

**STATE OF RHODE ISLAND
PROVIDENCE, SC**

SUPERIOR COURT

**CHARTERCARE COMMUNITY BOARD :
(through Thomas S. Hemmendinger, as Permanent :
Liquidating Receiver), individually and derivatively, as :
Member of PROSPECT CHARTERCARE, LLC and :
As trustee of the beneficial interest of its membership :
Interest in PROSPECT CHARTERCARE, LLC; and :
STEPHEN DEL SESTO, as receiver and administrator :
Of St. Joseph’s Health Services of Rhode Island :
Retirement Plan and as holder of the beneficial interest :
Of CHARTERCARE COMMUNITY BOARD’s :
Membership interest in PROSPECT :
CHARTERCARE, LLC , :
Plaintiffs, :**

C.A. No.: PC-2019-3654

v. :

**SAMUEL LEE; :
DAVID TOPPER; :
THOMAS REARDON; :
VON CROCKETT; :
EDWIN SANTOS; :
EDWARD QUINLAN; :
JOSEPH DISTEFANO; :
ANDREA DOYLE; :
PROSPECT EAST HOSPITAL ADVISORY :
SERVICES, LLC; :
PROSPECT CHARTERCARE, LLC :
PROSPECT EAST HOLDINGS, INC.; :
PROSPECT MEDICAL HOLDINGS, INC.; :
IVY HOLDINGS INC.; :
IVY INTERMEDIATE HOLDINGS INC.; :
DAVID & ALEXA TOPPER FAMILY TRUST; :
GREEN EQUITY INVESTORS V, LP; :
GREEN EQUITY INVESTORS SIDE V, LP: :
JP MORGAN CHASE BANK, N.A. as administrative :
Agent and collateral agent for certain lenders; :
ABC CORPS 1-10; JOHN DOE 1-10; and :
JANE DOE 1-10, :
Defendants. :**

MOTION TO EXTEND TIME TO RESPOND TO DISCOVERY

NOW COME, the Defendants, Green Equity Investors V, LP and Green Equity Investors Side V, LP (hereinafter collectively referred to as the “Defendants”) and hereby move this Honorable Court to Extend Time to provide response to interrogatories and document production requests propounded by the plaintiffs in this case. The interrogatories and document production are due on October 30, 2020. The grounds for this Motion to Extend Time to respond to the discovery the Defendants hereby state:

1. Simultaneous with the filing of this Motion, Defendants have filed Motions to Extend Time to file a reply brief to their Motion to Dismiss and the Opposition filed by the plaintiffs thereto;
2. Defendants have simultaneously filed a Motion to Continue the Hearing Date for Oral Arguments on defendants’ joint Motion to Dismiss pursuant to Rule 12(b)(2) on the basis of a lack of personal jurisdiction until on or after a date that the United States Supreme Court and the Rhode Island Supreme Court decide an issue almost identical to the one before this Court relative to the issues of personal jurisdiction;
3. The discovery propounded by the Plaintiffs in this case are directly related to factual issues involving personal jurisdiction;
4. Defendants currently have responses prepared that are being reviewed by their clients in California for completeness and accuracy.
5. Defendants would like to have until November 10, 2020 in which to respond to the discovery identified herein. No prior extensions of time have been sought.

Respectfully Submitted,
Green Equity Investors V, LP and
Green Equity Investors Side V, LP,
By their Attorneys,

/s/ Vincent A. Indeglia, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that, on the 28th day of October, 2020:

[X] I filed and served this document through the electronic filing system on the following parties:

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/s/ Jeanette L. Chambers

