

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
BANKRUPTCY NO. B-78-022464

In the Matter of

Donna Smallwood

Bankrupt

ORDER TO SHOW CAUSE AND TEMPORARY
RESTRAINING ORDER

Larry Lesnik, Esq.
Essex-Newark Legal Services
81 Main Street
Orange, New Jersey 07050
(201) 672-3838
Attorney for Applicant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of : BANKRUPTCY NO. B-78-02468
Donna Smallwood :
Bankrupt : ORDER TO SHOW CAUSE AND TEMPORARY
: RESTRAINING ORDER

Upon consideration of the Application of the Bankrupt herein and good cause appearing therefor, now on motion of the attorney for the Bankrupt,

It is HEREBY ORDERED that Washington Towers be and appear before the undersigned Bankruptcy Judge at Court Room No. 7 in the United States Post Office and Court House in Newark, New Jersey on the 26th day of October, 1978 at the hour of 10 A.M. then and there to show cause, if any there may be why the prayer of said Application should not be granted; and

It is FURTHER ORDERED that said Washington Towers and its agents and employees are hereby enjoined from taking any further action to prosecute any lawsuits or writs or warrants issued thereunder now pending against the bankrupt herein until the hearing and determination of the aforesaid Application; and

It is FURTHER ORDERED that the Essex County District Court be and hereby is restrained from continuing or hearing the matter of Washington Towers v. Donna Smallwood, Docket No. T-441464 until the further Order of this Court; and

It is FURTHER ORDERED that service of this Order may be made by delivering to said respondent, Washington Towers, through its attorney, Blaustein & Snyder, a copy of this Order together with a true copy of the Bankrupt's Application herein at any time not less than 10 days prior to the hearing thereof, and that said respondents serve upon the attorney for the Bankrupt in writing not less than 5 days prior to said hearing any ob-

jections or contentions in opposition to said Order as they may have and that a copy of this Order be served upon the Essex County District Court by personally serving the Honorable John W. Bissell.

Dated: *October 13, 1978*

Vincent Romanisa

Bankruptcy Judge

A TRUE COPY

Vincent Romanisa

BANKRUPTCY JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
BANKRUPTCY NO. B-78-02467

In the Matter of

Donna Smallwood

Bankrupt.

APPLICATION FOR STAY OF STATE
COURT PROCEEDINGS AND
TEMPORARY RESTRAINING ORDER

Larry Lesnik, Esq.
Essex-Newark Legal Services
81 Main Street
Orange, New Jersey 07050
Attorney for Applicant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of : BANKRUPTCY NO. B-78-02468
Donna Smallwood : APPLICATION FOR STAY OF
Bankrupt : STATE COURT PROCEEDINGS AND
TEMPORARY RESTRAINING ORDER

TO: THE HONORABLE VINCENT J. COMMISA::

The application of Donna Smallwood by her attorney, Larry
Lesnik, respectfully shows:

THAT APPLICANT filed her voluntary petition in bankruptcy
in the above-entitled proceeding on October 11, 1978.

THAT Washington Towers was duly listed as a creditor on
Schedule A-1 of Applicant's schedule of debts under the name
of Raymond Marzulli a/k/a Marzulli Realty Co., the agent of
Washington Towers, for rent allegedly due and owing from June 1,
1978 to October 31, 1978.

THAT prior to the filing of the Application herein and on
or about September 29, 1978, Washington Towers commenced an action
against Donna Smallwood in the Essex County District Court,
Landlord-Tenant Division, Docket No. T 441464 by which action
Washington Towers seeks to obtain a judgment of possession based
on rents allegedly due and owing from June, 1978 to September 30,
1978, plus rent due as of the return date of the hearing.


THAT since the filing of the petition in bankruptcy
herein, Washington Towers by and through its attorney has refused
to restrain from prosecuting its action and unless restrained
from so doing will continue said prosecution, presently
returnable on October 16, 1978.

THAT if said stay is not granted, Applicant will suffer irreparable harm in that she will be evicted from her premises by virtue of the aforesaid tenancy action filed by Washington Towers.

THAT to allow Washington Towers to continue said action will thwart the purpose of the Bankruptcy Act.

WHEREFORE, Applicant prays that an Order be made prohibiting said Washington Towers and its attorney, agents or employees and any of them from prosecuting said action described above until such time as the question of Applicant's discharge in the within proceedings be finally determined; and Applicant prays further that all said persons be restrained from taking any further action in said action for possession until the hearing and determination of this Application, and further that the Essex County District Court be enjoined from hearing the subject tenancy action until further Order of this Court.

Dated: October 12, 1978



Larry Lesnik
Attorney for Applicant