

2018 SEP 18 PM 1:38

I. JEAN NECKSTROTH
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
AUGLAIZE COUNTY, OHIO
CIVIL DIVISION

PAUL MASTRONARDI	*	CASE NO: 2017-CV-144
Plaintiff,	*	
-VS-	*	JOURNAL ENTRY
LUIS CHIBANTE, ET AL.	*	RE: 617885 ONTARIO
Defendants.	*	LIMITED—ORDERS
	*	RECOGNIZING OBJECTIONS
	*	AND SETTING HEARING

On February 26, 2018, the Receiver moved the court for an order approving a certain note and security for payment of a promissory note to Olindo and Dorothy Mastronardi in the amount of \$2 million Canadian Dollars to be borrowed from 617885 Ontario Limited. That motion asserted certain Objections the Receiver had received from counsel for Luis Chibante.

On March 7, 2018, Defendant Chibante filed his Objection in his memorandum in opposition to the above-mentioned motion to approve the note and security. On March 9, 2018, Intervenor Mastronardi Produce Limited filed its Objection in its memorandum in opposition to the Receiver's said motion.

On March 9, 2018, Intervenor Bank of Montreal filed its Objections in its memorandum in opposition to the Receiver's said motion. The court previously scheduled a hearing upon said motion and objections, but continued said hearing on its own motion.

The Court, noting that 617885 Ontario Limited has filed its claim which includes as a part of its claim the \$2 million Canadian Dollars plus interest involved in the Receiver's motion of February 26, 2018, now Orders said motion and the associated objections merged into the claims process, to be heard on the hearing on all claims and objections which commences on October 29, 2018 at 8:30 a.m. and continues until its conclusion.

The Court will consider all pleadings associated with the Receiver's said motion, including the above-noted objections, with regard to the claim of 617885 Ontario Limited, together with any additional objections which may be filed, at the hearing scheduled as noted above. Parties need not re-file their same pleadings, but may

supplement their objections during the period allowed for objections (through October 2, 2018.)

The Clerk shall cause a copy of this Journal Entry and copies of the above-mentioned Motion and Objections to be posted as an Objection as to the claim of Claimant 617885 Ontario Limited on the Clerk's and the Court's websites; and a copy of this Journal Entry to be served by regular U. S. Mail upon the following:

Marion H. Little, counsel for Plaintiff/Claimant, Paul Mastronardi, and who is also counsel for Claimant 617885 Ontario Limited;
Kraig Noble, co-counsel for Plaintiff, Paul Mastronardi;
Michael Scheier, counsel for Defendant/Claimant/Objector Luis Chibante;
Robert Zimmerman, counsel for Intervenor/Objector MPL;
A.J. Webb, counsel for Intervenor/Objector Bank of Montreal;
Receiver James L. Theiman.

IT IS SO ORDERED.


JUDGE FREDERICK D. PEPPE