

Case Number: PC-2014-6022
Filed in Providence/Bristol County Superior Court
Submitted: 1/21/2015 8:37:27 AM
Envelope: 65178
Reviewer: Janna Dekake

32895

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

MICHAEL BOUTIETTE
Petitioner

vs.

J&M MOWER, INC. d/b/a
J&M MOWER SALES & SERVICE
Respondent

P.B. No. 2014-6022

2015 FEB -5 AM 10:26

RECEIVED
SECRETARY OF STATE
CORPORATIONS DIV

FINAL ORDER

This matter having come before the Court on the 20th day of January, 2015, on the Temporary Receiver's Petition for Authority to Pursue an Expedited Sale of Assets (the "Petition") and after hearing thereon, as well as consideration of the papers and pleadings submitted to the Court and the representations of counsel in open Court, it is hereby:

ORDERED, ADJUDGED AND DECREED

1. The Temporary Receiver's Petition is hereby *APPROVED*;
2. The Temporary Receiver is hereby authorized to proceed with the closing on the sale as pursuant to the Offer attached to the Temporary Receiver's Petition as *Exhibit A*, said closing shall occur on or before the close of business on January 21, 2015;
3. Upon closing, the Temporary Receiver is hereby authorized to effectuate the disbursement of the Estate's cash on hand pursuant to *Exhibit C* of the Temporary Receiver's Petition;
4. The Purchaser shall have up and until February 19, 2015, to remove the purchased assets from the premises located at 137 Newell Avenue, Pawtucket, Rhode Island (the "Premises");

5. Any assets not removed from the Premises by the close of business February 19, 2015, are hereby deemed to be abandoned to Vesta Property, without any further action of any party and without any liability whatsoever to Vesta Property or the Temporary Receiver;

6. In turn, Vesta Property may sell or otherwise dispose of any items left at the Premises beyond the close of business on February 19, 2015, without seeking any further relief and without any liability to Vesta Property or the Temporary Receiver of any kind and nature;

7. The instant Receivership proceeding shall be dismissed upon closing with the purchaser and the Temporary Receiver shall file an Affidavit of Compliance evidencing said closing;

8. Said sale is hereby deemed to be a commercially reasonable, arms' length transaction and the Purchaser is hereby deemed to be a good faith Purchaser for value;

9. The so-called locke lawnmower owned by Mr. James Keane ("Mr. Keane") shall be returned to Mr. Keane by Mr. Michael Boutiette ("Mr. Boutiette") within thirty (30) days of this Order so long as Mr. Keane makes himself available to Mr. Boutiette to retrieve said locke lawnmower;

10. In the event that the closing does not conclude by the close of business January 21, 2015, then, the instant Receivership proceedings shall be dismissed without any further action and the assets of J&M shall be abandoned to Vesta Property without any further action by any party. In turn, Vesta Property may sell or dispose of the assets as provided in paragraph 6 above and the Temporary Receiver may offset the Temporary Receiver's legal fees and expenses against the remaining cash on hand of the Receivership Estate;

11. The Temporary Receiver's legal fees and expenses in the amount of \$8,379.17 are hereby approved and the Temporary Receiver is hereby authorized to pay said legal fees and expenses as set forth above;

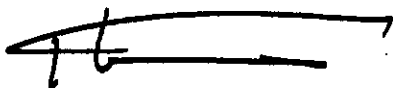
12. The Temporary Receiver's Bond shall be cancelled forthwith; and

13. The Temporary Receiver is hereby discharged upon consummation of the sale, or the close of business January 21, 2015, if no closing has occurred, whichever shall occur first.

Enter as an Order of this Court this 30 day of January, 2015.

BY ORDER:

ENTER:


Associate Justice *Silvestri*
1/30/2015

Jeanne Rinaldi
Jeanne Rinaldi, Deputy Clerk
Clerk
1-30-2015

Submitted by:

/s/ John A. Dorsey

John A. Dorsey (#8373), Attorney for
W. Mark Russo, Esq. in and only in his capacity
as the duly appointed Temporary Receiver for
825 Main Street Realty, LLC
Ferrucci Russo P.C.
55 Pine Street, 4th Floor
Providence, RI 02903
Tel: (401) 455-1000
E-mail: jdorsey@frrlawri.com

Dated: January 21, 2015



55 PINE STREET, PROVIDENCE, RI 02903
401.455.1000 WWW.FRLAWRI.COM

John Dorsey
jdorsey@frlawri.com

February 3, 2015

Rhode Island Secretary of State
Business Services
148 West River Street
Providence, RI 02904-2615

Re: Michael Boutiette v. J&M Mower, Inc. d/b/a J&M Mower Sales & Service
C.A. No.: PB 14-6022

To Whom It May Concern:

Please be advised that a Final Order has been entered in the above-referenced Receivership proceeding. Pursuant to the Final Order, J&M Mower, Inc. d/b/a J&M Mower Sales & Service has hereby been dissolved and the above-referenced Receivership proceedings have been closed. A copy of the Final Order is enclosed for your reference.

Please do not hesitate to contact our office with any questions. Thank you for your time and attention.

Very truly yours,



JOHN A. DORSEY

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Enclosure

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