Docket #0861 Date Filed: 09/17/2026

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

OKIN HOLLANDER LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd.
Teaneck, New Jersey 07666
T: 201-947-7500
F: 201-947-2663
Paul S. Hollander, Esq.
phollander@okinhollander.com

Counsel for Miriam Mizrachi

In re:

CBRM REALTY INC., et al.,

Debtors.

Case No.: 25-15343 (MBK)

Chapter: 11

Judge: Hon. Michael B. Kaplan

Hearing Date and Time: October 15, 2026 at 10:00 a.m. (EST)

Objection Deadline: October 8, 2026

NOTICE OF MOTION OF MIRIAM MIZRACHI TO (A) QUASH (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST TO MIRIAM MIZRACHI, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JPMORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; (B) GRANT PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED IN RESPONSE TO THE CBRM SUBPOENAS; AND (C) AWARD MS. MIZRACHI HER REASONABLE FEES AND EXPENSES INCURRED IN CONNECTION WITH THE MOTION PURSUANT TO FED. R. CIV. P. 45(d)(1)

25153432609170000000000002

PLEASE TAKE NOTICE that on October 15, 2026 at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Miriam Mizrachi ("Ms. Mizrachi"), shall move before the Honorable Michael B. Kaplan, United States Bankruptcy Judge, at the United States Bankruptcy Court, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608 for entry of an Order pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure, Rule 45 of the Federal Rules of Civil Procedure, Rule 2004-1(d) of the Local Bankruptcy Rules for the District of New Jersey, and section 105(a) of Title 11 of the United States Code (A) quashing (I) the unserved Rule 2004 Subpoena issued by the Liquidation Trustee of the CBRM Creditor Recovery Trust to Ms. Mizrachi, (II) the subpoena issued by the Liquidation Trustee to JPMorgan Chase Bank, N.A. seeking banking and financial records of Ms. Mizrachi and (III) any other third-party subpoenas that have been issued and/or served by the Liquidation Trustee that have yet to be disclosed to Ms. Mizrachi and her counsel seeking records of Ms. Mizrachi (the subpoenas described in clauses (A)(I), (A)(II) and (A)(II) hereof collectively referred to as the "CBRM Subpoenas"); (B) granting a protective order barring access to and striking the use of any discovery obtained in response to the CBRM Subpoenas; and (C) awarding Ms. Mizrachi her reasonable fees and expenses incurred in connection with seeking such relief pursuant to Fed. R. Civ. P. 45(d)(1) (the "Motion").[1]

PLEASE TAKE FURTHER NOTICE that in support of this Motion, the undersigned shall rely on the accompanying Memorandum of Law in support thereof, which sets forth the relevant factual and legal bases upon which the Motion should be granted, and the Certification of Paul S. Hollander, Esq. dated September 17, 2026.

[1] A substantially identical version of this Motion and all related exhibits was originally filed on September 3, 2026 in the related chapter 7 bankruptcy proceeding captioned *In re Silber*, Case. No. 25-21650 (MBK) [Docket No. 198] and is being refiled in this proceeding for the reasons set forth in footnote 1 of the Memorandum of Law in support of this Motion.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court in accordance with D.N.J. LBR 9013-2 so as to be received no later than seven (7) days before the hearing date set forth above.

PLEASE TAKE FURTHER NOTICE that unless objections are timely filed and served, the Motion shall be decided on the papers in accordance with D.N.J. LBR 9013-3(d) and the relief requested may be granted without further notice or hearing.

Dated: September 17, 2026

Respectfully submitted,

OKIN HOLLANDER LLC

By: */s/ Paul S. Hollander*
Paul S. Hollander, Esq.
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd., Suite 40
Teaneck, New Jersey 07666
(201) 947-7500
phollander@okinhollander.com

Counsel for Miriam Mizrachi

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

OKIN HOLLANDER LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd.
Teaneck, New Jersey 07666
T: 201-947-7500
F: 201-947-2663
Paul S. Hollander, Esq.
phollander@okinhollander.com

Counsel for Miriam Mizrachi

In re:

CBRM REALTY INC., et al.,

Debtors.

Case No.: 25-15343 (MBK)

Chapter: 11

Judge: Hon. Michael B. Kaplan

Hearing Date and Time: October 15, 2026 at 10:00 a.m. (EST)

Objection Deadline: October 8, 2026

MEMORANDUM OF LAW IN SUPPORT OF MOTION OF MIRIAM MIZRACHI TO (A) QUASH (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST TO MIRIAM MIZRACHI, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JPMORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; (B) GRANT PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED IN RESPONSE TO THE CBRM SUBPOENAS; AND (C) AWARD MS. MIZRACHI HER REASONABLE FEES AND EXPENSES INCURRED IN CONNECTION WITH THE MOTION PURSUANT TO FED. R. CIV. P. 45(d)(1)

Miriam Mizrachi ("Ms. Mizrachi"), by and through her undersigned counsel, Okin Hollander LLC ("Okin Hollander"), respectfully submits this memorandum of law in support of her motion (the "Motion")[1] for entry of an order (A) quashing (I) the unserved Rule 2004 subpoena dated August 20, 2026 (the "CBRM Unserved Subpoena") issued to her by Richard J. Corbi, Esq. ("Mr. Corbi") of The Law Offices of Richard J. Corbi Law PLLC ("Corbi"), as counsel to RLA Consulting LLC, in its capacity as Trustee (the "Liquidation Trustee") of the CBRM Creditor Recovery Trust (the "CBRM Trust") established under the confirmed chapter 11 plan of CBRM Realty Inc., *et al*., (II) the subpoena issued by the Liquidation Trustee to JPMorgan Chase Bank, N.A. seeking banking and financial records of Ms. Mizrachi (the "Chase Subpoena)," and (III) any other third-party subpoenas that have been issued and/or served by the Liquidation Trustee that have yet to be disclosed to Ms. Mizrachi and her counsel seeking records of Ms. Mizrachi (such subpoenas, together with the CBRM Unserved Subpoena and the Chase Subpoena, collectively referred to herein as the "CBRM Subpoenas"); (ii) for a protective order barring access to and striking the use of any discovery obtained in response to the CBRM Subpoenas; and (iii) awarding Ms. Mizrachi her reasonable attorneys' fees and expenses incurred in connection with this Motion

[1] A substantially identical version of this Motion and all related exhibits was originally filed on September 3, 2026 in the related chapter 7 bankruptcy proceeding captioned *In re Silber*, Case. No. 25-21650 (MBK) [Docket No. 198] (the "September 3 Motion to Quash"), as a prior subpoena issued in connection with the *Silber* proceeding seeking Ms. Mizrachi's banking and financial records had been delivered to JPMorgan Chase Bank, N.A. on or about May 4, 2026. Daniel Stolz, Esq. was identified as the "issuing party" with respect to that subpoena. When questioned, Mr. Stolz indicated he was not sure of which subpoenas his office had issued, or whether they were issued on behalf of the Chapter 7 Trustee in the *Silber* proceeding or his other client at the time, the Liquidation Trustee. Based on communications with Mr. Stolz, Okin Hollander believes that Mr. Stolz's firm previously issued some subpoenas on behalf of the Liquidation Trustee, the nature and extent of which still remain undisclosed.

Ms. Mizrachi filed the September 3 Motion to Quash as a precautionary measure to avoid any possible argument that she waived her rights to challenge the CBRM Subpoenas (as defined above). The September 3 Motion to Quash and its related exhibits clearly reflect that Ms. Mizrachi's intention was always to object to the CBRM Subpoenas. As the CBRM Unserved Subpoena, which still remains unserved, was prepared in connection with the CBRM proceeding, this Motion and its related exhibits are being re-filed in the CBRM proceeding. Ms. Mizrachi reserves all rights to supplement this Motion to the extent she becomes aware that the Liquidation Trustee properly served any subpoenas seeking her records.

pursuant to Fed. R. Civ. P. 45(d)(1). In support of the Motion, Ms. Mizrachi respectfully represents as follows:

PRELIMINARY STATEMENT

Ms. Mizrachi is currently the subject of yet another round of improper subpoena practice directed at her personal banking and financial records, along with banking and financial records of entities under Ms. Mizrachi's control or in which she holds an interest (collectively, the "Mizrachi Financial Records") by two bankruptcy estates that, until May 29, 2026, shared the same, albeit conflicted counsel. In the prior rounds, counsel for the Chapter 7 Trustee (as herein defined) and the Liquidation Trustee of those estates took the unfounded position that the Federal Rules of Civil Procedure that exist to protect a person in Ms. Mizrachi's position simply did not apply to them. The recent efforts by the Liquidation Trustee to (a) issue (but not serve) the improper, invalid and defective CBRM Unserved Subpoena on Ms. Mizrachi, (b) ignore compliance with the Mizrachi Subpoenas (as herein defined) properly served on counsel for the Liquidation Trustee on July 21, 2026 and (c) not identify the as-yet undisclosed other third-party subpoenas issued and/or served by or on behalf of the Liquidation Trustee seeking Mizrachi Financial Records, reflect a continuation of the Liquidation Trustee's abuse of the subpoena power of this Court and disregard of the requirements of Rule 45 of the Federal Rules of Civil Procedure ("Rule 45") applicable thereto.

The CBRM Subpoenas reflect the latest maneuver by the Liquidation Trustee (following in the footsteps of its former and current counsel) to again circumvent Rule 45 and deprive Ms. Mizrachi of the protections to which she is entitled thereunder. While the Liquidation Trustee was represented by Daniel Stolz, Esq. (formerly of Genova Burns LLC ("GB") and currently with Stevens & Lee ("S&L")), which firms simultaneously served, respectively, as special counsel and

then substitute special counsel to Karen E. Bezner, the chapter 7 trustee (the "Chapter 7 Trustee") of the estate (the "Chapter 7 Estate") of Moshe Silber (the "Debtor"), subpoenas were issued to third parties seeking the Mizrachi Financial Records without providing Ms. Mizrachi with the prior advance notice that Rule 45(a)(4) requires. When Ms. Mizrachi (and the Debtor) demanded compliance, counsel to the Chapter 7 Trustee refused, taking the legally unsupportable position that "a Rule 2004 examination is not ordinary civil discovery" and is therefore exempt from Rule 45. Counsel for the Liquidation Trustee adopted that same position by letter, rather than by motion.

Ms. Mizrachi, by contrast, played by the rules. On or about July 21, 2026, she served subpoenas (the "Mizrachi Subpoenas") under Rule 2004 ("Rule 2004") of the Federal Rule of Bankruptcy Procedure (the "Bankruptcy Rules") on GB and S&L at a time when those firms had possession, custody and control of the documents requested, and provided contemporaneous notice to counsel for the Liquidation Trustee, in full compliance with Rule 45. Copies of the Mizrachi Subpoenas are attached to the Certification of Paul S. Hollander dated September 17, 2026 (the "September 17 Hollander Cert.") respectively as **Exhibits A and B**. Nevertheless, counsel for the Chapter 7 Trustee and the Liquidation Trustee refused to comply with Ms. Mizrachi's valid requests. The Liquidation Trustee never timely or otherwise moved to quash the Mizrachi Subpoenas and allowed the time to seek protection under Rule 45(d)(3) to lapse. Adopting the Chapter 7 Trustee's stance, counsel to the Liquidation Trustee took the position that the mandatory notice that Rule 45 expressly commands was optional. Having declined to comply with Rule 45 when it constrained him, the Liquidation Trustee now seeks to invoke this Court's subpoena power against Ms. Mizrachi while once again disregarding the Rule's requirements.

The CBRM Subpoenas are defective and overbroad, and should be quashed for the following reasons:

- **The CBRM Unserved Subpoena was never served on Ms. Mizrachi.** The CBRM Unserved Subpoena is directed to "Ms. Miriam Mizrachi, c/o Paul Hollander, Esq. and Rosanne Singer, Esq., Okin Hollander LLC," and was e-mailed to counsel on the evening of August 20, 2026. Rule 45 requires delivery of a subpoena to the named party. Okin Hollander never agreed to accept service of a subpoena on Ms. Mizrachi's behalf. Nothing in Rule 2004, Rule 9016 or Rule 45 permits a party to substitute e-mail to a party's counsel for service on the actual witness.
- **No prior notice was given.** Rule 45(a)(4) requires that "before it is served on the person to whom it is directed, a notice and a copy of the subpoena must be served on each party." Counsel to the Liquidation Trustee transmitted the CBRM Unserved Subpoena and the "notice" of it in the same communication, and purportedly served the Chase Subpoena contemporaneously on JPMorgan Chase Bank, N.A. seeking the same Mizrachi Financial Records. Simultaneous notice is not prior notice. Rule 45's purpose is to preserve a party's opportunity to object *before* disclosure occurs.
- **The CBRM Subpoenas violate the "pending proceeding" rule and are duplicative.** The CBRM Subpoenas seek discovery on significantly overlapping subject matters, including but not limited to Ms. Mizrachi's interest in the stock of Vecta Partners[2] and the Mizrachi Financial Records,

[2] Capitalized terms not defined herein shall have the meaning ascribed to such terms in the complaint in the Adversary Proceeding [Dkt. No. 1 in Adv. Proc. No. 26-01178].

all of which the Chapter 7 Trustee has implicated through an Adversary Proceeding[3] (as defined herein) that she filed against Ms. Mizrachi in April 2026, voluntarily withdrew and reserved the right to refile.[4] Rule 2004 may not be used to conduct discovery that is subject to a pending proceeding governed by the Part VII rules.

- **The CBRM Unserved Subpoena** (and possibly other CBRM Subpoenas) **reaches for assets of another estate.** The Liquidation Trustee alleges that CBRM has a claim to the same Vecta Partners stock and assets/interests of Sunnyside that the Chapter 7 Trustee has asserted constitute property of the Debtor's Chapter 7 Estate. *See Stipulation and Consent Order* dated June 9, 2026 at ¶ 8[5] [Docket No. 35 in the *Silber* proceeding, Case No. 25-21650]. The Liquidation Trustee's attempt to reach property of the Chapter 7 Estate is thus a violation of the automatic stay of 11 U.S.C. § 362.
- **The CBRM Unserved Subpoena is grossly overbroad.** The CBRM Unserved Subpoena includes twenty-three (23) sweeping requests, defined

[3] In connection with the litigation on the Order to Show Cause entered by the Court on April 22, 2026 [Dkt. No. 9 in the Adversary Proceeding] in connection with the Adversary Proceeding, the Liquidation Trustee filed a response through its counsel, GB, asserting a claim to the stock of Vecta Partners.

[4] Counsel for the Chapter 7 Trustee recently stated that he has prepared and is about to refile a new adversary proceeding involving Vecta Partners and other transfers.

[5] Paragraph 8 of the Stipulation and Consent Order provides:

> Subject to the provisions of paragraph 7 above, the funds deposited into the Escrow Account shall remain therein pending entry of a final, non-appealable order by this Court or a court authorized to hear appeals therefrom determining the respective rights, claims, causes of action or interests (subject to all applicable defenses), all of which are preserved and none of which are prejudiced hereby, **of the Trustee and Mizrachi in and to their respective ownership interests in Vecta Partners** as determined by such a final, non-appealable order;…**it being stipulated and "So Ordered" hereby that the Trustee's share of such interest in and to the Debtor's stock in Vecta Partners and the escrowed proceeds thereof, shall constitute property of the Debtor's chapter 7 bankruptcy estate**. (emphasis added).

to reach "all documents" held by every accountant, bookkeeper, advisor, trustee, family member or agent, across a "Relevant Time Period" beginning January 1, 2018, which spans more than seven (7) years before the Petition Date (as defined herein) and is well beyond any applicable lookback period. The requests include every bank, brokerage, retirement and custodial account; every credit card; every tax return and gift tax return; every transfer over $10,000; the sources of funds for Ms. Mizrachi's household expenses; her jewelry; her safe deposit boxes; her children's residence; and her personal devices and e-mail accounts.

- **The CBRM Subpoenas continue a pattern that warrants the relief sought herein.** Rule 45(d)(1) imposes an affirmative duty on the issuing party to avoid imposing undue burden or expense, and directs that the Court "must enforce this duty and impose an appropriate sanction." That duty is not satisfied where a party, such as the Liquidation Trustee, invokes the Court's subpoena power while disclaiming Rule 45's requirements, refuses to disclose the other third-party subpoenas its former and present counsel served concerning the Mizrachi Financial Records, and ignores compliance with the properly served Mizrachi Subpoenas on baseless grounds of privilege.

Accordingly, Ms. Mizrachi respectfully requests the entry of an Order (i) quashing the CBRM Subpoenas; (ii) granting a protective order barring access to and striking the use of any discovery obtained in response to the CBRM Subpoenas; and (iii) awarding Ms. Mizrachi her

reasonable attorneys' fees and expenses incurred in connection with this Motion pursuant to Rule 45(d)(1).

JURISDICTION AND STATUTORY BASES

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334.

2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b).

3. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409(a).

