

**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*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/22/2005	<a href="#"><u>1</u></a>	Notice of APPEAL FROM BANKRUPTCY COURT. Bankruptcy Court case number 2-04-20280-JCN. File received, filed by Richard

		Cordero. (Attachments: # <a href="#">1</a> Designation of Items in the Record and Statement of Issues on Appeal)(BJB, ) (Entered: 04/22/2005)
04/22/2005	<a href="#">2</a>	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	<a href="#">3</a>	OBJECTIONS to Order, <a href="#">2</a> filed by Appellant Richard Cordero. (EMA, ) (Entered: 05/03/2005)
05/03/2005	<a href="#">4</a>	ORDER re <a href="#">3</a> 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	<a href="#">5</a>	APPELEE DESIGNATION OF RECORD by David DeLano, Mary Ann DeLano. to <a href="#">1</a> Bankruptcy Appeal filed by David DeLano, Mary Ann DeLano. (Attachments: # <a href="#">1</a> Exhibit 1# <a href="#">2</a> Exhibit 2# <a href="#">3</a> Exhibit 3# <a href="#">4</a> 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	<a href="#">6</a>	ORDER granting in part <a href="#">7</a> 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	<a href="#">7</a>	MOTION to Strike and for additional time RE: <a href="#">6</a> 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	<a href="#">8</a>	NOTICE of attempts to obtain transcripts by Richard Cordero (BJB, ) (Entered: 06/24/2005)
06/23/2005	<a href="#">9</a>	MOTION to Join, MOTION to Stay by Richard Cordero.(BJB, ) (Entered: 06/24/2005)
07/18/2005	<a href="#">10</a>	MOTION to Stay by Richard Cordero. (Attachments: # <a href="#">1</a> Proposed Order)(BJB, ) (Entered: 07/18/2005)

07/18/2005	<a href="#">11</a>	NOTICE of letter RE: Transcript Request by Richard Cordero (BJB, ) (Entered: 07/18/2005)
07/19/2005	<a href="#">12</a>	AFFIDAVIT in Opposition re <a href="#">10</a> MOTION to Stay filed by Mary Ann DeLano. (Attachments: # <a href="#">1</a> Covering Letter to Judge Larimer# <a href="#">2</a> Certificate of Service Certificate of Service Statement Opposition Cordero Motion)(Werner, Christopher) (Entered: 07/19/2005)
07/22/2005	<a href="#">13</a>	MOTION to have the Bankruptcy Court Reporter referred to the Judicial Conference by Richard Cordero.(BJB, ) (Entered: 07/22/2005)
08/31/2005	<a href="#">14</a>	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	<a href="#">15</a>	REPLY/RESPONSE to re <a href="#">14</a> MOTION to Compel filed by James Pfuntner. (MacKnight, David) (Entered: 09/02/2005)
09/07/2005	<a href="#">16</a>	RESPONSE to Motion re <a href="#">14</a> MOTION to Compel filed by David DeLano, Mary Ann DeLano. (Attachments: # <a href="#">1</a> Certificate of Service)(Werner, Christopher) (Entered: 09/07/2005)
09/07/2005	<a href="#">17</a>	CERTIFICATE OF SERVICE by James Pfuntner re <a href="#">15</a> Reply/Response (MacKnight, David) (Entered: 09/07/2005)
09/13/2005	<a href="#">18</a>	ORDER denying, in all respects, <a href="#">13</a> 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	<a href="#">19</a>	MOTION for Reconsideration re <a href="#">18</a> Order on Motion for Miscellaneous Relief by Richard Cordero.(JHF) (Entered: 09/29/2005)
10/14/2005	<a href="#">20</a>	ORDER denying <a href="#">19</a> Motion for Reconsideration. Signed by Judge David G. Larimer on 10/14/05. (PR, ) (Entered: 10/14/2005)
10/17/2005	<a href="#">21</a>	ORDER denying <a href="#">9</a> Motion for Joinder, denying <a href="#">9</a> Motion to Stay, denying <a href="#">10</a> Motion to Stay, denying <a href="#">14</a> Motion to Compel. Signed by Judge David G. Larimer on 10/17/05. (PR, ) (Entered: 10/17/2005)
10/27/2005	<a href="#">22</a>	NOTICE OF COMPLIANCE with the order by Richard Cordero re <a href="#">20</a> 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	<a href="#">24</a>	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	<a href="#">25</a>	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	<a href="#">26</a>	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	<a href="#">27</a>	ORDER granting in part and denying in part re <a href="#">26</a> 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	<a href="#">28</a>	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	<a href="#">29</a>	ORDER denying <a href="#">28</a> Motion to Withdraw . Signed by Judge David G. Larimer on 12/19/05. (EMA, ) (Entered: 12/19/2005)
12/27/2005	<a href="#">30</a>	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 <a href="#">30</a> 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	<a href="#">32</a>	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	<a href="#">33</a>	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	<a href="#">34</a>	Appellee's BRIEF by David DeLano. (Palmer, Devin) (Entered: 01/20/2006)
01/20/2006	<a href="#">35</a>	CERTIFICATE OF SERVICE by David DeLano re <a href="#">34</a> Appellee's Brief (Palmer, Devin) (Entered: 01/20/2006)
01/24/2006	<a href="#">36</a>	ORDER granting appellant's request for an enlargement of time to file reply to <a href="#">34</a> 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	<a href="#">37</a>	APPELLANT'S REPLY with Proposed Order and Post-Addendum Items filed by Richard Cordero. (JHF) (Entered: 02/16/2006)

<b>PACER Service Center</b>			
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05/10/2006 20:36:52			
<b>PACER Login:</b>		<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	6:05-cv-06190-DGL Start date: 12/1/2005 End date: 5/10/2006
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.08