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159562

W. Mark Russo  
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January 31, 2014

TO: CREDITORS AND OTHER PARTIES IN INTEREST

**Re: *The Bank of New York Mellon Trust Company, National Association (f/k/a The Bank of New York Trust Company, National Association), as Trustee for Morgan Stanley Capital I Inc., Commercial Mortgage Pass-Through Certificates, Series 2007-1Q14 v. 25 John A. Cummings Way, LLC, C.A. No. PB-13 No. 5618***

On January 23, 2014, the Rhode Island Superior Court in Providence County entered an Order, a copy of which is enclosed, appointing W. Mark Russo, Esq., Permanent Receiver of 25 John A. Cummings Way, LLC ("Cummings Way").

A Receivership is a State Court-supervised liquidation proceeding. The Receiver is an Officer of the Court, appointed for the purpose of representing the interest of all creditors and parties in interest.

In order that your interests be protected and that you receive notice of all pleadings in connection with this case, enclosed is a Proof of Claim form which I suggest you complete, execute before a Notary Public and return to me at the earliest possible date so that you will be certain to receive notice of all aspects of this proceeding and your rights will be protected accordingly. The deadline for the Proof of Claim to be filed with me, as Receiver, is June 9, 2014.

If you have any questions regarding any aspect of the foregoing, please feel free to contact the undersigned.

Very truly yours,

W. Mark Russo, Esq.,  
as and only as Receiver for  
25 John A. Cummings Way, LLC

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CORPORATIONS DIV  
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Enclosure

**RECEIVERSHIP PROOF OF CLAIM FORM**

I, \_\_\_\_\_, being duly sworn, depose and say:

\_\_\_\_\_ (INDIVIDUAL) I am the claimant herein.

\_\_\_\_\_ (PARTNERSHIP) I am a partner of \_\_\_\_\_ which is the claimant herein.

\_\_\_\_\_ (CORPORATION) I am an officer, to wit, \_\_\_\_\_, of \_\_\_\_\_ which is the claimant herein.

The full address of the claimant is \_\_\_\_\_ (complete address, including zip code) \_\_\_\_\_.

That on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, **25 John A. Cummings Way, LLC**, lately doing business at 25 John A. Cummings Way, Woonsocket, Rhode Island, 02895, did owe and still does owe the claimant a balance of \$ \_\_\_\_\_ dollars, a statement of which account is attached hereto.

That such account is just, true and correct, and said balance is now due claimant from debtor.

That no part thereof has been paid or satisfied, and that there are no set-offs, or counterclaims thereto, to the knowledge or belief of deponent and that no security exists for said debt.

That the attorneys named on this Proof of Claim are hereby made and constituted attorneys for all purposes whatsoever in connection with this claim with full power of substitution (if an attorney is filing for you).

\_\_\_\_\_  
(Signature of Claimant)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

SUPERIOR COURT

THE BANK OF NEW YORK MELLON :  
TRUST COMPANY, NATIONAL :  
ASSOCIATION (f/k/a THE BANK OF :  
NEW YORK TRUST COMPANY, :  
NATIONAL ASSOCIATION), AS :  
TRUSTEE FOR MORGAN STANLEY :  
CAPITAL I INC., COMMERCIAL :  
MORTGAGE PASS-THROUGH :  
CERTIFICATES, SERIES 2007-IQ14 :  
v. :  
25 JOHN A. CUMMINGS WAY, LLC :

C.A. No.: PB 13-5618

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CORPORATIONS DIV  
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**ORDER APPOINTING PERMANENT RECEIVER**

This cause came to be heard on the Petition for Appointment of Receiver for the Defendant, and it appearing that the notice provided by the Order of this Court previously entered herein has been given, and upon consideration thereof, it is hereby

**ORDERED, ADJGDG AND DECREED:**

1. That W. Mark Russo, Esq., of 55 Pine Street, Suite Four, Providence, Rhode Island, be and hereby is appointed Permanent Receiver (the "Receiver") of Defendant, and of all the estate, assets, effects, property and business of Defendant of every name, kind, nature and description, with all the powers conferred upon the Receiver by the Rhode Island General Laws, by this order, or otherwise, and with all powers incidental to the Receiver's said Office.

2. That said Receiver shall, no later than five (5) days from the date hereof, file herein 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.

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 Defendant, including cash surrender value of any insurance owned by Defendant, 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 Defendant, including such cash surrender value, with full power to prosecute, defend, adjust and compromise all claims and suits of, by or against said Defendant and to appear, intervene or become a party in all suits, actions or proceedings relating to said estate, assets, effects and

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acceptable to any employee, in which case said employee may file his/her claim in the same manner as other creditors.

10. 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.

11. 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.

12. All creditors or other claimants hereby are ordered to file under oath with the Receiver at 55 Pine Street, Providence, Rhode Island 02903 on or before June 9<sup>th</sup>, 2014, 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.

13. 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 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.

14. Notwithstanding anything to the contrary herein, the Receiver shall not take any action that impedes or interferes with any foreclosure or foreclosure sale