

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

Court Name: Coos County Superior Court

Case Name: NuBridge Commercial Lending LLC v. Bearsville LLC, et al

Case Number: 214-2024-CV-00106

(if known) Plaintiff Defendant

**MOTION FOR EX PARTE ATTACHMENT**

The Plaintiff requests permission to make the following attachments without prior notice to the Defendant:

| Name of Defendant                         | Category of Property to be attached (check one)                                                   |       | Amount of attachment |
|-------------------------------------------|---------------------------------------------------------------------------------------------------|-------|----------------------|
|                                           | Real Estate<br>Provide address or book & page reference.<br>Attach additional pages if necessary. | Other |                      |
| Bearsville LLC                            | Real Estate owned by Bearsville LLC located within the state of New Hampshire                     |       | \$ 7,375,223.76      |
| Richard A. Renehan                        | Real Estate owned by Richard A. Renehan located within the state of New Hampshire                 |       | \$ 7,375,223.76      |
| American Performance Polymers LLC ("APP") | All inventory and equipment of APP located within the state of New Hampshire                      |       | \$ 2,670,113.74      |

A. The Plaintiff certifies the following facts to establish a reasonable likelihood that he/she will recover the amount stated above. (Specify facts in detail. Attach additional pages if necessary).

Please see attached Complaint and Addendum to this Motion.

B. The Plaintiff asserts that such an attachment is justified on the following grounds:  
(Specify which of the statutory grounds for making an *ex parte* attachment applies and detail the facts warranting the application of those grounds. Attach additional pages if necessary).

☒ There is substantial danger the property sought to be attached will be damaged, destroyed, concealed, or removed from the state and placed beyond the attachment jurisdiction of the court.

☒ There is imminent danger of transfer to a bona fide third party.

☐ Other:

Marc W. McDonald, Esquire  
Name of Filer

Ford, McDonald & Borden, P.A. 1666  
Law Firm, if applicable Bar ID # of attorney

10 Pleasant St., Ste 400  
Address

Portsmouth, NH 03801  
City State Zip code

 9/18/24  
Signature Date  
(If plaintiff is a corporation or partnership, a duly authorized officer or partner shall sign.)

603-373-1761  
Telephone

mmcdonald@fordlaw.com  
E-mail

Case Name: NuBridge Commercial Lending LLC v. Bearsville LLC, et al

Case Number: \_\_\_\_\_

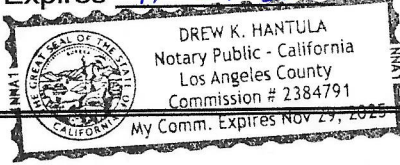
**MOTION FOR EX PARTE ATTACHMENT**

State of CALIFORNIA, County of LOS ANGELES

This instrument was acknowledged before me on SEPTEMBER 18, 2024 by JESUS E. PEREZ

My Commission Expires 11-29-2025

Affix Seal, if any



Signature of Notarial Officer / Title

**ORDER**

☐ Motion to attach is denied.

☒ Motion to attach is ☒ granted ☐ granted subject to the following modifications:

The Plaintiff is granted permission to make the above attachment(s) and shall complete service on the Defendant within twenty-one (21) days.

**Granted**

Honorable Jonathan S. Frizzell

September 19, 2024

Clerk's Notice of Decision  
Document Sent to Parties  
on 09/20/2024

**NOTICE TO DEFENDANT**

The court has authorized the above attachment to secure any judgment or decree that the Plaintiff may obtain. You have the right to object in writing, ask for a hearing and request that the attachment be removed. Any objection to this attachment shall be filed in writing within 14 days after service of this notice on you. If you fail to file such a request within the time specified in the order, you will be deemed to have waived your right to a hearing with reference to the attachment, but not with reference to the merits of the Plaintiff's claim.

Date

Presiding Justice

Honorable Jonathan S. Frizzell

09/19/2024 17:17:47

STATE OF NEW HAMPSHIRE

COOS, SS  
SUPERIOR COURT

Case No. 214-2024-CV-00106

NUBRIDGE COMMERCIAL LENDING LLC

v.

BEARSVILLE LLC; RICHARD A. RENEHAN; AMERICAN PERFORMANCE  
POLYMERS LLC, AS DEFENDANT AND AS TRUSTEE PROCESS DEFENDANT;  
AND RENCO CORPORATION, AS DEFENDANT AND TRUSTEE PROCESS  
DEFENDANT

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**ADDENDUM TO EX PARTE MOTION FOR ATTACHMENT**

NOW COMES NuBridge Commercial Lending LLC (“NuBridge”) by its counsel, Ford, McDonald & Borden, P.A., and submits the following addendum to its Motion for Attachment:

**Basis for Attachment:**

1. Plaintiff incorporates by reference all allegations of the complaint concerning the existence of a \$7,375,223.76 debt owed by Bearsville LLC (“Bearsville”) to Plaintiff, and Bearsville’s inability to pay that debt, as well as the basis for Plaintiff’s direct claims against Mr. Renehan, Renco Corporation and American Performance Polymers, LLC.

**Specification of Property to be Attached: Real Estate Owned by Bearsville.**

2. Plaintiff seeks an attachment on any real estate Bearsville owns in the state of New Hampshire. In particular, it seeks to attach Bearsville’s interest in three parcels of real estate located in Colebrook NH.

3. The first parcel is a 14.8 acres parcel improved with a 207,920 square foot manufacturing plant structure located at 23 Gould Street (tax map parcel 105-001-000) (the “Colebrook Property”). Plaintiff asserts that it holds a mortgage on this parcel. However,

Bearsville owes Plaintiff in excess of \$7,000,000.00. The appraised foreclosure value of this improved parcel is not more than \$1,540,000.00.

4. The second parcel is a 7.5-acre parcel adjacent to the main parcel which is located at Brandy Lee Lane (tax map parcel 110-042-000). Plaintiff does not believe this parcel is covered by its mortgage.

5. The third parcel is a very small piece (.13 acres) of real estate of uncertain value use or utility which is located on Brandy Lee Lane (tax map parcel 110-043-000). This parcel is not covered by Plaintiff's mortgage.

**Inventory and Equipment Owned by American Performance Polymers LLC ("APP"):**

6. Plaintiff seeks to attach inventory and equipment of APP wherever located within the state of New Hampshire, including without limitation, inventory and equipment located at 23 Gould Street in Colebrook, New Hampshire, and all replacements, accessions or substitutions thereto, and proceeds thereof, to the value of \$2,670,113.74.

**Trustee Process Attachments as to Funds Owed to Bearsville by APP and Renco Corp.:**

7. Trustee Process attachment per R.S.A. 512 of all money, credits, accounts or other right to payment owed by APP to Bearsville, LLC to the amount of \$2,670,113.74.

8. Trustee Process attachment per R.S.A. 512 of all money, credits, accounts or other right to payment owed by Renco Corporation to Bearsville, LLC to the amount of \$2,483,273.09.

Respectfully submitted,  
NUBRIDGE COMMERCIAL  
LENDING LLC

By its attorneys,  
Ford, McDonald & Borden, P.A.

Date: September 19, 2024

By: /s/ Marc W. McDonald  
Marc W. McDonald, Esquire (1666)  
10 Pleasant St., Ste 400

Portsmouth, NH 03801  
Telephone: 603-373-1761  
[mmcdonald@fordlaw.com](mailto:mmcdonald@fordlaw.com)

<https://fordmcpartlin.sharepoint.com/Shared Documents/WPDATA/Ed/05710 - Nubridge Capital/Pleadings/Drafts/Addendum to Motion for Ex Parte Attachment.docx>