

STATE OF 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
FIFTH STATUS REPORT FOR JANUARY 2, 2018**

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"). On December 26, 2017, the Attorney General filed the Fourth Status Report. The within report will update the Court through January 2, 2018.

The Attorney General has taken the following action in compliance with the Subpoena as of January 2, 2018:

1. On Wednesday, December 27, 2017, Special Counsel contacted the Attorney General to request a letter describing the process involved in our hard document review and production in compliance with the Subpeona. As discussed, on January 2, 2018, we responded in writing to the request.
2. On Friday, December 29, 2017, WarRoom delivered five (5) boxes of documents all containing documents related to the 2009 HCA review. Rolling production of boxes from WarRoom will continue this week with the final four (4) boxes estimated for delivery by the end of the week. Once that delivery is received, the

Attorney General will have all of the twenty-nine (29) boxes returned from WarRoom.

3. On December 28, 2017, the Attorney General delivered to Special Counsel the following two (2) boxes of documents with logs identifying privileged and confidential documents as necessary:

1. Box 16 - Bates Stamped: AG14-16-000001-003351 (contains a total of 2,928 confidential documents from the 2014 HCA review); and
2. Box 17 - Bates Stamped: AG14-17-000001-002753 (contains a total of 2,431 confidential documents from the 2014 HCA review).

4. On January 2, 2018, the Attorney General delivered to Special Counsel the following two (2) boxes of documents with logs identifying privileged and confidential documents as necessary:

1. Box 7 – Bates Stamped: AG000001-002678 (contains a privilege log – a total of 526 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 666 confidential documents from the 2014 HCA review); and
2. Box 18 – Bates Stamped AG14-18-000001-002811 (contains a total of 2,806 confidential documents from the 2014 HCA review).

5. Of the twenty-five (25) boxes that have been delivered from WarRoom, the Attorney General has produced sixteen (16) of the eighteen (18) boxes, all from the 2014 HCA review. Our hard document production for the 2014 HCA will be

complete this week. In total, 25,865 pages of confidential documents have been produced from the 2014 HCA review.

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 2nd day of January 2018, 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/ Melissa L. DiFonzo
