

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

DAVID M. SHEARER ,

GENERAL ORDER NO. 597

A Suspended Attorney.
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ORDER DIRECTING NOTICE TO CLIENTS

WHEREAS, David M. Shearer (“Shearer”), by order dated May 2, 2012 (the “EDNY Order”), was suspended from the practice of law before the United States District Court for the Eastern District of New York; and

WHEREAS, the EDNY Order is effective 24 days after the date of service upon Shearer, unless otherwise modified or stayed; and

WHEREAS, the EDNY Order was served upon Shearer on May 3, 2012; 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 who has been suspended by the District Court is also suspended from practicing in this Court; and

WHEREAS, it appears that Shearer is currently the attorney of record to a creditor in the case listed on Exhibit A to this order, and the failure by Shearer to notify his client of his suspension and the need to retain substitute counsel may interfere with this Court’s administration of this case and prejudice the debtor and the creditors of the estate; and

WHEREAS, the State Court Rules governing the conduct of disbarred, suspended and resigned attorneys requires such attorneys, inter alia, to provide notice to their clients and advise of the prompt substitution of another attorney and attorneys in their 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 Shearer by any court

order, statute, rule or regulation relating to his suspension, Shearer shall, within fourteen days after the entry of this order 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 or in any contested matter in any such case, 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; and it is further

ORDERED, that Shearer's attorney password for access to the Court's Electronic Case Filing System shall be revoked on the effective date of the EDNY Order; and it is further

ORDERED, that the Clerk of Court is directed to serve this order upon Shearer.

Dated: Brooklyn, New York
May 9, 2012

s/ Carla E. Craig
Carla E. Craig
Chief United States Bankruptcy Judge

EXHIBIT A

1. 09-40901-cec Chapter 11
Debtor: Caritas Health Care, Inc.