

## Tables of Exhibits\*

that provide the evidence gathered in 12 cases over 6 years showing that a federal judgeship has become a safe haven for wrongdoing and justifying an investigation to determine how high and to what extent wrongdoing has reached; and that warrant the call for forming a virtual firm of lawyers and investigative journalists centered on Judicial Discipline Reform.org to help prepare pro bono a class action based on the representative case charging that Chief Judge John M. Walker, Jr., of the Court of Appeals for the Second Circuit (CA2) and CA2 Judge Dennis Jacobs have engaged in a series of acts of disregard of evidence and of systematic dismissal of judicial misconduct complaints forming a pattern of non-coincidental, intentional, and coordinated wrongdoing that supports a bankruptcy fraud scheme and protects the schemers

by

**Dr. Richard Cordero, Esq.**

### I. Cases providing evidence for the investigation & the representative case

	Case name	Filing date	Closing date or status	Docket no.	Court	File:pg.# * of brief docket	
1.	<i>In re Premier Van Lines</i> (Ch. 7 bkr.)	3/5/1	10/24/3	01-20692	WBNY	cf. A:72§1	A:565
2.	<i>Pfuntner v. Trustee Gordon et al.</i> (AdvP)	9/27/2	pending	02-2230	WBNY	A:70	A:1551
3.	<i>Cordero v. Trustee Gordon</i>	1/15/3	3/27/3	03cv6021L	WDNY	A:158	A:458
4.	<i>Cordero v. Palmer</i>	2/4/3	3/27/3	03mbk6001L	WDNY	A:314	A:462, but see ToEA:156>A:462b
5.	<i>In re Premier Van et al.</i>	5/2/3	1/26/5dism'd	03-5023	CA2	C:169	C:422
6.	<i>In re Richard Cordero</i> (mandamus)	9/12/3	denied 10/8/3	03-3088	CA2	A:615	A:665g
7.	<i>Misconduct complaint v. Bkr. J. Ninfo, WBNY</i>	9/2/3	6/8/4 dism'd	03-8547	CA2	C:1, 63; E:1	ToEC:7§§A,D
8.	<i>Misconduct complaint v. Chief J. Walker, CA2</i>	3/30/4	9/24/4dism'd	04-8510	CA2	C:271	ToEC:13§§B,F
9.	<i>Cordero v. Trustee Gordon et al.</i>	1/27/5	cert. denied	04-8371	SCt	A:1601	A:2229
10.	<i>In re David &amp; Mary Ann DeLano</i> (Ch. 13 bkr.)	1/27/4	on appeal	04-20280	WBNY	cf.C:1295§§A-B	D:496
11.	<i>Cordero v. DeLano</i>	4/22/5	on appeal	05cv6190L	WDNY	Pst:1231	Pst:1181
12.	<i>Dr. Richard Cordero v. David &amp; Mary DeLano</i>	10/16/6	pending	06-4780	CA2	CA2:1700	CA2_dkt

\*As of 4apr7. Page 1 of ToEC:pg#, ...A:, D:, Add:, and Pst:# at [http://Judicial-Discipline-Reform.org/docs/Tables\\_of\\_Exhibits.pdf](http://Judicial-Discipline-Reform.org/docs/Tables_of_Exhibits.pdf)

II. Summary of Contents

**ToEC:# pages**

Call for formation of class action and virtual firm of lawyers and investigative journalists .....ToEC:1

**ToEA:# pages**

*Pfuntner v. Tr. Gordon et al., WBNY> Cordero v. Gordon & Palmer, WDNY> >Premier Van et al., CA2>Cordero v. Trustee Gordon et al., SCt*..... ToEA:121

**ToED:>ToEAdd:>ToEPst:# pages**

*In re David & Mary Ann DeLano, WBNY>Cordero v. DeLano, WDNY* ToED:201  
ToEAdd:221  
ToEPst:251

III. Contents of **ToEC:# pages** ..... ToEC:3-4

IV. The C:# pages are related to the A, D, Add, and Pst files because the same pattern of judicial wrong-doing runs through the cases that each covers, which justifies JDR’s call for a class action and a virtual firm of lawyers and investigative journalists to help pro bono to prepare it..... ToEC:5

\*The letters identify sets of PDF files containing exhibits of the cases cited above; and the numbers indicate the first page of the respective exhibits. The letters mean the following:

**A**= Appendix of exhibits of cases 1-9; ..... **C**=this call; **Tr**=transcript of 3/1/5 hearing  
**D**=Designated items in the record of cases 10-11; **Add**=Addendum to D; and **Pst**=PostAddendum.

