

**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.

ORDER

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”) having filed a *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* (the “Motion”), and no objection thereto having been filed, and the Court having conducted a hearing on February 10, 2020 to consider the Motion, it is hereby:

ORDERED, ADJUDGED, and DECREED

1. The Motion is granted; and
2. The stay of this action is lifted for the sole purpose of permitting Plaintiffs to file a Notice of Dismissal of this action as to CCF and RIF only, pursuant to Super. R. Civ. P. 41(a)(1)(A).
3. Following the filing of that Notice of Dismissal, the action is again stayed.

ORDERED:

ENTERED:



Brian P. Stern
Associate Justice

Stern, J.

Dated: February 14, 2020

/s/ Carin Miley

Dep. Clerk **Deputy Clerk I**

Dated: February 14, 2020

Presented by:

/s/ Andrew R. Dennington

Andrew R. Dennington (#7528)

CONN KAVANAUGH ROSENTHAL

PEISCH & FORD, LLP

One Federal Street, 15th Floor

Boston, MA 02110

(617) 482-8200

adennington@connkavanaugh.com

Counsel for CharterCARE Foundation

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2020, 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

2387422.1 02611.000