

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Chapter 7  
  
LAWRENCE CHARLES PALUMBO, Case No.: 22-22184-shl  
  
Debtor.  
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**ORDER COMPELLING THE DEBTOR TO COMPLY WITH THE COURT'S ORDER  
DATED AUGUST 15, 2022 AND GRANTING RELATED RELIEF**

Upon the motion dated September 9, 2022 ("Motion") [ECF No. 37] of Marianne T. O'Toole, solely in her capacity as the Chapter 7 Trustee ("Trustee") of the estate of Lawrence Charles Palumbo ("Debtor"), seeking entry of an Order: (i) compelling the Debtor to comply with the Court's Order dated August 15, 2022 ("August 15 Order") [ECF No. 31], and to immediately surrender possession of the real property located at 351 Orienta Avenue, Mamaroneck, New York 10543 ("Orienta Avenue Property") to the Trustee; (ii) authorizing the Trustee to utilize the United States Marshal for the Southern District of New York ("U.S. Marshal") to assist the Trustee in removing the Debtor from the Orienta Avenue Property; and (iii) granting such other, further, and different relief as this Court deems just and proper; and upon the Order to Show Cause Pursuant to Bankruptcy Rule 9077-1(a) dated September 12, 2022 [ECF No. 39]; and upon the Declaration of Service [ECF No. 42]; and upon the Affidavit of Service [ECF No. 43]; and upon The Town of Mamaroneck's Statement in Support of the Chapter 7 Trustee's Emergency Application for the Relief Requested in the Order to Show Cause Signed on September 12, 2022 [ECF No. 41] and related Affidavit of Service [ECF No. 44]; and upon the Supplemental Declaration in further support of the Motion [ECF No. 45] and related Affidavit of Service [ECF No. 46]; and upon the record of the hearing conducted on September 15, 2022 ("Hearing"); and the Trustee and her counsel having appeared at the Hearing; and The Town of Mamaroneck having appeared at the



Hearing through its counsel; and the Debtor having appeared at the Hearing; and the Court having So Ordered the record of Hearing; and after due deliberation and good cause appearing therefor, it is hereby

**ORDERED** that the Motion is granted; and, it is further

**ORDERED** that the Debtor is directed to surrender possession of and deliver keys to the Orienta Avenue Property to the Trustee at 9:00 a.m. on Monday, September 19, 2022 at the Orienta Avenue Property; and, it is further

**ORDERED** that, if the Debtor fails to surrender possession of and deliver keys to the Orienta Avenue Property to the Trustee at 9:00 a.m. on Monday, September 19, 2022: (i) the Trustee is authorized under the supervision of and with the assistance of the U.S. Marshal to immediately take all necessary steps to take possession of the Orienta Avenue Property including, but not limited to, using reasonable force to break open and enter upon said premises and to evict the Debtor and any and all other persons within said premises without further Order of the Court; (ii) the U.S. Marshal is authorized and directed to immediately take all necessary steps to take possession of the Orienta Avenue Property including, but not limited to, breaking open and entering upon said premises and evicting the Debtor and any and all other persons within said premises without further Order of the Court; (iii) anyone interfering with the execution of this Order is subject to arrest by the U.S. Marshal; and (iv) the Trustee is authorized to take any such actions as she deems necessary or appropriate with respect to any personal property remaining at the Orienta Avenue Property; and, it is further



**ORDERED** that, if and only if the Debtor voluntarily surrenders possession of and delivers keys to the Orienta Avenue Property to the Trustee at 9:00 a.m. on Monday, September 19, 2022 in accordance with this Order, the Debtor shall have one final opportunity to remove any additional personal property from the Orienta Avenue Property on Wednesday, September 21, 2022, between 11:00 a.m. and 1:00 p.m. at his own cost and expense; and, it is further

**ORDERED** that the Trustee is authorized and directed to take such steps, execute such documents and expend such funds as may be reasonably necessary to effectuate and implement the terms and conditions of this Order.

Dated: September 16, 2022  
White Plains, New York

/s/ Sean H. Lane  
United States Bankruptcy Judge

I HEREBY ATTEST AND CERTIFY ON September 16, 2022  
THAT THIS DOCUMENT IS A FULL, TRUE AND CORRECT  
COPY OF THE ORIGINAL FILED ON OUR COURT'S  
ELECTRONIC CASE FILING SYSTEM.

CLERK, US BANKRUPTCY COURT, SDNY

BY: Heather Harris DEPUTY CLERK

