

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

**IN RE: CUMBERLAND
INVESTMENT CORPORATION**

CA. NO. 89-11051

**MOTION IN OBJECTION TO ABANDONING ASSETS
WITHOUT AN ACCOUNTABILITY OF ASSETS BY
THE CHAPTER 7 TRUSTEE, JASON D. MONZACK**

Now comes Petitioner, Harold F. Chorney, without assistance of Counsel, and objects to the JOINT MOTION FOR APPROVAL OF DISTRIBUTION OF THE PROCEEDS OF THE SALE OF SECURED CREDITOR'S COLLATERAL AND TO ABANDON CERTAIN ASSETS TO SECURED CREDITOR, without obtaining a list of the specific assets remaining in the estate of Cumberland Investment Corporation and an accounting of assets seized, assets sold and assets remaining prior to any abandoning of assets. In support of said objection, Petitioner states for cause the following:

1. On December 27, 2001, Petitioner received a copy of the Joint Motion, dated December 18, 2001.
2. Petitioner, for reasons unknown to him, was not included on the list of parties serviced.
3. On December 7, 1999, some 380 silver dollars, in 16 lots

numbered 1161, 1170, 1172, 1173, 1175, 1176, 1177, 1181, 1187, 1188, 1192, 1193, 1228, 1242, 1256 and 1279 were allegedly not sold at the Spinks America Auction because the reserve bid on these lots of coins was not met.

4. Upon information and belief, other assets of the estate of Cumberland Investment Corporation in addition to the 380 silver dollars in 16 lots listed above, and the 3 remaining \$10,000 Gold Certificates, as stated in SCHEDULE A, attached to the Joint Motion, still have not been liquidated.

5. Petitioner, without success, has attempted to get Mr. Monzack's position concerning assets remaining in the estate of Cumberland Investment Corporation.

6. On May 26, 1994, Mr. Monzack supplied the Petitioner with a 14 page inventory list previously supplied to him by FDIC.

7. On June 10, 1994, Petitioner supplied Mr. Monzack with a list of assets, seized by Mr. Cullen on August 17, 1990, that he believed to be missing or unaccounted for.

8. On May 17, 1995, Mr. Monzack in an attempt to obtain documentation for Mr. Taft requested from Mr. Cullen, Chapter 11 Trustee, Mr. Weingarten, Examiner, Mr. DiOrion, representing Fleet Bank, Mr.

Posner, Assistant U.S. Attorney, John Truslow, FBI and Stephen Rothemich, Postal Inspector a variety of items including: the yellow notebook inventory records of Cumberland Investment Corporation, a transcript of the removal of the assets by Mr. Cullen on August 17, 1990 and some video tapes of the removal of these assets.

9. None of the items listed in paragraph 8 above were supplied to Mr. Taft by Mr. Monzack or the parties listed in said paragraph.

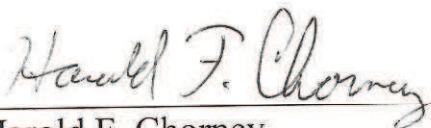
10. Petitioner has obtained 19 videotapes concerning the removal of the assets from Cumberland Investment Corporation by Mr. Cullen on August 17, 1990 and on August 23, 1990 as a result of an FOIA with the Executive Offices of U.S. Attorneys. Said video tapes show items in the June 10, 1994 letter to Mr. Monzack as being removed by Trustee Cullen.

11. Petitioner has obtained a transcript of the items removed by Mr. Cullen and Mr. Weingarten on August 17, 1990, directly from Allied Court Reporters. The transcript contains assets of the estate that are contained in the June 10, 1994 letter to Mr. Monzack.

12. To date no one has produced the yellow notebook inventory records of Cumberland Investment Corporation seized by Mr. Cullen.

WHEREFORE, Petitioner seeks to have an accounting of the assets seized by the Chapter 11 Trustee, John F. Cullen on August 17, 1990, those sold, and those remaining, prior to any distribution of the proceeds and abandonment of assets. In addition Petitioner seeks other video tapes of the estate of Cumberland Investment Corporation, believed to be in the possession of Mr. Monzack.

Respectfully submitted,



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CERTIFICATION

I hereby certify that on this 2nd day of January 2002, I sent a copy of the above by first class mail to the following:

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