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B.J. Kostner (1923-1996)
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June 28, 2024

Renee Krueger, Administrative Coordinator
 Lincoln County
 801 N. Sales St. Ste 205
 Merrill WI 54452

Email: renee.krueger@co.lincoln.wi.us

RE: Asset Purchase Agreement between Lincoln County as Seller and Merrill Campus, LLC and Senior Management, Inc. as Purchaser

Dear Ms. Krueger

Pursuant to Section 5(A)(v), on the Closing Date there shall not be any lawsuits filed or threatened against the Seller or the Nursing Home Facility that would adversely affect the operation or the financial condition of the Nursing Home Facility; nor shall there by any actions suit, claims or other proceedings, pending or threatened or injunctions or ordered entered, pending or threatened against the Seller or the Nursing Home Facility, to restrain or prohibit the consumption of the transaction contemplated hereby.

I have been informed that Lincoln County is being sued by Donald J. Dunphy in relation to the above referenced Asset Purchase Agreement in Case No. 24CV58, and therefore, the Seller is in default of the Asset Purchase Agreement.

Based upon the default by the Seller and the rights reserved to the Buyer in Section 12(A) of the Asset Purchase Agreement, Purchaser is electing to terminate this Agreement effective immediately and is requesting the refund of the Earnest Money from the Title Company.

If you have any other questions or concerns regarding this election, please do not hesitate to contact me.

Yours truly,

Richard J. Summerfield

Cc. Grant Thayer
 Atty: Karry Johnson

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