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14719

March 31, 2017

R.I. DEPT. OF STATE BUS SYUS DIV

## TO CREDITORS AND OTHER PARTIES IN INTEREST:

Re: The Stovepipe Fireplace Shop, Inc. 654 Warwick Avenue, Warwick, RI

On March 23, 2017, the Rhode Island Superior Court entered an Order appointing the undersigned Receiver of The Stovepipe Fireplace Shop, Inc. ("Defendant").

The Receiver is an Officer of the Court, appointed to represent the interests of <u>all creditors and parties in interest</u>. Our office does not and has not represented Defendant or its principals. The Receiver has been appointed as a neutral, impartial Receiver, for the purpose of stabilizing the financial affairs of Defendant, continuing the business operations of Defendant, and, subject to Court approval, after notice to all creditors, seeking to market and sell the business and assets of Defendant for the highest value, in order to maximize recovery for creditors.

In connection with the Receivership, as set forth in Paragraph 6 of the enclosed Order, all creditors are enjoined and stayed from taking any action to enforce their claims against Defendant and/or its assets.

No claims will be approved and no distribution to creditors will take place without notice to all creditors and other parties in interest who file a <u>Proof of Claim</u> with the Receiver, after a Hearing thereon before the Rhode Island Superior Court.

In order that your interests be protected and that you make sure that you receive notice of all appropriate court filings in connection with this case, please visit <a href="www.crfllp.com">www.crfllp.com</a> and navigate to the current cases section. Once there, select the appropriate company and click on the bottom to file a Proof of Claim. If you have questions about this process, please contact Joyce Gauthier for assistance.

As indicated in the enclosed <u>Order</u>, the Rhode Island Superior Court has scheduled a Hearing on continuation of the undersigned as Permanent Receiver, for

CR&F

9:30 a.m. on April 10, 2017. Creditors and other interested parties are welcome to attend, but are not required to do so.

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

Very truly yours,

Richard J. Land, Receiver

Enclosures

STATE OF RHODE ISLAND KENT, SC	SUPERIOR COURT
WILLIAM LABELL Plaintiff vs.	) ) ) K.B. No. PC-2017- 0298
THE STOVEPIPE FIREPLACE SHOP, INC.  Defendant	) ) )
	DINTING TEMPORARY RECEIVER
	before TUSTICE BEAN P. STELN on March 23 nt of Receiver, and upon consideration thereof, it is hereby
Island, be and is hereby appointed Tempeffects thereof of every name, nature an	porary Receiver of the Defendant and of all the estate and d description with full authority to exercise all the powers cree, together with additional powers incidental to a Temporary
bond for the faithful performance of the TEN THOUSAND	Receiver's duties as said Temporary Receiver in the sum of Dollars (\$ 10,000.00) with surety company Rhode Island as surety thereon conditioned that the Receiver the Receiver's office.
property of Defendant and preserve same	r hereby appointed shall take possession and charge of the e, be vested with the title to all assets, property, choses in collect the debts and property belonging to it.
Court, in the Receiver's discretion and at the business of Defendant, to borrow mo merchandise, materials and other propert clerical or otherwise, and to do and perform as are appropriate in the premises. Said retaining accountants, business consultar Receiver shall be itemized in detail in the	eiver be and hereby is authorized until further Order of this is the Receiver deems appropriate and advisable, to carry on oney from time to time, to purchase for cash or upon credit, ty, to engage counsel, and to engage employees and assistants, form or cause to be done and performed all other acts and things Receiver shall obtain authorization from this Court before ints, appraisers and special counsel. All disbursements by the e Receiver's reports to this Court and all disbursements to seers and special counsel shall be subject to approval by this

Court. The Receiver and the law firm of which the Receiver is a member are hereby engaged as

general counsel to said Receiver.

- 5. This Court finds that the designation of the aforesaid person as Receiver herein is warranted and required because of said Receiver's specialized expertise and experience in operating similar businesses in receivership and in administering non-routine receiverships which involve unusual or complex legal, financial or business issues.
- 6. That the commencement, prosecution, or continuance of the prosecution of any action, suit, arbitration proceeding, hearing, or any foreclosure, reclamation or repossession, both judicial and non-judicial, or any other proceeding, in law or in equity or under any statute or otherwise, against the Defendant or any of its property, in any Court, agency, tribunal or elsewhere, or before any arbitrator, or otherwise by any creditor, equity security holder, corporation, partnership or any other person, association or entity, or the levy of any attachment, execution or other process upon or against any property of the Defendant, or the taking or attempting to take into possession of any property in the possession of the Defendant or of which the Defendant has the right to possession, by any of such parties as aforesaid, other than the Receiver, or the interference with the Receiver in the discharge of the Receiver's duties by any of such parties aforesaid, or the termination of telephone, electric, gas or any utility service to the Defendant, by any public or private utility, without such parties' first obtaining approval thereof from this Court (in regard to which the Receiver shall be entitled to prior written 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 the Defendant returnable to the Superior Court sitting at
KENTCOUNTY, WARWICK, Rhode Island, on APRIL LOTH , 2017 at
(a.m)/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 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 All TL 360, 2017, and that the Temporary Receiver shall give
further notice by mailing on or before APRIL 3RD , 2017, a copy of this Order
Appointing Temporary Receiver to each of the creditors and stockholders of Defendant whose
addresses are known or may become known to said Temporary Receiver.
ENTERED this 23LD day of March, 2017.
ENTER: PER ORDER!
PER ORDER! 3/23/17  M Deputy Clerk

Presented by:

Everett Petronio, Jr., Esq. #4587

Kalander & Shaw, Ltd.

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