

## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, sc.

SUPERIOR COURT

ST. JOSEPH HEALTH SERVICES OF  
RHODE ISLAND, INC.,

vs.

No. PC-2017-3856

ST. JOSEPHS HEALTH SERVICES OF  
RHODE ISLAND RETIREMENT PLAN, as  
amended

### **SECOND STATUS UPDATE CONCERNING THE ROMAN CATHOLIC BISHOP OF PROVIDENCE, A CORPORATION SOLE'S RESPONSE TO SUBPOENA**

The Roman Catholic Bishop of Providence, a corporation sole ("RCB"), files this status report regarding its response to the November 2, 2017 subpoena ("Subpoena") served by special counsel to the court-appointed receiver ("Special Counsel") in the above-referenced proceedings.

1. On December 14, 2017, RCB made a second production in response to the Subpoena of an additional 301 pages. This production consisted of the Bates-labeled versions of the documents produced to Special Counsel at the December 8 meet and confer, as well as substitute complete versions of emails that were missing attachments in RCB's December 4 production.

2. Also on December 14, 2017, RCB circulated a proposed stipulation and protective order to Special Counsel for its review and comment in connection with the production of the Election of Benefits forms referenced in RCB's first status update. RCB has had all of these documents scanned and made ready for production and will produce them promptly following the entry of an agreed upon protective order.

3. RCB served its privilege log, for production to date, on December 18, 2017.

4. Also on December 18, 2017, RCB sent correspondence to Special Counsel which (a) provided further detail as to the records searched, (b) identified specific diocesan personnel who

searched for records in response to the Subpoena and the search efforts they undertook, (c) as a result of the information developed in connection with such efforts, identified certain other specific steps and certain additional searches regarding electronic records it will be taking in response to the subpoena, (d) provided additional detail regarding documents as requested at the December 8 meet and confer, and (e) advised Special Counsel as to a Bates labeling issue associated with the December 4 document production.

5. RCB will continue to work with Special Counsel in an effort to resolve any issues that may arise in a cooperative manner and without the need for the Court's intervention.

Respectfully Submitted,

**NON-PARTY ROMAN CATHOLIC  
BISHOP OF PROVIDENCE, A  
CORPORATION SOLE**

By its attorneys,

PARTRIDGE SNOW & HAHN LLP

/s/ Howard Merten

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Date: December 19, 2017

### **CERTIFICATE OF SERVICE**

I hereby certify that, on the 19th day of December, 2017:

☒ I filed and served this document through the electronic filing system on all parties registered therein to receive notice in this case.

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/s/ Howard Merten