

163803

STATE OF RHODE ISLAND
KENT, SC.

SUPERIOR COURT

WEINDEL WOODWORKING)
PROPERTIES LLC)
 Petitioner,)
v.)
PATRICK M. CROWLEY, formally)
doing business as CROWLEY NATIONAL)
INC. and MEDICAL OFFICE INTERIORS,)
 Respondent.)

C.A. No. KC-2022-0777

RECEIVED
R.I. DEPT. OF STATE
BUS SVCS DIV
2023 JAN 17 PM 2:36

ORDER APPOINTING PERMANENT RECEIVER

The above-captioned matter came before the Honorable Richard A. Licht on December 5, 2022, on the Petition for the Appointment of a Permanent Receiver of the Respondent, Patrick M. Crowley, formally doing business as Crowley National Inc. and Medical Office Interiors (“Respondent”). After consideration thereof, and without objection, it is hereby

ORDERED, ADJUDGED, AND DECREED

I. That Christopher J. Fragomeni, Esq., of Savage Law Partners, 564 S. Water Street, Providence, Rhode Island, be and hereby is appointed as Permanent Receiver (the “Receiver”) of the Respondent, and of all the estate, assets, effects, property, and business of Respondent of every name, kind, nature and description, with all the powers conferred upon the Receiver being the same as those powers conferred upon receiver by the Rhode Island General Laws, all other powers as set forth in this order, or otherwise, and all powers incidental to the Receiver’s said Office.

2. That said Receiver has already posted a bond in the amount of \$10,000 with corporate surety thereon authorized to do business in the State of Rhode Island conditioned that the Receiver will well and truly perform the duties of said office.

80281

3. That said Receiver be and hereby is authorized, empowered, and directed to take possession and charge of said estate, assets, effects, property, and business of the Respondent, including cash surrender value of any insurance owned by Respondent, and to preserve the same, and is hereby vested with title to the same; to collect and receive the debts, property and other assets and effects of said Respondent, including such cash surrender value, with full power to prosecute, defend, adjust, and compromise all claims and suits of, by or against said Respondent and to appear, intervene or become party in all suits, actions, or proceedings relating to said estate, assets, effects, and property as may in the judgment of the Receiver be necessary or desirable for the protection, maintenance, and preservation of the property and assets of said Respondent.

4. That this appointment is made in succession to the appointment of Temporary Receiver heretofore made by order of this Court, and the Receiver shall take and be vested with the title to all assets, property and choses-in-action which have heretofore accrued to the Temporary Receiver with power to confirm and ratify in writing such agreements as are entered into by such Temporary Receiver and to carry out and perform the same.

5. That the Receiver is authorized, in the Receiver's discretion, to continue the business of the Respondent until further order of this Court, and to employ such persons as may be desirable for the foregoing purposes (except that the Receiver shall first obtain *ex parte* approval to hire attorneys, accountants and turnaround professionals) and, in connection therewith, to use such moneys as shall come into the Receiver's hands and possession, as far as the same shall be necessary, for the above purposes and for continuing the business of said Respondent until further Order of this Court.

6. That the Receiver is authorized to incur expenses for goods and services and to purchase for cash such merchandise, supplies and materials as in the Receiver's discretion may be desirable or necessary for continuance of the business of the Respondent.

7. 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 administering non-routine Receiverships which involve unusual or complex legal, financial, or business issues.

8. That said Receiver be and hereby is authorized and empowered to sell, transfer and convey said Receiver's right, title and interest and the right, title and interest of said Respondent in and to any real property or personal property, tangible or intangible, for such sum or sums of money as to said Receiver appears reasonable and proper, at private sale or sales, provided, however, that approval is first given for such sale or sales by this Court, on *ex parte* application by the Receiver, or after such notice as the Court may require.

9. That the Receiver is hereby authorized and empowered to sell at public auction any or all of the assets referred to in Paragraph 8. The Receiver is also authorized to engage an auctioneer and to insert such display ads within or without the State of Rhode Island as the Receiver deems proper advertising for such sale. Such a public auction sale conducted by said Receiver in accordance with the provisions of this paragraph shall be considered and is hereby declared to be a commercially reasonable sale, and such sale shall constitute compliance with the requirements of a commercially reasonable sale as set forth in Article 9 of the Uniform Commercial Code as enacted in Rhode Island.