4. The statutory bases for the relief requested herein are Rules 45(a)(4), 45(b), 45(d)(1) and 45(d)(3), made applicable to these proceedings by Bankruptcy Rule 9016; Bankruptcy Rules 2004 and 9014(c); D.N.J. LBR 2004-1(d); and sections 105(a) and 362 of the Bankruptcy Code.

5. Ms. Mizrachi brings this Motion in this Court because the CBRM Subpoenas were issued out of this Court, by counsel invoking authority conferred by the CBRM Confirmation Order (as defined herein), and because the parties have presented identical Rule 45 issues before this Court. *See* Dkt. Nos. 174, 179, 187. Ms. Mizrachi does not consent to compliance in any other district and reserves all rights as to the place of compliance under Rule 45(c).

BACKGROUND

A. The Two Bankruptcy Estates and Their Shared Counsel

6. On May 19, 2025, CBRM filed a voluntary petition, Case No. 25-15343 (MBK) under chapter 11 of the Bankruptcy Code. On October 23, 2025, this Court entered an order confirming the CBRM Modified Joint Chapter 11 Plan [Dkt. No. 653 in the CBRM case] (the "Confirmation Order"). The Creditor Recovery Trust was established as of the Effective Date, and RLA Consulting LLC, through Daniel Kamensky, was appointed as the Liquidation Trustee.

7. On September 19, 2025, the Debtor filed a voluntary chapter 7 petition, Case No. 25-21650 (MBK) (the "Chapter 7 Case"). On November 3, 2025, Karen E. Bezner was appointed as the Chapter 7 Trustee.

8. Until May 29, 2026, Daniel M. Stolz and his firm[6] represented both estates. Mr. Stolz and his colleagues served as special counsel to the Chapter 7 Trustee while at GB and subsequently, at S&L, sought to continue in that role as substitute special counsel. While Mr. Stolz withdrew as counsel to the Liquidation Trustee on May 29, he has nevertheless continued to assert that documents in his possession, custody and control are subject to attorney-client and work-product privileges belonging to the Liquidation Trustee.[7]

B. The Undisclosed Third-Party Subpoenas Seeking Mizrachi Financial Records

9. On April 10, 2026, the Chapter 7 Trustee, through her counsel, commenced an adversary proceeding [Adv. Pro. No. 26-01178-MBK] (the "Adversary Proceeding") against the Debtor, Ms. Mizrachi and the Voting Trustee. The complaint alleged that Ms. Mizrachi is an "insider" under 11 U.S.C. § 101(31) and sought to avoid the transfer to her of a 95% non-voting

[6] The uninterrupted and continuous pattern of events discussed in this Motion occurred partly during the time period when GB was serving as Special Counsel to the Chapter 7 Trustee [Dkt. No. 43], which retention continued until Mr. Stolz and several of his colleagues moved their practice to S&L, which thereafter filed an application seeking to continue representing the Chapter 7 Trustee as Substitute Special Counsel [Dkt. No. 155]. For purposes of this Motion, actions taken by Mr. Stolz include and incorporate all of the matters and actions taken while GB was acting as Special Counsel to the Chapter 7 Trustee during the time frame that Mr. Stolz and his colleagues were practicing there, along with all matters and actions taken by S&L in its capacity as Substitute Special Counsel to the Chapter 7 Trustee from and after the time frame that Mr. Stolz and his colleagues transitioned to that firm.

[7] GB and S&L continue to have possession, custody and control over an unknown number of third-party subpoenas issued by GB as former counsel for the Liquidation Trustee, and despite having been previously subpoenaed, refuse to turn them over to Ms. Mizrachi.

interest in Vecta Partners[8] and to recover that interest, or its value, from her under 11 U.S.C. §§ 548, 544, and 550, together with turnover, declaratory, and injunctive relief.

10. While the Adversary Proceeding was pending, and without notice to Ms. Mizrachi, Mr. Stolz's firm issued and served third-party subpoenas seeking Mizrachi Financial Records, including a subpoena to JPMorgan Chase Bank, N.A. dated May 4, 2026 and a subpoena to Flagstar Bank, N.A.[9] Virtually every request in the May 4 Chase subpoena implicated Mizrachi Financial Records, including requests for "all DOCUMENTS sufficient to identify any and all ACCOUNTS maintained for, in the name of, for the benefit of, or otherwise associated with the DEBTOR or Miriam Mizrachi" and all communications with her.

11. Ms. Mizrachi first learned of the May 4 Chase subpoena on or about June 2, 2026, after it had been served. When Okin Hollander inquired about the third-party subpoenas that had been issued, Mr. Stolz claimed not to be sure which subpoenas his office had issued, or whether they had been issued on behalf of the Chapter 7 Trustee or on behalf of his other client, the Liquidation Trustee.

12. On June 3 and June 23, 2026, respectively, counsel for the Debtor and Okin Hollander demanded copies of all subpoenas and productions and objected to any use of documents obtained without the prior notice that Rule 45(a)(4) requires. On June 4, 2026, Mr. Stolz's firm refused, taking the position that "a Rule 2004 examination is not ordinary civil discovery" and that no advance notice was owed. Neither the Liquidation Trustee nor his counsel

[8] Vecta Partners owns the stock of Vecta, Inc., the holding company and parent of Sunnyside Federal Savings and Loan Association of Irvington ("Sunnyside").

[9] Notwithstanding the Chapter 7 Trustee's obligation to produce the third-party subpoenas issued and/or served in connection with the Mizrachi Financial Records as set forth in the Stipulated Order dated August 23, 2026 [Dkt. No. 193 in the *Silber* proceeding], it took an additional 25 days from the date of the Stipulated Order -- until September 16, 2026 -- for the Chapter 7 Trustee's counsel to produce the subpoenas and related productions that he had previously committed to produce following the Debtor's Rule 2004 examination on June 24, 2026.

ever disavowed that position; to the contrary, counsel for the Liquidation Trustee responded to Ms. Mizrachi's subsequent demands in a letter dated July 30, 2026 adopting the same position. That letter is attached as **Exhibit C** to the September 17 Hollander Cert.

13. Partial productions of the Chase and Flagstar materials followed on or about June 25 and June 29, 2026, without the Flagstar subpoena itself. On July 29, 2026, Mr. Stolz took the position that no further subpoenas would be produced because "all subpoenas and documents related to your client [Ms. Mizrachi] have been delivered," a statement irreconcilable with his own on-the-record statement at the Debtor's June 24, 2026 Rule 2004 examination that he held "a number of other bank statements showing significant deposits into Miriam's bank account."

C. The Properly Served Mizrachi Subpoenas that the Liquidation Trustee Ignored

14. Having exhausted every reasonable alternative, on or about July 21, 2026, Okin Hollander, on behalf of Ms. Mizrachi, served the Rule 2004 Mizrachi Subpoenas on GB and S&L, seeking copies of all third-party subpoenas issued in connection with the Chapter 7 Case, all communications with the recipients, all documents produced in response, and all documents provided by the Liquidation Trustee that "refer, relate to or support any claims or causes of action that the CBRM Trustee has, may have or may intend to assert against the Debtor, the Chapter 7 Estate or any property and/or assets owned or claimed to be owned by the Chapter 7 Estate."

15. The Mizrachi Subpoenas were served in a manner fully compliant with Rule 45, on firms that had possession, custody and control of the requested documents, and with simultaneous notice to counsel for the Liquidation Trustee.

16. The Liquidation Trustee never moved to quash or modify the Mizrachi Subpoenas, never sought a protective order and his time to seek relief under Rule 45(d)(3) subsequently expired. Instead, counsel for the Liquidation Trustee wrote letters asserting privilege and adopted

the Chapter 7 Trustee's position that Rule 45's notice requirement did not apply to Rule 2004 subpoenas. On August 3, 2026, the Chapter 7 Trustee (not the Liquidation Trustee) moved to quash the Mizrachi Subpoenas [Dkt. No. 179]. Ms. Mizrachi opposed that motion on August 13, 2026 [Dkt. No. 187], and the Debtor separately moved to quash the third-party subpoenas based on, among other things, improper notice under Rule 45 [Dkt. No. 174]. A Stipulated Order entered by this Court on August 23, 2026 resolved the Chapter 7 Trustee's motion to quash, Ms. Mizrachi's opposition thereto and the Debtor's motion to quash [Dkt. No. 193].

D. The CBRM Subpoenas

17. On the evening of August 20, 2026, Mr. Corbi emailed a letter to Okin Hollander (the "August 20 Letter") attaching the CBRM Subpoenas. The combined August 20 Letter and CBRM Unserved Subpoena are attached as **Exhibit D** to the September 17 Hollander Cert., and the Chase Subpoena is attached as **Exhibit E** thereto. The CBRM Unserved Subpoena is directed "To: Ms. Miriam Mizrachi, c/o Paul Hollander, Esq. and Rosanne Singer, Esq., Okin Hollander LLC." No copy of the CBRM Unserved Subpoena was served on or delivered to Ms. Mizrachi. The Proof of Service page of the subpoena is blank.

18. Okin Hollander has never agreed to accept service of a subpoena on Ms. Mizrachi's behalf.

19. The CBRM Unserved Subpoena contains twenty-three (23) requests for production. It defines "YOU" to include "any agent, attorney, accountant, bookkeeper, financial advisor, trustee, nominee or other PERSON acting on her behalf or holding documents for [Ms. Mizrachi]," and defines the "RELEVANT TIME PERIOD" as "January 1, 2018 through the present." Among other things, the CBRM Unserved Subpoena demands:

a) "Documents sufficient to identify every bank, brokerage, investment, custodial, retirement or other financial account held by YOU or for YOUR benefit, individually or jointly, at any institution, at any time" since 2018, "together with complete statements for each" (Request No. 7);

b) statements for "every other credit card, charge card or line of credit issued in YOUR name or used by YOU at any time" since 2018 (Request No. 6);

c) "All federal, state and local income tax returns, extensions and amendments," "all supporting schedules and workpapers, and all gift tax returns" for every year since 2018 (Request No. 14);

d) all documents concerning "any transfer of money, property or other value made by YOU to any PERSON in an amount exceeding $10,000" since 2018 (Request No. 12);

e) all documents concerning "the sources of funds used to pay YOUR household and living expenses" since 2018, "including any payment made on YOUR behalf by any PERSON and any charitable support received" (Request No. 13);

f) all documents concerning "any cash, precious metals, jewelry, artwork or other valuables" held outside a financial institution (Request No. 20);

g) documents sufficient to identify "every e-mail account, mobile device, computer, tablet and cloud storage service used by YOU" since 2018 (Request No. 22); and

h) all documents produced or referred to at Ms. Mizrachi's May 8, 2025 deposition in the New York judgment-enforcement proceedings, "together with all documents CONCERNING how YOU obtained each of them and from whom" (Request No. 15).

20. The August 20 Letter states that "[t]his is the first subpoena the CBRM Creditor Recovery Trustee has issued to Ms. Mizrachi or concerning her records." That representation cannot be squared with Mr. Stolz's July 21, 2026 admission that GB served subpoenas on behalf of the Liquidation Trustee and that he held the documents produced in response, which he then declined to produce on grounds of a privilege purportedly belonging to the Liquidation Trustee.

21. On August 21, 2026, Okin Hollander conferred with Mr. Corbi and the Liquidation Trustee and requested a two-week adjournment of the CBRM Unserved Subpoena's stated return date (assuming it was personally served on August 20, 2026), so that Ms. Mizrachi could confer with other parties whose rights under Rule 45 were implicated by the CBRM Unserved Subpoena. The Liquidation Trustee refused the adjournment request[10] notwithstanding the length of time (close to one year) that the matters giving rise to the CBRM Unserved Subpoena had been known to him. Okin Hollander documented the events of the call on August 21 in an email to Mr. Corbi dated August 24 (the "August 24 Letter,)" a copy of which is attached as **Exhibit F** to the September 17 Hollander Cert. In addition, to Okin Hollander's knowledge, none of the matters that the Liquidation Trustee raised on the call had previously been the subject of the improper and illegal secret subpoenas served by his former counsel, Mr. Stolz, the full extent and nature of which still have not been disclosed by either Mr. Stolz or counsel to the Liquidation Trustee, despite Okin Hollander's repeated requests therefor and the service of proper subpoenas therefor.

[10] The request was refused except on the condition that Ms. Mizrachi first produce, by September 4, 2026, whatever she had produced in unrelated state-court judgment-enforcement proceedings in 2025, even after Okin Hollander explained that it did not have access to any of that document production. By letter dated August 24, 2026, the Liquidation Trustee attempted to extend the initial return date to September 11, 2026, on the same unacceptable condition.

22. On September 3, 2026, Okin Hollander filed the September 3 Motion to Quash and related exhibits in the *Silber* proceeding [Docket No. 198]. A hearing to consider the September 3 Motion to Quash is scheduled for October 15, 2026 at 10:00 a.m. (EST).

ARGUMENT

I. Ms. Mizrachi Is a Party in Interest with Standing to Seek Relief.

23. Party-in-interest status requires a direct, legally protected interest that may be affected by the proceeding. *See Travelers Ins. Co. v. H.K. Porter Co.*, 45 F.3d 737, 741–42 (3d Cir. 1995); *In re Combustion Eng'g, Inc.*, 391 F.3d 190, 214 (3d Cir. 2004). Ms. Mizrachi satisfies that standard several times over.

24. First, Ms. Mizrachi is the person to whom the CBRM Unserved Subpoena is directed. A person commanded to produce documents is expressly protected by Rule 45(d), which permits that party to serve written objections, Fed. R. Civ. P. 45(d)(2)(B), and requires the court to quash or modify a subpoena that fails to allow a reasonable time to comply, requires disclosure of privileged or protected matter, or subjects the person to undue burden. Fed. R. Civ. P. 45(d)(3)(A).

25. Second, a person whose personal financial records are sought has a personal interest sufficient to be heard. *See Matter of Vanbrocklin*, 2017 WL 988812, at *1–*2 (Bankr. N.D. Ga. 2017) (bankruptcy debtor had standing to contest a subpoena to a bank seeking his personal bank records because of his "personal interest" in those records); *ITOCHU Int'l, Inc. v. Devon Robotics, LLC*, 303 F.R.D. 229, 232–33 (E.D. Pa. 2014) (judgment debtor had standing to challenge subpoenas to banks seeking his personal financial information).

26. Third, the Liquidation Trustee's own letter identifies Ms. Mizrachi as a person from whom it intends to recover, contending that the Vecta Partners stock interests "or their value, are

recoverable from Ms. Mizrachi as a subsequent transferee under 11 U.S.C. § 550(a)(2).” A defendant, or intended defendant, from whom an estate seeks to recover alleged estate property holds, by definition, a legally protected interest that may be directly affected by the proceeding. *Combustion Eng’g*, 391 F.3d at 214. By the Liquidation Trustee asserting this claim against Ms. Mizrachi, it is attempting to pursue the recovery of property of the Chapter 7 Estate without first obtaining the requisite relief from the automatic stay pursuant to section 362 of the Bankruptcy Code.

II. The CBRM Unserved Subpoena Was Never Served on Ms. Mizrachi, and Service on Her Counsel Was Neither Authorized Nor Effective.

27. Rule 2004(c) provides that attendance and production may be compelled by issuing a subpoena as provided under Bankruptcy Rule 9016. Fed. R. Bankr. P. 2004(c). Rule 9016 is absolute: “Rule 45 F.R.Civ.P. applies in cases under the Code.” Fed. R. Bankr. P. 9016. The Third Circuit has confirmed that “Bankruptcy Rule 9016 provides that Civil Rule 45 applies to subpoenas issued in bankruptcy cases.” *Simon v. FIA Card Servs., N.A.*, 732 F.3d 259, 268 (3d Cir. 2013); *see also In re Symington*, 209 B.R. 678, 688–89 (Bankr. D. Md. 1997) (Rule 45 applies in Rule 2004 examinations); *(In re McClain Feed Yard, Inc.*, 661 B.R. 136, 139 (Bankr. N.D. Tex. 2024) (Rule 9016 “incorporates [all of] [Rule 45’s] subpoena practice . . . to bankruptcy cases”).

28. Rule 45 requires that service be made by delivering a copy of the subpoena to the named person. The Liquidation Trustee did not comply with that requirement. Counsel to the Liquidation Trustee e-mailed the CBRM Unserved Subpoena to Ms. Mizrachi’s counsel. But nothing in Rule 45 authorizes service of a subpoena by delivery to counsel for a witness, and nothing in Rule 45 obliges a lawyer to accept service of a subpoena on a client’s behalf. Absent an agreement to accept service, which was not the case here, the CBRM Unserved Subpoena is improper and defective as to Ms. Mizrachi.

29. The Liquidation Trustee's failure to serve the CBRM Unserved Subpoena properly is not a technicality. Rule 45 attaches serious consequences to service: a person "who, having been served, fails without adequate excuse to obey the subpoena" may be held in contempt. Fed. R. Civ. P. 45(g). The Liquidation Trustee's cover letter makes the stakes explicit, warning that "failure to timely comply with the enclosed Rule 2004 subpoena may result in the Trustee seeking appropriate relief from the Bankruptcy Court, including enforcement of this subpoena and the imposition of sanctions." A party who threatens contempt must first comply with the Rule that makes contempt an available remedy. The Liquidation Trustee cannot invoke Rule 9016's subpoena power while disclaiming its procedural requirements.