The PDF files can be opened with Acrobat Reader v. 7, which can be downloaded from [Adobe.com](http://adobe.com). They are found in the Attachments pane of this file ([Statement facts & Table Exh](#)). Clicking on the Bookmarks tab of a file will open a pane that may contain the file’s table of content. Some files, such as [Text of Authorities Cited](#), may also be contained in suitably identified folders in this website.

The text of a referenced exhibit can be found by opening the PDF file within whose number range the reference’s page number falls. Such text can also be accessed through the block of hyperlinks to exhibits by pressing Ctrl and double clicking on the corresponding lettered hyperlink whose number is the same as that of the reference or is the next lower; e.g. if the reference is to C:275 click on [C:271](#).

JDR’s call: [C:1/E:1](#); [C:271](#); [C:441](#); [C:551](#); [C:711](#); [C:821](#); [C:981](#); [C:1081](#); [C:1285](#); [C:1331](#)

*Pfuntner*>[WBNY](#)>[WDNY](#)>[CA2](#)>[SCt](#): [A:1](#); [A:261](#); [A:353](#); [A:734](#); [A:1061](#); [A:1301](#); [A:1601](#); [A:1675](#); [A:1765](#); [E:1](#)

*DeLano*: [D:1](#); [D:103](#); [D:203](#); [D:301](#); [D:425](#); [Add:509](#); [Add:711](#); [Add:911](#); [Pst:1171](#); **Tr**=transcript of 3/1/5 hearing

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1. From <i>Pfuntner</i> before Judge Ninfo on appeal to CA2.....	ToEC:12
B. Judicial misconduct complaint against Chief Judge John M. Walker, Jr., CA2 .....	ToEC:13
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D. Appeal to the Judicial Council, 2 <sup>nd</sup> Cir., from the dismissal of the misconduct complaint against Judge Ninfo, WBNY.....	ToEC:23
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F. Appeal to the Judicial Council from the dismissal of the misconduct complaint against C.J. Walker.....	ToEC:29
G. Appeal to the Judicial Conference of the U.S. from the denials by the Judicial Council of the petitions for review of the dismissals of the complaints against Judge Ninfo and C.J. Walker .....	ToEC:32
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J. Request to the Judicial Council, 2 <sup>nd</sup> Cir., for the abrogation of district local rules inconsistent with FRCivP and protective of a bankruptcy fraud scheme.....	ToEC:55
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1. Offices in New York City .....	ToEC:57
2. Offices in Rochester and Buffalo .....	ToEC:64
L. Submissions to the Judicial Conduct and Disability Act Study Committee chaired by Justice Stephen Breyer of evidence of a pattern of systematic dismissal of complaints about judicial wrongdoing in support of a bankruptcy fraud scheme further protected by preventing complaints from reaching the Judicial Conference .....	ToEC:70
VI. Table of Authorities Cited (AuC:#) whose text is in Attachments to the Statement of Facts and in separate PDF files .....	ToEC:71
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3. Contact information with detailed index to exhibits, organized by categories listed in the order in which the <i>Follow the money!</i> investigation may proceed .....	ToEC:271
B. Searches on PACER for two trustees and one bankruptcy attorney and its return of docket information about, and hyperlinks to, their more than 7,800 cases before Judge Ninno .....	ToEC:91
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<b>Table 2. Contempt for the law and litigants' rights shown in the dismal quality of the work produced by Judges Larimer and Ninno and accepted by them from lawyers and clerks .....</b>	<b>ToEC:109</b>

