

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT

ST. JOSEPH HEALTH SERVICES OF
RHODE ISLAND, INC.

v.

ST. JOSEPH'S HEALTH SERVICES OF
RHODE ISLAND RETIREMENT PLAN,
AS AMENDED

C.A. No.: PC-2017-3856

In re:

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

C.A. No.: PC-2019-11756

DECLARATION OF ARLENE VIOLET

Arlene Violet hereby deposes and says:

1. I am a member in good standing of the Rhode Island Bar and have been since 1974.

2. When the St. Joseph Health Services of Rhode Island Retirement Plan ("the Retirement Plan") was petitioned into Receivership in August 2017, the Petitioner (St. Joseph Health Service of Rhode Island) asked the Providence County Superior Court to impose an immediate across the board reduction of 40% to all retirees' payments. A great deal of publicity attended the filing of the Receivership.

3. I was soon contacted by many participants of the Plan who sought advice from me. Eventually, I entered into arrangements with over 285 participants in the Plan who felt, among other issues, that if a reduction in benefits be mandated such reduction not be uniform among all participants. Rather, we felt that consideration should be given to the status of the participants and their ability to absorb a reduction and any equitable considerations that entered into an analysis of who should bear reduction and the amount thereof. My clients ranged in age from their mid-70's to 100 years and were extremely dependent upon the payments coming to them from the Plan.

4. It soon became apparent that other groups of employees had different points of view with regard to who, if anyone, should bear the burden of any reductions. These other groups of participants became represented, by Christopher Callaci for members of the United Nurses and Allied Professionals Union and by Jeffrey Kastle from a third group that did not seem to belong to the groups represented by my office or Mr. Callaci.

5. I have spoken and met with numerous members of this group during the course of this litigation to discuss their thoughts concerning the underfunded status of the Retirement Plan and how it impacts them.

6. I attended the March 22, 2022 hearing on the Petition to Apply Trust Income to Pension Plan, which I supported and which was granted on April 7, 2022 in the Liquidating Receivership.

7. On behalf of my clients, I urge the Court to grant the Petition to Partially Distribute Corpora of Certain Trusts. That Petition, in my view, is beneficial to my clients and is a further excellent step in attempting to secure additional funds to bolster the Retirement Plan and benefit my clients who are present participants in the Retirement Plan. I believe that granting that Petition will be far more beneficial to the Retirement Plan and my clients than periodic payments from the trusts.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 14th day of February, 2023.



Arlene Violet

CERTIFICATE OF SERVICE

I hereby certify that, on the 14th day of February, 2023, I filed and served the foregoing document through the electronic filing system on the following users of record:

Stephen F. Del Sesto, Esq.
Pierce Atwood LLP
One Financial Plaza, 26th Floor
Providence, RI 02903
sdelsesto@pierceatwood.com

Maria R. Lenz, Esq.
Julie Harvey, Esq.
Sarah Rice, Esq.
Office of the Attorney General
150 South Main Street
Providence, RI 02903
mlenz@riag.ri.gov
jharvey@riag.ri.gov
SRice@riag.ri.gov

Richard J. Land, Esq.
Chace Ruttenberg & Freedman, LLP
One Park Row, Suite 300
Providence, RI 02903
rland@crfillp.com

Christopher Callaci, Esq.
United Nurses & Allied Professionals
375 Branch Avenue
Providence, RI 02903
ccallaci@unap.org

Arlene Violet, Esq.
499 County Road
Barrington, RI 02806
genvio@aol.com

W. Mark Russo, Esq.
Ferrucci Russo, P.C.
55 Pine Street, 4th Floor
Providence, RI 02903
mrusso@frlawri.com

Elizabeth Wiens, Esq.
Gursky Wiens Attorneys at Law
1130 Ten Rod Road, Suite C207
North Kingstown, RI 02852
ewiens@rilaborlaw.com

Jeffrey W. Kastle, Esq.
Olenn & Penza
530 Greenwich Avenue
Warwick, RI 02886
jwk@olenn-penza.com

George E. Lieberman, Esq.
Gianfrancesco & Friedmann
214 Broadway
Providence, RI 02903
george@gianfrancescolaw.com

Howard Merten, Esq.
Partridge Snow & Hahn LLP
40 Westminster Street, Suite 1100
Providence, RI 02903
hm@psh.com

Stephen Morris, Esq.
Rhode Island Department of Health
3 Capitol Hill
Providence, RI 02908
stephen.morris@ohhs.ri.gov

William M. Dolan, III, Esq.
Adler Pollock & Sheehan P.C.
One Citizens Plaza, 8th Floor
Providence, RI 02903-1345
wdolan@apslaw.com

Ekwan Rhow, Esq.
Bird, Marella, Boxer, Wolpert, Nessim,
Drooks, Licenberg & Rhow, P.C.
1875 Century Park East, 23rd Floor
Los Angeles, CA 90067-2561
erhow@birdmarella.com

Preston Halperin, Esq.
Christopher J. Fragomeni, Esq.
Dean J. Wagner, Esq.
Savage Law Partners
564 South Water Street
Providence, RI 02903
phalperin@shslawfirm.com
chris@savagelawpartners.com
dwagner@savagelawpartners.com

Thomas S. Hemmendinger, Esq.
Sean J. Clough, Esq.
Lisa M. Kresge, Esq.
Ronald F. Cascione, Esq.
Brennan Recupero Cascione Scungio
McAllister LLP
362 Broadway
Providence, RI 02909
themmendinger@brcsm.com
sclough@brcsm.com
lkresge@brcsm.com
rcascione@brcsm.com

Steven J. Boyajian, Esq.
Daniel R. Sullivan, Esq.
Robinson & Cole LLP
One Financial Plaza, Suite 1430
Providence, RI 02903
Sboyajian@rc.com
dsullivan@rc.com

Ryan M. Gainor, Esq.
Hinckley, Allen & Snyder LLP
100 Westminster Street, Suite 1500
Providence, RI 02903
rgainor@hinckleyallen.com

The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Benjamin Ledsham