III. The Liquidation Trustee Did Not Provide the Prior Notice That Rule 45(a)(4) Requires.

30. Rule 45(a)(4) provides that "[i]f the subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, then *before it is served on the person to whom it is directed*, a notice and a copy of the subpoena must be served on each party." Fed. R. Civ. P. 45(a)(4) (emphasis added). The Notice printed on the face of the CBRM Unserved Subpoena repeats the requirement.

31. The Liquidation Trustee did not comply with the requisite notice elements of Rule 45. Counsel transmitted the August 20 Email and the CBRM Unserved Subpoena in a single e-mail, and that same day, purported to serve the Chase Subpoena,[11] which contemporaneously sought the same Mizrachi Financial Records. Rule 45(a)(4) provides an advance, prior notice protocol, which the Liquidation Trustee chose to ignore.

[11] To the extent that the Liquidation Trustee did not actually serve the Chase Subpoena seeking Mizrachi Financial Records, Ms. Mizrachi reserves her rights to further challenge the validity and effectiveness thereof.

32. The purpose of Rule 45's timing is to preserve a meaningful opportunity to object *before* disclosure occurs. As the court explained in *Spencer v. Steinman*, 179 F.R.D. 484, 489 (E.D. Pa. 1998), a party denied prior notice is deprived of "its greatest safeguard under the Rule, *i.e.*, the ability to object to the release of the information *prior* to its disclosure," and that injury occurs "regardless of whether the information ultimately was turned over." *Id.* The *Spencer* court rejected the "no harm, no foul" defense, observing that "[t]he risks attached to the misuse of the subpoena power are great" because "[u]nder this delegation of public power, an attorney is licensed to access, through a non-party with no interest to object, the most personal and sensitive information about a party." *Id.*

33. The Liquidation Trustee's failure to comply with the notice requirements of Rule 45 reflects a continuing pattern, initiated by counsel for the Chapter 7 Trustee, who was also acting as counsel to the Liquidation Trustee, of violating and ignoring Mr. Mizrachi's rights to prior notice under Rule 45.

IV. The Liquidation Trustee's Disregard of Rule 45 Requires that the CBRM Subpoenas Be Quashed.

34. A party invoking the Court's subpoena power subjects itself to all of Rule 45's requirements; it may not comply with some and disclaim others to suit its objectives. The Liquidation Trustee has done exactly that.

35. While being represented by GB, S&L and most recently by Corbi, the Liquidation Trustee served subpoenas believed to seek Mizrachi Financial Records without prior notice to Ms. Mizrachi. When confronted, the Liquidation Trustee defended that untenable position on the ground that Rule 2004 subpoenas are exempt from Rule 45. There is no such exemption. Rule 2004's scope addresses what may be examined, not whether a subpoena issued under Rule 9016 must comply with Rule 45.

36. When Ms. Mizrachi served the Mizrachi Subpoenas properly and on notice to GB and S&L, firms that had possession, custody and control of the documents sought, the Liquidation Trustee did not move to quash. Rule 45(d)(3) affords a subpoenaed party the remedy of a "timely motion." Fed. R. Civ. P. 45(d)(3)(A). Counsel for the Liquidation Trustee answered instead with correspondence, and with an assertion of unsubstantiated privilege.

37. A party that declines to comply with Rule 45 should not be permitted to invoke the benefits of the Rule. At a minimum, before the Liquidation Trustee obtains any discovery from Ms. Mizrachi, he should be required to disclose the documents that his current and/or former counsel already obtained in response to their secret, improper subpoenas.

V. The CBRM Unserved Subpoena Circumvents the Pending Proceeding Rule and Duplicates Discovery Regarding Claims That, According to the Chapter 7 Trustee, are the Property of the Debtor's Chapter 7 Estate.

38. "[O]nce an adversary proceeding or contested matter has been commenced, discovery is made pursuant to Federal Rules of Bankruptcy Procedure 7026 *et seq.*, rather than by a [Rule] 2004 examination." *In re Washington Mut., Inc.*, 408 B.R. 45, 50 (Bankr. D. Del. 2009). "[T]he primary concern of courts is the use of Rule 2004 examinations to circumvent the safeguards and protections of the Federal Rules of Civil Procedure." *Id.* at 51.

39. The subject matter of the CBRM Unserved Subpoena is, in significantly overlapping respects, the subject matter of the (soon to be refiled) Adversary Proceeding. The Chapter 7 Trustee sued Ms. Mizrachi to avoid and recover the transfer of 95% of her non-voting interests of Vecta Partners under 11 U.S.C. §§ 544, 548 and 550. Requests Nos. 1 through 4 of the CBRM Unserved Subpoena seek the identical instruments, valuations, and communications involving Ms. Mizrachi that are implicated by the Adversary Proceeding. While the Adversary Proceeding was temporarily dismissed without prejudice, the Chapter 7 Trustee's counsel has

confirmed that a new version has been prepared and is about to be filed. Ms. Mizrachi's exposure is therefore continuing, along with the concerns that the pending proceeding rule addresses.

40. The duplication between the Chapter 7 Trustee's discovery requests and the discovery sought pursuant to the CBRM Unserved Subpoena is not incidental. It reflects a continuing pattern by both the Chapter 7 Trustee and the Liquidation Trustee to deprive Ms. Mizrachi of the protections of Rule 45 and inundate her with substantially similar discovery requests in violation of the pending proceeding rule. The August 20 Letter tellingly frames the question of which estate owns the Vecta Partners stock and Sunnyside assets/interests as "a question between the fiduciaries." Yet the discovery the Liquidation Trustee improperly demands from Ms. Mizrachi is materially the same discovery that the Chapter 7 Trustee has sought pursuant to the Adversary Proceeding and intends to seek again. Rule 2004 does not authorize two estates to take serial, overlapping discovery from the same party on the same subject.

VI. The CBRM Unserved Subpoena Is an Attempt to Reach Assets Claimed by the Debtor's Chapter 7 Estate in Violation of Section 362.

41. Section 541(a) of the Bankruptcy Code is broad in scope and extends to a debtor's legal and equitable interests in property as of the petition date. *See United States v. Whiting Pools, Inc*., 462 U.S. 198, 203–04 (1983).

42. The Liquidation Trustee nevertheless pleads "in the alternative," that the Vecta stock interests "are property of the CBRM estates rather than property of the Debtor's chapter 7 estate, and are subject to turnover under 11 U.S.C. § 542." Those same interests are the subject of the Chapter 7 Trustee's claims and were the subject of a Stipulation and Consent Order dated June 9, 2026 [Dkt. No. 35 in the Adversary Proceeding] over which this Court retained jurisdiction. To the extent the Liquidation Trustee seeks, through subpoena practice against Ms. Mizrachi, to obtain

possession of or exercise control over property belonging to the Debtor's Chapter 7 Estate, it is violating the automatic stay provisions of section 362 of the Bankruptcy Code.

VII. The CBRM Unserved Subpoena Is Facially Overbroad, Does Not Allow Reasonable Time to Comply, and Imposes an Undue Burden.

43. Rule 45(d)(3)(A) requires the Court to quash or modify a subpoena that "fails to allow a reasonable time to comply," that "requires disclosure of privileged or other protected matter," or that "subjects a person to undue burden." Fed. R. Civ. P. 45(d)(3)(A)(i), (iii), (iv). Rule 45(d)(3)(B)(i) further permits the Court to quash or modify a subpoena requiring disclosure of confidential commercial information. And Rule 45(d)(1) imposes an independent, affirmative duty on "[a] party or attorney responsible for issuing and serving a subpoena" to "take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena," which the Court "must enforce." The CBRM Unserved Subpoena fails each of these standards.

A. *The 2018 start date has no basis in any theory the Liquidation Trustee has articulated.*

44. The "RELEVANT TIME PERIOD" set forth in the CBRM Unserved Subpoena begins January 1, 2018, more than seven (7) years before the Petition Date. The Liquidation Trustee's stated theories are avoidance under 11 U.S.C. § 544(b) and applicable New Jersey law, recovery under § 550(a)(2), and turnover under § 542. None of these alleged grounds justifies the look-back period of 2018. The transfers identified by the Liquidation Trustee allegedly occurred in May and June 2022, in August 2022, and in February 2023. The Liquidation Trustee fails to identify any transaction in 2018, 2019, 2020 or 2021 that is potentially avoidable, and offers no evidence demonstrating that the Debtor was insolvent in 2018. A seven-and-a-half-year sweep of all of Ms. Mizrachi's financial transactions during this overly broad time period, untethered to any pleaded theory, places an unreasonable and undue burden on Ms. Mizrachi.

B. ***Fifteen days is not a reasonable time to comply.***

45. The CBRM Unserved Subpoena was transmitted on the evening of August 20, 2026 and made returnable September 4, 2026, for twenty-three (23) requests covering more than eight (8) years and requiring, by Instruction 16, a description for each negative response "identifying the accounts, devices and locations searched and the person who conducted the search." When a two-week adjournment was requested, it was refused except on the condition that Ms. Mizrachi first produce documents which Okin Hollander advised it did not have. Rule 45(d)(3)(A)(i) does not condition a reasonable time to comply on the witness's agreement to produce documents first.

VIII. Rule 45(d)(1) Requires the Court to Enforce the Duty to Avoid Undue Burden and to Impose an Appropriate Sanction.

46. Rule 45(d)(1) provides that the issuing party and attorney "must take reasonable steps to avoid imposing undue burden or expense," and the Court "must enforce this duty and impose an appropriate sanction, which may include…reasonable attorney's fees, on a party or attorney who fails to comply."

47. The conduct here is not the product of inadvertence, but rather, deliberate and repeated abuse of the subpoena power of this Court by the Liquidation Trustee and his counsel. In *Spencer*, the court held an attorney liable for issuing subpoenas without prior notice and imposed sanctions, observing that "misuse of the subpoena power also compromises the integrity of the court's processes." 179 F.R.D. at 489. In *Mirra v. Jordan*, curative relief was imposed even though the violations were found to be "grossly negligent" rather than in bad faith. 2014 WL 2511020, at *6 (S.D.N.Y. 2014).

48. Ms. Mizrachi requests that the Court award her the fees and expenses incurred in bringing this Motion, and reserves her right to consider what additional relief she may seek based on the pattern of abuse described above.

IX. In the Alternative, the Court Should Enter a Protective Order and Curative Relief.

49. Where a party has issued subpoenas for records without the required notice, courts routinely fashion curative relief, quashing the defective subpoenas, barring review or use of the documents obtained, requiring the violator to identify the subpoenas and productions, and ordering the return, sequestration or destruction of the materials. *See Mirra v. Jordan*, 2014 WL 2511020, at *3–*6 (S.D.N.Y. 2014) (ordering the violator to notify recipients that the subpoenas were quashed, enjoining review of documents received, requiring their return, and directing production of copies of all subpoenas and notice of materials received, in order to "disgorge [the] Defendant of the fruits of her violation"); *In re Sanomedics, Inc.*, 583 B.R. 796, 798–800 (Bankr. S.D. Fla. 2018) (granting a protective order quashing Rule 2004 discovery and precluding the requesting party from accessing the responses); *E.E.O.C. v. Tony's Lounge, Inc.*, 2009 WL 2486764, at *2 (S.D. Ill. Aug. 13, 2009) (barring use of information obtained through a subpoena issued without prior notice); *Gonzalez v. RFJD Holding Co.*, 2014 WL 12600141, at *2 (S.D. Fla. Sept. 2, 2014) (prohibiting further review or use of records collected where the affected party was not notified until after an extensive production); *Cunningham v. Jordan*, 2024 WL 998826, at *2–*3 (N.D. Ga. Feb. 20, 2024) (ordering the immediate and permanent deletion and destruction of private bank records obtained without proper notice).

50. The Court has ample authority to enter such relief under Rule 45(d)(3), Bankruptcy Rules 9016 and 9014(c), D.N.J. LBR 2004-1(d), and section 105(a) of the Bankruptcy Code.

51. If the Court is not inclined to quash the CBRM Subpoenas, Ms. Mizrachi respectfully requests that they be modified under Rule 45 to: (i) stay compliance until the Liquidation Trustee has identified every third-party subpoena issued by him or on his behalf that sought Mizrachi Financial Records and every document produced in response thereto; (ii) require personal service in compliance with Rule 45 and prior notice in compliance with Rule 45(a)(4)

before any obligation to respond arises; (iii) limit the Relevant Time Period in the CBRM Unserved Subpoena to a period tied to an articulated avoidance theory; (iv) strike or narrow Request Nos. 6, 7, 12, 13, 14, 20, 21 and 22 in the CBRM Unserved Subpoena; (v) stay compliance pending the Liquidation Trustee seeking stay relief under section 362 with respect to his pursuit of any claims that are asserted by the Chapter 7 Trustee as being property of the Debtor's Chapter 7 Estate; and (vi) fix a reasonable production schedule and provide that the Liquidation Trustee bear the reasonable costs of compliance.

NOTICE

52. Ms. Mizrachi will provide notice of this Motion to the Liquidation Trustee and his counsel, the Chapter 7 Trustee and her counsel, counsel to the Debtor and any party that has requested notice pursuant to Bankruptcy Rule 2002. Ms. Mizrachi submits that no other or further notice is required.

CONCLUSION

For the foregoing reasons, Ms. Mizrachi respectfully requests that this Court enter an Order (i) quashing the CBRM Subpoenas; (ii) granting a protective order barring access to and striking the use of any discovery obtained in response to the CBRM Subpoenas; (iii) awarding Ms. Mizrachi her reasonable attorneys' fees and expenses incurred in connection with this Motion

pursuant to Rule 45(d)(1); and (iv) granting such other and further relief as this Court deems just and proper.

Dated: September 17, 2026

Respectfully submitted,

OKIN HOLLANDER LLC

By: */s/ Paul S. Hollander*
Paul S. Hollander, Esq.
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd., Suite 40
Teaneck, New Jersey 07666
(201) 947-7500
phollander@okinhollander.com

Counsel for Miriam Mizrachi

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

OKIN HOLLANDER LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd.
Teaneck, New Jersey 07666
T: 201-947-7500
F: 201-947-2663
Paul S. Hollander, Esq.
phollander@okinhollander.com

Counsel for Miriam Mizrachi

In re:

CBRM REALTY INC., et al.,

Debtors.

Case No.: 25-15343 (MBK)

Chapter: 11

Judge: Hon. Michael B. Kaplan

Hearing Date and Time: October 15, 2026 at 10:00 a.m. (EST)

Objection Deadline: October 8, 2026

CERTIFICATION OF PAUL S. HOLLANDER, ESQ. IN SUPPORT OF MOTION OF MIRIAM MIZRACHI TO (A) QUASH (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JPMORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI WITHOUT PROPER PRIOR NOTICE TO HER AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; AND (B) FOR A PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED WITHOUT THE NOTICE REQUIRED BY FEDERAL RULE 45[1]

Paul S. Hollander, of full age, hereby states and certifies as follows:

[1]

1. I am an attorney and member of the law firm of Okin Hollander LLC, counsel to Miriam Mizrachi ("Ms. Mizrachi") in the above-captioned Chapter 7 case. I am a member of the bar of the State of New Jersey and am admitted to practice before the United States Bankruptcy Court for the District of New Jersey. I certify that I have knowledge of the facts contained herein.

2. I submit this Certification in support of the *MOTION OF MIRIAM MIZRACHI TO (A) QUASH (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JP MORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI WITHOUT PROPER PRIOR NOTICE TO HER AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; AND (B) FOR A PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED WITHOUT THE NOTICE REQUIRED BY FEDERAL RULE 45* (the "Motion").

3. Attached hereto as **Exhibits A and B** are true and correct copies of the Rule 2004 subpoenas served on or about July 21, 2026, by Okin Hollander LLC on Daniel M. Stolz, Esq., Genova Burns LLC, and Stevens & Lee, former and present counsel to the Chapter 7 Trustee.[2]

4. Attached hereto as **Exhibit C** is a true and correct copy of a letter dated

[2] Capitalized terms not defined herein shall have the meaning ascribed to such terms in the Memorandum of Law filed in support of the Motion.

July 30, 2026, from Richard Corbi, Esq., counsel to the Liquidation Trustee to Okin Hollander LLC.

5. Attached hereto as **Exhibit D** is a true and correct copy of a letter dated August 20, 2026, from Richard Corbi, Esq. to Okin Hollander LLC, along with the CBRM Unserved Subpoena.

6. Attached hereto as **Exhibit E** is a true and correct copy of a letter dated August 20, 2026, from Richard Corbi, Esq. to JPMorgan Chase Bank. N.A., along with the Chase Subpoena.

7. Attached hereto as **Exhibit F** is a true and correct copy of a letter dated August 24, 2026 from Okin Hollander LLC to Richard Corbi, Esq.

