

RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

St. Joseph Health Services of Rhode Island, Inc.,

vs.

St. Josephs Health Services of Rhode Island
Retirement Plan, as amended

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C.A. No. 2017-3856

**THE DEPARTMENT OF ATTORNEY GENERAL'S THIRD STATUS REPORT
FOR DECEMBER 19, 2017**

On November 29, 2017, the Superior Court, Stern, J., issued an Order requiring that the Rhode Island Department of Attorney General (hereinafter "Attorney General") provide weekly status updates to Special Counsel and the Court on the status of the Attorney General's efforts to comply with the subpoena served on the Attorney General on November 3, 2017 (the "Subpoena"), the first report was provided on December 5, 2017 and subsequent status updates are required every 7 days thereafter.

On December 12, 2017, the Attorney General filed a Second Status Report. On December 13, 2017, the Attorney General filed a Supplement to the Second Status Report. The within report will update the Court through December 19, 2017.

The Attorney General has taken the following action in compliance with the Subpoena as of December 19, 2017:

1. On December 13, 2017, WarRoom delivered an additional five (5) boxes. These boxes reflect documents as they are maintained in the ordinary course of business, and more specifically, contain documents related to the 2014 Hospital Conversions Act Proceedings.

2. On Monday, December 18, 2017, WarRoom delivered another five (5) boxes of documents, containing documents related to the 2014 Hospital Conversions Act Proceedings. Rolling production of boxes from WarRoom will continue this week with an additional five (5) boxes estimated for delivery by the end of the week. Once that delivery is received, we will have twenty (20) of the twenty-nine (29) boxes returned from WarRoom.
3. On December 18, 2017, the Attorney General delivered to Special Counsel the following two (2) boxes of documents with logs identifying privileged and confidential documents as necessary:
 - a. Box 5 - Bates Stamped: AG14-1-000001-001480; and
 - b. Box 10 - Bates Stamped: AG14-1-000001-002969 (contains privilege log - a total of four (4) pages were withheld pursuant to the work-product and attorney-client privileges).
4. On December 18, 2017, Special Counsel's identified for the first time that he sought the confidential documents as a priority. Later that afternoon, the Attorney General sent a letter to Special Counsel requesting that he identify confidential exhibits, as noted on confidentiality charts provided, indicating which documents are a priority so that the Attorney General can expedite the process of getting those documents produced. The Attorney General is awaiting the response.
5. On December 19, 2017, the Attorney General delivered to Special Counsel the following two (2) boxes of documents with logs identifying privileged and confidential documents as necessary:
 - a. Box 12 - Bates Stamped: AG14-12-000001- 003552;
 - b. Box 14 - Bates Stamped: AG14-14-000001 - 002922.

6. Pursuant to Paragraph 3 of the Proposed Case Management Plan Regarding Electronically Stored Information (“ESI”), the Attorney General continues to search ESI identify custodians and the scope of data contained on the file server and in our Outlook 365 email database in anticipation of the December 21, 2017 reporting date to Special Counsel.

Respectfully submitted,

STATE OF RHODE ISLAND
BY ITS ATTORNEY,

PETER F. KILMARTIN
ATTORNEY GENERAL

/s/ Kathryn Enright

/s/ Jessica D. Rider

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 19th day of December 2017, I electronically filed and served this document through the electronic filing system to all on record. The document electronically filed is available for viewing and/or downloading from the Rhode Island Judiciary’s Electronic Filing System.

/s/ Diane Milia
