

STATE OF RHODE ISLAND
KENT, SC

SUPERIOR COURT

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

C.A. No: KM-2015-0035

**REPLY OF ROGER WILLIAMS HOSPITAL AND ST. JOSEPH HEALTH SERVICES
OF RHODE ISLAND TO MOTION TO INTERVENE OF THE RECEIVER**

Now come Roger Williams Hospital and St. Joseph Health Services of Rhode Island (collectively, the “Former Hospital Entities”) and hereby submit this Reply to the Motion to Intervene filed by Stephen DelSesto, Receiver of the St. Joseph Health Services of Rhode Island Pension Plan, and others (collectively, “Movants”).

Except as hereinafter set forth, the Former Hospital Entities do not object to the Movants’ request to intervene. However, the Former Hospital Entities take issue with and exception to certain allegations and inferences made by the Movants as to the conduct and motivations of the Former Hospital Entities after the sale of hospital operations in June, 2014, including at the time the Cy Pres Petition was filed. Without weighing in on past practice by any party prior to the sale of assets, the Former Hospital Entities feel compelled to respond on the record so as not, by silence, to let acquiescence in or acknowledgement of the truth of those allegations be implied .

Specifically, the Former Hospital Entities deny that after the sale in June, 2014, (i) there was any intentional concealment or misrepresentation to the Court or any other party, or (ii) that the Former Hospital Entities engaged in any conspiracy with others or any intentional effort to interfere with or diminish the rights of pensioners.

Additionally, the Former Hospital Entities must point out that, to the extent the Court is inclined after full consideration of the matter, to vacate or modify the original Order granting the Cy Pres Petition, the Court should preserve that portion of the Cy Pres Order that directs funds remaining in Roger Williams Hospital after full satisfaction of its liabilities, to be paid over to St. Joseph Health Services of Rhode Island, ultimately for the benefit of the pensioners.

ROGER WILLIAMS HOSPITAL AND ST.
JOSEPH HEALTH SERVICES OF RHODE
ISLAND,

By its attorneys,

/s/ Robert D. Fine

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June 26, 2018

CERTIFICATION

I hereby certify that on June 27, 2018, I caused this document to be served through the Rhode Island judiciary's electronic filing system, causing a copy of the same to be served on counsel of record associated with parties to this litigation. A copy of this document is available for viewing and downloading therefrom.

/s/ Robert D. Fine