

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK [LIVE] (Rochester)
CIVIL DOCKET FOR CASE #: 6:05-cv-06190-DGL**

Cordero v. DeLano et al
Assigned to: Hon. David G. Larimer
Cause: 28:0158 Notice of Appeal re Bankruptcy Matter
(BA

Date Filed: 04/22/2005
Jury Demand: None
Nature of Suit: 422 Bankruptcy
Appeal (801)
Jurisdiction: Federal Question

Appellant

Dr. Richard Cordero

represented by **Richard Cordero**
59 Cresent Street
Brooklyn, NY 11208
PRO SE

V.

Appellee

David DeLano

represented by **Christopher K. Werner**
Boylan, Brown, Code, Vigdor &
Wilson, LLP
2400 Chase Square
Rochester, NY 14604
585-232-5300, ext 1254
Fax: 484-238-9054
Email: cwerner@boylanbrown.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Appellee

Mary Ann DeLano

represented by **Christopher K. Werner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/22/2005	<u>1</u>	Notice of APPEAL FROM BANKRUPTCY COURT. Bankruptcy Court case number 2-04-20280-JCN. File received, filed by Richard Cordero. (Attachments: # <u>1</u> Designation of Items in the Record and Statement of Issues on Appeal)(BJB,) (Entered: 04/22/2005)

04/22/2005	2	ORDER directing that Appellant shall file and serve its brief within twenty (20) days after entry of this order on the docket and that Appellee(s) shall serve and file its brief within twenty (20) days after service of appellant's brief. Signed by Hon. David G. Larimer on 4/22/05. (BJB,) (Entered: 04/22/2005)
05/02/2005	3	OBJECTIONS to Order, 2 filed by Appellant Richard Cordero. (EMA,) (Entered: 05/03/2005)
05/03/2005	4	ORDER re 3 Objections -- non-motion filed by Richard Cordero. Appellant Brief due by 6/13/2005. Signed by Hon. David G. Larimer on 5/3/05. (EMA,) (Entered: 05/03/2005)
05/03/2005	5	APPELEE DESIGNATION OF RECORD by David DeLano, Mary Ann DeLano. to 1 Bankruptcy Appeal filed by David DeLano, Mary Ann DeLano. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4)(BJB,) (Entered: 05/03/2005)
05/12/2005		Remark - Letters received from Dr. Cordero regarding Bankruptcy transcripts: Placed in file. (BJB,) (Entered: 06/20/2005)
05/17/2005	6	ORDER granting in part 7 Appellant's request for additional time within which to file and serve his brief. Appellant shall file and serve his brief within twenty (20) days of the date that the transcript of the bankruptcy court proceedings is filed with the Clerk of the Bankruptcy Court . Signed by Hon. David G. Larimer on 5/17/05. (EMA,) (Entered: 05/17/2005)
05/18/2005	7	MOTION to Strike and for additional time RE: 6 Order granting in part Appellant's request for additional time within which to file and serve his brief. Appellant shall file and serve his brief within twenty (20) days of the date that the transcript of the bankruptcy court proceedings is filed with the Clerk of the Bankruptcy Court., by Richard Cordero.(BJB,) (Entered: 05/19/2005)
06/14/2005		Remark - Notified by Bankruptcy Court that appeal filing fee paid by Appellant on this date (BJB,) (Entered: 10/17/2005)
06/23/2005	8	NOTICE of attempts to obtain transcripts by Richard Cordero (BJB,) (Entered: 06/24/2005)
06/23/2005	9	MOTION to Join, MOTION to Stay by Richard Cordero.(BJB,) (Entered: 06/24/2005)
07/18/2005	10	MOTION to Stay by Richard Cordero. (Attachments: # 1 Proposed Order)(BJB,) (Entered: 07/18/2005)
07/18/2005	11	NOTICE of letter RE: Transcript Request by Richard Cordero (BJB,) (Entered: 07/18/2005)