I HEREBY CERTIFY that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 16, 2026

By: */s/ Paul S. Hollander*
Paul S. Hollander, Esq.

Exhibit A

UNITED STATES BANKRUPTCY COURT

for the District of New Jersey

In re: Moshe Silber, Case No. 25-21650 (MBK)

Debtor Chapter 7

SUBPOENA FOR RULE 2004 EXAMINATION

To: Genova Burns LLC, by and through Rosalie Acevedo, Chief Operating Officer and Chief Financial Officer, or Jennifer Borek, Managing Partner, or any other person authorized by Genova Burns LLC to accept service of process on its behalf

494 Mayor Kenneth A. Gibson Blvd. (Broad Street)

Newark, NJ 07102

(Name of person to whom the subpoena is directed)

☐ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure and D.N.J. Local Bankruptcy Rule 2004-1.

PLACE	DATE AND TIME
Okin Hollander LLC 500 Frank W. Burr Blvd., Suite 40, Teaneck, New Jersey 07666	August 4, 2026

The examination will be recorded by this method: At the option of the party serving this Subpoena, either a certified court reporter, a remote virtual/web-based/video linked deposition or a remote video recorded deposition.

☒ *Production:* You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached Schedule A and produce by August 4, 2026 at 5:00 p.m. (ET)

The following provisions of Fed. R. Civ. P. 45 made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: July 20, 2026

CLERK OF COURT

OR

_____ /s/ Paul S. Hollander

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, email address, and telephone number of the attorney representing Miriam Mizrachi: Paul S. Hollander, Esq., Okin Hollander LLC, Glenpointe Centre West, 2nd Floor, 500 Frank W. Burr Boulevard, Suite 40, Teaneck, NJ 07666, Telephone: (201) 947-7500, Email: phollander@okinhollander.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)*_____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on (*date*)_____; or

☐ I returned the subpoena unexecuted because: _____

_____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $_____.

My fees are $_____for travel and $_____for services, for a total of $_____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections*. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

…

(g) Contempt. The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013)

SCHEDULE A

DEFINITIONS

The following definitions apply herein to these Requests:

1. "All" includes the word "any," and "any" includes the word "all."

2. "And" includes the word "or," and "or" includes the word "and."

3. "Each" shall mean each, every, any and all.

4. "Including" means including without limitation.

5. "Relate(d) to" or "Relating to" means constitutes, refers, reflects, concerns, pertains to, supports, refutes, consists of, summarizes, discusses, notes, mentions, corroborates, demonstrates, shows, embodies, identifies, analyzes, describes, evidences, or in any way logically or factually connects with the matter described or referenced in the request, directly or indirectly.

6. "Concerning" means consisting of, reflecting, referring to, relating to, regarding, involving, evidencing, constituting, or having any legal, logical, evidential, or factual connection with (whether to support or to rebut) the subject matter designated in any paragraph of these requests, directly or indirectly. A request for Documents "concerning" a specified subject matter always shall include Communications, notes, and memoranda (whenever prepared) relating to the subject matter of the request.

7. "Communication" means the transmittal of information, in the form of facts, ideas, inquiries, or otherwise. The term is used here in the broadest sense, and includes any and all conversations, meetings, discussions, copying or forwarding e-mails (including all attachments and embedded data) and other documents (as defined below), text messages, instant messages, chat communications (including Slack, Teams, WhatsApp, Signal, or similar platforms) and any other mode of verbal or other information exchange, whether in person or otherwise, as well as all letters, correspondences, memoranda, notes, voicemail messages, social media messages or

postings, and any other form of information exchange, and further includes any other documents memorializing, reflecting, summarizing, evidencing or constituting any transmission or information exchange, regardless of whether it was sent, received or recorded.

8. "Document(s)" means, without limitation, the original and all copies, prior drafts, and translations of information in any written, typed, printed, recorded or graphic form, however produced or reproduced, of any type or description, regardless of origin or location, including without limitation all Electronically Stored Information, correspondence, records, tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary entries, letters (sent or received), telegrams, telexes, messages (including, but not limited to, reports of telephone conversations and conferences), studies, books, periodicals, magazines, booklets, circulars, bulletins, instructions, papers, files, minutes, other Communications (including, but not limited to, inter- and intra-office Communications), questionnaires, contracts, memoranda or agreements, assignments, licenses, ledgers, books of account, orders, invoices, statements, bills, checks, vouchers, notebooks, receipts, acknowledgments, microfilm, photographs, motion pictures, video tapes, photographic negatives, phonograph records, tape recordings, wire recordings, voice mail recordings or messages, other mechanical records, transcripts or logs of any such recordings, and all other data compilations from which information can be obtained. The term "Document(s)" is intended to be at least as broad in meaning and scope as the usage of this term in or pursuant to the Federal Rules of Civil Procedure.

9. "All Documents" mean any and all Documents that might reasonably be located through a search of all locations likely to contain such Documents and includes electronically stored information.

10. "Electronically Stored Information" shall include, without limitation, the following: information that is generated, received, processed, recorded, or accessed by computers and other electronic devices, including but not limited to—

a. E-mail;

b. Internal or external web sites;

c. Output resulting from the use of any software program; and

d. All information stored on cache memories, magnetic disks (such as computer hard drives or floppy drives), optical disks (such as DVDs or CDs), magnetic tapes, microfiche, or on any other media for digital data storage or transmittal (e.g., a smartphone such as an iPhone®, a tablet such as an iPad®, or a personal digital assistant such as a Blackberry®).

11. The "CBRM Trustee" means the Creditor Recovery Trustee appointed in the CBRM Chapter 11 Proceeding.

12. The "CBRM Chapter 11 Proceeding" means the chapter 11 proceeding captioned *In re: CBRM Realty Inc*., Case No. 25-15343 (MBK) filed in the United States Bankruptcy Court for the District of New Jersey.

13. The "Debtor" means Moshe Silber, any other person acting or purporting to act on his behalf, including but not limited to, attorneys, investigators, agents or employees, any entity directly or indirectly owned, controlled, or beneficially held by him, and any accounts held in the name of any third party to the extent funded, controlled, or beneficially owned by him.

14. The "Chapter 7 Case" means the chapter 7 bankruptcy proceeding captioned *In re: Moshe Silber*, Case No. 25-21650 (MBK) filed in the United States Bankruptcy Court for the District of New Jersey.

15. The "Chapter 7 Estate" means the chapter 7 bankruptcy estate of the Debtor in the Chapter 7 Case.

16. "Third Party Recipient" means each and every third party to whom You issued a Third Party Subpoena.

17. "Third Party Subpoena" means each and every subpoena issued by or on Your behalf to a Third Party Recipient relating to the Debtor's Chapter 7 Case, the CBRM Chapter 11 Case or the CBRM Trustee.

18. "You" or "Your" means Genova Burns LLC, in its capacity as co-counsel to the CBRM Trustee and as special litigation counsel to Karen E. Bezner, the Chapter 7 Trustee, including all current and former officers, employees, agents and representatives acting or purporting to act on your behalf.

INSTRUCTIONS

1. In accordance with Rule 34 of the Federal Rules of Civil Procedure ("**FRCP**") and Rule 7034 of the Federal Rules of Bankruptcy Procedure ("**FRBP**"), as to any Request for Production (each, a "**Request**," and together, "**Requests**") to which You object, whether in full or part, You shall specify and quote verbatim such Request and, immediately following each specification, set forth, with specificity, the basis of such objection. Any ground not stated in such objection with the appropriate level of specificity shall be deemed waived.

2. If there is any confusion, disagreement and/or ambiguity as to whether a document, person, communication, or other information would fall within the scope of a request for production, the ambiguity is to be resolved in favor of including the document, person, communication, or other information within your discovery responses.

3. In keeping with Rule 26 of the FRCP and Rule 7026 of the FRBP, as to any Request for Production to which You object on claim of privilege and, on such basis, do not provide a response, whether in full or part, to such request, You shall, in writing and at the time of the response to the Request for Production:

(a) identify the nature of the privilege (including work product) that is being claimed and, if the privilege is governed by state law, indicate the state's privilege rule being invoked;

(b) provide the following information in such objection, unless divulgence of such information would cause disclosure of the allegedly privileged information (in which case, the response must state as such): for documents: (i) the type of document, e.g., letter or memorandum; (ii) the general subject matter of the document; (iii) the date of the document; and (iv) the author of the document, the addressees of the document, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other; and

(c) for oral Communications: (i) the name of the person making the Communication and the names of persons present while the Communication was made and, where not apparent, the relationship of the persons present to the person making the Communication; (ii) the date and place of Communication; and (iii) the general subject matter of the Communication.

4. With respect to those documents or portions of documents withheld by reason for a claim of privilege, work product immunity or other ground of non-production, a list is to be furnished at the time that documents are produced, which list shall identify each document withheld, state the privilege claimed, the nature (e.g., letter, memorandum, etc.) of the document,

date and author(s) of such document, the names of all persons to whom such document was directed or by whom it has been received, the sender(s) of such document, indicated or blind copy recipient(s), subject matter, number of pages, the paragraph(s) of these Requests to which such document relates, and the name and address of the present custodian. If a portion of an otherwise responsive document contains information subject to a claim of privilege, those portions of the document subject to the claim of privilege shall be deleted or redacted from the document (and such deletion or redaction noted on the document) and the rest of the document shall be produced.

5. The documents produced in response to these Requests shall be: (a) organized and designated to correspond to the categories in the Requests; or (b) produced in a form that accurately reflects how they are maintained in the ordinary course of business.

6. All documents are to be produced in their entirety, without abbreviation or expurgation, including both front and back thereof, and all attachments or other matters affixed thereto.

7. Pursuant to FRCP Rule 34(b)(2)(E)(1) and FRBP Rule 7034, when You produce any responsive document or Communication, including electronically stored information ("ESI"), You will produce such document or Communication as kept in the usual course of business or organized and labeled to correspond with the Request or Requests to which such document or Communication (including ESI) is/are responsive.

8. All ESI shall be produced in the following format: single page TIFF images and associated multi-page text files containing extracted text or OCR with Concordance and Opticon load files containing all requisite information including relevant metadata and, as applicable, any other embedded data; provided, however, that ESI that is not easily converted to image format (e.g., Excel and Access files), shall be provided in native format.

9. All produced ESI shall include at least the following metadata fields (or any equivalents thereof), to the extent the same exist: custodian, file path, e-mail subject, conversation index, from, to, cc, bcc, date sent, time sent, date received, time received, filename, author, date created, date modified, MD5 Hash, file size, file extension, control number begin, control number end, attachment range, attachment begin, and attachment end.

10. In complying with this request, You shall also identify a person or persons with knowledge about your information management systems, including computer-based and other digital systems, with the ability to facilitate, through counsel, reasonably anticipated discovery.

11. If any Document or Communication cannot be produced in full, produce such Document or Communication to the extent possible, specifying the reason for the inability to produce the remainder.

12. If any Document or Communication requested has been lost, discarded, or destroyed, identify such Document or Communication as completely as possible, including the: (a) type of Document or Communication; (b) Date of the Document or Communication; (c) Date or approximate Date such Document or Communication was lost, discarded or destroyed; (d) circumstances and manner in which such Document or Communication was lost, discarded or destroyed; (e) reason or reasons for disposing of the Document or Communication (if discarded or destroyed); (f) identity of all persons authorizing or having knowledge of the circumstances surrounding disposal of the Document or Communication; (g) identity of those persons who lost, discarded, or destroyed the Document or Communication; and (h) identity of all persons having knowledge of the contents thereof.

13. Where an objection is made to any Request, the objection shall state with specificity all grounds therefor. Any ground not stated in an objection shall be waived.

14. Each Request shall be deemed continued so as to require supplementation or additional production should You discover additional responsive information subsequent to its responses hereto.

15. Documents and other data produced in response to these requests shall either be transmitted with your responses or shall be made available for inspection and copying at a mutually agreed upon location. The requested Documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories requested.

16. Please take notice that this discovery request extends to materials either in your possession or constructive possession. Constructive possession exists as long as you have a superior right to compel the production from a third party (including attorneys, an agency authority or representative) who has possession, custody, or control, even though you do not have actual physical possession.

17. Unless otherwise specifically stated herein, these Requests for Production relate to the period of time from and after January 1, 2022 through the date of Your response to the Request, inclusive of both dates, and includes any Documents created on an earlier date, but in use, modified, accessed, opened, uploaded or downloaded during the relevant time period.

18. These Requests are continuing in nature. You are required to supplement your responses promptly to the extent that additional responsive documents become available.

DOCUMENTS TO BE PRODUCED

1. Every Third Party Subpoena issued by or on Your behalf to a Third Party Recipient.

2. All Communications between You and every Third Party Recipient or its counsel, agent, or representatives relating to any Third Party Subpoena.

3. All Documents produced by every Third Party Recipient in response to any Third Party Subpoena.

4. All responses, objections and agreements produced by any Third Party Recipient relating to a Third Party Subpoena.

5. All Documents that were provided to You by the CBRM Trustee or its counsel that refer, relate to or support any claims or causes of action that the CBRM Trustee has, may have or may intend to assert against the Debtor, the Chapter 7 Estate or any property and/or assets owned or claimed to be owned by the Chapter 7 Estate.

Exhibit B

UNITED STATES BANKRUPTCY COURT

for the District of New Jersey

In re: Moshe Silber, Case No. 25-21650 (MBK)

Debtor Chapter 7

SUBPOENA FOR RULE 2004 EXAMINATION

To: Stevens & Lee, by and through Daniel M. Stolz, Esq., or any other person authorized by Stevens & Lee to accept service of process on its behalf

110 Allen Road, Suite 304

Basking Ridge, NJ 07920 and

Stevens & Lee, by and through William P. Thornton, Jr., President and Chief Executive Officer or John Durofchalk, Chief Financial Officer, or any other person authorized by Stevens & Lee to accept service of process on its behalf

111 North 6th Street

Reading, PA 19601

(Name of person to whom the subpoena is directed)

☐ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure and D.N.J. Local Bankruptcy Rule 2004-1.

PLACE	DATE AND TIME
Okin Hollander LLC 500 Frank W. Burr Blvd., Suite 40, Teaneck, New Jersey 07666	August 4, 2026

The examination will be recorded by this method: At the option of the party serving this Subpoena, either a certified court reporter, a remote virtual/web-based/video linked deposition or a remote video recorded deposition.

☒ *Production:* You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See attached Schedule A and produce by August 4, 2026 at 5:00 p.m. (ET)

The following provisions of Fed. R. Civ. P. 45 made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: July 20, 2026

CLERK OF COURT

OR

_____ /s/ Paul S. Hollander

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, email address, and telephone number of the attorney representing Miriam Mizrachi: Paul S. Hollander, Esq., Okin Hollander LLC, Glenpointe Centre West, 2nd Floor, 500 Frank W. Burr Boulevard, Suite 40, Teaneck, NJ 07666, Telephone: (201) 947-7500, Email: phollander@okinhollander.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)*_____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on (*date*)_____; or

☐ I returned the subpoena unexecuted because: _____

_____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $_____.

My fees are $_____for travel and $_____for services, for a total of $_____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)

(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections*. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

…

(g) Contempt. The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013)

SCHEDULE A

DEFINITIONS

The following definitions apply herein to these Requests:

1. "All" includes the word "any," and "any" includes the word "all."

2. "And" includes the word "or," and "or" includes the word "and."

3. "Each" shall mean each, every, any and all.

4. "Including" means including without limitation.

5. "Relate(d) to" or "Relating to" means constitutes, refers, reflects, concerns, pertains to, supports, refutes, consists of, summarizes, discusses, notes, mentions, corroborates, demonstrates, shows, embodies, identifies, analyzes, describes, evidences, or in any way logically or factually connects with the matter described or referenced in the request, directly or indirectly.

6. "Concerning" means consisting of, reflecting, referring to, relating to, regarding, involving, evidencing, constituting, or having any legal, logical, evidential, or factual connection with (whether to support or to rebut) the subject matter designated in any paragraph of these requests, directly or indirectly. A request for Documents "concerning" a specified subject matter always shall include Communications, notes, and memoranda (whenever prepared) relating to the subject matter of the request.

7. "Communication" means the transmittal of information, in the form of facts, ideas, inquiries, or otherwise. The term is used here in the broadest sense, and includes any and all conversations, meetings, discussions, copying or forwarding e-mails (including all attachments and embedded data) and other documents (as defined below), text messages, instant messages, chat communications (including Slack, Teams, WhatsApp, Signal, or similar platforms) and any other mode of verbal or other information exchange, whether in person or otherwise, as well as all letters, correspondences, memoranda, notes, voicemail messages, social media messages or

postings, and any other form of information exchange, and further includes any other documents memorializing, reflecting, summarizing, evidencing or constituting any transmission or information exchange, regardless of whether it was sent, received or recorded.

