

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

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

Plaintiffs,

v.

PROSPECT CHARTERCARE, LLC; ET AL.,

Defendants.

C.A. No. 1:18-CV-00328-WES/LDA

**FIFTH STIPULATION AND ORDER CONCERNING LIMITED DISCOVERY AND
RELATED SUMMARY JUDGMENT MOTIONS**

Plaintiff Stephen Del Sesto (the “Receiver”) and the individual named plaintiffs (individually and as putative class representatives) (with the Receiver, “Plaintiffs”) and Defendants Prospect Medical Holdings, Inc., Prospect East Holdings, Inc., Prospect Chartercare, LLC, Prospect Chartercare SJHSRI, LLC, Prospect Chartercare RWMC, LLC, Roman Catholic Bishop of Providence (a Corporation Sole), Diocesan Administration Corporation, Diocesan Service Corporation, The Angell Pension Group, Inc., St. Joseph Health Services of Rhode Island, Roger Williams Hospital, and CharterCARE Community Board, hereby stipulate and agree, and consent to the entry of this stipulation as an Order of the Court, as follows:

1. This Stipulation and Proposed Order is further to the Fourth Order Concerning Limited Discovery and Related Summary Judgment Motions (ECF No. 188) entered by the Court on May 14, 2020 (the “Order of May 14, 2020”), the Stipulation and Proposed Order Concerning Limited Discovery and Related Summary Judgment Motions (ECF No. 170) entered by the Court on October 29, 2019 (the “Order of October 29, 2019”),

the Stipulation and Consent Order Concerning Limited Discovery and Related Summary Judgment Motions that the Court entered on January 13, 2020 (ECF No. 175) (the “January 13, 2020 Stipulation and Consent Order”), and the Third Stipulation and Consent Order Concerning Limited Discovery and Related Summary Judgment Motions that the Court entered on March 18, 2020 (ECF No. 183) (the “Third Stipulation and Consent Order”).

2. The January 13, 2020 Stipulation and Consent Order and the Order of May 14, 2020 are hereby amended to provide that the period for Limited Discovery Concerning Plaintiffs’ Motion for Summary Judgment is extended to the earlier of August 17, 2020 or the date that Plaintiffs file their memoranda in reply to the Remaining Defendants’ objection(s) and supporting papers in opposition to Plaintiffs’ Motion for Summary Judgment.
3. The January 13, 2020 Stipulation and Consent Order and the Order of May 14, 2020 are hereby amended to provide that the period for Limited Discovery Concerning Defendants’ Cross-Motion(s) for Summary Judgment shall commence June 27, 2020 and shall conclude October 1, 2020.
4. All other provisions of the Order of October 29, 2019, the January 13, 2020 Stipulation and Consent Order, the Third Stipulation and Consent Order, and the Order of May 14, 2020 shall remain in full force and effect.

IT IS SO ORDERED

Hon. William E. Smith
United States District Judge

Dated: July , 2020

So stipulated as of July 14, 2020,

By:

STEPHEN DEL SESTO, AS RECEIVER
AND ADMINISTRATOR OF THE ST.
JOSEPH HEALTH SERVICES OF RHODE
ISLAND RETIREMENT PLAN, et al.

By Their Attorneys,
WISTOW, SHEEHAN & LOVELEY, PC

PROSPECT MEDICAL HOLDINGS, INC. and
PROSPECT EAST HOLDINGS, INC.

By Their Attorneys,
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PROSPECT CHARTERCARE, LLC,
PROSPECT CHARTERCARE, SJHSRI, and
PROSPECT CHARTERCARE RWMC,

By Their Attorneys,

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THE ANGELL PENSION GROUP, INC.

By Its Attorneys,

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DIOCESAN ADMINISTRATION
CORPORATION and DIOCESAN SERVICE
CORPORATION

CHARTERCARE COMMUNITY BOARD,
ROGER WILLIAMS HOSPITAL, and ST.
JOSEPH HEALTH SERVICES OF RHODE
ISLAND,

By Their Attorneys,

By Their Attorneys,

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/s/ Thomas S. Hemmendinger

Thomas S. Hemmendinger (#3122)
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of July, 2020, the foregoing document has been filed electronically through the Rhode Island ECF system, is available for viewing and downloading, and will be sent electronically to the counsel who are registered participants identified on the Notice of Electronic Filing.

/s/ Stephen P. Sheehan _____