07/19/2005	12	AFFIDAVIT in Opposition re 10 MOTION to Stay filed by Mary Ann DeLano. (Attachments: # 1 Covering Letter to Judge Larimer# 2 Certificate of Service Certificate of Service Statement Opposition Cordero Motion)(Werner, Christopher) (Entered: 07/19/2005)
07/22/2005	13	MOTION to have the Bankruptcy Court Reporter referred to the Judicial Conference by Richard Cordero.(BJB,) (Entered: 07/22/2005)
08/31/2005	14	MOTION to Compel Production of Documents and Take Other Actions Over Bankruptcy Court and of Appellant's Right to Appeal and for the Proper determination of this Appeal by Richard Cordero. Attachments: #(1) Certificate of Service; #(2) Proposed Order; #(3) Exhibits 1 - 6; #(4) Exhibits 7 - 11; #(5) Exhibits 12 - 18. (JHF) (Entered: 08/31/2005)
09/02/2005	15	REPLY/RESPONSE to re 14 MOTION to Compel filed by James Pfuntner. (MacKnight, David) (Entered: 09/02/2005)
09/07/2005	16	RESPONSE to Motion re 14 MOTION to Compel filed by David DeLano, Mary Ann DeLano. (Attachments: # 1 Certificate of Service)(Werner, Christopher) (Entered: 09/07/2005)
09/07/2005	17	CERTIFICATE OF SERVICE by James Pfuntner re 15 Reply/Response (MacKnight, David) (Entered: 09/07/2005)
09/13/2005	18	ORDER denying, in all respects, 13 Motion requesting that bankruptcy court reporter be referred to Judicial Conference. Signed by Judge David G. Larimer on 9/13/05. (PR,) (Entered: 09/13/2005)
09/26/2005	19	MOTION for Reconsideration re 18 Order on Motion for Miscellaneous Relief by Richard Cordero.(JHF) (Entered: 09/29/2005)
10/14/2005	20	ORDER denying 19 Motion for Reconsideration. Signed by Judge David G. Larimer on 10/14/05. (PR,) (Entered: 10/14/2005)
10/17/2005	21	ORDER denying 9 Motion for Joinder, denying 9 Motion to Stay, denying 10 Motion to Stay, denying 14 Motion to Compel. Signed by Judge David G. Larimer on 10/17/05. (PR,) (Entered: 10/17/2005)
10/27/2005	22	NOTICE OF COMPLIANCE with the order by Richard Cordero re 20 Order on Motion for Reconsideration. Appellant has requested a copy of the 3/1/05 hearing transcript and submitted a check for \$650 to the court reporter within the 14 day time period as specified in the order. (JHF) (Entered: 10/27/2005)
11/15/2005	23	TRANSCRIPT of Proceedings held on 3/1/05 before Judge Hon. John C. Ninfo, II, U.S. Bankruptcy Court, Western District of New York. Court Reporter: Mary Dianetti. Paper copy maintained in Clerk's office. (JHF) (Entered: 11/15/2005)

11/17/2005	24	NOTICE OF FILING A MOTION IN BANKRUPTCY COURT to Revoke for Fraud the Confirmation of Debtors' Plan by Richard Cordero (JHF) (Entered: 11/17/2005)
11/17/2005	25	NOTICE OF FILING A REQUEST IN BANKRUPTCY COURT for reasons for denying the request to appear by phone at the hearing of the motion to revoke for fraud the confirmation of Debtors' Plan by Richard Cordero (JHF) (Entered: 11/17/2005)
11/17/2005	26	MOTION for the Court to comply with the FRBkrP for docketing the transcript, entering the appeal, and scheduling the appellate brief by Richard Cordero.(JHF) (Entered: 11/17/2005)
11/21/2005	27	ORDER granting in part and denying in part re 26 MOTION filed by Richard Cordero. Appellant shall file and serve his brief 12/23/2005. Appellees shall file and serve their briefs by 1/20/2006. In accordance with Fed. R. Bankr. P. 8008(a), briefs are deemed filed on the day of mailing. The remainder of Cordero's motion is denied. Signed by Hon. David G. Larimer on 11/21/05. (EMA,) (Entered: 11/21/2005)
12/09/2005	28	MOTION to Withdraw Cases from Bankruptcy Court and Declare Orders Null and Void Pending Appeal by Richard Cordero.(JHF) (Entered: 12/10/2005)
12/19/2005	29	ORDER denying 28 Motion to Withdraw . Signed by Judge David G. Larimer on 12/19/05. (EMA,) (Entered: 12/19/2005)
12/27/2005	30	Appellant's BRIEF by Richard Cordero. Attachments: #(1) Proposed Order; and, #(2) Certificate of Service.(JHF) (Entered: 12/28/2005)
12/27/2005	31	ADDENDUM in Support of 30 Appellant's Brief. Manual filing - paper copy maintained in Clerk's office. (JHF) Modified on 12/28/2005 (JHF) (Entered: 12/28/2005)
12/30/2005	32	NOTICE OF FILING A MOTION in Bankruptcy Court to Quash the Order denying the motion to revoke due to fraud the order confirming the DeLanos' Plan, Revoke the Confirmation, and Remand the Case by Richard Cordero. <i>Please note: this document was originally received by the Clerk's office on 12/27/05, but not filed due to a non-original signature on page one. A new page one with original signature was received and filed on 12/30/05. Both pages are included in the filing.</i> (JHF) (Entered: 01/04/2006)
01/06/2006	33	ORDER denying appellant's oral request that the Court file [31] Addendum electronically. The Court orders that the document be filed conventionally and maintained in paper form in the file located in the Rochester Clerk's office. Signed by Hon. David G. Larimer on 1/4/06. (JHF) (Entered: 01/06/2006)

