

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

FILED

JUL 3 4 00 PM '91

IN RE: Cumberland Investment Corp.
Debtor

Bk No. 89-11051
Chapter 7 BANKRUPTCY
DISTRICT OF
RHODE ISLAND

MOTION TO STRIKE

Now comes the Chapter 7 Trustee in the above captioned matter and moves to strike Harold Chorney's request to have Chapter 7 Trustee provide an accountability of assets of the estate and to produce requested documents and videotapes.

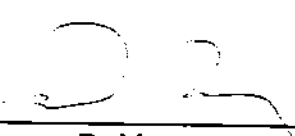
This Court in its Order of July 3, 1991 (Exhibit A) found in part that "Chorney has deliberately and continuously acted in bad faith to obstruct and to hinder the efficient administration of the estate, which action has been very damaging, expense-wise, to the estate and its creditors". This Court went on to order "That, henceforth, Chorney and Aubin will no longer be permitted to intervene or otherwise participate in proceedings relating to sales or other disposition of the estate assets..."

The Chapter 7 Trustee reviewed cases filed by Harold Chorney in the United States District Court for the District of Rhode Island and found references to ten (10) separate cases filed since 1990 in which Mr. Chorney appears as a Plaintiff. Seven (7) cases named the United States as defendant, Eastland Bank, Michael Weingarten and John F. Cullen were named as defendants in the three (3) other cases. Attached hereto as Exhibits B and C are the docket sheets regarding John F. Cullen and Michael Weingarten respectively.

As Mr. Chorney states in his request, "1. Since the onset of this case when it was in a Chapter 11, Petitioner has claimed that assets of the estate under the custody and control of the bank and the Trustee have been moved around and that assets were missing and that the records of these assets were also missing."

Mr. Chorney's pleading is in direct violation of this Court's order of July 3, 1991 and seeks to raise issues long ago disposed of by this Court and various appellate courts.

WHEREFORE, the Chapter 7 Trustee moves to Strike Harold Chorney's request to have Chapter 7 Trustee provide an accountability of assets of the estate and to produce requested documents and videotapes.



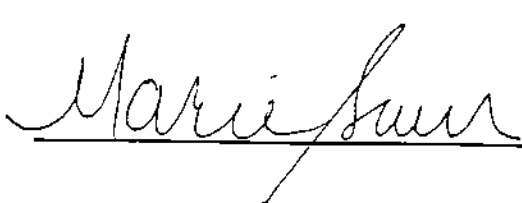
Jason D. Monzack, Esq., #1445
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888 Reservoir Avenue
Cranston, RI 02910
(401) 946-3200

CERTIFICATION

I, hereby certify that on July 3, 2000, I served a true and accurate copy of the CHAPTER 7 TRUSTEE'S WRITTEN POSITION REGARDING MOTION FOR CONTINUANCE OF HEARING ON REQUEST THAT EXAMINATION OF HAROLD CHORNEY TAKE PLACE THROUGH INTERROGATORIES FILED BY HAROLD CHORNEY by first class mail, postage prepaid, upon the following interested parties:

Harold Chorney
5 Cathedral Square, Apt. 106
Providence, RI 02903

U.S. Trustee's Office
Room 910
10 Dorrance Street
Providence, RI 02903



Marie Sam