a deal and who  
6 didn't. We will be so protected you  
7 cannot imagine. I've got the whole uh,  
8 uh, it's just, but she's gotta be smart  
9 enough to know her own game. And, and  
10 um, uh, you know you, you were present  
11 at, at uh, her, at the hearing where it  
12 was denied?

13 KIFERBAUM Mm hm.

14 LEVINE Do you remember her absolutely swearing  
15 that the projects are not tied?

16 KIFERBAUM Yeah.

17 LEVINE She bought the land just for the office  
18 building, but she can put a hospital  
19 there and they didn't think about the  
20 hospital application when they bought  
21 the land, but now that they have it, you  
22 know, they thought they'd put in an  
23 application for a hospital. But uh, and  
24 uh, you know we have it all there on  
25 record. But maybe she will get the  
26 hospital.

27 KIFERBAUM Okay.

28 LEVINE One step at a time.

29 KIFERBAUM Sounds good.

30 LEVINE Alright I will, I'll, I'll bump into you  
31 by mistake a little bit later.

32 KIFERBAUM Sounds good.

33 LEVINE Bye.