



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

OMNIBUS CALENDAR ASSIGNMENT FORM

SUPERIOR COURT

PROVIDENCE/BRISTOL KENT WASHINGTON NEWPORT

1. John Lavoie vs. Clean Environment Service, Inc.	2. CASE NO. 02-3467
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3. REQUESTED CALENDAR ASSIGNMENT

J Jury Trial TRIAL CALENDAR N Non-Jury Trial

4. FORMAL AND SPECIAL CAUSE CALENDAR

<input type="checkbox"/> AGA Agency Appeal	<input type="checkbox"/> MNJ Mandatory Injunction	<input type="checkbox"/> POC Proof of Claim
<input type="checkbox"/> AOD Assessment of Damages	<input type="checkbox"/> MEL Mechanic's Lien	<input type="checkbox"/> RCP Receivership Proceedings
<input type="checkbox"/> CNA Confirm Arbitration	<input type="checkbox"/> MAT Motion to Attach	<input type="checkbox"/> SUP Supplementary Proceedings
<input type="checkbox"/> CNP Contempt Proceedings	<input type="checkbox"/> PRT Partition Proceedings	<input type="checkbox"/> TRO Temporary Restraining Order
<input type="checkbox"/> DEJ Declaratory Judgment	<input type="checkbox"/> PAT Petition to Appoint Temporary Receiver	<input type="checkbox"/> TIP Title Proceedings
<input checked="" type="checkbox"/> EOJ Entry of Judgment	<input type="checkbox"/> PEN Petition to Enforce	<input type="checkbox"/> TSP Trustee Proceedings
<input checked="" type="checkbox"/> FFR First and Final Report	<input type="checkbox"/> PIN Petition for Instructions	<input type="checkbox"/> VAR Vacate Arbitration
<input type="checkbox"/> FRR Foreclosure of Right of Redemption	<input type="checkbox"/> PRE Petition to Reclaim	<input type="checkbox"/> WOM Writ of Mandamus
<input type="checkbox"/> FRS Friendly Suit	<input type="checkbox"/> PES Petition to Sell	<input type="checkbox"/> WOR Writ of Replevin
<input type="checkbox"/> OPC Oral Proof of Claim	<input type="checkbox"/> PPI Preliminary Injunction	

OTH Other FSC Matter

DISPOSITIVE MOTION CALENDAR (TUESDAYS, PROV. ONLY)

<input type="checkbox"/> MTD Motion to Dismiss, Under Rule 12	<input type="checkbox"/> MPS Motion for Partial Summary Judgment
<input type="checkbox"/> MJP Motion for Entry of Judgment on Pleadings	<input type="checkbox"/> MSJ Motion for Summary Judgment
<input type="checkbox"/> MTN Other Dispositive Motion	

HEARING DATE 4-12-04 ^{10:30} FSC MOTION CAL. CLERK *maggiacom* DATE 3-31-04

5. SPECIAL MASTER CALENDAR

CIC Criminal Injury Compensation HEARING DATE _____ CLERK _____

6. METHOD OF ASSIGNMENT

Motion to Assign Stipulation to Assign Court Order Pursuant to Temporary Ex Parte Order

BASED ON METHOD OF ASSIGNMENT, STATE ANY RELEVANT INFORMATION BELOW

7. ATTORNEYS DATE

Signatures	(Plaintiff)	(Defendant)
Print Name	Diane Finkle, Counsel to	Allan M. Shine, Receiver

8. DATE / TIME STAMP

3 31 04

ORDERED, ADJUDGED AND DECREED:

1. **Please Take Notice** that the First and Final Report of the Temporary and Permanent Receiver is hereby set down for Hearing at 9:30 a.m. on the 12th day of April, 2004, before the Providence County Superior Court, on the Business Calendar, sitting in Courtroom 17, 4th Floor, The Governor Light Judicial Complex, 250 Benefit Street, Providence, Rhode Island.

2. A copy of the Receiver's Report and Recommendation is on file with the Clerk's Office of said Court. For further information, please feel free to call Allan M. Shine, Receiver at (401) 273-8300.

3. Said Receiver shall give Notice of said Hearing by forwarding a copy of this Omnibus Form by regular mail, postage prepaid, at least 10 days prior to the date of said Hearing, to all creditors who have filed a Proof of Claim with said Receiver.

NOTICE: Due to the size of Secured, Priority and/or Administrative claims, there will be no dividend available for the claims of general creditors and your claims should be considered uncollectible.

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

John Lavoie
Plaintiff

vs.

P.M. #02-3467

Clean Environment Service, Inc.
Defendant

RECEIVER'S FIRST AND FINAL REPORT

To the Honorable Superior Court for the Counties of Providence and Bristol, respectfully represents Allan M. Shine, Esq., as follows:

1. On June 27, 2002, your Petitioner was appointed the Temporary Receiver of Defendant, thereafter duly qualified and subsequently acted as such Temporary Receiver under surety bond ordered by this Court in the amount of \$10,000.

