

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re

SHMUEL KLEIN,

**GENERAL ORDER NO. 537**

A Suspended Attorney.

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**ORDER DIRECTING NOTICE TO CLIENTS**

WHEREAS, Shmuel Klein ("Klein") was suspended from the practice of law in the State of New York on July 30, 1997, and has never been reinstated; and

WHEREAS, by order dated November 7, 2008, United States Court of Appeals for the Second Circuit suspended Klein from the practice of law in the Court of Appeals in light of his failure to obtain reinstatement to the practice of law in the State of New York; and

WHEREAS, by order dated February 17, 2009 (the "EDNY Order"), the United States District for the Eastern District of New York ("District Court") suspended Klein from practice, effective 24 days after the date of service of the EDNY Order upon Klein, unless otherwise modified or stayed; and

WHEREAS, the EDNY Order was electronically served upon Klein on February 17, 2009; and

WHEREAS, pursuant to Rule 2090-1(a) of the Local Rules of the United States Bankruptcy Court for the Eastern District of New York, an attorney who may practice in the District Court pursuant to Civil Rule 1.3 of the Local District Rules may practice in this Court, and conversely, an attorney whose right to practice has been suspended by the District Court is also suspended from practicing in this Court; and

WHEREAS, Klein is currently the attorney of record, inter alia, to debtors in the cases listed on Exhibit A to this order, and the failure by Klein to notify his clients of his suspension and the need to retain substitute counsel may interfere with this Court's administration of these cases and prejudice the debtors and the creditors of their estates; and

WHEREAS, the State Court Rules governing the conduct of attorneys requires a suspended attorney, inter alia, to provide notice of his suspension to his clients and advise of the prompt substitution of another attorney or attorneys in his place (e.g., 22 NYCRR § 691.10(d));

NOW, THEREFORE, by resolution of the Board of Judges of the United States Bankruptcy Court for the Eastern District of New York, and pursuant to 11 U.S.C. § 105(a), it is hereby

ORDERED, that in addition to any other obligations imposed upon Klein by any court order, statute, rule or regulation relating to his suspension, Klein shall on or before March 20, 2009, give the notice required by 22 NYCRR § 691.10(d)(1) and (3), and in the manner set forth therein, to any client for whom he has appeared in a case or adversary proceeding currently pending in this Court, to any attorney for each adverse party in such adversary proceeding, to any chapter 7 or chapter 13 trustee in that case, and to the United States Trustee, and shall promptly file a copy of each such notice on the electronic docket of the case or adversary proceeding to which it pertains.

Dated: Brooklyn, New York  
March 11, 2009

*s/Carla E. Craig*  
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CARLA E. CRAIG  
Chief United States Bankruptcy Judge

## **EXHIBIT A**

<u>Docket Number</u>	<u>Name/Chapter No.</u>	<u>Attorney For</u>
05-15104-dem	Leon R. Mathiez - 13	Debtor
07-41623-jf	Sunder Raj & Geetha Sura - 13	Debtors
08-42275-ess	Marisol Rocha - 13	Debtor
08-42279-ess	Jude Jacques - 13	Debtor
08-43237-dem	Khurshid Qadir - 7	Debtor
08-46024-dem	Cherry A. Caba - 13	Debtor
08-46025-dem	Lisa Lind - 13	Debtor
08-48415-dem	Jon E. Thurchin & Kathryn Turchin - 13	Debtors
08-73915-ast	Count Bailey & Jean Bailey - 13	Debtors
09-01018-ess	Jude Jacque v. U.S. Bank as trustee for MASTR Asset Backed Securities 2005-NC2 - 13	Plaintiff
09-01025-ess	Jude Jacques v. HSBC Mortgage Corporation	Plaintiff
09-08053-ast	Count Bailey v. HSBC Bank USA, N.A., as indenture Trustee for the registered note holders of Renaissance Home Equity Loan Trust 2005-3, Renaissance Home Equity Loan Asset Backed Notes, Series 2005-3	Plaintiff

# UNITED STATES BANKRUPTCY COURT

Eastern District of New York

[www.nyeb.uscourts.gov](http://www.nyeb.uscourts.gov)

## MAILING CERTIFICATE

I, Gaspare Pellegrino, **Deputy Clerk** in the Office of the United States Bankruptcy Court, hereby certify that there was deposited on March 12, 2009 at FedEx Kinko's Office and Print Center located at 16 Court St Brooklyn, NY 11241 a copy of General Order No. 537, duly addressed to:

Shmuel Klein  
268 Route 59 West  
Spring Valley, New York 10977

**ROBERT A. GAVIN, JR.**  
Clerk of Court

Dated: Brooklyn, New York  
March 11, 2009

By: s/Gaspare Pellegrino  
Deputy Clerk