8. "Document(s)" means, without limitation, the original and all copies, prior drafts, and translations of information in any written, typed, printed, recorded or graphic form, however produced or reproduced, of any type or description, regardless of origin or location, including without limitation all Electronically Stored Information, correspondence, records, tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary entries, letters (sent or received), telegrams, telexes, messages (including, but not limited to, reports of telephone conversations and conferences), studies, books, periodicals, magazines, booklets, circulars, bulletins, instructions, papers, files, minutes, other Communications (including, but not limited to, inter- and intra-office Communications), questionnaires, contracts, memoranda or agreements, assignments, licenses, ledgers, books of account, orders, invoices, statements, bills, checks, vouchers, notebooks, receipts, acknowledgments, microfilm, photographs, motion pictures, video tapes, photographic negatives, phonograph records, tape recordings, wire recordings, voice mail recordings or messages, other mechanical records, transcripts or logs of any such recordings, and all other data compilations from which information can be obtained. The term "Document(s)" is intended to be at least as broad in meaning and scope as the usage of this term in or pursuant to the Federal Rules of Civil Procedure.

9. "All Documents" mean any and all Documents that might reasonably be located through a search of all locations likely to contain such Documents and includes electronically stored information.

10. "Electronically Stored Information" shall include, without limitation, the following: information that is generated, received, processed, recorded, or accessed by computers and other electronic devices, including but not limited to—

a. E-mail;

b. Internal or external web sites;

c. Output resulting from the use of any software program; and

d. All information stored on cache memories, magnetic disks (such as computer hard drives or floppy drives), optical disks (such as DVDs or CDs), magnetic tapes, microfiche, or on any other media for digital data storage or transmittal (e.g., a smartphone such as an iPhone®, a tablet such as an iPad®, or a personal digital assistant such as a Blackberry®).

11. The "CBRM Trustee" means the Creditor Recovery Trustee appointed in the CBRM Chapter 11 Proceeding.

12. The "CBRM Chapter 11 Proceeding" means the chapter 11 proceeding captioned *In re: CBRM Realty Inc*., Case No. 25-15343 (MBK) filed in the United States Bankruptcy Court for the District of New Jersey.

13. The "Debtor" means Moshe Silber, any other person acting or purporting to act on his behalf, including but not limited to, attorneys, investigators, agents or employees, any entity directly or indirectly owned, controlled, or beneficially held by him, and any accounts held in the name of any third party to the extent funded, controlled, or beneficially owned by him.

14. The "Chapter 7 Case" means the chapter 7 bankruptcy proceeding captioned *In re: Moshe Silber*, Case No. 25-21650 (MBK) filed in the United States Bankruptcy Court for the District of New Jersey.

15. The "Chapter 7 Estate" means the chapter 7 bankruptcy estate of the Debtor in the Chapter 7 Case.

16. "Third Party Recipient" means each and every third party to whom You issued a Third Party Subpoena.

17. "Third Party Subpoena" means each and every subpoena issued by or on Your behalf to a Third Party Recipient relating to the Debtor's Chapter 7 Case, the CBRM Chapter 11 Case or the CBRM Trustee.

18. "You" or "Your" means Stevens & Lee, in its capacity as proposed substitute special counsel to Karen E. Bezner, the Chapter 7 Trustee, including all current and former officers, employees, agents and representatives acting or purporting to act on your behalf.

INSTRUCTIONS

1. In accordance with Rule 34 of the Federal Rules of Civil Procedure ("**FRCP**") and Rule 7034 of the Federal Rules of Bankruptcy Procedure ("**FRBP**"), as to any Request for Production (each, a "**Request**," and together, "**Requests**") to which You object, whether in full or part, You shall specify and quote verbatim such Request and, immediately following each specification, set forth, with specificity, the basis of such objection. Any ground not stated in such objection with the appropriate level of specificity shall be deemed waived.

2. If there is any confusion, disagreement and/or ambiguity as to whether a document, person, communication, or other information would fall within the scope of a request for production, the ambiguity is to be resolved in favor of including the document, person, communication, or other information within your discovery responses.

3. In keeping with Rule 26 of the FRCP and Rule 7026 of the FRBP, as to any Request for Production to which You object on claim of privilege and, on such basis, do not provide a

response, whether in full or part, to such request, You shall, in writing and at the time of the response to the Request for Production:

(a) identify the nature of the privilege (including work product) that is being claimed and, if the privilege is governed by state law, indicate the state's privilege rule being invoked;

(b) provide the following information in such objection, unless divulgence of such information would cause disclosure of the allegedly privileged information (in which case, the response must state as such): for documents: (i) the type of document, e.g., letter or memorandum; (ii) the general subject matter of the document; (iii) the date of the document; and (iv) the author of the document, the addressees of the document, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other; and

(c) for oral Communications: (i) the name of the person making the Communication and the names of persons present while the Communication was made and, where not apparent, the relationship of the persons present to the person making the Communication; (ii) the date and place of Communication; and (iii) the general subject matter of the Communication.

4. With respect to those documents or portions of documents withheld by reason for a claim of privilege, work product immunity or other ground of non-production, a list is to be furnished at the time that documents are produced, which list shall identify each document withheld, state the privilege claimed, the nature (e.g., letter, memorandum, etc.) of the document, date and author(s) of such document, the names of all persons to whom such document was directed or by whom it has been received, the sender(s) of such document, indicated or blind copy

recipient(s), subject matter, number of pages, the paragraph(s) of these Requests to which such document relates, and the name and address of the present custodian. If a portion of an otherwise responsive document contains information subject to a claim of privilege, those portions of the document subject to the claim of privilege shall be deleted or redacted from the document (and such deletion or redaction noted on the document) and the rest of the document shall be produced.

5. The documents produced in response to these Requests shall be: (a) organized and designated to correspond to the categories in the Requests; or (b) produced in a form that accurately reflects how they are maintained in the ordinary course of business.

6. All documents are to be produced in their entirety, without abbreviation or expurgation, including both front and back thereof, and all attachments or other matters affixed thereto.

7. Pursuant to FRCP Rule 34(b)(2)(E)(1) and FRBP Rule 7034, when You produce any responsive document or Communication, including electronically stored information ("ESI"), You will produce such document or Communication as kept in the usual course of business or organized and labeled to correspond with the Request or Requests to which such document or Communication (including ESI) is/are responsive.

8. All ESI shall be produced in the following format: single page TIFF images and associated multi-page text files containing extracted text or OCR with Concordance and Opticon load files containing all requisite information including relevant metadata and, as applicable, any other embedded data; provided, however, that ESI that is not easily converted to image format (e.g., Excel and Access files), shall be provided in native format.

9. All produced ESI shall include at least the following metadata fields (or any equivalents thereof), to the extent the same exist: custodian, file path, e-mail subject, conversation index, from, to, cc, bcc, date sent, time sent, date received, time received, filename, author, date created, date modified, MD5 Hash, file size, file extension, control number begin, control number end, attachment range, attachment begin, and attachment end.

10. In complying with this request, You shall also identify a person or persons with knowledge about your information management systems, including computer-based and other digital systems, with the ability to facilitate, through counsel, reasonably anticipated discovery.

11. If any Document or Communication cannot be produced in full, produce such Document or Communication to the extent possible, specifying the reason for the inability to produce the remainder.

12. If any Document or Communication requested has been lost, discarded, or destroyed, identify such Document or Communication as completely as possible, including the: (a) type of Document or Communication; (b) Date of the Document or Communication; (c) Date or approximate Date such Document or Communication was lost, discarded or destroyed; (d) circumstances and manner in which such Document or Communication was lost, discarded or destroyed; (e) reason or reasons for disposing of the Document or Communication (if discarded or destroyed); (f) identity of all persons authorizing or having knowledge of the circumstances surrounding disposal of the Document or Communication; (g) identity of those persons who lost, discarded, or destroyed the Document or Communication; and (h) identity of all persons having knowledge of the contents thereof.

13. Where an objection is made to any Request, the objection shall state with specificity all grounds therefor. Any ground not stated in an objection shall be waived.

14. Each Request shall be deemed continued so as to require supplementation or additional production should You discover additional responsive information subsequent to its responses hereto.

15. Documents and other data produced in response to these requests shall either be transmitted with your responses or shall be made available for inspection and copying at a mutually agreed upon location. The requested Documents shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories requested.

16. Please take notice that this discovery request extends to materials either in your possession or constructive possession. Constructive possession exists as long as you have a superior right to compel the production from a third party (including attorneys, an agency authority or representative) who has possession, custody, or control, even though you do not have actual physical possession.

17. Unless otherwise specifically stated herein, these Requests for Production relate to the period of time from and after January 1, 2022 through the date of Your response to the Request, inclusive of both dates, and includes any Documents created on an earlier date, but in use, modified, accessed, opened, uploaded or downloaded during the relevant time period.

18. These Requests are continuing in nature. You are required to supplement your responses promptly to the extent that additional responsive documents become available.

DOCUMENTS TO BE PRODUCED

1. Every Third Party Subpoena issued by or on Your behalf to a Third Party Recipient.

2. All Communications between You and every Third Party Recipient or its counsel, agent, or representatives relating to any Third Party Subpoena.

3. All Documents produced by every Third Party Recipient in response to any Third Party Subpoena.

4. All responses, objections and agreements produced by any Third Party Recipient relating to a Third Party Subpoena.

5. All Documents that were provided to You by the CBRM Trustee or its counsel that refer, relate to or support any claims or causes of action that the CBRM Trustee has, may have or may intend to assert against the Debtor, the Chapter 7 Estate or any property and/or assets owned or claimed to be owned by the Chapter 7 Estate.

Exhibit C

The Law Offices of Richard J. Corbi PLLC

104 West 40th Street, 4th Floor

New York, NY 10018

July 30, 2026

VIA E-MAIL

Rosanne A. Singer, Esq.
Paul Hollander, Esq
Okin Hollander LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd., Suite 40
Teaneck, NJ 07666
Email: rsinger@okinhollander.com
phollander@okinhollander.com

Re: ***In re CBRM Realty Inc.*, *et. al.*, Case No. 25-15343 (MBK) (Bankr. D.N.J.);**
***In re Silber*, Case No. 25-21650 (MBK) (Bankr. D.N.J.) – Rule 2004 Objection**

Dear Rosanne and Paul:

My firm is counsel to Daniel Kamensky of RLA Consulting, LLC, in his capacity as Trustee of the CBRM Creditor Recovery Trust (the "**Trustee**"), established under the confirmed Chapter 11 Plan of CBRM Realty, Inc. *et. al.*, the chapter 11 debtors (collectively, the "**Debtors**") and I write in response to your July 28, 2026 letter to counsel for Ms. Karen E. Benzer, the Chapter 7 trustee (the "**Chapter 7 Trustee**") of the bankruptcy estate of Moshe Silber (the "**Chapter 7 Debtor**") demanding her compliance with the subpoena issued on July 20, 2026 by Ms. Miriam Silber ("**Ms. Silber**") pursuant to Federal Rule of Bankruptcy Procedure 2004 (the "**Rule 2004 Subpoena**").

The Trustee objects to the Chapter 7 Trustee complying with the Rule 2004 Subpoena and the Trustee himself will not provide information for any of the requests sought therein. Ms. Silber does not have standing to seek such extraordinary relief from the Chapter 11 Debtors' estates and the Trustee and is not entitled to any of the subpoenas issued in the CBRM Debtors' Chapter 11 cases. In addition, the information sought by Ms. Silber is protected by the attorney-client privilege, work product doctrine.

As you know, on May 19, 2025, the Debtors filed voluntary petitions under chapter 11 of title 11 of the United States Code.[1] On October 23, 2025, the Bankruptcy Court entered the order confirming the Debtors' Modified Joint Chapter 11 Plan (the "**Plan**") and authorizing all relief

[1] ECF No. 1.

required for its implementation (the "**Confirmation Order**").[2] Under the Plan, the Creditor Recovery Trust was established as of the Effective Date, and RLA Consulting LLC, through Daniel Kamensky, was appointed as Trustee. The Trustee's appointment is effectuated by the Plan and implemented through the Creditor Recovery Trust Agreement (the "**Trust Agreement**"),[3] which vests the Trustee with full authority to administer the Trust Assets and pursue all associated rights and claims for the benefit of creditors.

Pursuant to the Plan, the Confirmation Order and the Trust Agreement, the Trustee is vested with exclusive authority to administer the Trust Assets and to obtain, collect, and compel turnover of all estate books, records, and electronically stored information, and to investigate and pursue all rights, claims, and causes of action for the benefit of creditors.

Ms. Silber is not a creditor of the CBRM bankruptcy estates because she was neither listed as a creditor nor filed a proof of claim in the CBRM Chapter 11 cases. Therefore, she is not a "party in interest" under Rule 2004 and has no standing to seek Rule 2004 discovery from the Trustee. *In re Lifeco Inv. Grp.*,173 B.R. 478, 481 (Bankr. D. Del. 1994); *In re Martin Paint Stores*, 199 B.R. 258, 264 (Bankr. S.D.N.Y. 1996). Furthermore, Ms. Silber does not even have a potential interest in the CBRM case that would provide her "party in interest" standing to permit Rule 2004 discovery against the Trustee. The Trustee's subpoenas, documents and communications are privileged materials that Ms. Silber is not entitled to receive. *See, e.g., In re Subpoena Issued to Dennis Friedman*, 350 F.3d 65 (2d Cir. 2003) (J. Sotomayor). Finally, Ms. Silber issued the Rule 2004 Subpoena for the improper purpose of using CBRM materials as potential defenses in the Chapter 7 Debtor's proceeding. *In re Cambridge Analytica LLC*, 600 B.R. 750, 752-53 (Bankr. S.D.N.Y. 2019).

Nothing herein shall be deemed a waiver of any rights, remedies, claims, or causes of action of the Trustee. Please be guided accordingly.

Respectfully Submitted,

/s/ Richard J. Corbi

Richard J. Corbi

Cc: Dan Kamensky (dan@rla-pc.com)
Daniel Stolz (daniel.stolz@stevenslee.com)
Jaclynn N. McDonnell (Jaclynn.McDonnell@stevenslee.com)
R. Edward Stone (R.Edward.Stone@stevenslee.com)
Karen E. Bezner (kbez@bellatlantic.net)

[2] *Confirmation Order*, ECF No. 653.
[3] *Creditor Recovery Trust Agreement*, ECF No. 502-2; *Second Notice of Filing Plan Supplement*, *id*., ECF No. 502.

Exhibit D

The Law Offices of Richard J. Corbi PLLC

104 West 40th Street, 4th Floor

New York, NY 10018

August 20, 2026

Via Electronic Mail and Overnight Mail

Paul Hollander, Esq.
Rosanne Singer, Esq.
Okin Hollander LLC
500 Frank W. Burr Blvd., Suite 40
Teaneck, NJ 07666
Email: phollander@okinhollander.com

Counsel to Ms. Miriam Mizrachi

Re: ***In re CBRM Realty Inc.*, *et al.*, Case No. 25-15343 (MBK) (Bankr. D.N.J.) - Fed. R. Bankr. P. 2004 Subpoena to Ms. Miriam Mizrachi**

Dear Paul:

This firm represents Daniel Kamensky of RLA Consulting, LLC, in its capacity as Trustee of the Creditor Recovery Trust for In re CBRM Realty Inc. and In re Crown Capital Holdings LLC (the "**Trustee**"), established under the confirmed Chapter 11 Plan of CBRM Realty, Inc. *et al.*, the chapter 11 debtors (collectively, the "**Debtors**"). Enclosed is a subpoena to your client, Ms. Miriam Mizrachi, issued pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure. It is served on you as her counsel of record.

This is the first subpoena the CBRM Creditor Recovery Trustee has issued to Ms. Mizrachi or concerning her records. I am aware of the objection you made at Mr. Silber's examination that earlier third-party subpoenas touching her records — issued in the chapter 7 case, not by this Trustee — were not served on her or on you. Whatever the merits of that objection, this Trustee has no interest in giving you the same complaint. The subpoena is served on you directly; a copy is being served contemporaneously on the chapter 7 trustee of Mr. Silber's estate; and the subpoena issued the same day to JPMorgan Chase Bank, N.A. recites at Instruction 14 that a copy has been served on you, and encloses one.

A. Background and Trustee Appointment

By way of brief history, on May 19, 2025, the Debtors filed voluntary petitions under chapter 11 of title 11 of the United States Code.[1] On October 23, 2025, the Bankruptcy Court entered the order confirming the Debtors' Modified Joint Chapter 11 Plan (the "**Plan**") and

[1] ECF No. 1.

authorizing all relief required for its implementation (the "**Confirmation Order**").[2] Under the Plan, the Creditor Recovery Trust was established as of the Effective Date, and RLA Consulting LLC, through Daniel Kamensky, was appointed as Trustee. The Trustee's appointment is effectuated by the Plan and implemented through the Creditor Recovery Trust Agreement (the "**Trust Agreement**"),[3] which vests the Trustee with full authority to administer the Trust Assets and pursue all associated rights and claims for the benefit of creditors.

