

161872

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

TOLL GATE RADIOLOGY II, LLC,

Plaintiff,

v.

EAST BAY CT, LLC, and MEDICAL
ASSOCIATES OF RHODE ISLAND, INC.

Defendants.

C.A. No.: PC-2018-1884

RECEIVED
SECRETARY OF STATE
CORPORATIONS DIV.
2018 JUN 14 AM 11:25

ORDER APPOINTING TEMPORARY RECEIVER

In relation to Plaintiff Tollgate Radiology II, LLC's ("TGR") Petition for Appointment of a Receiver ("Petition") of Defendant East Bay CT, LLC ("EBCT"), and in light of Defendant Medical Associates of Rhode Island, Inc.'s ("MARI") representation to the Court during a chambers conference on May 23, 2018 that MARI withdraws its Objection to the Petition, which MARI filed in the above-referenced case on or about March 22, 2018, and MARI no longer opposes the relief TGR prays for in the Petition, it is hereby

ORDERED, ADJUDGED AND DECREED

as follows:

1. Richard J Lane of Providence is hereby appointed Temporary Receiver (the "Receiver") of EBCT, a Rhode Island limited liability company.

2. The Receiver shall, no later than 5 days from the date hereof, file a bond in the sum of \$10,000 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.

SUPERIOR COURT
FILED
HENRY S. KINCH, JR.

18 MAY 29 AM 9:16

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

4. The Receiver is authorized, until further Order of this Court, in the Receiver's discretion and as the Receiver deems appropriate and advisable, to conduct the business of EBCT, 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. 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 administering non-routine Receiverships which involve unusual or complex legal, financial, or business issues.

6. 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 EBCT 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 EBCT, or the taking or attempting to take into possession any property in the possession of EBCT or of which EBCT 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 EBCT, 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 EBCT, by any public utility, without obtaining prior approval thereof from this Honorable Court, in which connection 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. A copy of the Petition and a copy of this Order shall be given by the Receiver to all members of EBCT.

8. This cause is set down for hearing at the Superior Court sitting at 250 Benefit Street, Providence, Rhode Island on the 21st day of JUNE, 2018 at 9:30 a.m. on the MS 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 Receiver once in The Providence Journal on or before the 7th day of JUNE, 2018 and the MS Receiver shall give further notice by mailing, on or before the 14th day of JUNE, MS 2018, a copy of said Order Appointing Receiver to each of Receiver's creditors and interest holders whose address is known or may become known to the Receiver.

ENTER:

PER ORDER:

Silverstein, J.
Silverstein, J.
Date: 5/29/2018

18/Bearce Henglatamy
Clerk
Date: 5/29/18