01/20/2006	34	Appellee's BRIEF by David DeLano. (Palmer, Devin) (Entered: 01/20/2006)
01/20/2006	35	CERTIFICATE OF SERVICE by David DeLano re 34 Appellee's Brief (Palmer, Devin) (Entered: 01/20/2006)
01/24/2006	36	ORDER granting appellant's request for an enlargement of time to file reply to 34 Appellee's Brief. Appellant may file his reply by 2/10/06 and the brief will be deemed filed on the day of mailing. Signed by Hon. David G. Larimer on 1/24/06. (JHF) (Entered: 01/24/2006)
02/16/2006	37	APPELLANT'S REPLY with Proposed Order and Post-Addendum Items filed by Richard Cordero. (JHF) (Entered: 02/16/2006)
08/21/2006	38	ORDER affirming the Decision and Order of United States Chief Bankruptcy Judge John C. Ningo, II re 1 Bankruptcy Appeal filed by Richard Cordero. ***CLERK TO FOLLOW UP . Signed by Hon. David G. Larimer on 8/21/06. (EMA,) (Entered: 08/21/2006)
08/22/2006	39	JUDGMENT that the Decision and Order of United States Chief Bankruptcy Judge John C, Ninfo, II, entered April 4, 2005, is in all respects affirmed. Signed by Clerk on 8/22/06. (JHF) (Entered: 08/22/2006)
09/12/2006	40	MOTION for Extension of Time to File Notice of Appeal by Richard Cordero.(JHF) (Entered: 09/13/2006)
09/12/2006	41	ORDER granting 40 Motion for Extension of Time to File Notice of Appeal. Notice due by 10/20/06. Signed by Judge David G. Larimer on 9/12/06. (JHF) (Entered: 09/13/2006)
10/16/2006	42	NOTICE OF APPEAL by Richard Cordero. Filing fee \$ 455, receipt number 69787. (MMG,) (Entered: 10/16/2006)
10/16/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 42 Notice of Appeal (MMG,) (Entered: 10/16/2006)
10/23/2006		Certified and Transmitted Index to Record on Appeal to US Court of Appeals re 42 Notice of Appeal (#1, 23 & 31 sent manually as ROA - rest of file electronically sent to USCA) (MMG,) (Entered: 10/23/2006)
10/23/2006	43	CLERKS CERTIFICATE for Index to Record on Appeal filed and electronically sent to Court of Appeals (Docs #1 attachment, #23 and #31 forwarded manually to USCA) (MMG,) (Entered: 10/23/2006)
10/25/2006	44	DESIGNATION of Record on Appeal and Statement of Issues by Richard Cordero re 42 Notice of Appeal (MMG,) (Entered: 10/31/2006)
10/31/2006	45	DESIGNATION of Record on Appeal by Richard Cordero re 42 Notice of Appeal (MMG,) (Entered: 11/03/2006)

CLOSED_2006

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Appellant**Dr. Richard Cordero**

represented by **Richard Cordero**
59 Cresent Street
Brooklyn, NY 11208
PRO SE

V.

Appellee**Daniel Delano**

represented by **Christopher K. Werner**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Appellee**Mary Ann DeLano**

represented by **Christopher K. Werner**
(See above for address)
LEAD ATTORNEY
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Date Filed	#	Docket Text
05/23/2008	46	MANDATE of USCA as to 42 Notice of Appeal filed by Richard Cordero. It is ordered that the appeal is Dismissed. (The appeal is subject to dismissal under the courts sua sponte authority) (BK) (Entered: 05/23/2008)

09/17/2008	Received Transcript, Statement of issues on appeal, and Addendum to designated items in the record from Second Circuit. (BK) (Entered: 09/17/2008)
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01/20/2009 06:56:37			
PACER Login:	rc1170	Client Code:	
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