

# United States District Court

For the SOUTHERN District of NEW YORK

In re

BOND OF TRUSTEE AND/OR RECEIVER  
IN PROCEEDINGS UNDER CHAPTER XIII  
OF THE BANKRUPTCY ACT

**FILED**

NOV 13 1978 Bankruptcy No. \_\_\_\_\_

Bankrupt \*

**ROY BABITT**  
BANKRUPTCY JUDGE

STANDING

## ORDER APPROVING TRUSTEE'S BOND

The bond filed by Bertram Berger

of \*\* 276 Fifth Avenue, New York, New York

as standing ~~as~~ trustee

Chapter XIII estates  
of ~~the estate of the above named bankrupt~~ is hereby approved.

Dated: NEW YORK, NEW YORK  
November 13, 1978

*Roy Babitt*  
\_\_\_\_\_  
Bankruptcy Judge

\* Include all names used by bankrupt within last 6 years.

\*\* State post office address.

UNITED STATES DISTRICT COURT: SOUTHERN DISTRICT OF NEW YORK

**FILED**

Bond # 53 0160 1105 78

NOV 13 1978

-----X  
IN THE MATTER OF

:

ROY BABITT  
BANKRUPTCY JUDGE

BOND OF TRUSTEE AND/OR RECEIVER IN  
PROCEEDINGS UNDER CHAPTER XIII OF  
THE BANKRUPTCY ACT

:

-----X

KNOW ALL MEN BY THESE PRESENTS: That we Betram J. Berger of 276 Fifth Avenue, New York, New York, as Principal and the UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland Corporation, as surety, are hereby jointly and severally held and firmly bound unto the UNITED STATES OF AMERICA, in the sum of Twenty Five Thousand and 00/100----(\$25,000.00) Dollars.

THE CONDITION OF THIS OBLIGATION IS such that, whereas, the principal is frequently nominated or appointed as Trustee and/or Receiver under Chapter XIII of the U.S. Bankruptcy Laws, and has accepted said trusts with all the duties and obligations pertaining thereto.

NOW, THEREFORE, if the above-baunden principal shall during the period while this bond is in effect faithfully perform his official duties as Trustee and/or Receiver in each and all of the proceedings under Chapter XIII of the U.S. Bankruptcy laws in which he is appointed Trustee and/or Receiver on or after the effective date of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

THE SURETY shall not be liable under this bond for more than the aggregate sum of Twenty Five Thousand Dollars (\$25,000.00) regardless of the number of defaults by said principal and/or the number or the amount of claims filed and/or the number of proceedings in which said principal is Trustee and/or Receiver under Chapter XIII of the U.S. Bankruptcy Laws.

The surety may at its sole option and on application to the surety by the principal, endorse this bond to assume liability for other specific cases or proceedings in which the principal was appointed Trustee and/or Receiver under the provision of Chapter XIII of the U.S. Bankruptcy Laws prior to the effective date of this bond, and upon such endorsement this bond will substitute for the prior bond posted in such case or proceedings.

The surety may cancel this bond and thereby be relieved of all further liability hereunder by given written notice addressed to the Clerk and Referee (s) of the U.S. District Court for the Southern District of New York, thirty (30) days prior to the effective date of the intention to terminate liability under this bond, provided such cancellation shall not discharge or release surety from any liability incurred or accrued hereunder prior to the effective date of termination.

Signed, sealed and dated this 3rd day of November, 1978.

Betram J. Berger

By:  (L.S.)

UNITED STATES FIDELITY AND GUARANTY COMPANY

By:  (L.S.)

Jerome Petrizzi  
Attorney in Fact



GENERAL POWER OF ATTORNEY

No. 86999

Know all Men by these Presents:

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint Kenneth C. Edgar, Andrew J. Gettings, Patrick R. Croce, Patrick G. Skahill, Kerry A. Richardson, Jerome Petrizzi and James Quinn of the City of New York, State of New York its true and lawful attorney S ~~brock h. casey~~ x x x

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever ~~de and~~ anyone of the said Kenneth C. Edgar and the said Andrew J. Gettings and the said Patrick R. Croce and the said Patrick G. Skahill and the said Kerry A. Richardson and the said Jerome Petrizzi and the said James Quinn

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 18th day of June, A. D. 1976

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed) By Robert E. DeNike Vice-President.

