

458151

STATE OF RHODE ISLAND  
WASHINGTON, SC.

SUPERIOR COURT

CHARLES S. KINNEY, CHIEF  
EXECUTIVE OFFICER AND TRUSTEE  
Plaintiff

v.

C.A. No. 2011-0781

WESTERLY HOSPITAL HEALTHCARE, INC.,  
THE WESTERLY HOSPITAL, ATLANTIC  
MEDICAL GROUP, INC., OCEAN MYST, MSO  
LLC, WOMEN'S HEALTH OF WESTERLY,  
LLC, AND NORTH STONINGTON HEALTH  
CENTER, INC.  
Defendant

2014 JUL -7 AM 11:43  
STATE  
CLERK'S DIV.

FILED  
NANCY STRULLI, CLERK  
JUN 23 3 32 PM '14  
KENT SUPERIOR COURT

**ORDER**

This matter having come before the Court on the 16<sup>th</sup> day of June, 2014, on the Special Master's Supplement to Fifth and Final Claims Process Report and after hearing thereon, as well as consideration of the papers and pleadings filed in the instant matter, and the representations of counsel in open court, it is hereby:

**ORDERED, ADJUDGED and DECREED**

1. The Special Master's Supplement to the Fifth and Final Claims Process Report is hereby approved;
2. All the acts, doings and disbursements of the Special Master as of the filing date of the Supplement to the Special Master's Fifth and Final Claims Process Report are hereby approved, confirmed and ratified;
3. The Special Master's amended recommendations and/or further actions as provided in the Supplement to the Fifth and Final Claims Process Report are hereby approved;
4. Relative to the potential claims of creditor, National Grid, those matters are continued for further hearing on June 30, 2014. To the extent that the parties desire to submit any

memoranda or other papers regarding said potential claims, such filings may be made in advance of the June 30, 2014, hearing date.

5. Relative to the claim of creditor, Albaco, LLC, the parties shall proceed as pursuant to the following schedule:

- a. All document requests, request for admissions and/or interrogatories relative to Albaco, LLC's claim shall be served by the Special Master upon Albaco, LLC, within fifteen (15) days of the entry of the instant Order;
- b. Any and all documents requested, as well as any and all answers to interrogatories and/or request for admissions shall be produced by Albaco, LLC, within fifteen (15) days of service of any such request(s);
- c. Any and all depositions shall be conducted by July 21, 2014; and
- d. If necessary, this matter shall be scheduled for an evidentiary hearing the week of July 28, 2014.

6. Relative to the claims of BlumShapiro in the respective amounts of \$68,692.00 and \$28,200.00, any such amounts relating to said claims not previously paid by the PBGC and not paid as part of the final termination of the Westerly Hospital 403(b) plan, shall be paid as an Assumed Liability, pursuant to the provisions provided in the April 8, 2014, Order approving the Special Master's Fifth and Final Claims Process Report.

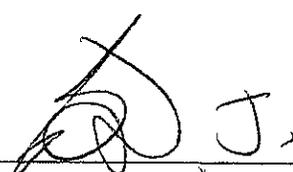
7. Relative to the claim of Beautyman Alvstad, LLP ("Beautyman"), the Mastership and Beautyman reserve their rights with regard to a final disposition of said claim, until further Order of this Court.

8. As pursuant to the November 4, 2013, Order relative to the assumption and assignment of Hologic Limited Partnership's Thin Prep Agreement Amendment No. 5, dated April 25, 2012, LMW Healthcare, Inc. shall effectuate payment of the cure amount as provided in said Order on or before July 3, 2014.

9. With the sole exception of those pending claims listed in paragraph's 4-7 above, the claims process for the Westerly Hospital Mastership Estate is hereby concluded, except for carrying out those mechanisms relative to the payment of approved Assumed Liability claims as provided for in the April 8, 2014, Order approving the Fifth and Final Claims Process Report.

ENTERED as an Order of this Court this 23<sup>rd</sup> day of June, 2014.

ENTER:

  
\_\_\_\_\_  
Associate Justice

BY ORDER:

 6/23/14  
\_\_\_\_\_  
Clerk, Superior Court Deputy

Submitted by,

\_\_\_\_\_  
JOHN A. DORSEY (#8373)

**Ferrucci Russo P.C.**  
55 Pine Street, 4<sup>th</sup> Floor  
Providence, RI 02903  
Tel.: (401) 455-1000  
Fax: (401) 455-7778

Dated: June \_\_\_\_, 2014

*k:\w\westerly hospital\pleadings\order - supplement to fifth and final report.docx*