

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

<b>SOJOURNER HOUSE, INC.</b>	:
<i>Plaintiff,</i>	:
	:
vs.	:
	:
<b>CITY OF WOONSOCKET, by and</b>	:
<b>through its Treasurer,</b>	:
<b>Kerry Vasaturo,</b>	:
<b>JOEL MATHEWS, Individually and in</b>	:
<b>his capacity as Director of Planning and</b>	:
<b>Development, and</b>	:
<b>CHRISTOPHER V. CARCIFERO,</b>	:
<b>Individually and in his capacity as</b>	:
<b>Deputy Director of Housing and Community</b>	:
<b>Development,</b>	:
<i>Defendants.</i>	:

**C.A. No. 1:18-cv-00459**

**CONSENT ORDER**

This Order is made and entered upon agreement of the parties and with the approval of the Court, the parties being the City of Woonsocket, by and through its Treasurer, Kerry Vasaturo, (“the City”), Joel Mathews, individually and in his capacity as Director of Planning and Development, and Christopher V. Carcifero, individually and in his capacity as Deputy Director of Housing and Community Development (collectively “the Defendants”) and Plaintiff, hereinafter referred to collectively as the “parties,” who hereby agree to the entry of this Consent Order as follows:

**WHEREAS**, this action was commenced by the Plaintiff, a non-profit social service agency, seeking declaratory and injunctive relief and compensatory and punitive damages for alleged violations of Plaintiff’s constitutionally protected equal protection, due process and first amendment rights with respect to the Defendants’ actions in rescinding certain federal grants and the disqualification of Plaintiff from future consideration for grants;

**WHEREAS**, the Defendants have denied any and all claims of wrongdoing asserted by Plaintiff,

**WHEREAS**, no finding of liability has been made;

**WHEREAS**, the parties wish to avoid the expense and disruption of litigation on certain of the issues presented in this litigation, and are prepared to settle their differences on those issues without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY ORDERED:**

1. Forthwith upon entry of this Consent Order, the City shall issue a letter to the Plaintiff rescinding the City's letter of April 24, 2018. Said letter shall specifically state therein that the City's decisions with respect to the de-obligation of the Consolidated Homeless Fund program ("CHF") and the City's Community Development Block Grant program ("CDBG") funds awarded to Plaintiff, as well as the City's indefinite suspension of Plaintiff from participating in the City's CDBG program, are declared null and void and of no further force or effect;
2. To the extent that Defendants have notified any third party of the actions taken by the City in its letter of April 24, 2018, then forthwith upon entry of this Consent Order, the City shall notify any and all such part(ies), in writing, that the City has rescinded its letter of April 24, 2018, and that the City's decisions with respect to the de-obligation of CHF and CDBG funds awarded to Plaintiff, as well as the City's indefinite suspension of Plaintiff from participating in the City's CDBG program, have been declared null and void and of no further force or effect. The City shall immediately provide a copy of each such written notification to the Plaintiff;
3. Within thirty (30) days after the date of entry of this Consent Order, the City shall reapply to the Plaintiff the sum of \$35,000.00, representing the sum of CHF and CDBG grants awarded to Plaintiff on June 28, 2017 and November 3, 2017, and which were rescinded by the City on April 24, 2018;
4. Following the entry of this Consent Order, the City shall take affirmative steps to ensure, on an annual basis, in accord with its policy and practice with all grant recipients, that Plaintiff is notified of all application deadlines for CHF and CDBG grants;
5. Within thirty (30) days after the date of entry of this Consent Order, the City shall pay Plaintiff's attorneys' fees of \$25,000.00 and costs of \$692.62;
6. Plaintiff shall comply with all zoning and planning requirements and, in furtherance of this obligation, shall twice yearly for the next 24 months, and thereafter on an annual basis in any year in which the Plaintiff's emergency shelter is a grant recipient, allow the City of Woonsocket to inspect its emergency shelter within 48 hours of receiving notice by the City. Nothing herein shall affect or supplant the City's ongoing obligations to inspect any other facility owned by the Plaintiff under federal, state or municipal law.
7. The City hereby represents and warrants that no consent or ratification by the Woonsocket City Council is necessary to carry out or fulfill the City's obligations under this Consent Order. However, if such consent or ratification is required, the City shall secure such consent or ratification forthwith;

- 8. The Court finds that the sharing of the tribunal-approved award with the American Civil Liberties Union Foundation of Rhode Island is consistent with this Court’s decision in *Inmates of the RI Training School v. Martinez*, 465 F. Supp. 2d 131 (D.R.I. 2006), and Rhode Island R.P.C. 5.4 (a)(4).

ENTERED as an Order of the Court this \_\_\_\_\_ day of March, 2019.

By Order,

Enter: \_\_\_\_\_  
United States District Judge

AGREED AND APPROVED AS TO FORM AND SUBSTANCE:

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Attorneys for Defendants,

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Cooperating Attorneys,  
ACLU Foundation of Rhode Island  
American Civil Liberties Union