

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS

SUPERIOR COURT

Docket No. 09-E-0521

State of New Hampshire

v.

Flynn's Oil Company, LLC

Michael P. Flynn

94 Portsmouth Avenue Trust

MOTION FOR EXPEDITED HEARING

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and asks this Honorable Court to schedule an expedited hearing on the State's Motion for the Appointment of a Receiver, and in support thereof offers the following:

1. On February 5, 2010, the State filed a Motion for the Appointment of a Receiver in the above-captioned matter.
2. As set forth in the State's Motion for the Appointment of a Receiver, Respondent Flynn's has been negotiating with third parties to sell its property and other assets of its business.
3. Upon information and belief, Flynn's may attempt to liquidate its assets without making adequate provision for the restitution claims of the affected consumers under the Consumer Protection Act.. Michael Flynn has expressed on several occasions a willingness to sell the business assets of Flynn's Oil and 94 Portsmouth Avenue to third parties.

In light of the above, the State requests an expedited hearing on its Motion for the Appointment of a Receiver.

Respectfully submitted,

MICHAEL A. DELANEY  
ATTORNEY GENERAL

Dated February 4, 2010

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Constance N. Stratton  
NH Bar # 7939  
Senior Assistant Attorney General  
Peter C.L. Roth  
NH Bar # 14395  
Senior Assistant Attorney General  
33 Capitol Street  
Concord, New Hampshire 03301-6397  
Tel. (603) 271-3679

CERTIFICATION

I hereby certify that a copy of the within motion has been mailed this date first-class, postage prepaid to Flynn's Oil Company, LLC, Michael Flynn, and 94 Portsmouth Avenue Trust, to 94 Portsmouth Avenue, Exeter, NH, 03833.

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Constance N. Stratton

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