10. That said Receiver be, and hereby is, authorized and empowered, as soon as there are sufficient funds available, to pay all City, State and United States taxes of any kind, nature and description, including withholding taxes, as well as wages due employees, with such employees being relieved of the necessity of filing claims with the Receiver unless the amount paid or shown on the books of the Respondent is not acceptable to any employee, in which case said employee may file his/her claim in the same manner as other creditors.

11. That in fulfillment of the reporting requirements set forth in Rule 66(e) of the Superior Court Rules of Civil Procedure, the Receiver shall file with the Court the Reports referred to in said Rule, as and when the Receiver deems necessary or advisable under the circumstances, or, in any event, as and when required by Order of this Court. In addition, the Receiver shall file with the Court, on or before May 1 and October 1 of each year, a Receivership Control Calendar Report in accordance with Rhode Island Superior Court Administrative Order No. 98-7.

12. That the Receiver shall continue to discharge said Receiver's duties and trusts hereunder until further order of this Court; that the right is reserved to the Receiver and to the parties hereto to apply to this Court for any other or further instructions to said Receiver and that this Court reserves the right, upon such Notice, if any, as it shall deem proper, to make such further orders herein as may be proper, and to modify this Order from time to time.

13. That all creditors or other claimants hereby are ordered to file under oath with the Receiver at 564 S. Water Street, Providence, Rhode Island 02903 on or before _____ **May 7, 2023**, a statement setting forth their claims, including, but without limiting the generality of the foregoing, the name and address of the claimant, the nature and amount of such claim, a statement of any security or lien held by the claimant to which such claimant is or claims

to be entitled, and also a statement as to any preference or priority which the claimant claims to be entitled to over the claims of any other or all other claimants or creditors.

14. That except as provided in paragraph 15 below, 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 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.

15. That the foregoing paragraph does not stay the exercise of rights of a party to a swap agreement, securities contract, repurchase agreement, commodity contract, forward contract or master netting agreement, as those terms are defined in the Federal Bankruptcy Code, to the extent that a court would not have the power to stay the exercise if Respondent were a debtor under the Bankruptcy Code.

16. That Notice be given of the entry of this order by the Clerk of this Court by publication of a notice of this Order in *The Providence Journal* on or before December 27, _____, 2022, and by the Receiver mailing on or before January 7, 2023, a copy of said Receivership Notice to Respondent and any creditors of the Respondent known to the Receiver.

17. That 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.

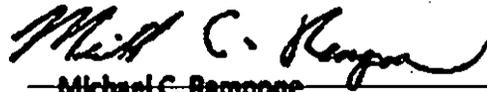
ENTERED, as an Order of this Court this 16th day of December, 2022.

EN [REDACTED]

ORDE [REDACTED]



Licht, J. **Richard Licht**
Associate Justice
Respectfully Presented By,
THE RECEIVER,



Michael C. Rampone
Clerk, Superior Court
Deputy Clerk I

/s/ Christopher J. Fragomeni
Christopher J. Fragomeni, Esq. (9476)
SAVAGE LAW PARTNERS, LLP
564 S. Water Street, Providence, RI 02916
P: 401-238-8500 | F: 401-648-6748
chris@savagelawpartners.com

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December, 2022, I filed and served this document through the electronic filing system on all registered parties. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System. I also caused this document to be mailed to the following individuals:

Thomas Ferreira
539 Maple Ave.
Swansea, MA 02777

Arthur Shlossman
16 Adren Place
Summit, NH 07901-2919

Kevin Taft Crowley
50 Garner Springs Ct.
Columbia, SC 29209

/s/ Christopher J. Fragomeni

STATE OF RHODE ISLAND
KENT, SC.

SUPERIOR COURT

WEINDEL WOODWORKING)
PROPERTIES LLC)
Petitioner,)

v.)

C.A. No. KC-2022-0777

PATRICK M. CROWLEY, formally)
doing business as CROWLEY NATIONAL)
INC. and MEDICAL OFFICE INTERIORS,)
Respondent.)