Pursuant to the Plan, the Confirmation Order and the Trust Agreement, the Trustee is vested with exclusive authority to administer the Trust Assets and to obtain, collect, and compel turnover of all estate books, records, and electronically stored information, and to investigate and pursue all rights, claims, and causes of action for the benefit of creditors. The Trustee's authority to obtain such information is further supported by sections 105, 541, and 542 of the Bankruptcy Code, as well as Rule 2004 of the Federal Rules of Bankruptcy Procedure. Property of the estate includes all legal and equitable interests of the Debtors in property as of the petition date, including books, records, and information relating to the Debtors' financial affairs.[4]

B. The Trustee's Investigation

As the Trustee stated to the Court in his reply to the Order to Show Cause in the adversary proceeding, filed May 12, 2026 [Adv. Pro. No. 26-01178, Doc. No. 28], since his appointment on November 12, 2025 the Trustee has undertaken a substantial investigation into potential claims and causes of action belonging to the CBRM estates. Given Mr. Silber's lack of cooperation with the CBRM Debtors, the Trustee has issued demand letters to former professionals and employees of the CBRM Debtors and has served Rule 2004 subpoenas upon multiple financial institutions and the CBRM Debtors' accounting firms to reconstruct CBRM's books and records. To date, the Trustee has received and continues to analyze thousands of pages of documents produced on a rolling basis. That investigation has focused, among other things, on analyzing transfers involving the CBRM Debtors and third parties.

C. The Vecta Interests

As set out in the Trustee's reply to the Order to Show Cause, on or about May 27, 2022, the Debtor caused at least $14.1 million to be distributed directly by CBRM to Computershare to purchase shares of Sunnyside Bancorp. On or about June 29, 2022, the Debtor caused at least $4.5 million to be distributed by CBRM directly to Vecta Bank as a capital contribution on behalf of CBRM. Together with related payments, at least $18,601,044.50 of CBRM Realty, Inc. funds was applied to the acquisition and capitalization of the bank.

No consideration moving from Vecta Partners, LLC, from Mr. Silber, or from Ms. Mizrachi to CBRM Realty, Inc. for those funds has been identified.

---

[2] *Confirmation Order*, ECF No. 653.
[3] *Creditor Recovery Trust Agreement*, ECF No. 502-2; *Second Notice of Filing Plan Supplement*, *id*., ECF No. 502.
[4] *See United States v. Whiting Pools, Inc*., 462 U.S. 198, 203–04 (1983) (holding that §541(a) is broad in scope and includes property necessary for the administration of the estate and reorganization).

In his bankruptcy schedules the Debtor disclosed only a purported 5% indirect ownership interest in Vecta Bank, which he valued at approximately $500,000. At his section 341 meeting held on March 30, 2026, however, the Debtor testified that he had transferred 95% of his indirect ownership interest in Vecta Bank to his spouse, Ms. Mizrachi.

That testimony is consistent with the purported documentary record already before the Court in the chapter 7 case. By an agreement effective as of February 2, 2023, Mr. Silber purported to transfer a portion of that ownership to Ms. Mizrachi, in an agreement in which he is recorded as representing that he was in dire financial difficulties and which refers to the Department of Justice action.

The Trustee understands that Ms. Mizrachi claims ownership of the transferred interests by reason of that agreement, of the Voting Trust of which Nicholas Frungillo, Jr. is trustee, or of some other instrument. The Trustee does not know the terms on which that claim rests, what consideration she is said to have given, or what has since become of the interests. Those are among the principal subjects of the enclosed subpoena.

On these facts, CBRM Realty paid at least $18,601,044.50 and no consideration flowing back to it has been identified. Based upon the investigation conducted to date, the Trustee believes there are substantial grounds to contend that those transfers are avoidable under 11 U.S.C. § 544(b) and applicable New Jersey law, and that the interests acquired with them, or their value, are recoverable from Ms. Mizrachi as a subsequent transferee under 11 U.S.C. § 550(a)(2). In the alternative, the Trustee believes there are substantial grounds to contend that the interests in Vecta, Inc. are property of the CBRM estates rather than property of the Debtor's chapter 7 estate, and are subject to turnover under 11 U.S.C. § 542. The Trustee pleads these theories in the alternative and reserves all rights, claims and remedies.

D. <u>Other Matters Within the Subpoena</u>

Three further matters of record bring Ms. Mizrachi's documents within Rule 2004, which permits examination into any matter that may affect the administration of the estates:

- Tax returns report distributions to Mr. Silber of $30,207,653 for 2021 and $64,365,005 for 2022, together with an increase in loans to shareholder of approximately $91.96 million across the same two years.
- A Schedule K-1 issued by Rapid Services LLC to Ms. Mizrachi has been produced to the Trustee by CBRM's accountants. Rapid Services is one of a group of contractor entities that billed the Debtors' properties, and the Trustee is examining those billings.
- Records already of record show a deposit of approximately $1,000,000 into Ms. Mizrachi's checking account in August 2022, and an interest held by her in real property at 14 Enclave Boulevard, Lakewood, New Jersey.

The subpoena commands the production of documents only. No deposition is noticed by it, and Instruction 13 says so on its face. If your client wishes to resolve any category by a signed written statement rather than a production, the Trustee will consider it.

E. Timing

The subpoena is returnable September 4, 2026. A rolling production is acceptable, and the Trustee is willing to discuss scope, sequencing and format before your client begins. If there are categories your client does not hold, saying so in writing with a description of the search performed is a complete answer as to those categories. I would rather agree a workable schedule with you now than litigate one later.

F. Coordination and Confidentiality

A copy of this letter and the subpoena is being served on Karen Bezner, the chapter 7 trustee of Mr. Silber's estate, and on Arthur Abramowitz, as conflicts counsel. As set out above, the Trustee's position is that the Vecta and Sunnyside interests were acquired with CBRM Realty, Inc. funds and may be property of the CBRM estates rather than of the chapter 7 estate. That is a question between the fiduciaries, and the Trustee would rather resolve it with them than have your client caught between two estates. Nothing in this subpoena asks Ms. Mizrachi to take a position on it.

The Trustee will treat what is produced as confidential and will use it solely for the administration of these estates. If you would like a confidentiality stipulation or protective order in place first, send me your preferred form and I will execute it.

Please call me if it would be easier to work this out on the telephone. I am glad to do that today or tomorrow.

G. Litigation Hold Notice

The Trustee also demands that Ms. Mizrachi and her agents, accountants, advisors and representatives preserve any and all documents, data, property, and communications, from all sources, in their possession, custody, or control, which relate to the Trustee's claims and causes of action surrounding these matters.

"**Documents, data, property and communications**" as used in this notice means not only hard copy documents and files, but also electronically and digitally stored information such as audio recordings, videotape, e-mail, text messages, instant messages, word processing documents, spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, and all other electronic information maintained, created, and/or received by Ms. Mizrachi and her agents, accountants, advisors and representatives.

"**Sources**" include all hard copy files, computer hard drives (including those found in copy machines, fax machines, and document scanners), removable media (e.g., CDs, DVDs, and thumb or flash-drives), laptop computers, tablets, PDAs, Blackberry devices, smartphones, and any other items or locations where hard copy and electronic data may be stored.

The laws and rules prohibiting destruction of evidence apply to electronically-stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified, or corrupted. Accordingly, Ms. Mizrachi and her agents, accountants, advisors and representatives must take every reasonable step to preserve this information until the final resolution of the dispute concerning the Property. This may include, but would not be limited to, an obligation to discontinue all data destruction and backup tape recycling policies. With regard to electronic data created subsequent to the date of delivery of this letter, relevant evidence should not be destroyed and Ms. Mizrachi and her agents, accountants, advisors and representatives are to take the necessary steps required to avoid destruction of such evidence.

H. Conclusion

Enclosed please find a subpoena issued pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the "**2004 Subpoena**"), which requires the production of certain documents and information relating to these matters. The specific categories of documents and information requested are set forth in **Exhibit A** attached to the 2004 Subpoena.

The 2004 Subpoena is returnable on **September 4, 2026**, at **11:00 a.m. (Eastern Time)**. All responsive documents and information shall be produced to the Trustee's accountants using the following drop box address: https://www.dropbox.com/request/2rytl5v3dfbvr0em61bk, or the address below:

HBM Management Associates, LLC
Attn: Harry Malinowski
6 Elmwood Lane
Syosset, NY 11791

If you have any questions regarding this correspondence, you may contact me directly at (646) 571-2033 or by e-mail at *rcorbi@corbilaw.com*.

Please be advised that failure to timely comply with the enclosed Rule 2004 subpoena may result in the Trustee seeking appropriate relief from the Bankruptcy Court, including enforcement of this subpoena and the imposition of sanctions.

The Trustee expressly reserves all rights and remedies. Please govern yourself accordingly.

Very truly yours,
THE LAW OFFICES OF RICHARD J. CORBI PLLC
Counsel to CBRM Creditor Recovery Trustee
/s/ Richard J. Corbi
Richard J. Corbi, Esq.

Encl.: Rule 2004 Subpoena with Exhibit A
cc: Mr. Daniel Kamensky, Creditor Recovery Trustee

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

District of New Jersey

In re CBRM Realty Inc., et al.
Debtor

Case No. 25-15343 (MBK)

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: Ms. Miriam Mizrachi, c/o Paul Hollander, Esq. and Rosanne Singer, Esq., Okin Hollander LLC
(Name of person to whom the subpoena is directed)

☐ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE: HBM Management Associates, LLC, Attn: Harry Malinowski, 6 Elmwood Lane, Syosset, NY 11791 or electronically to https://www.dropbox.com/request/2rytl5v3dfbvr0em61bk	DATE AND TIME: **September 4, 2026 at 11:00 a.m. (Eastern Time)**

The examination will be recorded by this method: _____

X Production: YOU ARE COMMANDED to produce at the time, date and place set forth above the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See attached EXHIBIT A.

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: August 20, 2026

CLERK OF COURT

OR

_____ /s/ Richard J. Corbi
Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, email address, and telephone number of the attorney representing RLA Consulting LLC, in its capacity as Trustee of the Creditor Recovery Trust for In re CBRM Realty Inc. and In re Crown Capital Holdings LLC, who issues or requests this subpoena, are: Richard J. Corbi, 104 West 40th St., 4th Fl., New York, NY 10018, rcorbi@corbilaw.com; (646) 571-2033

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on (*date*) _____ ; or

☐ I returned the subpoena unexecuted because: _____

_____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $_____ for services, for a total of $_____ .

I declare under penalty of perjury that this information is true and correct.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections*. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

…

(g) Contempt. The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013)

EXHIBIT A

DEFINITIONS

1. As used herein, the term "**YOU**" means MS. MIRIAM MIZRACHI, also appearing of record as Miriam Silber and as Miriam Mizrahi, including any agent, attorney, accountant, bookkeeper, financial advisor, trustee, nominee or other PERSON acting on her behalf or holding documents for her.

2. As used herein, the term "**ALL DOCUMENTS**" means all documents and communications in YOUR possession, custody or control, or otherwise available to YOU, including documents held by YOUR agents, attorneys, accountants, representatives and any other PERSON acting on YOUR behalf.

3. As used herein, the term "**ANY" and "ALL**" are used interchangeably and each means "any and all."

4. As used herein, the term "**AND" and "OR**" shall be construed conjunctively or disjunctively, whichever makes the Request more inclusive.

5. As used herein, the term "**BANKRUPTCY COURT**" means the United States Bankruptcy Court for the District of New Jersey.

6. As used herein, the term "**CONCERNING**" means relating to, referring to, describing, evidencing, constituting, discussing, reflecting, mentioning, analyzing, considering, comprising, containing, setting forth or otherwise pertaining to, in whole or in part.

7. As used herein, the term "**DEBTOR" or "DEBTORS**" means CBRM Realty Inc. and Crown Capital Holdings LLC, together with any of their affiliated Debtors in the above-captioned chapter 11 cases.

8. As used herein, the term "**AFFILIATES**" means any individual or entity directly or indirectly owned, controlled by, under common control with, acting for the benefit of, or otherwise affiliated with the DEBTORS, Moshe Silber (a/k/a Mark Silber), his wife Miriam Mizrachi (a/k/a Miriam Silber), or Fredrick (Frederick) Schulman, whether or not any such person or entity is identified as an account holder.

9. As used herein, the term "**DOCUMENT**" has the broadest meaning permitted by Fed. R. Civ. P. 34, made applicable by Fed. R. Bankr. P. 7034 and 9016, and includes all writings, records and electronically stored information of every kind, in native format with metadata intact.

10. As used herein, the term "**ELECTRONICALLY STORED INFORMATION" or "ESI**" means all information stored in any electronic medium, including e-mail, text and instant messages, messaging application communications, databases, accounting and tax software files, cloud-stored documents, backups and associated metadata.

11. As used herein, the term "**INCLUDING**" means "including without limitation."

12. As used herein, the term "**PERSON**" means any natural person, firm, corporation, limited liability company, partnership, proprietorship, joint venture, trust, association, governmental body or other entity.

13. As used herein, the term "**POSSESSION, CUSTODY OR CONTROL**" means documents in YOUR physical possession and documents that YOU have the legal right or practical ability to obtain from another PERSON.

14. As used herein, the term "**RELATED TO**" means constituting, containing, embodying, reflecting, identifying, stating, referring to, dealing with or in any way pertaining to.

15. As used herein, the term "**VECTA TRANSFER**" means the transfer to YOU of any portion of Moshe Silber's interest in Vecta Partners, LLC, Sunnyside Bancorp, Inc. or Sunnyside Federal Savings and Loan Association, including the agreement effective February 2, 2023 by which a portion of that interest was transferred, together with every draft, amendment and related instrument.

16. As used herein, the term "**SUBJECT ENTITIES**" means each of the following: Vecta Partners, LLC; Sunnyside Bancorp, Inc.; Sunnyside Federal Savings and Loan Association; Vecta, Inc.; Vecta Bank; the Voting Trust of which Nicholas Frungillo, Jr. is trustee; 14 Enclave Owner, LLC; the Silber Family Trust; Rapid Services LLC; Rapid Improvements LLC; Syms Construction LLC; M&M Construction LLC; Stallion Aviation LLC; CBCC 1 LLC; RCA RE Holdings LLC; JE SPE

5399 LLC; KR3 Holdings LLC; Crown Capital Holdings LLC; CBRM Realty, Inc.; and any other entity in which YOU hold or held, directly or indirectly, any legal, equitable or beneficial interest.

17. As used herein, the term "**PETITION DATE**" means May 19, 2025.

18. As used herein, the term "**RELEVANT TIME PERIOD**" means January 1, 2018 through the present.

INSTRUCTIONS

1. These Requests call for ALL DOCUMENTS within YOUR possession, custody or control, wherever located and by whomever held.

2. Produce documents as they are kept in the ordinary course of business, organized and labelled to correspond to the Requests to which they respond.

3. Produce ELECTRONICALLY STORED INFORMATION in native format with metadata intact. Do not convert native files to PDF or other static images.

4. If any Request is objected to in part, produce all documents responsive to the balance of it.

5. In responding, furnish all documents available to YOU, including documents in the possession of YOUR attorneys, agents, accountants, bankers, advisors and all persons acting or purporting to act on YOUR behalf, and not merely documents within YOUR direct personal knowledge.

6. If any document called for has been destroyed or discarded, identify each addressor and addressee, each indicated or blind copy, the document's date, subject matter, number of pages and attachments, all persons to whom it was distributed, its date and manner of destruction, the reason for it, and the person who authorized it.

7. If any document is withheld from production, furnish a list identifying each document withheld and the ground on which it is withheld, stated in sufficient detail to permit a ruling on the withholding.

8. For any document withheld in whole or in part on a claim of attorney-client privilege, work product, common interest or any other privilege, provide a privilege log identifying the author, date, title and recipients of the communication, a description of its subject matter, and the legal and factual grounds relied upon, in sufficient detail to permit a determination of the claim.

9. If no documents are responsive to a particular Request, state so expressly and describe the search performed.

10. These Requests are continuing. Promptly produce any additional responsive documents that become available to YOU after the date of YOUR initial production.

11. Preservation of Documents and ESI: YOU are requested to preserve and not alter, delete, destroy, overwrite or dispose of any documents, communications, ESI, accounting records, tax records or workpapers responsive to this subpoena, including e-mails, text messages, messaging application communications, cloud-stored documents, accounting software files, backups and associated metadata.

12. For each wire transfer or electronic funds transfer responsive to any Request, produce the complete Fedwire, CHIPS, SWIFT or ACH record, including originator, originator's financial institution, beneficiary, beneficiary's financial institution, account numbers, reference fields and IMAD/OMAD or equivalent message identifiers. Wire logs, disbursement ledgers and spreadsheets shall be produced in native format.

13. This subpoena commands the production of documents only. It does not command testimony, and no examination is noticed by it. It is served upon YOUR counsel of record, Okin Hollander LLC, and a copy is being served contemporaneously upon the chapter 7 trustee of the estate of Moshe Silber, Case No. 25-21650 (MBK).

