

2018 OCT 22 PM 4:01

I. JEAN HECKSTROTH
CLERK OF COURTS

IN THE COMMON PLEAS COURT OF AUGLAIZE COUNTY, OHIO

PAUL MASTRONARDI)	CASE NO. 2017 CV 0144
)	
Plaintiff,)	JUDGE PEPPLER
)	
vs.)	
)	RECEIVER'S OBJECTION AND
LUIS CHIBANTE, et al.)	RECOMMENDATION REGARDING
)	PROOF OF CLAIM NUMBER 62
Defendants.)	

The Receiver has reviewed Proof of Claim ("POC") Number 62 filed by U.S. Department of Labor Wage & Hour Division ("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 \$ 48,765.64.
The Accounts Payable records reflect a balance of \$ 0.
- 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: _____

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

\$ _____ Secured

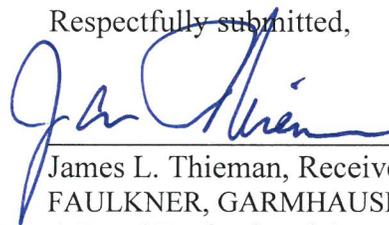
\$ _____ Administrative

\$ _____ 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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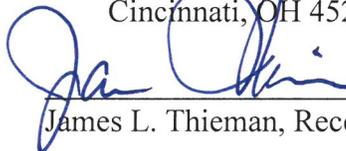
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