

THE STATE OF NEW HAMPSHIRE

RSA 339:79, 358-A:2

ROCKINGHAM, SS.

WHEREAS, the within named defendant has waived indictment and applied to the Superior Court for prompt arraignment upon the complaint herein set forth;

NOW, therefore, the State of New Hampshire upon oath does hereby complain that:

Flynn's Oil Company, LLC

of 94 Portsmouth Avenue, Exeter, New Hampshire, in the County of Rockingham, between May and October, in the year of our Lord two thousand and nine, in the County of Rockingham, with force and arms, did commit the crime of Unfair or Deceptive Act or Practice, in that

Flynn's Oil Company, LLC entered into prepaid contracts with consumers for the sale and delivery of home heating oil which required prepayment from the consumers, and knowingly failed to have obtained and maintained a futures contract, surety bond or letter of credit, as required by RSA 339:79.

contrary to the form of the statute, in such case made and provided, and against the peace and dignity of the State.

WHEREFORE, the State of New Hampshire prays that the within named defendant may be held to answer to this complaint, and that justice may be done.

DATED: April 8, 2010

Constance N. Stratton
Constance N. Stratton
Senior Assistant Attorney General

STATE OF NEW HAMPSHIRE
MERRIMACK, SS.

Personally appeared before me Constance N. Stratton, who signed the above complaint and made oath based on information and belief that the above complaint is true.

My commission expires: 8/13/13

James T. Boffetti
Notary Public/Justice of the Peace
JAMES T. BOFFETTI

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS.

SUPERIOR COURT

I, Flynn's Oil Company, LLC of Exeter, N.H.

- Having been bound over to the Superior Court by the District Court of _____ on the attached complaint,
- Having been served with the within complaint in addition to a complaint upon which I have been bound over to the Superior Court,
- Having been served with the within complaint under RSA 601:3-A, do hereby waive indictment and apply for prompt arraignment.

April 8, 2010

Millie J. [Signature] "President"
Defendant

April 8, 2010

Consent of: Christopher N. Hutton
Senior Assistant Attorney General

April 8, 2010

Consent of: [Signature]
Presiding Justice

AFFIDAVIT OF SERVICE

ROCKINGHAM, SS.

On the 8th day of April, 2010, I gave the within named Defendant a true copy of this complaint and waiver of indictment.

[Signature], 2010

[Signature]
Sheriff

Subscribed and sworn to, before me

April 8, 2010

Marylou A. Maljean
Justice of the Peace
my comm expires 10/31/2012