

**STATE OF RHODE ISLAND
PROVIDENCE, SC.**

SUPERIOR COURT

St. Joseph Health Services of Rhode Island, Inc.
Petitioner

vs.

PC 2017-3856

St. Josephs Health Services of Rhode Island
Retirement Plan, as amended
Respondent

Bank of America, in its capacity as Trustee of
Respondent
Nominal Respondent

**ORDER APPROVING RECEIVER'S FIRST INTERIM REPORT AND REQUEST FOR
APPROVAL OF FEES, COSTS AND EXPENSES**

This matter having come on for Hearing on November 20, 2017, before the Rhode Island Superior Court sitting for Providence County, the Honorable Judge Brian Stern presiding, on the Receiver's First Interim Report and Request for Approval of Fees, Costs and Expenses (the "First Report") by Stephen F. Del Sesto, Esq., Temporary and Permanent Receiver herein, and the Court being satisfied that Notice of said Hearing has been given to all pension holders, interested parties and creditors of the Respondent as set forth in the Affidavit of Notice filed by the Receiver relative to said First Report, it is hereby

ORDERED, ADJUDGED AND DECREED:

1. That the First Interim Report of Stephen F. Del Sesto, Esq., in his capacity as Temporary and Permanent Receiver herein, and all acts, doings, and disbursements of said Receiver to date are hereby approved, confirmed and ratified;

2. That the fees, costs and expenses incurred by the Receiver and the Receiver's Special Counsel during the period of August 18, 2017, through and including October 31, 2017 (the "Invoice Period"), are fair and reasonable;

3. That the Receiver's First Interim request for fees incurred during the Invoice Period in the amount of \$102,885.00 and costs and expenses in the amount of \$8,997.08 are all hereby approved in full. That the Receiver is authorized and directed to pay himself an amount equal to 80% of his approved fees and 100% of his approved costs and expenses from available cash-on-hand in the Estate. The 20% holdback of approved fees for the Receiver shall be held by the Receiver until further order of this Court;

4. That the Receiver's First Interim request for fees incurred by the Receiver's Special Counsel, Wistow Sheehan & Loveley PC ("WSL"), during the Invoice Period in the amount of \$106,593.75 and costs and expenses in the amount of \$31,031.67 are all hereby approved in full. That the Receiver is authorized and directed to pay WSL an amount equal to 80% of WSL's approved fees and 100% of WSL's approved costs and expenses from available cash-on-hand in the Estate. The 20% holdback of approved fees for WSL shall be held by the Receiver until further order of this Court;

5. That the Receiver's Bond previously posted in this matter shall remain in place until ordered cancelled by this Court; and

6. That this matter shall remain open and the Order Appointing Permanent Receiver entered herein shall remain in full force and effect until further Order of this Court.

ENTERED as an Order of this Court this 29th day of November, 2017.

ENTERED:


Brian P. Stern
Associate Justice

Stern, J.
November 29, 2017

BY ORDER:

/s/ Carin Miley

Clerk, Superior Court
November 29, 2017

Presented by:

Stephen F. Del Sesto, Esq., as and only as Permanent Receiver for St. Josephs Health Services of RI Retirement Plan, c/o Pierce Atwood LLP, One Financial Plaza, 26th Floor, Providence, RI 02903