

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re

THOMAS A. FARINELLA,

**GENERAL ORDER NO. 567**

A Suspended Attorney.  
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**ORDER DIRECTING NOTICE TO CLIENTS**

WHEREAS, by order dated September 23, 2010 (“SDNY Order”), Thomas A. Farinella (“Farinella”) was suspended from the practice of law before the United States District Court for the Southern District of New York for a period of three months; and

WHEREAS, by order dated October 22, 2010 (the “EDNY Order”), the United States District Court for the Eastern District of New York (“District Court”) adopted the SDNY Order in its entirety and suspended Farinella from practice, effective 24 days after the date of service of the EDNY Order upon Farinella, unless otherwise modified or stayed; and

WHEREAS, the EDNY Order was served upon Farinella on October 26, 2010; 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, it appears that Farinella is currently the attorney of record to debtors in the cases listed on Exhibit A to this order, and the failure by Farinella 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 Farinella by any court order, statute, rule or regulation relating to his suspension, Farinella shall, on or before November 15, 2010, 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 any 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 Farinella's attorney password for access to the Court's Electronic Case Filing System shall be revoked effective November 16, 2010; and it is further

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

Dated: Brooklyn, New York  
October 29, 2010

*/s/Carla E. Craig*

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CARLA E. CRAIG  
Chief United States Bankruptcy Judge

## **EXHIBIT A**

1. 04-20792-ess Chapter 7  
Debtors: Bowhan Dhanukdhari  
Vivette Dhanukdhari
2. 10-46259-ess Chapter 13  
Debtor Joanne C. Holsclaw
3. 10-49022-cec Chapter 13  
Debtor Olive McCurbin
4. 10-77188-ast Chapter 13  
Debtor Mary Scotto
5. 09-51107-jf Chapter 7  
Debtor Patricia Beauchine
6. 10-49992-cec Chapter 13  
Debtor Lucia Kaiser
7. 10-45760-ess Chapter 13  
Debtor Giuseppe Catinella
8. 10-48049-cec Chapter 13  
Debtor Kerry Kearney