

COPY

APPENDIX CC

IN RE:

Cumberland Investment Corp.
Debtor

C.A. No. 02-240T

(Bk No. 89-11051 Chapter 7)

MOTION TO DISMISS APPEAL

Now comes Republic Credit Corporation I ("Republic"), assignee of the Federal Deposit Insurance Corporation ("FDIC"), and, pursuant to Rule 8011 of the Rules of Bankruptcy Procedure, hereby moves this Honorable Court to dismiss the appeal of Howard Chorney, *pro se*, as entirely frivolous and vexatious.

In support of this Motion, Republic relies on its Memorandum of Law filed herewith.

REPUBLIC CREDIT CORPORATION I

By Its Attorneys,

GRANTED for reasons set forth
in Appellee's memorandum.

Ernest C. Torres

Ernest C. Torres, Chief Judge
June 7, 2002

Justin T. Shay (#2781)

Cameron & Mittleman LLP

56 Exchange Terrace

Providence, Rhode Island 02903

Tel. (401) 331-5700

Fax (401) 331-5787

Date: May 21, 2002

A