

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

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SAU #83

ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II  
DEPUTY ATTORNEY GENERAL

February 1, 2010

Scott Brown  
Director of Facilities  
Fremont School District  
5 Hall Road  
Fremont, NH 03044

Re: State v. Flynn's Oil

Dear Mr. Brown:

Thank you for the complaint you filed with the Consumer Protection Bureau of the New Hampshire Attorney General's Office. As you know, Flynn's Oil Company entered into prebuy contracts with consumers for the purchase and delivery of heating oil and obtained prepayment from those consumers. Flynn's Oil Company has failed to deliver the oil for which it received prepayment.

Please be advised that the Attorney General intends to seek the appointment of a receiver of Flynn's Oil. If ordered by the court, the receiver would take control of the business and liquidate it to provide an orderly process and, as much as can be done, achieve equality of distribution to those holding claims against Flynn Oil. The receiver would also be authorized to file a bankruptcy petition for the company. It is still too soon to know whether there will be any distribution available.

If you have not already done so, you should obtain an alternative source of heating oil. If you are having financial difficulties in purchasing heating oil, you may wish to contact the Rockingham County Community Action Program at 1-800-639-3896, or your town's Welfare Assistance Department. You may also wish to dial 211 or log onto [www.211nh.org](http://www.211nh.org), which is an online searchable database for services in New Hampshire.

If you prepaid for your heating oil by credit card, you should contact your credit card company to advise them that you did not receive the product you paid for, and to request a chargeback.

The court process will take some time and we will notify you as soon as we have additional information. Any updated information will be posted to a link on our website at [www.doj.nh.gov/consumer](http://www.doj.nh.gov/consumer). Click on the link "Flynn's Oil Co. updates" to access the most recent information. This link will be posted on our website within the next two weeks.

Thank you for your patience in this matter. Please be assured that our office is doing everything in its power to affect a resolution for all consumers who have paid money to Flynn's Oil Company.

Sincerely,

Handwritten signature of James T. Boffetti in cursive.

James T. Boffetti  
Senior Assistant Attorney General  
Consumer Protection and Antitrust Bureau  
Tele: 603-271-3643  
Fax: 603-223-6202