

Dr. Richard Cordero

Ph.D., University of Cambridge, England
M.B.A., University of Michigan Business School
D.E.A., La Sorbonne, Paris

59 Crescent Street, Brooklyn, NY 11208-1515
tel. (718) 827-9521

Dr.Richard.Cordero.Esq.@Judicial-Discipline-Reform.org

December 28, 2007

Ms. Ana Vargas
Assistant Supervisor for the Motions Calendar Dept.
Court of Appeals for the Second Circuit
500 Pearl Street
New York, NY 10007

faxed to (212)857-8681
tel. (212)857-8590

Re: *In re Dr. Richard Cordero v. David and Mary Ann DeLano*, 06-4780-bk, CA2

Dear Ms. Vargas,

Thank you for taking my call this morning.

In a letter dated 19 instant, the Court gave notice that the motion to dismiss raised by Trustee George Reiber was set on the motions calendar for next Thursday, December 3, 2008. I hereby respectfully request oral argument.

This request is without prejudice to my argument in my Opposition of December 26 to the placement of the motion to dismiss on the motions calendar that thus placing such motion while my motions have been referred to the panel yet to be assigned is discriminatory. What is more, last August 9, when referring to the panel my "Motion of July 18, 2007, suggesting en banc consideration of the 3 denials of the motions for document production, and if denied, for the Court to disqualify itself due to conflict of interests and refer the case...", this Court ordered that:

IT IS HEREBY ORDERED that this motion and all further motions filed by Dr. Cordero are referred to the panel assigned to hearing this appeal.(CA:2079)

To refer all my future motions to the panel regardless of their nature and content is arbitrary and in light of the placement on the motions calendar of the Trustee's subsequently filed motion, it is discriminatory. Given that granting dismissal would result in my motions never being decided, this placement constitutes a denial of due process and of equal protection of law.

Consequently, this request is also without prejudice to my request, made in **1)** my response of November 8 to the Trustee's motion, **2)** my response of November 27 to his amended motion, and **3)** my opposition of December 26 to its placement on the motions calendar, that **A)** the Court first issue my proposed order for document production – accompanying 1), 2) and 3)- since *every single document* that I requested was denied me by the Bankruptcy and the District Courts below, and that **B)** if the Court denies my request, as it did when I thrice moved to that effect (Table of motions, #7, 8, 10, Dec. 26 Opposition, CA:2153), that it disqualify itself from this appeal due to its conflict of interests and issue a certificate of necessity under 28 U.S.C. §294(d) for the designation and assignment from the roster of retired judges of a judge from a different circuit who is unrelated to those of this Circuit and the parties.

Therefore, I respectfully request oral argument on the motion to dismiss and that such motion be heard after the Court has ordered and we have received those documents because they will show that the Trustee, the judges below, the debtor, and other court officers have participated in a bankruptcy fraud scheme. Once the Court and I have reviewed those documents, the Court will be in a position to determine whether the motion to dismiss is a means to escape liability for fraud on and by the court.

I look forward to hearing from you at your earliest convenience.

Sincerely, *Dr. Richard Cordero, Esq.*