

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 6:07-bk-04042-ABB
Chapter 13

KENNETH SCOTT VITALE,

Debtor.

based upon the alleged negotiable instrument, until further Order of the Court.

Dated this 9th day of October, 2007.

/s/Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge

ORDER

This matter came before the Court on the *ore tenus* Motion made by Laurie K. Weatherford, the Chapter 13 Trustee herein ("Trustee"), at the hearing on October 4, 2007 for direction regarding disbursements. The Trustee and Kenneth Scott Vitale, the *pro se* Debtor herein ("Debtor"), appeared at the hearing.

The Debtor filed this individual voluntary Chapter 13 case on August 31, 2007. He filed a Plan (Doc. No. 17) which is to be funded by his assets including a "negotiable instrument in the amount of Ten-million (10,000,000) U.S. dollars (as shown on Schedule 6B, line 15)" from which the Trustee "shall draw against . . . to make tender to creditors holding secured claims" ¹ The Debtor presented an alleged negotiable instrument to the Trustee and instructed her to disburse \$1,000,000.00. The value of the alleged negotiable instrument has not been established. Accordingly, it is

ORDERED, ADJUDGED and DECREED that the Trustee is hereby directed to not make the disbursements set forth in the Debtor's Plan

¹ The Debtor lists as an asset in Schedule B at line 15 (Doc. No. 15): "Negotiable Instrument in the form of a Bonded Promissory Note, Instrument # 189019961, to be tendered to Trustee by Primary Secured-Party Creditor for the benefit of Debtor" with a value of "One-million (1,000,000) U.S. dollars or there [sic] equivalent." The Debtor also lists as assets "Invoices in the form of True Bills in Commerce perfected by Judgment Nihil Dick" and in the valuation column a "Security Interest of ten-million (10,000,000) U.S. dollars or there [sic] functional equivalent held by Primary Secured-Party Creditor against all property held in the name of DEBTOR." See also Notice of Supporting Documentation for Schedule B6B (Doc. No. 23), which includes a "Bonded Promissory Note" in the amount of "Ten-million (10,000,000.00) U.S. Dollars or there [sic] functional equivalent."