

74856

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

SUPERIOR COURT

Elena Williams,  
Plaintiff

Vs.

P.B. No. 12-3655

H.H.W., Inc., d/b/a Bristol Bakery,  
Defendant

**ORDER APPOINTING TEMPORARY RECEIVER**

This cause came on to be heard upon the Plaintiff's Petition for Appointment of a Receiver and, upon consideration thereof, it is hereby

**ORDERED, ADJUDGED AND DECREED**

1. That *Richard Land*, of Providence, Rhode Island be and hereby is appointed Temporary Receiver (the "Receiver") of the Defendant.

2. That said Receiver shall, no later than five (5) days from the date hereof, file a bond in the sum of \$10,000.00 with any surety company authorized to do business in the State of Rhode Island as surety thereon, conditioned that the Receiver will well and truly perform the duties of said office and duly account for all monies and property which may come into the Receiver's hands and abide by and perform all things which the Receiver will be directed to do by this Court.

3. That said Receiver is authorized to take possession and charge of all of the estate, assets, effects, property and business of the Defendant, to collect all of the debts and property belonging to it and to preserve the same until further Order of this Court.

4. That said Receiver is authorized, until further Order of this Court, in the Receiver's discretion and as said Receiver deems appropriate and advisable, to conduct the business of said Defendant, to borrow money from time to time, to purchase, for cash or upon credit, merchandise, materials and other property, to engage appraisers and/or employees and assistants, clerical or otherwise, and to pay all such individuals and entities in the usual course of business, 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, pursuant to and in compliance with Rhode Island Supreme Court Executive Order No. 2000-2, this Court finds that the designation of the aforescribed person for appointment as Receiver herein is warranted and required because of the Receiver's specialized expertise and experience in operating businesses in Receivership and in administrating non-routine Receiverships which involve unusual or complex legal, financial, or

SUPERIOR COURT  
**FILED**  
JUL 16 2012  
PROVIDENCE & BOSTON COURTES  
HENRY S. KIRBY, JR.

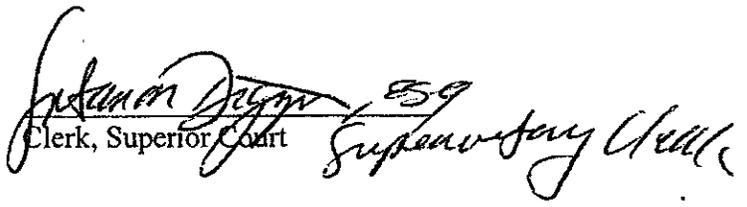
6. That the commencement, prosecution, or continuance of the prosecution, of any action, suit, arbitration proceeding, hearing, or any foreclosure, reclamation or repossession proceeding, both judicial and non-judicial, or any other proceeding, in law, or in equity or under any statute, or otherwise, against said Defendant 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 Defendant, or the taking or attempting to take into possession any property in the possession of the Defendant or of which the Defendant has the right to possession, or the interference with the Receiver's taking possession of or retaining possession of any such property, or the cancellation at any time during the Receivership proceeding herein of any insurance policy, lease or other contract with Defendant, by any of such parties as aforesaid, other than the Receiver designated as aforesaid, or the termination of telephone, electric, gas or other utility service to Defendant, by any public utility, without obtaining prior approval thereof from this Honorable Court, in which connection said Receiver shall be entitled to prior notice and an opportunity to be heard, are hereby restrained and enjoined until further Order of this Court.

7. That a Citation be issued to said Defendant, returnable to the Superior Court sitting at 250 Benefit Street, Providence, Rhode Island on the 19<sup>th</sup> day of AUGUST, 2012, 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 this Order Appointing Temporary Receiver once in The Providence Journal on or before the 23<sup>rd</sup> day of July, 2012, and the Receiver shall give further notice by mailing, on or before the 30<sup>th</sup> day of July, 2012, a copy of said Order Appointing Temporary Receiver to each of Defendant's creditors and stockholders whose address is known or may become known to the Receiver.