14. This subpoena reaches documents within YOUR possession, custody or control, which includes documents held on YOUR behalf by any accountant, bookkeeper, financial advisor, trustee, family member or agent, and documents residing in any personal e-mail account, mobile device, computer or cloud storage service available to YOU.

15. Nothing in this subpoena seeks the substance of legal advice given to YOU by YOUR counsel. Documents withheld on a

claim of privilege must be logged in accordance with Instruction 8, and any claim of privilege must be asserted document by document rather than categorically.

16. Negative responses. If YOU have no documents responsive to a particular Request, state that expressly and describe the search performed, identifying the accounts, devices and locations searched and the person who conducted the search.

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. Interests in Entities: All documents CONCERNING any legal, equitable or beneficial interest YOU hold or have held in any entity, including each of the SUBJECT ENTITIES: the instrument by which YOU acquired it, the consideration YOU paid, the operating agreement or other governing document, all amendments, all capital account records, and all documents CONCERNING any subsequent transfer or encumbrance.

2. The Voting Trust: All documents CONCERNING the Voting Trust of which Nicholas Frungillo, Jr. is trustee, including the trust instrument and all amendments, all documents CONCERNING the deposit of any Vecta or Sunnyside interest into it, all voting instructions given or received, all communications with Mr. Frungillo, and all documents CONCERNING any proposed sale or disposition of Vecta Bank.

3. The 95% Interest: All documents CONCERNING the indirect ownership interest in Vecta Bank that the Debtor testified at his section 341 meeting on March 30, 2026 he had transferred to YOU, including the instrument effecting the transfer, the consideration YOU gave, any valuation obtained, all tax reporting of the transfer including any gift tax return, and all documents CONCERNING YOUR present ownership of that interest.

4. The Vecta Transfer: All documents and communications CONCERNING the VECTA TRANSFER, including every version of the agreement effective February 2, 2023; all documents CONCERNING its negotiation, drafting and execution; all documents CONCERNING the consideration YOU gave for it; all valuations or appraisals of the interest transferred; all documents CONCERNING the estate planning purpose asserted for it; and all communications with any attorney, accountant or advisor CONCERNING it, other than communications subject to a valid claim of privilege.

5. Rapid Services LLC: All documents CONCERNING YOUR interest in Rapid Services LLC, including the Schedule K-1 issued to YOU by that entity, all other Schedules K-1 and Forms 1099 YOU received from it, the instrument by which YOU acquired the interest and the consideration YOU paid, all distributions or payments YOU received from it, and all documents CONCERNING its dealings with any DEBTOR or AFFILIATE.

6. American Express and Other Credit Cards: All statements and records for the American Express accounts recorded on the books of Rapid Improvements LLC in YOUR name as accounts 97008 and 92025, and for every other credit card, charge card or line of credit issued in YOUR name or used by YOU at any time during the RELEVANT TIME PERIOD, together with all documents identifying who paid each account.

7. Bank, Brokerage and Investment Accounts: Documents sufficient to identify every bank, brokerage, investment, custodial, retirement or other financial account held by YOU or for YOUR benefit, individually or jointly, at any institution, at any time during the RELEVANT TIME PERIOD, together with complete statements for each.

8. The August 2022 Deposit: All documents CONCERNING the deposit of approximately $1,000,000 into YOUR checking account in or about August 2022, including the source of the funds, the reason for the payment, and the subsequent use or disposition of those funds.

9. Real Property: All documents CONCERNING any real property in which YOU hold or have held any interest, including 14 Enclave Boulevard, Lakewood, New Jersey, and including deeds, mortgages, closing statements, appraisals, insurance policies, and all documents CONCERNING the source of the funds used to acquire, improve or carry each property.

10. The Silber Family Trust: All documents CONCERNING the Silber Family Trust, including the trust instrument and all amendments, all documents identifying its trustees and beneficiaries, all assets held by it, all distributions from it, and all documents CONCERNING the mortgage with Stifel Bank & Trust on the property at 12 Rustic Road, Lakewood, New Jersey.

11. Transfers Received From Moshe Silber: All documents CONCERNING any transfer of money, property or other value received by YOU, directly or indirectly, from Moshe Silber (a/k/a Mark Silber), from any DEBTOR, from any AFFILIATE, or from any PERSON acting for any of them, at any time during the RELEVANT TIME PERIOD, including the date,

amount, form and stated purpose of each.

12. Transfers Made By You: All documents CONCERNING any transfer of money, property or other value made by YOU to any PERSON in an amount exceeding $10,000, at any time during the RELEVANT TIME PERIOD, including any transfer to a family member, trust, foundation, charity or entity.

13. Sources of Support: All documents CONCERNING the sources of funds used to pay YOUR household and living expenses during the RELEVANT TIME PERIOD, including any payment made on YOUR behalf by any PERSON and any charitable support received.

14. Tax Returns: All federal, state and local income tax returns, extensions and amendments filed by YOU or on YOUR behalf, jointly or individually, for each year within the RELEVANT TIME PERIOD, together with all Schedules K-1 and Forms 1099 received, all supporting schedules and workpapers, and all gift tax returns.

15. The Documents Produced at the May 2025 Deposition: All documents YOU produced, brought or referred to at YOUR deposition taken on or about May 8, 2025, including the organizational chart and the financial records produced there, together with all documents CONCERNING how YOU obtained each of them and from whom.

16. Organizational Charts and Ownership Records: Every organizational chart, ownership schedule, entity list, capitalization table or funds-flow diagram CONCERNING any DEBTOR, AFFILIATE or SUBJECT ENTITY in YOUR possession, custody or control, in native format where available.

17. Communications with Moshe Silber: All communications between YOU and Moshe Silber (a/k/a Mark Silber) CONCERNING any DEBTOR, AFFILIATE or SUBJECT ENTITY, any transfer of any interest or asset, any bank account, or any tax return, by any medium including e-mail, text message, WhatsApp, Signal or any similar platform.

18. Communications with Others: All communications between YOU and Fredrick (Frederick) Schulman, Laura Rosenberg, Avi Orlansky, Ms. Shulamis Allon, Phillip M. Stern & Company, Bernstein & Pinchuk LLP or MBP Global LLP, Y H Roth CPA PC, Schneider, Schecter & Yoss, LLP, or any accountant, bookkeeper or financial advisor, CONCERNING any DEBTOR, AFFILIATE or SUBJECT ENTITY.

19. Role and Services: All documents CONCERNING any role YOU held or services YOU performed for any DEBTOR, AFFILIATE or SUBJECT ENTITY, including any officer, director, member, manager or employee position, any compensation received, and any document YOU signed on behalf of any of them.

20. Safe Deposit Boxes and Stored Property: All documents CONCERNING any safe deposit box, storage unit or similar facility rented by or accessible to YOU, and all documents CONCERNING any cash, precious metals, jewelry, artwork or other valuables held by YOU outside a financial institution.

21. Aircraft, Vessels and Vehicles: All documents CONCERNING any aircraft, vessel or motor vehicle owned, leased, chartered or used by YOU or made available for YOUR use, including any aircraft of Stallion Aviation LLC and any vessel recorded on the books of any SUBJECT ENTITY.

22. Devices, Accounts and Retention: Documents sufficient to identify every e-mail account, mobile device, computer, tablet and cloud storage service used by YOU during the RELEVANT TIME PERIOD; and all documents CONCERNING any deletion, loss or destruction of documents responsive to this subpoena.

23. Persons Holding Your Records: Documents sufficient to identify every accountant, bookkeeper, attorney, financial advisor, trustee or other PERSON who holds or has held documents CONCERNING YOUR financial affairs, and the categories of documents each holds.

Exhibit E

The Law Offices of Richard J. Corbi PLLC

104 West 40th Street, 4th Floor

New York, NY 10018

August 20, 2026

Via Electronic Mail and Overnight Mail

JPMorgan Chase Bank, N.A.
Attn: National Subpoena Processing
Mail Code LA4-6455, 700 Kansas Lane
Monroe, LA 71203

Re: ***In re CBRM Realty Inc.*, *et al.*, Case No. 25-15343 (MBK) (Bankr. D.N.J.) - Fed. R. Bankr. P. 2004 Subpoena — Deposit and Related Accounts**

Dear Sir/Madam:

This firm represents Daniel Kamensky of RLA Consulting, LLC, in his capacity as Trustee of the CBRM Creditor Recovery Trust (the "**Trustee**"), established under the confirmed Chapter 11 Plan of CBRM Realty, Inc. *et al.*, the chapter 11 debtors (collectively, the "**Debtors**"). Enclosed is a subpoena issued pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, seeking records of accounts maintained at your institution by or for Ms. Miriam Mizrachi and the related persons and entities identified in it.

This is the first subpoena the Trustee has issued to your institution in these cases. The Trustee understands that your institution produced records concerning certain of these accounts in a separate proceeding, In re Moshe Silber, Case No. 25-21650 (MBK), in response to a subpoena issued by the chapter 7 trustee of that estate. This Trustee was not the issuing party there and holds no production from your institution. This subpoena is a narrow request: identify the accounts described in it and produce the ordinary account records for them. The Trustee makes no allegation of any kind against your institution and does not contend that it had any role in or knowledge of the matters under investigation; Instruction 13 says so on the face of the subpoena.

A. Background and Trustee Appointment

By way of brief history, on May 19, 2025, the Debtors filed voluntary petitions under chapter 11 of title 11 of the United States Code.[1] On October 23, 2025, the Bankruptcy Court entered the order confirming the Debtors' Modified Joint Chapter 11 Plan (the "**Plan**") and authorizing all relief required for its implementation (the "**Confirmation Order**").[2] Under the Plan, the Creditor Recovery Trust was established as of the Effective Date, and RLA Consulting LLC, through Daniel Kamensky, was appointed as Trustee. The Trustee's appointment is

[1] ECF No. 1.
[2] *Confirmation Order*, ECF No. 653.

effectuated by the Plan and implemented through the Creditor Recovery Trust Agreement (the "**Trust Agreement**"),[3] which vests the Trustee with full authority to administer the Trust Assets and pursue all associated rights and claims for the benefit of creditors.

Pursuant to the Plan, the Confirmation Order and the Trust Agreement, the Trustee is vested with exclusive authority to administer the Trust Assets and to obtain, collect, and compel turnover of all estate books, records, and electronically stored information, and to investigate and pursue all rights, claims, and causes of action for the benefit of creditors. The Trustee's authority to obtain such information is further supported by sections 105, 541, and 542 of the Bankruptcy Code, as well as Rule 2004 of the Federal Rules of Bankruptcy Procedure. Property of the estate includes all legal and equitable interests of the Debtors in property as of the petition date, including books, records, and information relating to the Debtors' financial affairs.[4]

The balance of this letter sets out what the Trustee is asking you to agree to and what the enclosed subpoena covers.

Accordingly, enclosed please find a subpoena issued pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the "**2004 Subpoena**"), which requires the production of certain documents and information relating to these matters. The specific categories of documents and information requested are set forth in **Exhibit A** attached to the 2004 Subpoena.

The 2004 Subpoena is returnable on **September 4, 2026**, at **11:00 a.m. (Eastern Time)**. All responsive documents and information shall be produced to the Trustee's accountants using the following drop box address: https://www.dropbox.com/request/2rytl5v3dfbvr0em61bk, or the address below:

HBM Management Associates, LLC
Attn: Harry Malinowski
6 Elmwood Lane
Syosset, NY 11791

If you have any questions regarding this correspondence, you may contact me directly at (646) 571-2033 or by e-mail at *rcorbi@corbilaw.com*.

B. Notice to the Account Holder

So that the position is clear to your institution: Ms. Mizrachi is represented by Paul Hollander, Esq. and Rosanne Singer, Esq. of Okin Hollander LLC. A copy of this letter and of the enclosed subpoena has been served on her counsel contemporaneously with its issuance, and counsel is copied below. Nothing in the subpoena prevents your institution from giving any notice it would ordinarily give a customer.

[3] *Creditor Recovery Trust Agreement*, ECF No. 502-2; *Second Notice of Filing Plan Supplement*, *id*., ECF No. 502.
[4] *See United States v. Whiting Pools, Inc*., 462 U.S. 198, 203–04 (1983) (holding that §541(a) is broad in scope and includes property necessary for the administration of the estate and reorganization).

Two instructions warrant particular attention. Instruction 14 asks that the search be run by taxpayer identification number and on each variant spelling of the name — Mizrachi, Mizrahi, Mizrahie and Silber — rather than on a single exact-name match, because exact-name searching has produced incomplete results elsewhere in this investigation. Instruction 15 asks for internal book transfer records, which generate no Fedwire or ACH message and are therefore invisible to a wire-only search.

C. Timing

The subpoena is returnable September 18, 2026. A rolling production is acceptable. If your institution maintains no account for a particular person or entity named in the subpoena, saying so in writing, with a description of the search performed, is a complete answer as to that name. Counsel is available to meet and confer on scope, format or timing, and the Trustee will consider reasonable, documented out-of-pocket costs of compliance.

D. Confidentiality

The Trustee will treat the materials produced as confidential and will use them solely for the administration of these estates. If your institution requires a confidentiality stipulation or protective order before producing, please send your preferred form and the Trustee will execute it.

Please direct any questions to me at the number below.

Please call me if it would be easier to work this out on the telephone. I am glad to do that today or tomorrow.

E. Litigation Hold Notice

The Trustee also demands that your institution and its officers, employees, representatives and agents preserve any and all documents, data, property, and communications, from all sources, in their possession, custody, or control, which relate to the Trustee's claims and causes of action surrounding these matters.

"**Documents, data, property and communications**" as used in this notice means not only hard copy documents and files, but also electronically and digitally stored information such as audio recordings, videotape, e-mail, text messages, instant messages, word processing documents, spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, and all other electronic information maintained, created, and/or received by your institution and its officers, employees, representatives and agents.

"**Sources**" include all hard copy files, computer hard drives (including those found in copy machines, fax machines, and document scanners), removable media (e.g., CDs, DVDs, and thumb or flash-drives), laptop computers, tablets, PDAs, Blackberry devices, smartphones, and any other items or locations where hard copy and electronic data may be stored.

The laws and rules prohibiting destruction of evidence apply to electronically-stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified, or corrupted. Accordingly, your institution and its officers, employees, representatives and agents must take every reasonable step to preserve this information until the final resolution of the dispute concerning the Property. This may include, but would not be limited to, an obligation to discontinue all data destruction and backup tape recycling policies. With regard to electronic data created subsequent to the date of delivery of this letter, relevant evidence should not be destroyed and your institution and its officers, employees, representatives and agents are to take the necessary steps required to avoid destruction of such evidence.

F. Conclusion

Please be advised that failure to timely comply with the enclosed Rule 2004 subpoena may result in the Trustee seeking appropriate relief from the Bankruptcy Court, including enforcement of this subpoena and the imposition of sanctions.

The Trustee expressly reserves all rights and remedies. Please govern yourself accordingly.

Very truly yours,
THE LAW OFFICES OF RICHARD J. CORBI PLLC
Counsel to CBRM Creditor Recovery Trustee
/s/ Richard J. Corbi
Richard J. Corbi, Esq.

Encl.: Rule 2004 Subpoena with Exhibit A
cc: Mr. Daniel Kamensky, Creditor Recovery Trustee

B2540 (Form 2540 – Subpoena for Rule 2004 Examination) (12/15)

UNITED STATES BANKRUPTCY COURT

District of New Jersey

In re CBRM Realty Inc., et al.
Debtor

Case No. 25-15343 (MBK)

Chapter 11

SUBPOENA FOR RULE 2004 EXAMINATION

To: JPMorgan Chase Bank, N.A., Attn: National Subpoena Processing, Mail Code LA4-6455, 700 Kansas Lane, Monroe, LA 71203
(Name of person to whom the subpoena is directed)

☐ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE: HBM Management Associates, LLC, Attn: Harry Malinowski, 6 Elmwood Lane, Syosset, NY 11791 or electronically to https://www.dropbox.com/request/2rytl5v3dfbvr0em61bk	DATE AND TIME: **September 4, 2026 at 11:00 a.m. (Eastern Time)**

The examination will be recorded by this method: _____

X Production: YOU ARE COMMANDED to produce at the time, date and place set forth above the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See attached EXHIBIT A.

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: August 20, 2026

CLERK OF COURT

OR

_____ /s/ Richard J. Corbi
Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, email address, and telephone number of the attorney representing RLA Consulting LLC, in its capacity as Trustee of the Creditor Recovery Trust for In re CBRM Realty Inc. and In re Crown Capital Holdings LLC, who issues or requests this subpoena, are: Richard J. Corbi, 104 West 40th St., 4th Fl., New York, NY 10018, rcorbi@corbilaw.com; (646) 571-2033

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____

_____ on (*date*) _____ ; or

☐ I returned the subpoena unexecuted because: _____

_____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $_____ for services, for a total of $_____ .

I declare under penalty of perjury that this information is true and correct.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections*. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

…

(g) Contempt. The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013)

EXHIBIT A

DEFINITIONS

1. As used herein, the term "**YOU**" means JPMORGAN CHASE BANK, N.A., including without limitation JPMorgan Chase & Co. and all predecessors, successors, parents, subsidiaries, affiliates, divisions, branches, departments, officers, employees, agents, third party servicers, data processors and custodians of records.

