

DOCKETED

PRESENT: HONORABLE MICHAEL A. TELESCA
U.S. DISTRICT COURT JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROBERT S. COOPER, TRUSTEE

Appellant,

-v-

CIV No.: 92-CV6344

U.S. DISTRICT COURT
W.D.N.Y. ROCHESTER

93 JUN -9 PM 4: 17

FILED

LOUISE H. FREDERES

Appellee.

ORDER

The Appellant, by his attorney, Robert S. Cooper, Esq., having filed an Adversary Proceeding in the U.S. Bankruptcy Court on November 12, 1991 by a Complaint dated November 11, 1991 seeking an Order pursuant to 11 U.S.C. §542 to turnover property of the estate, and seeking a judgment in the amount of \$27,672.50, plus the attorney's fees, costs, and the disbursements incurred for the collection of this debt and of this action, and for such other and further relief as to the Court seems just and proper, and the Appellee, by her attorney, Angelo T. Calleri, Esq., having filed an Answer dated December 2, 1991, and the Appellant, by his attorney, having filed a Motion for Summary Judgment in the U.S. Bankruptcy Court on March 20, 1992, and subsequently having filed a Notice of Appeal on June 10, 1992 to be heard in the U.S. District Court regarding an Order of the Bankruptcy Court dated June 5, 1992, and

the Appellant having subsequently determined to withdraw the Appeal, and the above parties having stipulated and consented to the entering of this Order, and upon all papers and proceedings had herein, and after due deliberation, it is hereby

ORDERED, that this Appeal is hereby dismissed, with prejudice, without costs to either party.

DATED: June 8, 1993
Rochester, New York

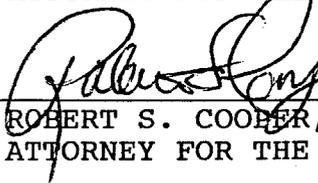

HONORABLE MICHAEL A. TELESKA
U.S. DISTRICT COURT JUDGE
WESTERN DISTRICT OF NEW YORK

ENTER:

The parties having reviewed the above mentioned Order, consent to this Court entering this Order as settlement of this Appeal.

 6/3/93

ANGELO T. CALLERI, ESQ. DATE
ATTORNEY FOR THE APPELLEE

 6/4/93

ROBERT S. COOPER, ESQ. DATE
ATTORNEY FOR THE APPELLANT