**Table 3.** The DeLanos' over \$670,000 in receipts + \$98,000 in credit card borrowing **unaccounted for** due to the judges' refusal to require production of documents supporting their declaration in Schedule B (D:31) that at the **time of filing** their bankruptcy petition they **only** had **\$535 in hand** and on account!.....ToEC:110

**Table 4.** Officers that have **disregarded** their statutory duty to **investigate** the DeLano Debtors.....ToEC:111

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# Table of Exhibits of A:# pages<sup>1</sup>

concerning the appeals as of August 1, 2006

Part A ToEA:124 A:1-152	from <b>WBNY</b>	<i>Pfuntner v. Trustee Gordon et al.</i> , <b>September 27-December 30, 2002</b>	no. 02-2230 dkt. at A:1551
Part B ToEA:132 A:153-430	to <b>WDNY</b>	<i>Cordero v. Trustee Gordon</i> , <i>Cordero v. Palmer</i> , <b>January 9-March 27, 2003</b>	no. 03cv6021L no. 03mbk6001L dcts. at A:1295; 462
Part. C ToEA:154 A:431-1549	to <b>CA2</b>	<i>In re Premier Van et al.</i> , <b>April 25, 2003-October 26, 2004</b>	no. 03-5023 dkt. at A:1285
Part D ToEA:168 A:1601-2229	to <b>Sct.</b>	<i>Cordero v. Trustee Gordon et al.</i> , <b>January 20-March 28, 2005</b>	no. 04-8371 dkt. at A:2229

by

**Dr. Richard Cordero, Esq.**

## Table of Headings (providing a synoptic statement of facts of the cases<sup>2</sup>)

### A. IN BANKRUPTCY COURT, WBNY:

**From** Dr. Cordero's application of September 27, 2002, for a review of Trustee Gordon's conduct & liquidation of storage company Premier, which had abandoned his stored property at Warehouse Pfuntner's **to** Pfuntner's admin. & storage fee recouping suit v. the Tr., Dr. Cordero et al., **to** Judge Ninfo's summary dismissal of Dr. Cordero's cross-claims against

<sup>1</sup>The exhibits listed on this Table of Exhibits (ToE) are found in the Attachments pane of the Statement of Facts and may also be in suitably identified folders in the Judicial Discipline Reform website. The exhibits of the *DeLano* cases, identified as D:#, Add:#, Pst:#, and Tr:#, are there too. The files are the following:

JDR's call: C:1/E:1; C:271; C:441; C:551; C:711; C:821; C:981; C:1081; C:1285; C:1331

*Pfuntner*>: A:1; A:261; A:353; A:734; A:1061; A:1301; A:1601; A:1675; A:1765

*DeLano*: D:1; D:103; D:203; D:301; D:425; Add:509; Add:711; Add:911; Pst:1171; Tr=transcript 3/1/5hearing

<sup>2</sup>To facilitate the understanding of the development of the subject matters stated in this and other headings, their respective exhibits are listed chronologically regardless of their page numbers. These numbers have been maintained as much as possible so as to preserve the validity of references to A-# pages in earlier exhibits. Thus, if a page number is not found where it should logically be, look for it further down in the Table.

the Trustee despite genuine issues of material facts ..... ToEA:124

**B. IN DISTRICT COURT, WDNY:**

**From** Dr. Cordero’s notice of January 9, 2003, of appeal to Tr. Gordon’s motion to dismiss it as untimely filed though timely mailed

**to** WDNY Judge Larimer’s dismissal of his notice and denial of his application for judgment v. defaulted Premier Owner Palmer

**and** the legally unsupported requirement by Judges Ninfo & Larimer that Dr. Cordero inspect his property and prove that its loss was caused by Palmer, who is thus given a chance to escape liability though a defrauder of storage & insurance fees Why?.... ToEA:132