2. Subsequent to your Petitioner's appointment and qualification as aforesaid, your Petitioner took possession of Defendant's assets which were located at 15 Industrial Lane, Johnston, Rhode Island, where Defendant had been engaged in the business of providing evaluation, remediation and construction services related to environmental issues and real estate.

3. Your Petitioner arranged for insurance over Defendant's assets, for security over Defendant's tangible assets and for protection of Defendant's financial books and records.

4. Your Petitioner communicated with numerous creditors and other parties in interest relative to the aforescribed matters.

5. Your Petitioner, in accordance with the Order of this Honorable Court, forwarded Notice to all of Defendant's creditors as to the initiation of the within proceeding and gave notice to said creditors of the Hearing on Appointment of a Permanent Receiver.

6. On July 25 2002, your Petitioner attended said Hearing before this Honorable Court and was appointed Permanent Receiver over Defendant's assets, thereafter duly qualified by posting surety bond in the amount of \$10,000, and has since that date acted as Permanent Receiver of Defendant's assets.

7. Your Petitioner conducted a Public Auction Sale of Defendant's personal property, which Public Auction Sale resulted in net receipts in the amount of \$13,329.21.

8. During the course of administration of the within proceeding, your Petitioner reviewed Proofs of Claim which had been filed herein, and has herein filed a Recommendation on Allowance of Claims.

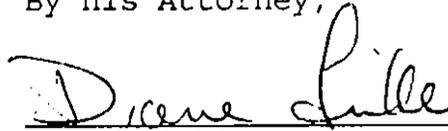
9. During the course of administration of the within proceeding, your Petitioner had total receipts of \$13,516.71 and made total disbursements of \$1,541.88, leaving cash on hand in the amount of \$11,974.83, all as set forth in the Schedules annexed hereto.

WHEREFORE, YOUR Petitioner prays that all of his acts, doings, and disbursements as Temporary and Permanent Receiver be approved,

confirmed and ratified, that the Receiver's Recommendation on Allowance of Claims be approved, that he be awarded an allowance for his services as Temporary and Permanent Receiver herein, plus his expenses, that your Receiver be discharged upon distribution of the aforescribed payments and his bond ordered cancelled, that Defendant's books and records and any outstanding assets be ordered abandoned, and that Defendant corporation be ordered dissolved.

Allan M. Shine, Receiver

By his Attorney,



Diane Finkle, Esq.

State Bar No. 2644

WINOGRAD, SHINE & ZACKS, P.C.

123 Dyer Street

Providence, RI 02903

(401) 273-8300

Dated: 3/29/04

**SCHEDULE OF RECEIPTS
AND DISBURSEMENTS**

RECEIPTS:

Net Proceeds from Auction Sale	\$	13,329.21
Accounts Receivable		<u>187.50</u>
TOTAL	\$	13,516.71

DISBURSEMENTS:

TMC Services, Inc. (Services Rendered)	\$	134.88
Black Gold, LLC (Rent Payment)		1,250.00
Byrne Bonding & Insurance, LLC (Receiver's Bond Premium)		150.00
Bank Service Fees		<u>7.00</u>
TOTAL	\$	1,541.88

COH - \$11,974.83 as of December 12, 2003

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

John Lavoie
Plaintiff

vs.

P.M. #02-3467

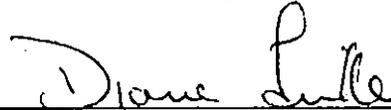
Clean Environment Service, Inc.
Defendant

RECEIVER'S RECOMMENDATION ON
ALLOWANCE OF CLAIMS

Now comes Allan M. Shine, Esq., Temporary and Permanent Receiver herein, and respectfully requests that the claims set forth on Schedules A and B, annexed hereto, be allowed in the amounts as filed.

Allan M. Shine, Receiver

By his Attorney,



Diane Finkle, Esq.
State Bar No. 2644
WINOGRAD, SHINE & ZACKS, P.C.
123 Dyer Street
Providence, RI 02903
(401) 273-8300
Dated: 3/29/02

SCHEDULE A
PRIORITY CLAIMS

R.I. Division of Taxation
R. Gary Clark
One Capitol Hill
Providence, RI 02908

\$ 250.00

SCHEDULE B
GENERAL CLAIMS

Beacon Mutual Insurance Co. Pat Archambault One Beacon Centre Warwick, RI 02886-1378	\$22,032.00
Black Gold, LLC Joseph Parrillo 15 Industrial Lane Johnston, RI 02919	2,350.00
Clean Harbors Environmental Serv. Ronilyn A. Viens 1501 Washington Street PO Box 859048 Braintree, MA 02185-9048	9,015.39
GE Capital/Exxon Mobil James Bellenger PO Box 103143 Roswell, GA 30076 Acct 859 012 393 4	2,013.37
Philip Services Corp./Northland Environmental, Inc. Paul Taveira 275 Allens Avenue Providence, RI 02905	2,697.43
TMC Services, Inc. Matthew C. Clark One William Way Bellingham, MA 02019	<u>9,126.78</u>
TOTAL	\$47,234.97