(SEAL) (Signed) Michael B. Casey Assistant Secretary.

STATE OF MARYLAND, } ss: BALTIMORE CITY, }

On this 18th day of June, A. D. 1976, before me personally came Robert E. DeNike, Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and Michael B. Casey, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland; that they, the said Robert E. DeNike and Michael B. Casey were respectively the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company. My commission expires the first day in July, A. D. 1978.....

(SEAL) (Signed) Herbert J. Aull Notary Public.

STATE OF MARYLAND } Sect. BALTIMORE CITY, }

I, Robert H. Bouse, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Herbert J. Aull, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 18th day of June, A. D. 1976

(SEAL) (Signed) Robert H. Bouse Clerk of the Superior Court of Baltimore City.



COPY OF RESOLUTION

*That Whereas*, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

*Therefore, be it Resolved*, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

*Also*, in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

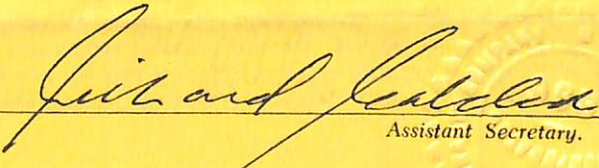
I, **Richard Calder**, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to **Kenneth C. Edgar, Andrew J. Gettings, Patrick R. Croce, Patrick G. Skahill, Kerry A. Richardson, Jerome Petrizzi and James Quinn**

of **New York, New York**, authorizing and empowering **them** to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

*In Testimony Whereof*, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on

(Date) November 3, 1978

  
Assistant Secretary.

(Acknowledgment by principal, if an individual)

STATE OF NEW YORK,

COUNTY OF ..... } ss:  
(Notary's seal to be attached)

On this ..... day of ..... 19....., before me personally came ..... to me known, who being by described in and who executed the foregoing instrument, and he acknowledged that he executed the same. Sworn before me this ..... day of ..... 19.....

Notary Public.

(Acknowledgment by principal, if a partnership.)

STATE OF NEW YORK,

COUNTY OF ..... } ss:  
(Notary's seal to be attached)

On this ..... day of ..... , personally appeared before me ..... member of the firm of ..... to me known and known to me to be the individual... described in and who executed the foregoing instrument and he acknowledged to me that he executed the same for and on behalf of said firm.

Sworn before me this ..... day of ..... 19.....

Notary Public.

(Acknowledgment by principal, if a corporation.)

STATE OF NEW YORK,

COUNTY OF ..... } ss:  
(Notary's seal to be attached)

On this ..... day of ..... 19....., before me personally came ..... to me known to be the person me duly sworn, did depose and say, that he resides in ..... that he is the ..... of the ..... the corporation described in and which executed the foregoing instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Sworn before me this ..... day of ..... 19.....

Notary Public.

STATE OF NEW YORK,

COUNTY OF New York } ss:

On this 3rd day of November, 19 78, before me, the undersigned, a Notary Public in and for said county, personally appeared ..... Jerome Petrizzi ..... who is to me well known, who being duly sworn, did depose and say that he resides in City of New York that he is Attorney-in-Fact of United States Fidelity and Guaranty Company of the City of Baltimore, Md., the corporation described in and who executed the within instrument as surety. That he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was thereto affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Subscribed and sworn to before me this 3rd day of November, 19 78  
(Notary's seal to be attached)

DENESE THOMPSON  
NOTARY PUBLIC, State of New York  
No. 41-4623317  
Qualified in Queens County  
Commission Expires March 30, 1980

*Denese Thompson*  
Notary Public.