1. Trustee Gordon’s motion in District Court to dismiss Dr. Cordero’s notice of appeal as untimely filed though timely mailed ..... ToEA:132
2. Dr. Cordero’s motion in Bankruptcy Court to extend time to file his notice of appeal and its denial by Judge Ninfo ..... ToEA:134
3. Transcript the hearing in Bankruptcy Court on December 18, 2002, of Trustee Gordon’s motion to dismiss Dr. Cordero’s cross-claims ..... ToEA:135
4. Application for default judgment against Premier Owner David Palmer ..... ToEA:135
5. Dr. Cordero’s property search and NYC-Rochester trip to inspect it at Pfuntner’s warehouse, where Premier Owner Palmer had abandoned it ..... ToEA:138
  - a. Dr. Cordero’s efforts to find his property before *Pfuntner* in 2002 ..... ToEA:138
  - b. From the pleadings in *Pfuntner v. Trustee Gordon et al.* , to the pre-trial conference of January 10, 2003.....ToEA:141
  - c. Proposing dates and measures for the property inspection at Plaintiff Pfuntner’s warehouse in Avon, NY: conducted on May 19, 2003..... ToEA:144
  - d. Judge Ninfo’s request after the inspection that Dr. Cordero resubmit the default judgment application only to deny it despite Dr. Cordero’s proof of property loss & damage by Palmer ..... ToEA:147
  - e. Dr. Cordero’s motion for sanctions for false representations concerning the inspection by Absentees Pfuntner & Att. MacKnight..... ToEA:148
  - f. Dr. Cordero’s motion for sanctions for Pfuntner & Att. MacKnight disobeying discovery orders ..... ToEA:148
  - g. Att. MacKnight’s “Notice to Admit” regarding findings of inspection of property at Pfuntner’s warehouse that neither attended ..... ToEA:149
6. Orders and motions concerning Judge Ninfo’s “discrete” “discreet” hearing in *Pfuntner* on October 16, 2003 ..... ToEA:150
7. Dr. Cordero’s request to Bankruptcy Court for docket documents concerning Trustee Gordon’s liquidation of Premier and its failure to produce them..... ToEA:153

**C. COURT OF APPEALS FOR THE SECOND CIRCUIT:**

**From** the appeal to CA2 on April 25, 2003,  
**to** its dismissal for lack of jurisdiction due to the alleged  
non-finality of the appealed orders re Tr. Gordon and Palmer  
**to** the denial of the petition for panel rehearing on October 26, 2004.... **ToEA:154**

- 1. **Documents in Dr. Cordero’s appeal that the District Court failed to transmit to CA2** ..... **ToEA:154**
  - a. Appeal from District Court to CA2 and dockets of the Bankruptcy Court in *Premier Van Lines* and *Pfuntner* ..... **ToEA:154**
  - b. Incomplete transmission of documents from the U.S. District Court to CA2..... **ToEA:155**
    - 1) *Cordero v. Trustee Gordon*, dkt. no. 03-cv-6021L, WDNY ..... **ToEA:155**
    - 2) *Cordero v. Palmer*, dkt. no. 03-mbk-6001L, WDNY ..... **ToEA:155**
  - c. Documents of Dr. Cordero’s appeal missing in CA2 ..... **ToEA:156**
- 2. **Pleadings in *Premier Van et al.*, CA2**.....**ToEA:157**
- 3. **Motions** and oral argument in *Premier Van et al.*, CA2 .....**ToEA:157**
- 4. Dr. Cordero’s petition to CA2 for a writ of **mandamus** to disqualify Judge Ninfo for bias toward the locals and disregard for the law, and to transfer *Pfuntner* to NDNY; and its denial for alleged non-fulfillment of “the extraordinary requirements” to issue a writ of mandamus ..... **ToEA:159**
- 5. Dr. Cordero’s petition for **rehearing** of *Premier Van et al.* due to the appealed orders’ necessary finality; motions for CA2 Chief Judge Walker to recuse himself from its consideration due to his mis-handling of a judicial misconduct complaint and toleration of a pattern of wrongdoing by Judge Ninfo and CA clerks; and the Chief Judge’s belated and inconsequential recusal on October 13, 2004 ..... **ToEA:160**
- 6. Dr. Cordero’s motion to **quash** Judge Ninfo’s order in *DeLano* requiring Dr. Cordero to take discovery of issues in *Pfuntner* on appeal in CA2 and try them piecemeal in *DeLano* so as to enable the Judge to disallow and dismiss wholesale Dr. Cordero’s claims in both cases; and denial in CA2 ..... **ToEA:165**
- 7. Ca2 denial of the rehearing petition on October 26, 2004, and of the motion to stay the mandate on November 8, 2004.....**ToEA:167**

