

**Western New York Health System, Inc. (WNYHS)**  
**Board Meeting Minutes**  
**June 11, 2008**

**Present:** David Dunn, M.D., Evan Evans, M.D., Robert Gioia, Mary Gresham Ph.D., James Kaskie, Brenda McDuffie, Judge James McLeod, Sundra Ryce, John Simpson, Ph.D., Irene Snow, M.D., Edward F. Walsh, Jr., Robert M. Zak, David Zebro, Robert Wild (via teleconference), Betsy Baumler.

**Absent:** Kevin Cichocki, D.C., James T. Evans, M.D., Sharon L. Hanson, Jody Lomeo

The meeting was called to order at 8:35 AM by the Chair, Robert Gioia.

**Minutes**

The minutes of the May 14, 2008 Board of Directors' meeting were presented for approval. Upon motion duly made and seconded the minutes of the May 14, 2008 Board of Directors' meeting were unanimously approved as presented.

**Chair Report**

Mr. Gioia updated the Board on recent discussions with the Western New York delegation and key leaders in Albany regarding proposed legislation and then asked Mr. Wild to outline for the Board the recently filed lawsuits. Mr. Wild stated the lawsuit filed was filed jointly by Erie County Medical Center (ECMC) and the County of Erie claiming the Berger mandate does not apply to the public benefit corporation and a preliminary injunction filed by ECMC to stop the CONs for the Global Vascular Institute and Buffalo General Hospital and Millard Fillmore Gates integration from being approved by the Department of Health.

Mr. Wild then outlined a new lawsuit filed by the County of Erie on June 10, 2008 requesting that the court demand the Commissioner of Health to implement the Berger mandate which stated that if a Memorandum of Understanding was not signed by December 31, 2007 either Buffalo General Hospital or Erie County Medical Center would be closed and all beds would transfer to the other facility.

Dr. Dunn updated the Board on recent discussions to begin an orderly transition of residency programs and faculty from ECMC if the injunction is not lifted. Discussion followed.

The Board then discussed how the community was reacting to ECMC's campaign regarding the merger. Board members indicated they had been contacted by local ministers and also by Jody Lomeo regarding a possible meeting with other WNYHS Board members. Mr. Kaskie indicated he would reach out to the ministers and community leaders for a meeting to address their concerns. Judge McLeod and Ms. McDuffie indicated they would follow-up on the request made by Jody Lomeo. The Board requested bullet points on a regular basis to keep them up to date between meetings in order for them to accurately address questions in the community.

*Public Relations Update*

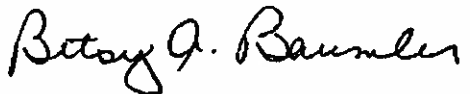
Mr. Kaskie outlined a recent public relations campaign launched by Kaleida Health in response to the preliminary injunction filed. Mr. James Gillan joined the Board to review the campaign. Discussion followed.

*Press Conference*

President Simpson outlined the press conference scheduled at 11:00 a.m. to announce a generous endowment to the UB Foundation in support of the Global Vascular Institute recommended by the WNYHS on the Buffalo Niagara Medical Campus in collaboration with Kaleida Health. He indicated it would be the largest single donation ever received by the University at Buffalo.

The meeting was adjourned at 10:10 AM.

Respectfully submitted,



Betsy A. Baumler