

108746

STATE OF RHODE ISLAND
KENT, SC.

SUPERIOR COURT

Getty Petroleum Marketing, Inc.
Plaintiff

vs.

PG & B Realty, LLC
Defendant

KM-11-0232
~~P.B.#~~

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SECRETARY OF STATE
CORPORATIONS DIV
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ORDER APPOINTING TEMPORARY RECEIVER

This cause came on to be heard upon the Plaintiff's Petition for Appointment of Receiver and, upon consideration thereof, it is hereby

ORDERED, ADJUDGED AND DECREED

1. Conditioned upon the Plaintiff in this matter paying the amount of \$5,000.00 to Richard Land, Esq. to be held in escrow until further Order of this Court, Richard Land, Esq., of Providence, Rhode Island be and hereby is appointed Temporary Receiver (the "Receiver") of the Defendant.

2. That said Receiver shall, no later than five (5) days from the date hereof, file a bond in the sum of \$5,000.00 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. Said Bond serve to bind all obligations of the Receiver in the related matters filed contemporaneously with this Court.

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

4. That the Receiver shall ascertain for the Court the propriety of this Receivership Petition and whether the same has been offered by the Plaintiff in bad faith and make a recommendation to the Court at the hearing scheduled for March ~~1, 2010~~ at 2:00 pm.
15, 2011

5. That 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 Defendant, 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.

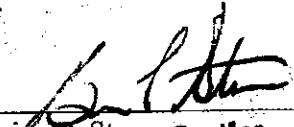
6. That, pursuant to and in compliance with Rhode Island Supreme Court Executive Order No. 95-01, this Court finds that the designation of the aforescribed person for appointment as Receiver herein is warranted and required because of the Receiver's specialized expertise and experience in operating businesses in Receivership and in administering non-routine Receiverships which involve unusual or complex legal, financial, or business issues.

7. That 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 Defendant 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 Defendant, or the taking or attempting to take into possession any property in the possession of the Defendant or of which the Defendant 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 Defendant, 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 Defendant, 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.

8. That notwithstanding the provisions of paragraph 7 of this Order The Washington Trust Company is authorized to adjourn the foreclosure sale which was originally scheduled for February 17, 2011 at 10:00 a.m. to a date subsequent to March 1, 2011 and may continue to advertise the Notice of Sale in a public newspaper once each week every week until the date of the adjourned foreclosure sale.

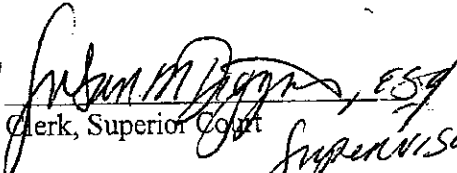
9. That a Citation be issued to said Defendant, returnable to the Superior Court sitting at 250 Benefit Street, Providence, Rhode Island on the 1st day of March, 2011 at 2:00 p.m. at which time and place this cause is set down for Hearing on the prayer for the Appointment of a Permanent Receiver; that 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 the 15th day of March, 2011, and the Receiver shall give further notice by mailing, on or before the 8th day of March, 2011, a copy of said Order Appointing Temporary Receiver to each of Defendant's creditors and stockholders whose address is known or may become known to the Receiver.

ENTER:



Brian P. Stern
Associate Justice
Associate Justice
Dated:

BY ORDER:



Susan M. Ryan, Esq.
Clerk, Superior Court
Supervisory Clerk
2-22-2011