ORDER

The above-captioned matter came before the Honorable Richard A. Licht on December 16, 2022, on the Petition to Sell Assets Free and Clear of Liens and Encumbrances (the "Petition") submitted by Christopher J. Fragomeni, Esq., Permanent Receiver (the "Receiver") of the assets (the "Assets") of Respondent Patrick M. Crowley, formally doing business as Crowley National Inc. and Medical Office Interiors. After hearing thereon, and without objection thereto, it is hereby

ORDERED, ADJUDGED, AND DECREED

1. That the Petition is granted;
2. That the Receiver is authorized to sell all his right, title, and interest in or to the Assets at public auction to be conducted by SJ Corio Company held via online bidding, free and clear of interests, claims, liens, and encumbrances, including, but not limited to, all statutory liens and other claims of any municipal authorities, upon the terms and conditions described in the Petition;

3. That all interests, claims, liens and encumbrances against said Assets be transferred to the proceeds thereof in the same priority as prior to such transfer, including, but not limited to, all statutory liens and other claims of all municipal authorities;

4. That all entities who claim an interest, lien, or encumbrance against the Assets, and any other parties with recorded UCC Financing Statements and recorded liens against the Assets, be directed to execute and deliver to the Receiver, within seven (7) days of his written request, lien releases, mortgage discharges, UCC Financing Termination Statements, in the usual and customary form, and all other documents reasonably necessary to effectuate the release and discharge of such interests, claims, liens, or encumbrances, with the execution and delivery of the same to be without prejudice to or waiver of any such interests, claims, liens, or encumbrances against the sale proceeds;

5. That all interests, claims, liens, or encumbrances, including, but not limited to, all municipal authorities holding statutory liens or other claims against the Assets be declared, released and discharged with respect to the Assets, and the delivery of Receiver's Bill of Sale be declared to constitute evidence of such release and discharge; and

6. That the Receiver's actions taken prior to the entry of this Order are hereby approved, ratified, and confirmed.

ENTERED, as an Order of this Court this 22nd day of December, 2022.

EN

OR



Licht, J. Richard Licht
Associate Justice



Michael C. Rasmussen
Clerk, Superior Court
Deputy Clerk I

Respectfully Presented By,
CHRISTOPHER J. FRAGOMENI, ESQ.,
solely in his capacity as Permanent Receiver,

/s/ Christopher J. Fragomeni
Christopher J. Fragomeni, Esq. (9476)
SAVAGE LAW PARTNERS, LLP
564 S. Water Street, Providence, RI 02916
P: 401-238-8500 | F: 401-648-6748
chris@savagelawpartners.com

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of December, 2022, I filed and served this document through the electronic filing system on all registered parties. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System. I also caused this document to be mailed to the following individuals:

Thomas Ferreira
539 Maple Ave.
Swansea, MA 02777

Arthur Shlossman
16 Adren Place
Summit, NJ 07901-2919

Kevin Taft Crowley
50 Garner Springs Ct.
Columbia, SC 29209

/s/ Christopher J. Fragomeni



SAVAGE
LAW PARTNERS
LLP
Law and Business Advisors

January 13, 2023

NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST

RE: Patrick M. Crowley, formally doing business as Crowley National Inc. et al

On December 16, 2022 the Rhode Island Superior Court ("Court") entered an Order ("Order"), a copy of which is enclosed, appointing the undersigned as Permanent Receiver of the assets and business of Patrick M. Crowley, formally doing business as Crowley National Inc. and Medical Office Interiors Inc. ("Crowley National"). You may have received notice of these proceedings previously when I was appointed Temporary Receiver on October 18, 2022.

Also on December 22, 2022, the Court entered an Order ("Sale Order"), a copy of which is enclosed, authorizing the Receiver to sell Crowley National's assets free and clear of any liens and encumbrances. To the extent that funds will be available to pay creditors with pre-petition claims, said claims will be paid in the order to which they are entitled in accordance with their respective rights.

In order that your interests be protected and to ensure that you receive notice of all pleadings in connection with this Receivership, I have enclosed a Proof of Claim form which I suggest you complete, **under oath and execute before a Notary Public**, and return to me at the earliest possible date, **but no later than May 7, 2023**. **Please be sure to include any and all documentation in support of your claim.**

All Proofs of Claim should be sent to:

Christopher J. Fragomeni, Esq.
Receiver of Crowley National, Inc. et al
c/o Savage Law Partners, LLP
564 South Water Street
Providence, RI 02903

Should you have any questions regarding any aspect of the foregoing, please feel free to contact Christopher J. Fragomeni, Esq. (401) 238-8500 or chris@savagelawpartners.com

Very truly yours,

/s/ Christopher J. Fragomeni

Christopher J. Fragomeni, Esq., Receiver
of Crowley National, Inc.
and not individually

Enclosures.