

UNITED STATE 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.	:	C.A. No:1:18-CV-00328-WES-LDA
PROSPECT CHARTERCARE, LLC, ET AL.	:	
	:	
Defendants.	:	

PLAINTIFFS’ MEMORANDUM IN SUPPORT OF FINAL APPROVAL

In its Order of November 16, 2023 (ECF # 265), the Court scheduled the final fairness hearing for March 14, 2024 and set the following dates for the filing of objections:

- February 12, 2024 (any objections by Settlement Class members to final class action approval of the Settlement Agreement and/or to Wistow, Sheehan & Loveley, PC’s fee application); and
- February 19, 2024 (any objections by the Non-Settling Defendants¹ to final class action approval of the Settlement Agreement).

No objections have been filed by anyone.

Plaintiffs rely on the following materials, previously filed:

- Plaintiffs’ Motion for Preliminary Settlement Approval, Settlement Class Certification, Appointment of Class Counsel, and a Finding of Good Faith Settlement (ECF # 262) and the exhibit thereto;

¹ I.e. the “Old co” entities CharterCARE Community Board, St. Joseph Health Services of Rhode Island, and Roger Williams Hospital, which are the subject of the Superior Court liquidating receivership In re: CharterCARE Community Board et al., PC-2019-11756.

- Declaration of Benjamin Ledsham (ECF # 263) and the exhibits thereto; and
- Declaration of Howard Merten, Esq. Regarding Notice of Proposed Settlement Pursuant to 28 U.S.C. § 1715 on Behalf of Roman Catholic Bishop of Providence, a Corporation Sole, Diocesan Administration Corporation, and Diocesan Service Corporation (ECF # 266)

Consequently, Plaintiffs have no additional papers to file in support of the unopposed motion.

Plaintiffs respectfully reiterate their request that the Court:

- (1) Grant final approval of the Settlement;
- (2) Certify the class, class representatives, and class counsel; and
- (3) Make the finding of good faith under R.I. Gen. Laws § 23-17.14-35.

Respectfully submitted,

/s/ Max Wistow

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