

**STATE OF RHODE ISLAND  
PROVIDENCE, SC.**

**SUPERIOR COURT**

STEPHEN DEL SESTO, AS RECEIVER  
AND ADMINISTRATOR OF THE ST.  
JOSEPH HEALTH SERVICES OF RHODE  
ISLAND RETIREMENT PLAN; ET AL. ,

C.A. No. PC-2018-4386

Plaintiffs,

v.

PROSPECT CHARTERCARE, LLC; ET AL.,

Defendants.

**JOINT MOTION FOR RELIEF FROM STAY TO PERMIT PLAINTIFFS TO FILE  
NOTICE OF DISMISSAL OF THIS ACTION AS TO DEFENDANTS CHARTERCARE  
FOUNDATION AND RHODE ISLAND COMMUNITY FOUNDATION ONLY**

On July 11, 2018, this Court entered an Order providing that the above-captioned action shall be stayed pending the further order of the Court. Plaintiffs Stephen Del Sesto (as Receiver and Administrator of the St. Joseph Health Services of Rhode Island Retirement Plan), Gail J. Major, Nancy Zompa, Ralph Bryden, Dorothy Willner, Carroll Short, and Donna Boutelle, and Defendants CharterCARE Foundation (“CCF”) and The Rhode Island Community Foundation d/b/a Rhode Island Foundation (“RIF”) now jointly move that this Court grant relief from that stay for the sole purpose of permitting Plaintiffs to file the attached Notice of Dismissal of this action as to CCF and RIF only, pursuant to Super. R. Civ. P. 41(a)(1)(A).

Respectfully submitted this 29th day of January, 2020.

STEPHEN DEL SESTO, AS RECEIVER  
AND ADMINISTRATOR OF THE ST.  
JOSEPH HEALTH SERVICES OF RHODE  
ISLAND RETIREMENT PLAN,  
GAIL J. MAJOR, NANCY ZOMPA, RALPH  
BRYDEN, DOROTHY WILLNER,  
CAROLL SHORT, DONNA BOUTELLE,  
and EUGENIA LEVESQUE,

CHARTERCARE FOUNDATION,

By Their Attorneys,

WISTOW, SHEEHAN & LOVELEY, PC

By Its Attorneys,

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's Electronic Filing System.

/s/ Andrew R. Dennington

**TAB A**

**STATE OF RHODE ISLAND  
PROVIDENCE, SC.**

**SUPERIOR COURT**

STEPHEN DEL SESTO, AS RECEIVER  
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JOSEPH HEALTH SERVICES OF RHODE  
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C.A. No. PC-2018-4386

Plaintiffs,

v.

PROSPECT CHARTERCARE, LLC; ET AL.,

Defendants.

**PLAINTIFFS' NOTICE OF DISMISSAL WITH PREJUDICE OF THIS ACTION AS TO  
DEFENDANTS CHARTERCARE FOUNDATION  
AND RHODE ISLAND COMMUNITY FOUNDATION ONLY**

Pursuant to Super. R. Civ. P. 41(a)(1)(A), Plaintiffs Stephen Del Sesto (as Receiver and Administrator of the St. Joseph Health Services of Rhode Island Retirement Plan), Gail J. Major, Nancy Zompa, Ralph Bryden, Dorothy Willner, Carol Short, Donna Boutelle, and Eugenia Levesque hereby dismiss this action with prejudice as to Defendants CharterCARE Foundation and The Rhode Island Community Foundation d/b/a Rhode Island Foundation only, without costs, waiving all rights of appeal from said dismissal, and with each party bearing his/her/its own attorneys' fees.

Respectfully submitted this \_\_\_ day of \_\_\_\_\_, 2020.

STEPHEN DEL SESTO, AS RECEIVER  
AND ADMINISTRATOR OF THE ST.  
JOSEPH HEALTH SERVICES OF RHODE  
ISLAND RETIREMENT PLAN,  
GAIL J. MAJOR, NANCY ZOMPA, RALPH  
BRYDEN, DOROTHY WILLNER,  
CAROLL SHORT, DONNA BOUTELLE,  
and EUGENIA LEVESQUE,

By Their Attorneys,

WISTOW, SHEEHAN & LOVELEY, PC

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