

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

Frank H. Macera, Jr. and
Paul G. Macera
Petitioners,

v.

M&M Disposal, Inc.
Respondent.

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104287

C.A. No.: PC-2021-01689

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R.I. DEPT. OF STATE
BUS SVCS DIV

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 Giovanni La Terra Bellina be and hereby is appointed Temporary Receiver (the "Receiver") of the Respondent.

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 effective March 11, 2021 said Receiver is authorized to take possession and charge of the property and assets of the Respondent, to collect the debts and property belonging to it and to preserve the same until further order of this Court.

4. That effective March 11, 2021 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 Respondent, 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 do and perform or cause to be done and performed all other acts and things as are appropriate in the premises.

True Copy Attest

Filed Providence Superior Court
March 11, 2021
Carin Miley, Deputy Clerk I

[Signature]
Clerk of Superior Court
Courts of Providence & Bristol
Providence, Rhode Island

5. That, pursuant to and in compliance with Rhode Island Supreme Court Executive Order No. 95-01, 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. That effective March 11, 2021, 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 Respondent 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, or the taking or attempting to take into possession any property in the possession of the Respondent or of which the Respondent has the right to possession, or the cancellation at any time during the Receivership proceeding herein of any insurance policy, lease or other contract with Respondent, 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 Respondent, by any public utility, without 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 Respondent, returnable to the Superior Court sitting at Providence, Rhode Island on April 8, 2021 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 March 25, 2021 so long as the Receiver's Bond has been filed, and the Receiver shall give further notice by mailing, on or before March 25, 2021, a copy of said Order Appointing Temporary Receiver to each of Respondent's creditors and stockholders whose address is known or may become known to the Receiver.

8. This Order is entered by virtue of and pursuant to this Court's equity powers and pursuant to its powers as authorized by the laws and statutes of the State of Rhode Island.

ENTERED as an Order of this Court this 11th day of March, 2021.

BY ORDER:

Brian P. Stern, J.
Associate Justice
March 11, 2021

ENTER:

/s/ Carin Miley
Deputy Clerk I
Clerk, Superior Court
March 11, 2021

True Copy Attest
Joseph T. Burley
Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence, Rhode Island



ORSON AND BRUSINI LTD

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

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Giovanni La Terra Bellina
(401) 223-2100
jlaterra@orsonandbrusini.com

March 12, 2021

Corporations Division
Office of the Secretary of State
Attention: Cathy Capario Albanese
148 W. River Street
Providence, RI 02904-2615

Re: *Request for recording – Frank H. Macera, Jr. and Paul G. Macera vs. M&M Disposal, Inc.*
PC2021-01689

Dear Ms. Albanese:

Enclosed please find a certified copy of the **Order Appointing Temporary Receiver** relative to the above-captioned matter.

If you have any questions, please contact my office. Thank you.

Very truly yours,

Giovanni La Terra Bellina, as and only as
Receiver of *M&M Disposal, Inc.*, and not
Individually

JL.TB:dmc
Enclosures