

Hearing: September 21, 2020

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

CHARTERCARE COMMUNITY BOARD
et al.,

Plaintiffs

v.

SAMUEL LEE et al.,

Defendants

C.A. No. PC-2019-3654

PLAINTIFFS' OBJECTION TO JPMORGAN CHASE BANK'S MOTION TO DISMISS

Plaintiff CharterCARE Community Board (through Thomas Hemmendinger, Liquidating Receiver of CharterCARE Community Board, St. Joseph Health Services of Rhode Island, and Roger Williams Hospital) and Plaintiff Stephen Del Sesto Stephen Del Sesto (as Receiver for the St. Joseph Health Services of Rhode Island Retirement Plan) hereby object to the Motion to Dismiss by Defendant JPMorgan Chase Bank, N.A.

In support of their objection, Plaintiffs rely on their accompanying Memorandum of Law filed herewith.

Respectfully submitted,

CharterCARE Community Board,
individually and derivatively, as nominal
member and as trustee of the beneficial
interest of its membership in Prospect
CharterCARE, LLC,
By its Attorneys,

/s/ Thomas S. Hemmendinger

Thomas S. Hemmendinger (#3122)
Permanent Liquidating Receiver of
CharterCARE Community Board, Roger
Williams Hospital, and St. Joseph Health
Services of Rhode Island
Ronald F. Cascione (#2277)
Lisa M. Kresge (#8707)
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August 28, 2020

Stephen Del Sesto, as Receiver and
Administrator of the St. Joseph Health Services
of Rhode Island Retirement Plan,
By His Attorneys,
WISTOW, SHEEHAN & LOVELEY, PC

/s/ Max Wistow

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 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