**D. SUPREME COURT OF THE UNITED STATES:**

**Petition for a writ of certiorari** to CA2 on grounds of intentional and coordinated denial of due process as part of a judicial misconduct and bankruptcy fraud scheme; denied on March 28, 2005 .....**ToEA:168**

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Tables of Exhibits of D:, Add:, and Pst:# pages  
consisting of the following subtables:

- I. **Designated Items by Appellant Dr. Richard Cordero on April 18, 2005, pursuant to FRBkrP 8006, and contained in the record of *In re David & Mary Ann DeLano*, no. 04-20280, WBNY** ..... pages D:1-D:508g..... ToED:201  
[D:1](#); [D:103](#); [D:203](#); [D:301](#); [D:425](#)
  
- II. **Addendum to the Designated Items and accompanying Dr. Cordero’s appellate brief of December 21, 2005, in *Cordero v. DeLano*, 05cv6190L, WDNY** ..... pages Add:509-1155.. ToED:221  
[Add:509](#); [Add:711](#); [Add: 911](#)
  
- III. **Post-Addendum including the exhibits accompanying Dr. Cordero’s reply brief of February 8, 2006, and other exhibits since** ..... pages Pst:1171-1423 . ToED:251  
[Pst:1171](#)

as of August 1, 2006  
by  
**Dr. Richard Cordero, Esq.**

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- I. Mr. DeLano, a 39 year banking veteran, and his wife filed a petition for bankruptcy, where they named Dr. Cordero among their creditors and treated him as such for six months after he requested documents in support of their incongruous declarations, e.g. that they had only \$535 in cash and on account yet had earned \$294,470 in the preceding 3 years, but the Trustee tried to protect them from having to produce such documents, thus violating his duty to ascertain their financial affairs..... ToED:204
  
- II. On the basis of their petition and the few documents that they produced, Dr. Cordero showed that the DeLanos had concealed assets, whereupon their attorney, who had appeared before Bankruptcy Judge Ninfo in over 500 cases, came up with the artifice of a motion to disallow his claim by pretending that

after all he was not a creditor; the Judge required Dr. Cordero to engage in discovery and present the evidence of his claim only for the Judge and the DeLanos to deny him every single document that he requested, which was followed by the predetermined disallowance of his claim at a sham evidentiary hearing, thus stripping him of his right as a creditor to request documents that could prove their participation in a bankruptcy fraud scheme ..... ToED:210

III. After the trustee and his supervising U.S. trustees attempted for 11 months to prevent Dr. Cordero from exercising his right to examine the DeLanos under oath, finally they allowed him to do so at a meeting, at which he discovered the DeLanos' suspicious series of mortgages, which even the incomplete documents that they produced allowed him to show that since 1975 they received \$382,187 to buy their home, yet in 2005, 30 years later, they still lived in the same home but owed \$77,084 and had equity of merely \$21,415; but the trustees refused to ask the DeLanos to account for that money and stopped responding to Dr. Cordero's letters ..... ToED:215

IV. After Bankruptcy Judge Ninfo disallowed at a sham evidentiary hearing Dr. Cordero's claim against Mr. DeLano, whose testimony had corroborated it, District Judge Larimer ordered Dr. Cordero to file his appellate brief before the transcript, with its incriminating evidence of bias and unlawfulness, had even been started to be prepared, let alone its docketing by the court effected as required, whereby he protected his peer and the DeLanos by violating FRBkrP 8006 and 8007 ..... ToEAdd:222

V. The court reporter that recorded stenographically the sham evidentiary hearing refused to certify that her transcript would be accurate, complete, and tamper-free, and Dr. Cordero requested Judge Larimer that she be replaced and reported for investigation, but he refused to do so and ordered Dr. Cordero to obtain the transcript from that reporter anyway, thus disregarding the doubt that she had cast on its reliability and its detrimental impact on the integrity of the appeal process ..... ToEAdd:229

