

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

**STATE'S OBJECTION TO  
MOTION TO RELEASE REAL ESTATE ATTACHMENT**

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and objects to the respondent's Motion to Release Real Estate Attachment, and in support thereof offers the following:

1. The State has obtained a two million dollar attachment on the real estate located at 94 Portsmouth Avenue, Exeter.
2. The owner of the real estate is 94 Portsmouth Avenue Trust.
3. The grantor and trustee of the trust is John W. Flynn, III.
4. The trust is revocable.
5. Flynn's Oil Company, LLC (hereinafter "Flynn's") is located at 94 Portsmouth Avenue, Exeter. The manager of Flynn's is Michael P. Flynn, the brother of John W. Flynn, III.
6. Michael P. Flynn and John W. Flynn, III are both involved in the operation of Flynn's.

7. Michael P. Flynn, Flynn's Oil Company, LLC and 94 Portsmouth Avenue Trust are sufficiently intertwined such that the attachment issued against 94 Portsmouth Avenue Trust should not be released.

WHEREFORE, the State of New Hampshire respectfully requests this Honorable Court to:

- A. Deny the respondent's Motion to Release Real Estate Attachment;
- B. Schedule a hearing in this matter; and
- C. Grant any other and further relief this Honorable Court deems just and equitable.

Respectfully submitted,

MICHAEL A. DELANEY  
ATTORNEY GENERAL

Dated March 1, 2010



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CERTIFICATION

I hereby certify that a copy of the within motion was mailed first-class, postage prepaid this date to Christopher Mulligan, Esq.



Constance N. Stratton