

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ST, JOSEPH HEALTH SERVICES OF
RHODE ISLAND

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VS.

C.A. NO. PC-2017-3856

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ST. JOSEPH SERVICES OF RHODE
ISLAND RETIREMENT PLAN

MOTION TO STAY

Now comes Lillian Sparfven *et. al.*, St. Joseph Services of Rhode Island Retirement Plan members (hereinafter “retirement plan members”) who are fully retired, receiving Federal Old Age, Survivors, and Disability Insurance under Title II of the Social Security Act, receiving a pension under the St. Joseph Services of Rhode Island Retirement Plan, and who are not eligible for representation by the United Nurses & Allied Professionals, Local 5110, and other similarly situated retirement plan members and move this Honorable Court for an order as follows:

1. Before any reduction in benefits is approved for retirement plan members that this Court require the Receiver to:

- (a) Provide notice to each retirement plan member of the proposed reduction in benefits, and provide an opportunity to be heard on undue hardship.
- (b) Establish a *per se* rule that would exempt retirement plan members who would become categorically or otherwise eligible for the Supplemental Nutrition Assistance Program (“SNAP”) due to a proposed reduction in benefits; and
- (c) Based upon an individualized determination, exempt retirement plan members who would suffer an undue hardship from the proposed reduction in benefits.

2. That no pension benefit reductions be made until a further report is made to this Court which sets forth the actual impact of any proposed pension reductions on the income and the health, safety, and welfare of retirement plan members and until the Court has had the chance to evaluate whether there are viable actions to recoup monies.

Wherefore, your Petitioners ask this Honorable Court to schedule a hearing on this motion.

Respectfully submitted,

Claimant Retired Plan Members

/s/ Arlene Violet

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 5th day of October 2017, I electronically filed and served this document through the electronic filing system to all counsel of record. The document electronically filed is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

Robert Senville