

STATE OF RHODE ISLAND
 PROVIDENCE, SC.

SUPERIOR COURT

St. Joseph Health Services of Rhode Island, Inc.,	:	
	:	
	:	
vs.	:	C.A. No. 2017-3856
	:	
St. Josephs Health Services of Rhode Island	:	
Retirement Plan, as amended	:	
	:	

**THE DEPARTMENT OF ATTORNEY GENERAL’S
 SIXTH STATUS REPORT FOR JANUARY 9, 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 January 2, 2018, the Attorney General filed the Fifth Status Report. The within report will update the Court through January 9, 2018.

The Attorney General has taken the following action in compliance with the Subpoena as of January 9, 2018:

1. Our hard document production of the 2014 HCA review, the 2009 HCA review and the 2014 HCA review monitoring is complete. In total, 3,071 pages of confidential documents have been produced from the 2009 HCA review, and 488 pages of confidential documents have been produced from the 2014 HCA review monitoring. The Attorney General’s main focus is now review and production of Electronically Stored Information (“ESI”).
2. On Friday, January 5, 2018, WarRoom delivered two (2) boxes of documents, all containing documents related to the 2014 HCA review monitoring. The contents

of three (3) original boxes were combined into one box by WarRoom. All original boxes have been returned from WarRoom.

3. On January 5, 2018, the Attorney General delivered to Special Counsel the following six (6) boxes of documents with logs identifying privileged and confidential documents as necessary:

1. Box 8 - Bates Stamped: AG14-1-000001-001901 (contains a privilege log – a total of 176 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 770 confidential documents from the 2014 HCA review);
2. Box 9 - Bates Stamped: AG14-1-000001-002238 (contains a privilege log – a total of 947 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 248 confidential documents from the 2014 HCA review);
3. Box 19 – Bates Stamped: AG09-01-000001-002040 (contains a privilege log – a total of 309 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 709 confidential documents from the 2009 HCA review);
4. Box 20 – Bates Stamped: AG09-02-000001-001777 (contains a privilege log – a total of 241 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 196 confidential documents from the 2009 HCA review);
5. Box 22 – Bates Stamped: AG09-04-000001-001783 (contains a total of 122 confidential documents from the 2009 HCA review); and

6. Box 25 – Bates Stamped: AG09-07-000001-000871 (2009 HCA review).
4. On January 8, 2018, the Attorney General delivered to Special Counsel the following five (5) boxes of documents with logs identifying privileged and confidential documents as necessary:
 1. Box 21 - Bates Stamped: AG09-03-000001-AG09-03-002233 (contains a privilege log – a total of 350 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 1,303 confidential documents from the 2009 HCA review);
 2. Box 23 - Bates Stamped: AG09-05-000001-AG09-05-002145 (contains a privilege log – a total of 279 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 445 confidential documents from the 2009 HCA review);
 3. Box 24 - Bates Stamped: AG09-06-000001-AG09-06-002043 (contains a privilege log – a total of 105 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 296 confidential documents from the 2009 HCA review);
 4. Box 26 - Bates Stamped: AGM14-01-000001-AGM14-01-001961 (contains a privilege log – a total of 419 pages were withheld pursuant to the work-product, attorney-client, and

- deliberative process privileges; contains a total of 34 confidential documents from the 2014 HCA review monitoring);
5. Box 27 - Bates Stamped: AGM14-02-000001-AGM14-02-000722 (contains a total of 230 confidential documents from the 2009 HCA review monitoring);
 6. Box 28 - Bates Stamped: AGM14-03-000001-AGM14-03-000653 (contains a privilege log – a total of 104 pages were withheld pursuant to the work-product, attorney-client, and deliberative process privileges; contains a total of 224 confidential documents from the 2014 HCA review monitoring);
and
 7. Box 29 - Bates Stamped: AGM14-04-000001-AGM14-04-000672 (2014 HCA review monitoring).

(The contents of boxes 27, 28, and 29 have been combined into one box.)

6. On December 21, 2017, pursuant to Paragraph 3 of the Proposed Case Management Plan, the Attorney General provided Special Counsel with an update on the scope of Electronically Stored Information (“ESI”). Specifically, the Attorney General identified custodians, search terms, and an update as to data retrieved to date. Special Counsel replied with a letter to the Attorney General on December 22, 2017 requesting additional search terms and specific formats for production. On Tuesday, January 9, 2018, the Attorney General responded to Special Counsel’s letter confirming that the additional terms will be included in the ESI search and that ESI will be produced in an electronic format.

Respectfully submitted,

STATE OF RHODE ISLAND
BY ITS ATTORNEY,

PETER F. KILMARTIN
ATTORNEY GENERAL

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/s/ Jessica D. Rider

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 9th 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/ Diane B. Milia