ENTER:

BY ORDER:

  
Michael A. Silverstein  
Associate Justice/Business Calendar  
Dated: 7/16/2012

  
Clerk, Superior Court Supervisory Clerk

**H.H.W., INC. D/B/A BRISTOL BAKERY**  
**PROOF OF CLAIM**  
**- RECEIVERSHIP -**

1. I, \_\_\_\_\_, being duly sworn, depose and say:  
(Print Name of Person Signing)

\_\_\_\_ (CORPORATION) I am an officer, to wit, \_\_\_\_\_  
of \_\_\_\_\_, which is the claimant  
herein.

(Print Company Name)

\_\_\_\_ (PARTNERSHIP) I am a member of \_\_\_\_\_,  
(Print Company Name)  
which is the claimant herein.

\_\_\_\_ (INDIVIDUAL) I am the claimant herein.

2. The full address of the claimant is

(Print Full Address) \_\_\_\_\_

\_\_\_\_\_  
(City, State, Zip Code)

3. That as of the the \_\_\_\_ day of \_\_\_\_\_, 2012, **H.H.W., Inc. d/b/a Bristol Bakery**, recently doing business at 89 Gooding Avenue, Bristol, Rhode Island, did owe and still does owe the claimant a balance of \$ \_\_\_\_\_ Dollars, as set forth in the attached statement or invoices.

4. That such account is just, true and correct, and said balance is now due claimant from debtor.

5. That no part of said sum has been paid or satisfied, and that there are no set-offs, or counter-claims against said sum, to the knowledge or belief of deponent, and no security exists for said debt.

6. Unless otherwise indicated on this Proof of Claim, this claim is filed as a general, unsecured claim.

\_\_\_\_\_  
(Signature)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public

**Mail claim form to:**  
Chace Ruttenberg & Freedman, LLP  
One Park Row, Ste. 300  
Providence, RI 02903  
Attn: Joyce Gauthier

Chace Ruttenberg & Freedman, LLP  
Attorneys at Law

Robert B. Berkelhammer\*\*  
Nathan W. Chace  
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Carl I. Freedman  
Macrina G. Hjerpe  
Bret W. Jedicke  
Drew P. Kaplan  
Richard J. Land\*  
Allan M. Shine\*  
Don E. Wineberg\*  
Karen A. Buchanan\*  
Andre S. Digeu\*

Bruce R. Ruttenberg

\* Also admitted in Massachusetts  
\*\* Also admitted in Connecticut  
\* Also admitted in New York  
\* Also admitted in Washington, D.C.  
\* Also admitted U.S. Patent & Trademark Office

July 30, 2012

2012 JUL 31 AM 11:26  
SECRETARY OF STATE  
CORPORATIONS DIV.

TO CREDITORS AND OTHER PARTIES IN INTEREST:

Re: H.H.W., Inc. d/b/a Bristol Bakery  
89 Gooding Avenue, Bristol, Rhode Island

On July 16, 2012, the Rhode Island Superior Court entered an Order appointing the undersigned Receiver of the assets of H.H.W., Inc., d/b/a Bristol Bakery ("HHW").

A Receivership is a State Court insolvency proceeding. The Receiver is an Officer of the Court, appointed to represent the interests of all creditors and parties in interest. Our office does not and has not represented HHW or their principals. The Receiver has been appointed as a neutral, impartial Receiver, for the purpose of stabilizing the financial affairs of HHW, and, subject to Court approval, after notice to all creditors, seeking to market and sell the business and assets of HHW for the highest value, in order to maximize recovery for creditors.

The business operations of the company have ceased, and the Receiver will be marketing the assets of the company for sale in order to maximize the return from the liquidation of the assets for the benefit of creditors.

In connection with the Receivership, as set forth in Paragraph 6 of the enclosed Order, all creditors are enjoined and stayed from taking any action to enforce their claims against HHW 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 that you 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 you

CR & F

July 30, 2012

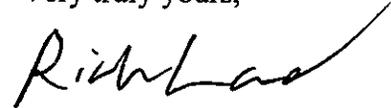
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complete, execute before a Notary Public, and return to me at the earliest possible date.

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 August 14, 2012. 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 counsel to the Receiver.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard J. Land". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Richard J. Land, Receiver of  
H.H.W., Inc., d/b/a Bristol Bakery

RJL/jmg  
Enclosures

CR&F