AUGLAIZE COUNTY
COMMON PLEAS COURT
FILED

2018 OCT 22 PM 4:00

L. JEAN HECKSTROTH
CLERK OF COURTS

IN THE COMMON PLEAS COURT OF AUGLAIZE COUNTY, OHIO

PAUL MASTRONARDI	)	CASE NO. 2017 CV 0144
	)	
Plaintiff,	)	JUDGE PEPPLE
	)	
vs.	)	
	)	RECEIVER'S OBJECTION AND
LUIS CHIBANTE, et al.	)	RECOMMENDATION REGARDING
	)	PROOF OF CLAIM NUMBER 49
Defendants.	)	

The Receiver has reviewed Proof of Claim ("POC") Number 49 filed by Area Energy & Electric, Inc. ("Creditor") and objects to such claim and recommends that such claim be DISALLOWED for the following reasons:

a) _____ The Proof of Claim amount exceeds the amount shown on the Accounts Payable records provided to the Receiver.
The Creditor claim amount is $_____.

The Accounts Payable records reflect a balance of $_____.

b) _____ The POC includes interest, late charges, finance charges and/or other charges which the Receiver is not obligated to pay.

c) _____ The POC includes attorney fees which the Receiver may not be obligated to pay and/or the reasonableness of which the Court must determine.

d) _____ The POC was filed after the Court's deadline of September 18, 2018.

e) _____ The POC fails to provide sufficient documentation to support the claim.

f) _____ The POC is subject to a right of setoff in favor of the companies in Receivership.

g) ✓ Other: The POC duplicates POC # 33.

Based on the information and documents reviewed by the Receiver, the Receiver would consent to allowance of the Proof of Claim as follows:

$_____ Secured

$_____ Administrative

$_____ Unsecured

$_____ Other

In the event that the Receiver receives additional information and/or documents in support of the Creditor's claim, the Receiver may reconsider its recommendation.

Respectfully submitted,

James L. Thieman, Receiver
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was sent via regular mail (and hand-delivered to Thomas J. Potts and Michael A. Staudt) this 22nd day of October 2018 to the following:

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James L. Thieman, Receiver

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