

22497

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

RICHARD ROZZERO
Petitioner,

Vs.

C.A. No. 09-1372

R. ROZZERO, INC.
Respondent.

2009 MAR 25 14:11:24

ORDER APPOINTING TEMPORARY RECEIVER

This cause came on to be heard before Justice Silverstein on March 10, 2009 upon Petitioner's Petition for the Appointment of a Temporary Receiver and, upon consideration thereof, it is hereby

ORDERED, ADJUDGED AND DECREED

1. That Thomas E. Orsen of Providence be and hereby is appointed Temporary Receiver of the Respondent corporation.
2. That said Temporary Receiver shall forthwith file a bond in the sum of \$ 100,000 with any surety company authorized to do business in the State of Rhode Island as surety thereon, conditioned that he will well and truly perform the duties of his office and duly account for monies and property which may come into his hands and abide and perform all things which he will be directed to do by this Court.
3. That after filing said bond said Temporary Receiver is authorized to take possession and charge of the property and assets of the Respondent corporation, to collect the debts and property belonging to it and to preserve the same until further Order of this Court.

True Copy Attest

4. That said Temporary Receiver is authorized until further Order of this Court in his discretion and as he deems appropriate and advisable, to conduct the business of said Respondent.

SUPERIOR COURT
FILED
JERRY S. KINCH JR., CLERK

Offices of Clerk of Superior Court
Counties of Providence & Bristol
Providence, Rhode Island

2009 MAR 10 14:11:28

corporation; borrow money from time to time; purchase, for cash or upon credit, merchandise, materials and other property; to engage employees and assistants, clerical or otherwise; and to do and perform, or cause to be done and performed, all other acts and things as are appropriate in the premises.

5. That the commencement, prosecution or continuance of the prosecution of any actions, suit, arbitration proceeding, hearing or any foreclosure, reclamation or repossession proceeding, whether judicial or non-judicial, or any other proceeding, in law or in equity, under any statute or otherwise, against said Respondent corporation or any of its property, in any court, agency, tribunal or elsewhere, or before any arbitrator, or otherwise, by any creditor, stockholder, corporation, partnership or any other person, or the levy of any attachment, execution or other process upon or against any property of said Respondent corporation, or the taking or attempting to take into possession any property in the possession of the Respondent corporation or of which the Respondent corporation has the right to possession, by any of such parties as aforesaid, other than the Receiver designated as aforesaid, or the termination of telephone, electric, gas or any other utility service to Respondent corporation, by any public utility, without obtaining approval thereof from this Honorable Court, in which connection said Temporary Receiver shall be entitled to prior notice and an opportunity to be heard, are hereby restrained and enjoined until further Order of this Court.

6. That a Citation be issued to said Respondent corporation, returnable to the Superior Court sitting at ~~Warrick~~ ^{Providence}, Rhode Island, on March 31, at 9:30 A.M. at which time and place this cause is set down for hearing on the prayer for the Appointment of a Permanent Receiver; that the Clerk of this Court shall give Notice of the Pendency of the Petition herein by publishing the annexed Receivership Notice once in the Providence Journal on or

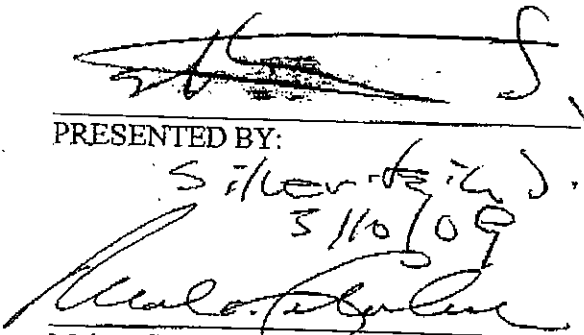
before March 17, 2009, and the Receiver shall give further notice by mailing on or before March 24, 2009, a copy of said Receivership Notice to each of Respondent corporation's creditors and stockholders whose address is known or may become known to him.

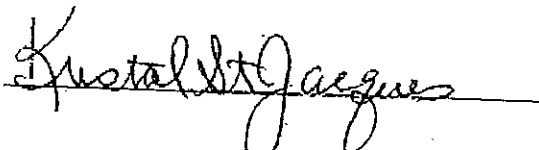
ENTERED as an Order of this Court this 10th day of March, 2009.

ENTER:

BY ORDER:

PRESENTED BY:


Mal A. Salvadore, Esq.
RI State Bar No. 2882
400 Reservoir Avenue
Providence, RI 02907
(401) 780-8686
(401) 941-5535 (fax)


Krystal St. Jacques
Deputy Clerk



ORSON AND BRUSINI^{LT}D

C O U N S E L O R S A T L A W

March 24, 2009

2009 MAR 25 AM 11:23

TO CREDITORS AND OTHER PARTIES IN INTEREST:

Re: R. Rozzero, Inc.

On March 10, 2009, the Rhode Island Superior Court, sitting in Providence County (the "Court"), entered an Order appointing the undersigned as Temporary Receiver of the assets of R. Rozzero, Inc. ("Rozzero"). Rozzero operated a plumbing, HVAC and mechanical contracting business in Providence and Warwick, Rhode Island.

As the Receiver, I am an Officer of the Court, appointed to represent the interests of all creditors and parties in interest. I do not now, nor have I ever represented Rozzero or its members. I have been appointed as a neutral and impartial Receiver for the purpose of marketing and selling the assets of Rozzero for the highest value, in order to maximize recovery for creditors.

Preliminarily, it appears that Rozzero has secured debt of approximately \$543,643, no priority tax debt, and general unsecured debt in the amount of approximately \$1,409,100.

In connection with the Receivership, as set forth in Paragraph 5 of the enclosed Order Appointing Temporary Receiver, all creditors are enjoined and stayed from taking any action to enforce their claims against Rozzero and/or its assets.

No claims will be approved and no distribution to creditors will take place without notice to all creditors and other parties in interest who file a Proof of Claim with the Receiver, after a Hearing thereon before the Rhode Island Superior Court. In order that your interests be protected and to make sure that you receive notice of all appropriate court filings in connection with this case, I am taking the liberty of enclosing a Proof of Claim form which I suggest that you complete, execute before a Notary Public, and return to me at the earliest possible date.

INTERESTED PARTIES

March 24, 2009

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As indicated in the enclosed Order, the Rhode Island Superior Court has scheduled a Hearing on continuation of the undersigned as Permanent Receiver for 9:30 a.m. on **March 31, 2009**. Creditors and other interested parties are welcome to attend, but are not required to do so.

If you have any questions regarding any aspect of the foregoing, please feel free to contact the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to be 'T. Orson', written over a horizontal line.

Theodore Orson,
Receiver of R. Rozzero, Inc.

Enclosures