VI. Dr. Cordero showed on the basis of Trustee Reiber's "report" that he had conducted no investigation of the DeLanos at all and requested that Judges Larimer and Ninfo order the production of documents, such as those of their mortgages and the transcript that the Trustee had a private reporter prepare of the meeting at which Dr. Cordero had examined the DeLanos, that would show that the DeLanos had procured

through fraud the confirmation of their plan of debt repayment, but both Judges refused to ask for a single document, not to mention revoke the confirmation ..... ToEAdd:231

VII. Judge Larimer denied production of *every single document* requested by Dr. Cordero from the DeLanos or the trustees, for they could prove their support of a bankruptcy fraud scheme; and further protected them and Judge Ninfo by refusing to post on the Court’s electronic case management system even the transcript or a single exhibit provided by Dr. Cordero both on a CD and in hardcopy with his appellate brief, thereby preventing them from being available publicly through PACER<sup>2</sup> .....ToEPst:251

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1.The procedural and financial documents in DeLano have been listed in tables D:#, Add:#, and Pst:# chronologically since they all reinforce each other in revealing the same pattern of conduct of the DeLanos, their attorneys, the trustees, and the judges, namely, an intentional and coordinated effort to prevent Dr. Cordero from obtaining from the DeLanos documents concerning their financial affairs, even those as obviously pertinent to ascertaining the merits of any bankruptcy petition as bank account statements, for they would show that these parties and officers have all known and tolerated the DeLanos' concealment of assets as part of a bankruptcy fraud scheme supported by all of them.

Hence, the headings only highlight the main objective of their effort at a particular point in time during the development of the case. Documents leading up to or tapering off from the objective indicated by a heading may be found under previous or subsequent headings. The documents themselves, particularly those of Dr. Cordero, which have many references to previous documents or point to a possible future course of action requested as relief, will indicate whether related documents may be under previous headings and whether further developments of an objective or course of action still being pursued are likely to be treated in documents listed under subsequent headings.

<sup>2</sup>Judge Larimer’s refusal to post the transcript or the exhibits and the glaring mistakes of fact that he made in his order of denial are discussed at [C:1307¶¶45-51](#).

**VII.A.3. Contact information with detailed index to exhibits, organized by categories listed in the order in which the *Follow the money!* investigation may proceed (see also the alphabetically organized table at ToEC:76)**

- I. [The web of personal relationships in WDNY \(Stat. of Facts 4¶14 et seq.\) and the bkr fraud scheme \(C:660\)](#)
  - a) [The bankrupts](#)
  - b) [The trustees](#)
  - c) [The judges & their staffs](#)
    - i) [Bankruptcy Court, WDNY](#)
    - ii) [District Court, WDNY](#)
  - d) [Lawyers and law firms](#)
  - e) [Bankruptcy professionals](#)
  - f) [Warehousers](#)
  - g) [Financial Institutions](#)
  - h) [U.S. attorneys](#)
  - i) [FBI agents](#)
- II. [Higher courts protecting their judicial peers \(Stat. of Facts 5§A et seq.\)](#)
  - a) [Court of Appeals for the 2nd Circuit](#)
    - i) [CA2 Judges](#)
    - ii) [Staff of CA2](#)
  - b) [Judicial Council of 2nd Circuit](#)
    - i) [Circuit Justice](#)
    - ii) [Circuit Judges](#)
    - iii) [District Judges](#)
  - c) [Administrative Office of the U.S. Courts](#)
  - d) [Judicial Conference of the U.S.](#)
    - i) [Executive Committee](#)
    - ii) [Conference Members](#)
    - iii) [Committee to Review Circuit Council Conduct and Disability Orders](#)
  - e) [Supreme Court of the United States](#)
    - i) [Judicial Conduct and Disability Act Study Committee](#)
  - f) [U.S. Congress Committees on the Judiciary](#)

[See the contents of this section of Contact Information and Background organized by categories at <http://judicial-discipline-reform.org/Contact%20by%20categories.htm>.