

STATE OF RHODE ISLAND

PROVIDENCE, SC.

SUPERIOR COURT

(FILED: June 10, 2022)

COMMERCE PARK REALTY, LLC, et al., :
Plaintiffs, :

v. :

HR2-A Corp., et al., :
Defendants. :

C.A. No. PB-2011-1922

AMENDED DECISION

TAFT-CARTER, J. This Amended Decision is filed to correct the Court’s April 1, 2022 Decision:

1. The first sentence of the second paragraph on page 26 of the Decision is amended to read as follows:

Section 9-21-10(a) governs the application of pre-judgment interest.

2. The last sentence of the second paragraph on page 27 of the Decision is amended to read as follows:

Therefore, the Receivership Plaintiffs’ claims for enforcement of the usury penalty do not warrant an award of pre-judgment interest pursuant to § 9-21-10(a) because § 6-26-4(c) does not provide for recovery of pecuniary damages and there is no additional form of harm or injury alleged under Counts I and IV of the Amended Complaint.

3. The first full paragraph on page 28 of the Decision is amended to read as follows:

In sum, the Principal Borrower Plaintiffs’ requests for application of pre-judgment interest to the return of payments made on the Seven Million Dollar and Fourteen Million Dollar Notes are therefore denied.

The remaining contents of the Decision filed on April 1, 2022 remain the same.



RHODE ISLAND SUPERIOR COURT

Decision Addendum Sheet

TITLE OF CASE: Commerce Park Realty, LLC, et al. v. HR-2 A Corp., et al.

CASE NO: PB-2011-1922

COURT: Providence County Superior Court

DATE DECISION FILED: June 10, 2022

JUSTICE/MAGISTRATE: Taft-Carter, J.

ATTORNEYS:

For Plaintiff: Richard G. Riendeau, Esq.; R. Thomas Dunn, Esq.;
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**For Interested:
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