

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

**ORDER GRANTING LIQUIDATING RECEIVER'S *EX PARTE* REQUEST
TO FILE PETITION FOR CERTIORARI**

This matter came before this Court on October 26, 2020, Justice Stern presiding, on the *ex parte* request by Thomas S. Hemmendinger (the "Liquidating Receiver") for permission to file a petition for writ of certiorari with the Rhode Island Supreme Court regarding this Court's October 19, 2020 decision denying the motion by the Liquidating Receiver and by Stephen Del Sesto, permanent receiver of the St. Joseph Health Services of Rhode Island Retirement Plan for injunctive relief against Adler Pollock & Sheehan P.C. After consideration of the request, it is hereby ORDERED as follows:

1. Because the request does not affect the merits of the underlying dispute and does not affect the right of any party to oppose the certiorari petition itself, neither notice of the request nor opportunity for hearing on the request are required.

2. The request is granted.

ENTER:

PER ORDER:

Brian P. Stern, J.
Stern, J.

/s/ Carin Miley
Deputy Clerk I
October 29, 2020

Date: October 29, 2020

Presented by: Thomas S. Hemmendinger #3122, Brennan, Recuperero, Cascione, Scungio & McAllister, LLP, 362 Broadway, Providence, RI 02909, tel. (401) 453-2300, fax (401) 453-2345, e-mail themmendinger@brdsm.com

Filed Providence Superior Court
October 29, 2020
Carin Miley, Deputy Clerk I

CERTIFICATE OF SERVICE

I hereby certify that on October __, 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