

Hearing date: March 24, 2020 at 9:30 a.m.

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

PETITION TO ENGAGE ACCOUNTANTS

Thomas S. Hemmendinger (the “Liquidating Receiver”), the permanent liquidating receiver of CharterCARE Community Board, St. Joseph Health Services of Rhode Island, and Roger Williams Hospital (the “Petitioners”), requests authorization to engage Kahn, Litwin, Renza & Co., Ltd. (“KLR”) as accountants, on the following grounds:

1. On December 18, 2019, this Court appointed the Liquidating Receiver as temporary liquidating receiver. On January 17, 2020, this Court appointed the Liquidating Receiver as permanent liquidating receiver.

2. Paragraph 4 of the permanent appointment order authorizes the Liquidating Receiver to engage “professionals necessary or appropriate for the efficient administration of the Petitioners, and to pay all such individuals and entities in the usual course of business.”

3. Although the permanent appointment order allows the Liquidating Receiver to engage professionals without further Court action, the Liquidating Receiver believes it is appropriate for the Court to consider the appointment of professionals on a case-by-case basis.

4. Before this receivership, KLR prepared and filed IRS Form 990’s (informational returns for tax-exempt organizations) for each Petitioner and provided related tax services.

5. In November 2019 before the commencement of this action, the Petitioners engaged KLR to perform such services for the Petitioners’ fiscal year ending September 30, 2019. The engagement provides that KLR would charge on an hourly basis plus out-of-pocket costs.

6. The Liquidating Receiver believes it is essential that the Petitioners continue to file

IRS Form 990's. In particular, this maintains the Petitioners' status as tax-exempt organizations.

7. The Liquidating Receiver requests permission to pay KLR's invoices in the ordinary course, including any pre-receivership balance, subject to the Court's review at the conclusion of KLR's services.

8. The Liquidating Receiver has served this Petition and notice of the hearing thereon to counsel of record in this receivership, to the Plan Receiver and his counsel, and to counsel of record for Prospect Chartercare, LLC and its affiliates.

WHEREFORE, the Liquidating Receiver prays that this Court:

(a) Authorize the Liquidating Receiver to engage and pay KLR as accountants on the terms proposed above.

(b) Ratify and approve the Liquidating Receiver's actions in connection with the matters set forth in this Petition.

(c) Award to the Liquidating Receiver such other and further relief as this Court deems appropriate.

Respectfully submitted,

Date: March 10, 2020

/s/ Thomas S. Hemmendinger
Thomas S. Hemmendinger #3122
Liquidating Receiver
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CERTIFICATE OF SERVICE

I hereby certify as follows:

- 1) On March 10, 2020, 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 EFS
- 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