

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

SUPERIOR COURT

In re: CHARTERCARE HEALTH PARTNERS :  
FOUNDATION; ROGER WILLIAMS :  
HOSPITAL; and ST. JOSEPH HEALTH :  
SERVICES OF RHODE ISLAND, INC., :  
Petitioners :

C.A. NO: KM-2015-0035

v. :

STEPHEN DEL SESTO, AS RECEIVER AND :  
ADMINISTRATOR OF THE ST. JOSEPH :  
HEALTH SERVICES OF RHODE ISLAND :  
RETIREMENT PLAN; GAIL J. MAJOR; :  
NANCY ZOMPA; RALPH BRYDEN; :  
DOROTHY WILLNER; CAROLL SHORT; :  
DONNA BOUTELLE; and EUGENIA :  
LEVESQUE, :

Respondents and Third :  
Party Petitioners :

v. :

RHODE ISLAND COMMUNITY :  
FOUNDATION, d/b/a RHODE ISLAND :  
FOUNDATION, :

Third Party Respondent :

**ORDER**

All parties to this action having filed a *Joint Petition to Modify April 20, 2015 Cy Pres Order, Vacate June 29, 2018 Order Concerning Preservation of CCF Assets, and for Entry of Final Judgment* (“Petition”) seeking to finalize and effectuate the terms of their Proposed Settlement Agreement dated November 21, 2018 (hereinafter the “PSA”), and the Court having conducted a hearing on November 21, 2019 concerning that Petition, and the Court having

determined that the PSA represents an appropriate disposition of charitable assets, and for the reasons stated at the hearing, it is hereby:

**ORDERED, ADJUDGED, and DECREED**

1. The Petition is granted;
2. The Court's previously issued June 29, 2018 *Order Preserving Assets Pending Litigation* is hereby vacated to the extent necessary to make the payment of \$4,500,000 set forth in the PSA and, after such payment has been fully made, the *Order Preserving Assets Pending Litigation* shall be vacated in its entirety;
3. The Parties to the PSA shall effectuate the terms of the PSA; and
4. The Clerk shall enter Final Judgment in substantially the same form as was attached at Exhibit A to the Petition.

ORDERED:

ENTERED:

  
Brian P. Stern  
Associate Justice

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Stern, J.  
Dated: December 3, 2019

/s/ Carin Miley  
Dep. Clerk **Deputy Clerk I**  
Dated: December 3, 2019

Presented by:

/s/ Andrew R. Dennington  
Russell F. Conn (*pro hac vice*)  
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Dated: November 25, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's Electronic Filing System.

*/s/ Andrew R. Dennington*

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