

ARTHUR LAW OFFICE LLC

11220 W Burleigh St STE 100-162
Wauwatosa, WI 53222-3213

Tel: (414) 501-2370
Fax: (414) 501-2382

Friday, January 9, 2026

Cathy Spears, Chairperson
Appleton Board of Health
100 North Appleton Street
Appleton, WI 54911

**RE: Request to Continue Keystone Futures LLC/Stateview Commons Appeal Hearing from
January 14, 2026 to February 2026 Board of Health Meeting**

Dear Chairperson Spears and Board of Health:

On behalf of Keystone Futures LLC d/b/a Stateview Commons ("Keystone"), this letter respectfully requests that the City of Appleton Board of Health continue the currently scheduled appeal hearing on January 14, 2026 regarding the July 29, 2025 cease and desist order issued to Keystone and Keystone's August 28, 2025 appeal, and reset the matter for the Board's regular meeting in February 2026.

As the Board is aware, the pending appeal concerns the City's July 29, 2025 cease and desist order relating to operations at Stateview Commons and Keystone's timely August 28, 2025 appeal of that order. The hearing is presently set for January 14, 2026.

Emergency Conflict and Request for Continuance

Unfortunately, I have an unavoidable personal and professional emergency that will require travel out of state and I will be unavailable during the week of January 11, 2026, including on January 14, 2026, the date set for the Board's hearing on this matter. I learned of this emergency a few days ago, and I was trying to mitigate the situation; however, travel out of state became unavoidable earlier today. I will not be available on January 14 by phone call or Zoom appearance, either. I apologize to you and the Board for the delay.

I spoke with Assistant City Attorney Darrin Glad today, and he indicated that neither he nor Dr. Sepers would object to the continuance of the hearing date to the February 2026 meeting.

The conflict is not the result of any attempt to delay these proceedings, and Keystone has been preparing in reliance on the current schedule. Nevertheless, Keystone cannot reasonably proceed at the January 14 hearing without its counsel present, particularly given the technical building code, licensing, and public health issues raised by the July 29, 2025 cease and desist order and compliance efforts.

Accordingly, Keystone respectfully requests that the Board continue the hearing to the Board's regular February 2026 meeting, currently scheduled for February 11, 2026, or to the earliest February 2026 date convenient for you and the Board.

Update on Compliance Efforts by Keystone

I am aware that the Board has not had an update on the status of my client's efforts to gain compliance with the issues raised in the cease and desist order. As we are prepared to explain at the appeal hearing,

my client has been consulting with an architect, as well as specialist contractors for fire protection, fire suppression, and elevator installation. He has been collecting quotes from those suppliers. We have been working through, with the assistance of an architect, the building code and compliance issues.

My client has also been evaluating his business plan, to determine how changes in the status of the four second-floor units would impact the financial viability of the property. He has converted one of the four units to a long term lease. We are prepared to present a full response to the cease and desist order at the February 2026 meeting.

Summary Request for Continuance

In summary, Keystone requests a continuance of the January 14, 2026 appeal hearing to the Board's February 2026 meeting. Granting this request will allow Keystone to be meaningfully represented by counsel, will facilitate a more orderly and complete presentation of the facts and applicable law, and will assist the Board in reaching an informed decision on the merits of the July 29, 2025 cease and desist order and the August 28, 2025 appeal.

Respectfully submitted,

ARTHUR LAW OFFICE LLC

A handwritten signature in black ink, appearing to read "Bob Arthur", written over the printed name.

Robert Arthur

RMA/cs