

UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STEPHEN DEL SESTO, AS RECEIVER AND :
ADMINISTRATOR OF THE ST. JOSEPH :
HEALTH SERVICES OF RHODE ISLAND :
RETIREMENT PLAN, *et al.* :

Plaintiffs, :
v. :

C. A. No. 18-cv-00328-WES-LDA

PROSPECT CHARTERCARE, LLC, *et al.* :
Defendants. :

**STIPULATION BETWEEN PLAINTIFFS AND
DEFENDANT THE ANGELL PENSION GROUP, INC.**

Plaintiffs Stephen Del Sesto (the “Receiver”) and the individual named plaintiffs (individually and as putative class representatives) (with the Receiver, “Plaintiffs”) having served interrogatories, requests for productions of documents, and requests for admission (“Plaintiffs’ Discovery Requests”) on Defendant The Angell Pension Group, Inc. (“Angell”) on January 13, 2020, and Angell having served responses on February 12, 2020 (“Angell’s Discovery Responses”), and Plaintiffs having notified Angell that Plaintiffs consider Angell’s Discovery Responses to be improper and insufficient, and Angell maintaining that its discovery responses were sufficient and proper, and Plaintiffs having provided Angell with Plaintiffs’ draft motions to compel discovery from Angell and to determine the sufficiency of Angell’s answers and objections to Plaintiffs’ requests for admissions (“Plaintiffs’ Discovery Motions”), and Plaintiffs and Angell by their undersigned counsel having conferred to resolve Plaintiffs’ Discovery Motions without

court action, Plaintiffs and Angell by their undersigned counsel hereby stipulate and agree as follows:

1. Angell hereby agrees that, in connection with Plaintiffs' motion for summary judgment on Count IV, as included in ECF No. 173 (the "Motion"), it will not dispute the authenticity of the documents attached to Plaintiffs' Statement of Undisputed Material Facts and filed as ECF Nos. 174-1 through -26;
2. Angell hereby stipulates and agrees that it will not object or assert any opposition to Plaintiffs' Motion either in writing or by argument, nor join in any objection or opposition to Plaintiffs' Motion asserted by the other Defendants;
3. Angell hereby stipulates and agrees that it will not file any cross-motions to Plaintiffs' Motion, nor join in any cross-motions filed by the other Defendants;
4. Plaintiffs hereby stipulate and agree not to file Plaintiffs' Discovery Motions or otherwise seek further responses to Plaintiffs' Discovery Requests from Angell; and
5. Plaintiffs and Angell stipulate and agree that this Stipulation is without prejudice to the parties' right to serve discovery requests and requests for admission during the second ninety day period for discovery provided in the STIPULATION AND CONSENT ORDER CONCERNING LIMITED DISCOVERY AND RELATED SUMMARY JUDGMENT MOTIONS (ECF

No. 175) related to any cross-motion for summary judgment filed by any
Defendant.

March 2, 2020

SO STIPULATED:

Plaintiffs,
By their Attorneys,

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By its Attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that an exact copy of the within document was electronically filed on the 2nd day of March, 2020 using the Electronic Case Filing system of the United States District Court and is available for viewing and downloading from the Electronic Case Filing system. The Electronic Case Filing system will automatically generate and send a Notice of Electronic Filing to the following Filing Users or registered users of record:

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