

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

FILED  
14 AUG 21 AM 11:11  
NANCY STROUD, CLERK  
SUPERIOR COURT

**ORDER RELATIVE TO THE PERMANENT SPECIAL MASTER'S  
TWENTY THIRD REPORT REGARDING SUBSTANTIVE  
CONCLUSION OF THE MASTERSHIP ESTATES**

This matter having come before the Court on the 18<sup>th</sup> day of August, 2014, on the Permanent Special Master's Twenty Third Report Regarding Substantive Conclusion of the Mastership Estates 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:

2014 SEP 17 AM 10:30  
CLERK OF COURT  
STATE OF RHODE ISLAND  
JUDICIAL BRANCH

**ORDERED, ADJUDGED and DECREED**

1. All of the acts, doings and disbursements of the Special Master as of the filing date of the Special Master's Twenty Third Report are hereby approved, confirmed and ratified;
2. The Special Master's fees as outlined in the Special Master's Twenty Third Report and Request for fees in the amounts of \$ 69,760.00 for the reporting period of April 1, 2014, through April 30, 2014; \$52,263.00 for the reporting period of May 1, 2014, through May 31, 2014; \$45,755.00 for the reporting period of June 1, 2014, through June 30, 2014; and \$51,125.00 for the reporting period of July 1, 2014, through July 31, 2014; are hereby approved

and the Special Master is hereby authorized and directed to pay himself said amounts from the Estate's account. Notwithstanding, the Special Master shall reserve from payment the amount of \$3,606.00, from said payment and as subject to paragraph 4 below;

3. The Special Master is hereby authorized and directed to pay the fees of Adler Pollock & Sheehan P.C. as outlined in the Special Master's Twenty Third Report, as well as those fees outlined in the Special Master's Supplement to the Twenty Third Report;

4. The Special Master is hereby authorized and directed to pay the amount of \$8,116.39 towards the amounts previously reserved from the Special Master's fee applications in the Seventeenth through Twenty Third Report. The Special Master hereby waives the remaining amount of \$8,116.39 of said approved and reserved fee applications.

5. Atlantic Medical Group, Inc. is hereby ordered dissolved;

6. Women's Health of Westerly, LLC is hereby ordered dissolved;

7. North Stonington Health Center, Inc. is hereby ordered dissolved;

8. The Special Master's bond shall be cancelled forthwith;

9. The above-captioned Mastership proceedings are hereby concluded with the sole exception of those items listed in paragraphs 10- 12 below;

10. Upon completion of the items contained in paragraphs 10-12 below, the Special Master may include in any subsequent Affidavit of Compliance a request for an Order dissolving TWH in Mastership;

11. The Mastership shall continue to monitor/pursue the following administrative items:

a. Completing a termination of the 403(b) plan;

b. Completing a termination of the 401(K) plan;

- c. Concluding a settlement or other disposition of a pending lawsuit against the law firm of Beautyman & Alvstad; and
- d. Providing the Court with a report relating to the potential claims against Backus Hospital, so that the Court can provide appropriate direction to conclude such issues.

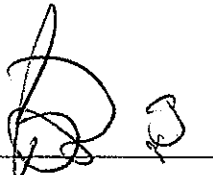
12. In addition, the Mastership shall continue to monitor the following items:

- a. Certain miscellaneous, employment-style claims that have been brought in which the stay has been lifted solely to the extent there is insurance coverage;
- b. Certain attachments that the Mastership Estate has on property to try and ensure future satisfaction of obligations to the Mastership Estate;
- c. Those payments required of LMW to Court-approved Assumed Liability claimants per the Order approving the Fifth and Final Claims Process Report;
- d. Monitoring the Wound Care Reserve; and
- e. Overseeing the work of the accountants engaged by the Mastership in the filing of final tax returns.

13. The Special Master shall forthwith report to the Court on a final resolution or request for a hearing and determination as to the pending claims of National Grid and Albaco, LLC.

ENTERED as an Order of this Court this 21<sup>st</sup> day of August, 2014.

ENTER:

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

BY ORDER:

  
\_\_\_\_\_  
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: August \_\_\_\_, 2014

*k:\w\westerly hospital\pleadings\order on twenty third report regarding substantive conclusion.docx*