

**Information to identify the case:**

Debtor 1 Ernest P Ricci  
 First Name Middle Name Last Name

Debtor 2  
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court District of Rhode Island

Case number: 1:17-bk-11845

RECEIVED  
 RI DEPT OF STATE  
 BUS SVCS DIV  
 Social Security Number or ITIN xxx-xx-0291  
 EIN -

2023 APR 20 AM 11:20  
 Social Security Number or ITIN -

EIN -

Date case filed for chapter 7 10/25/17

**Official Form 309A (For Individuals or Joint Debtors)****Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Ernest P Ricci	
2. All other names used in the last 8 years	aka Ernie Ricci	
3. Address	180 Plain Road North Kingstown, RI 02852	
4. Debtor's attorney Name and address	Ernest P Ricci 180 Plain Road North Kingstown, RI 02852	Contact phone 401-533-8382 Email: <u>None</u>
5. Bankruptcy trustee Name and address	Charles A. Pisaturo Jr. Law Offices of Charles A. Pisaturo Jr. 1055 Elmwood Avenue Providence, RI 02907-2817	Contact phone (401) 274-3800 Email: <u>Charlie@pisaturolaw.com</u>

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Debtor **Ernest P Ricci**Case number **1:17-bk-11845**

<b>6. Bankruptcy clerk's office</b>  Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	The Federal Center 380 Westminster Street 6th Floor Providence, RI 02903	Hours open 9:00am – 4:00pm <a href="http://www.ri.uscourts.gov">www.ri.uscourts.gov</a>  Contact phone (401) 626-3100  Date: 10/25/17
<b>7. Meeting of creditors</b>  Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	<b>November 16, 2017 at 12:30 PM</b>  The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Location:  <b>The Federal Center, 380 Westminster Street, 6th Floor Room 620, Providence, RI 02903</b>
<b>8. Presumption of abuse</b>  If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.	Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.	
<b>9. Deadlines</b>  The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	<b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>  <b>Filing deadline: 1/16/18</b>  <b>You must file a complaint:</b> <ul style="list-style-type: none"> <li>• if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li> <li>• if you want to have a debt excepted from discharge under 11 U.S.C. § 523(a)(2), (4), or (6).</li> </ul> <b>You must file a motion:</b> <ul style="list-style-type: none"> <li>• if you assert that the discharge should be denied under § 727(a)(8) or (9).</li> </ul> <b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.  <b>Filing deadline: 30 days after the conclusion of the meeting of creditors</b>	
<b>10. Proof of claim</b>  Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

Form 332 332.jsp

**UNITED STATES BANKRUPTCY COURT**  
District of Rhode Island

Chapter: 7 Case No.: 1:17-bk-11845  
Judge: Diane Finkle

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Ernest P Ricci  
aka Ernie Ricci  
180 Plain Road  
North Kingstown, RI 02852

**NOTICE OF APPOINTMENT OF INTERIM TRUSTEE AND  
APPROVAL OF BLANKET BOND**

1. The following interim Trustee is hereby appointed, and the Trustee's standing bond is fixed under the general blanket bond heretofore approved.

Charles A. Pisaturo Jr.  
Law Offices of Charles A. Pisaturo Jr.  
1055 Elmwood Avenue  
Providence, RI 02907-2817

2. If the Trustee rejects this selection, the Trustee must notify the Court and the U.S. Trustee within five (5) days of receipt of this notice. Otherwise, the Trustee will be deemed to have accepted the office of trustee.

Dated: 10/25/17

United States Trustee

**REJECTION**

I, Charles A. Pisaturo Jr. , hereby REJECT appointment as Trustee.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Charles A. Pisaturo Jr.

NOTE: If rejected, file with the Court.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND**

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In re: Ernest P. Ricci  
Debtor

BK No. 17-11845  
Chapter 7

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Charles A. Pisaturo, Jr., Trustee,  
Plaintiff

v.  
Ernest P. Ricci, Brenda Ricci, and  
Premier Home Restoration, LLC  
Defendants

A.P. No. 19-01014

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**DEFAULT JUDGMENT**

Judgment by default hereby enters in favor of Plaintiff, Charles A. Pisaturo, Jr., in his capacity as Chapter 7 trustee for Debtor Ernest P. Ricci (the "Plaintiff") and against Defendants Ernest P. Ricci, Brenda P. Ricci and Premier Home Restoration, LLC due to their respective failures to plead or otherwise defend against the Plaintiff's Complaint dated April 18, 2019, as follows:

i. Judgment is entered against Defendants, jointly and severally, under Count I, declaring that all ownership interests and rights in Defendant Premier Home Restoration, LLC ("Premier") and all of its assets, including (without limitation) Premier's real property, bank deposits, cash, and the rights to all present and future cash distributions, constitute property of the Debtor's bankruptcy estate under 11 U.S.C. § 541 and that Plaintiff, in his capacity as Chapter 7 Trustee is, therefore, the equitable owner of Premier and of all of its assets; AND

ii. Judgment is entered against Defendant, Ernest P. Ricci, under Count I, declaring that the Plaintiff is entitled to all assets arising from Ernest P. Ricci's rights and interests in the assets of Premier Home Restoration, LLC, including without limitation, the right to all cash and present and future cash distributions, and therefore declaring said assets and distributions as being part of the bankruptcy estate; AND

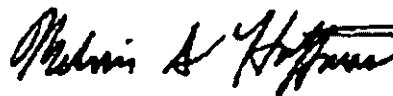
iii. Judgment is entered for the Plaintiff against the Defendants, jointly and severally, under Count II, in an amount equal to all of the rental income fraudulently transferred to the Defendants by Defendants, Brenda Ricci and/or Premier, within four years of the Defendant Ernest Ricci's bankruptcy filing (under 11 U.S.C. §§ 548, 550, R.I. Gen. Laws § 6-16-1 et seq.,) from the real property located at 3710 NE 29<sup>th</sup> Avenue, Pompano Beach, Florida and from the real property located at 5 Autumn Lane, Bartlett, New Hampshire in an amount to be determined by further order of this Court: AND

iv. Judgment is entered for the Plaintiff against the Defendants, jointly and severally, under Count III, avoiding the transfer of the rental income and authorizing the Plaintiff to recover the value of the transfer of rental income from the Defendants in an amount to be determined by further order of this Court: AND

v. Judgment is entered for the Plaintiff against the Defendants, jointly and severally under Count IV determining that Premier Home Restoration, LLC is the alter ego of Ernest P. Ricci.

Date: November 25, 2019

By the Court,

A handwritten signature in black ink, appearing to read "Melvin S. Hoffman", written over a horizontal line.

Melvin S. Hoffman  
U.S. Bankruptcy Judge