

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

In re:

CharterCARE Community Board; St. Joseph
Health Services of Rhode Island; and Roger
Williams Hospital

C.A. No. PC-2019-11756

**ORDER ACCEPTING AND APPROVING LIQUIDATING RECEIVER'S THIRD
REPORT AND REQUEST FOR INTERIM COMPENSATION**

This matter came before this Court on November 30, 2020, Justice Stern presiding, on the Third Report and Request for Interim Compensation (the "Report") by Thomas S. Hemmendinger (the "Liquidating Receiver"), permanent liquidating receiver of CharterCARE Community Board, St. Joseph Health Services of Rhode Island, and Roger Williams Hospital (the "Petitioners"). After consideration of the Report and any response thereto, and after hearing all parties present and interested, it is hereby ORDERED as follows:

1. The Liquidating Receiver gave due and adequate notice of the Report and of the date and time of this Court's consideration of the Report to counsel of record in this receivership and to counsel of record for the following parties in interest: Stephen Del Sesto (the "Plan Receiver"), receiver of the St. Joseph Health Services of Rhode Island Retirement Plan (the "Plan"); the named plaintiffs and the defendants in *Del Sesto et al. v. Prospect CharterCARE, LLC et al.*, C.A. No. 18-cv-00328-WES (D. R.I.), and *Del Sesto et al. v. Prospect CharterCARE, LLC et al.*, C.A. No. PC-2018-4386 (R.I. Super.); the Prospect entities; and the defendants in *CharterCARE Community Board et al. v. Lee et al.*, C.A. No. PC-2019-3654 (R.I. Super.).

2. The Report is accepted and approved, and all actions of the Liquidating Receiver in this case through the date of the Report are approved and ratified.

3. The Liquidating Receiver is awarded an interim fee of \$80,272.00 for services rendered

from July 1, 2020 through September 30, 2020 and is awarded reimbursement for expenses advanced from July 1, 2020 through September 30, 2020 in the amount of \$129.55. The Liquidating Receiver is instructed to pay himself this fee and this reimbursement from the Petitioners' cash on hand.

ENTER:

PER ORDER:

Brian P. Stern, J.
Stern, J.

/s/ Carin Miley
Deputy Clerk I
December 11, 2020

Date: December 11, 2020

Presented by: Thomas S. Hemmendinger #3122, Brennan, Recupero, Cascione, Scungio & McAllister, LLP, 362 Broadway, Providence, RI 02909, tel. (401) 453-2300, fax (401) 453-2345, e-mail themmendinger@brasm.com

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2020:

- 1) I electronically filed the foregoing document. This document is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.
- 2) The following parties received electronic notice: any parties entered to be notified through the Rhode Island Judiciary's Electronic Filing System.
- 3) The document was served by United States Postal Service, postage prepaid, on the following persons: N/A

/s/ Thomas S. Hemmendinger
Thomas S. Hemmendinger