2. As used herein, the term "**ALL DOCUMENTS**" means all documents and communications in YOUR possession, custody or control, or otherwise available to YOU, including documents held by YOUR agents, attorneys, accountants, representatives and any other PERSON acting on YOUR behalf.

3. As used herein, the term "**ANY" and "ALL**" are used interchangeably and each means "any and all."

4. As used herein, the term "**AND" and "OR**" shall be construed conjunctively or disjunctively, whichever makes the Request more inclusive.

5. As used herein, the term "**BANKRUPTCY COURT**" means the United States Bankruptcy Court for the District of New Jersey.

6. As used herein, the term "**CONCERNING**" means relating to, referring to, describing, evidencing, constituting, discussing, reflecting, mentioning, analyzing, considering, comprising, containing, setting forth or otherwise pertaining to, in whole or in part.

7. As used herein, the term "**DEBTOR" or "DEBTORS**" means CBRM Realty Inc. and Crown Capital Holdings LLC, together with any of their affiliated Debtors in the above-captioned chapter 11 cases.

8. As used herein, the term "**AFFILIATES**" means any individual or entity directly or indirectly owned, controlled by, under common control with, acting for the benefit of, or otherwise affiliated with the DEBTORS, Moshe Silber (a/k/a Mark Silber), his wife Miriam Mizrachi (a/k/a Miriam Silber), or Fredrick (Frederick) Schulman, whether or not any such person or entity is identified as an account holder.

9. As used herein, the term "**DOCUMENT**" has the broadest meaning permitted by Fed. R. Civ. P. 34, made applicable by Fed. R. Bankr. P. 7034 and 9016, and includes all writings, records and electronically stored information of every kind, in native format with metadata intact.

10. As used herein, the term "**ELECTRONICALLY STORED INFORMATION" or "ESI**" means all information stored in any electronic medium, including e-mail, text and instant messages, messaging application communications, databases, accounting and tax software files, cloud-stored documents, backups and associated metadata.

11. As used herein, the term "**INCLUDING**" means "including without limitation."

12. As used herein, the term "**PERSON**" means any natural person, firm, corporation, limited liability company, partnership, proprietorship, joint venture, trust, association, governmental body or other entity.

13. As used herein, the term "**POSSESSION, CUSTODY OR CONTROL**" means documents in YOUR physical possession and documents that YOU have the legal right or practical ability to obtain from another PERSON.

14. As used herein, the term "**RELATED TO**" means constituting, containing, embodying, reflecting, identifying, stating, referring to, dealing with or in any way pertaining to.

15. As used herein, the term "**SUBJECT PERSONS**" means Miriam Mizrachi, also appearing of record as Miriam Silber and as Miriam Mizrahi, and each of the following to the extent she holds or held any interest in, or signature, transaction or online authority over, an account of it: 14 Enclave Owner, LLC; Vecta Partners, LLC; the Silber Family Trust; Rapid Services LLC; Rapid Improvements LLC; CBCC 1 LLC; RCA RE Holdings LLC; JE SPE 5399 LLC; and KR3 Holdings LLC. This term also includes any account held jointly by Miriam Mizrachi with Moshe Silber (a/k/a Mark Silber) or with any other PERSON.

16. As used herein, the term "**SUBJECT ACCOUNTS**" means any and all deposit, checking, savings, money market, escrow, custodial, sweep, trust, brokerage, investment, certificate of deposit, loan, line of credit, credit card, mortgage and safe

deposit accounts maintained at YOUR institution at any time during the RELEVANT TIME PERIOD by, in the name of, for the benefit of, or over which signature, transaction or online authority was exercised by, any SUBJECT PERSON, whether held individually or jointly, directly or indirectly, or through any intermediary, nominee, trustee or agent.

17. As used herein, the term "**PETITION DATE**" means May 19, 2025.

18. As used herein, the term "**RELEVANT TIME PERIOD**" means January 1, 2018 through the present.

INSTRUCTIONS

1. These Requests call for ALL DOCUMENTS within YOUR possession, custody or control, wherever located and by whomever held.

2. Produce documents as they are kept in the ordinary course of business, organized and labelled to correspond to the Requests to which they respond.

3. Produce ELECTRONICALLY STORED INFORMATION in native format with metadata intact. Do not convert native files to PDF or other static images.

4. If any Request is objected to in part, produce all documents responsive to the balance of it.

5. In responding, furnish all documents available to YOU, including documents in the possession of YOUR attorneys, agents, accountants, bankers, advisors and all persons acting or purporting to act on YOUR behalf, and not merely documents within YOUR direct personal knowledge.

6. If any document called for has been destroyed or discarded, identify each addressor and addressee, each indicated or blind copy, the document's date, subject matter, number of pages and attachments, all persons to whom it was distributed, its date and manner of destruction, the reason for it, and the person who authorized it.

7. If any document is withheld from production, furnish a list identifying each document withheld and the ground on which it is withheld, stated in sufficient detail to permit a ruling on the withholding.

8. For any document withheld in whole or in part on a claim of attorney-client privilege, work product, common interest or any other privilege, provide a privilege log identifying the author, date, title and recipients of the communication, a description of its subject matter, and the legal and factual grounds relied upon, in sufficient detail to permit a determination of the claim.

9. If no documents are responsive to a particular Request, state so expressly and describe the search performed.

10. These Requests are continuing. Promptly produce any additional responsive documents that become available to YOU after the date of YOUR initial production.

11. Preservation of Documents and ESI: YOU are requested to preserve and not alter, delete, destroy, overwrite or dispose of any documents, communications, ESI, accounting records, tax records or workpapers responsive to this subpoena, including e-mails, text messages, messaging application communications, cloud-stored documents, accounting software files, backups and associated metadata.

12. For each wire transfer or electronic funds transfer responsive to any Request, produce the complete Fedwire, CHIPS, SWIFT or ACH record, including originator, originator's financial institution, beneficiary, beneficiary's financial institution, account numbers, reference fields and IMAD/OMAD or equivalent message identifiers. Wire logs, disbursement ledgers and spreadsheets shall be produced in native format.

13. This subpoena is directed to YOU solely in YOUR capacity as a depository and financial institution. The Trustee does not contend that YOU had any role in or knowledge of the matters under investigation, and no Request should be read to suggest otherwise.

14. Notice to the account holder. Contemporaneously with the issuance of this subpoena, the Trustee has served a copy of it, together with the accompanying letter, on Paul Hollander, Esq. and Rosanne Singer, Esq. of Okin Hollander LLC, counsel to Ms. Mizrachi. Nothing in this subpoena prevents YOU from giving any notice YOU would ordinarily give a customer.

15. Search methodology. Search by name, by taxpayer identification number and by address, and search on each variant spelling of the name — Mizrachi, Mizrahi, Mizrahie and Silber — across all deposit, loan, treasury, trust, brokerage, credit card, mortgage and safe deposit systems of YOURS and of every predecessor and affiliate institution. A search limited to exact matches on a single spelling against current deposit systems is not responsive.

16. Internal transfers. For each transfer of funds between a SUBJECT ACCOUNT and any other account maintained at YOUR institution, produce the internal transfer record identifying the counterparty account number, the account title and holder, the date, the amount and any reference or memo field. A search limited to Fedwire, CHIPS, SWIFT or ACH records is not responsive, because an internal book transfer between two accounts at the same institution generates no wire message.

17. Negative responses and certification. If YOU maintain or maintained no account for a particular SUBJECT PERSON, state that expressly and describe the search performed. Produce with YOUR production a certification of custodian of records, signed under penalty of perjury by a person with knowledge, identifying the systems searched, the search terms and date ranges applied, and attesting that the documents produced are true and complete copies of records made and kept in the regular course of YOUR business.

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. Identification of Accounts: Documents sufficient to identify every SUBJECT ACCOUNT, stating for each the complete account number, the account title as carried on YOUR records, the taxpayer identification number associated with it, the account type, the branch or business unit, the date opened, the date closed if applicable, the current status, and the current or final balance.

2. Account Opening and Customer Diligence: For each SUBJECT ACCOUNT, all account opening documents, applications, signature cards, resolutions and certificates of authority, customer identification program records, beneficial ownership certifications obtained under 31 C.F.R. § 1010.230, source-of-funds and anti-money-laundering diligence, enhanced due diligence files, and copies of every identification document furnished by any signatory or beneficial owner.

3. Signature and Transaction Authority: Documents sufficient to identify every PERSON holding signature, transaction, wire origination, debit card or online banking authority over any SUBJECT ACCOUNT at any time during the RELEVANT TIME PERIOD, together with every addition, removal or change in such authority and the date of and instruction authorizing each.

4. Statements and Transaction Histories: Complete periodic statements and complete transaction histories for every SUBJECT ACCOUNT for the RELEVANT TIME PERIOD, produced in native or electronic form, without redaction and without omission of any period.

5. Items: For every SUBJECT ACCOUNT, all cancelled checks (front and back), deposit slips and all deposited items (front and back), withdrawal tickets, cashier's and official checks, debit and credit memoranda, returned item notices and overdraft records.

6. Wire and Electronic Funds Transfers: For every incoming and outgoing wire transfer and electronic funds transfer to or from any SUBJECT ACCOUNT, the complete record specified in Instruction 12, together with all wire instructions, payment orders, callback and verification records, and all supporting documentation furnished to YOU in connection with each.

7. Internal Transfers: All records of internal book transfers between any SUBJECT ACCOUNT and any other account maintained at YOUR institution, produced in accordance with Instruction 15, identifying for each the counterparty account number, the account title and holder, the date, the amount and any reference or memo field.

8. The August 2022 Deposit: All documents CONCERNING the deposit of approximately $1,000,000 into a checking account of Miriam Mizrachi in or about August 2022, including the deposited item front and back, the source of the funds, the originating institution and account, any wire or transfer advice, any currency transaction report or suspicious activity documentation created in connection with it, and all records of the subsequent disposition of those funds.

9. The 14 Enclave Owner, LLC Account: The complete account file for every account of 14 Enclave Owner, LLC, including the account opening documents, the signature card, all periodic statements, all deposited items and cancelled checks front and back, and all documents CONCERNING the source of funds used to acquire or carry the real property at 14 Enclave Boulevard, Lakewood, New Jersey.

10. Loans, Mortgages and Credit: All documents CONCERNING any loan, mortgage, home equity line, line of credit or credit card extended by YOU to or for the benefit of any SUBJECT PERSON, including the complete credit file, the application and all financial statements submitted in support of it, all appraisals, all collateral documents, and the payment and payoff history.

11. Investment and Brokerage Accounts: For every investment, brokerage, custody or advisory account of any SUBJECT PERSON, all account statements, confirmations, holdings reports and transfer records, including all documents CONCERNING any security, membership interest or other asset held in or transferred into or out of any such account.

12. Safe Deposit: All records CONCERNING any safe deposit box rented by or accessible to any SUBJECT PERSON, including the rental agreement, the identity of each authorized user, and the complete access log.

13. Transfers Between the Subject Persons and Moshe Silber: All documents CONCERNING any transfer of funds, in either direction, between any SUBJECT ACCOUNT and any account of Moshe Silber (a/k/a Mark Silber), Fredrick (Frederick) Schulman, any DEBTOR or any AFFILIATE, whether by wire, check, internal transfer or otherwise.

14. Closure and Disposition of Balances: All documents CONCERNING the closure of any SUBJECT ACCOUNT, including the instruction to close, the identity of the PERSON giving it, the disposition of the closing balance, and the receiving account and institution.

15. Other Legal Process: All other subpoenas, garnishments, levies, restraining notices, tax levies or liens, and law enforcement or regulatory process served upon YOU during the RELEVANT TIME PERIOD CONCERNING any SUBJECT PERSON or SUBJECT ACCOUNT, together with YOUR response to each.

16. Related Accounts: Documents sufficient to identify any other account at YOUR institution as to which any SUBJECT PERSON is or was named as an owner, signatory, beneficial owner, beneficiary, trustee or authorized user, and any account sharing a taxpayer identification number, address or telephone number with any SUBJECT ACCOUNT.

Exhibit F

OKIN HOLLANDER

Okin Hollander LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Boulevard, Suite 40
Teaneck, NJ 07666
T 201 947 7500
F 201 947 2663

Paul S. Hollander, Esq.
phollander@okinhollander.com

August 24, 2026

VIA ELECTRONIC MAIL

Richard Corbi, Esq.
The Law Offices of Richard J. Corbi PLLC
104 West 40th Street, 4th Floor
New York, NY 10018
rcorbi@corbilaw.com

Re: ***In re CBRM Realty Inc., et al.*, Case No 25-15343 (MBK) (Bankr. D.N.J.)**
Fed. R. Bankr. P. Rule 2004 Subpoena to Miriam Mizrachi

okinhollander.com

Dear Mr. Corbi:

We do not accept the attempt, in your letter of August 21, 2026, to fabricate an inaccurate, self-serving and misleading version of the call we initiated earlier that day to request a two-week adjournment of the return date of the subpoenas that you emailed to us on the evening of August 20.

As we explained at the outset of the call, we were seeking a brief extension to allow us to continue to confer with other parties whose legal rights and interests are materially implicated by your subpoenas, and who have independent rights under Federal Rule of Civil Procedure 45 (made applicable to this matter by Federal Rule of Bankruptcy Procedure 9016) with respect thereto.

Your client's initial response as to why he was seeking records from Ms. Mizrachi, was patently incorrect and based on what can only be explained as imagined discussions between us and his former counsel, Mr. Stolz, that never occurred. Mr. Kamensky's statements, of which he had no personal knowledge, bore no resemblance to any actual discussions that took place with Mr. Stolz and this Firm regarding the matters that he purported to describe. Once can only surmise Mr. Kamensky was attempting to create a false narrative.

Mr. Kamensky's response to our request for an adjournment was, in our opinion, irrational and incomprehensible given the length of time -- at least a year and a half --that the matters giving rise to your subpoenas have been known to him. In addition, to our knowledge, none of the matters that Mr. Kamensky raised on the call had previously been the subject of the improper and illegal secret subpoenas served by his former counsel, Mr. Stolz, the full extent and nature of which still have not been disclosed by either Mr. Stolz or you, despite our repeated requests therefor and the service of a proper subpoena therefor.

OKIN HOLLANDER

When it became clear to us that your client was not capable of engaging in a civil, respectful and productive conversation, we indicated that there was no purpose in continuing with the call.

Your attempted rendition of the call as set forth in your letter is a poor attempt at revisionist history and an attempt to divert attention from your client's exceedingly poor, disrespectful, and erratic behavior. Based on the foregoing we reject your letter in its entirety and reserve all of our client's rights under Rule 45 and other applicable provisions of the Bankruptcy Code.

Please be guided accordingly.

Very truly yours,

OKIN HOLLANDER LLC

By: */s/ Paul S. Hollander*
Paul S. Hollander

cc: Warren J. Martin, Jr., Esq. (via e-mail)
Rachel A. Parisi, Esq. (via e-mail)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

OKIN HOLLANDER LLC
Glenpointe Centre West, 2nd Floor
500 Frank W. Burr Blvd.
Teaneck, New Jersey 07666
T: 201-947-7500
F: 201-947-2663
Paul S. Hollander, Esq.
phollander@okinhollander.com

Counsel for Miriam Mizrachi

In re:

CBRM REALTY INC., et al.,

Debtors.

Case No.: 25-15343 (MBK)

Chapter: 11

Judge: Hon. Michael B. Kaplan

Hearing Date: October 15, 2026 at 10:00 am (EST)

ORDER PURSUANT TO FED. R. BANKR. P. 2004 AND 9016, FED. R. CIV. P. 45 AND D.N.J. LBR 2004-1(d) (A) QUASHING (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST TO MIRIAM MIZRACHI, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JPMORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; (B) GRANTING PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED IN RESPONSE TO THE CBRM SUBPOENAS; AND (C) AWARDING MS. MIZRACHI HER REASONABLE FEES AND EXPENSES INCURRED IN CONNECTION WITH THE MOTION PURSUANT TO FED. R. CIV. P. 45(d)(1)

The relief set forth on the following pages, numbered two (2) to four (4), is hereby

ORDERED.

Debtor: IN RE CBRM REALTY INC., et al.
Case No.: 25-15343 (MBK)
Caption of Order: ORDER PURSUANT TO FED. R. BANKR. P. 2004 AND 9016, FED. R. CIV. P. 45 AND D.N.J. LBR 2004-1(d) (A) QUASHING (I) THE UNSERVED RULE 2004 SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE OF THE CBRM CREDITOR RECOVERY TRUST TO MIRIAM MIZRACHI, (II) THE SUBPOENA ISSUED BY THE LIQUIDATION TRUSTEE TO JPMORGAN CHASE BANK, N.A. SEEKING BANKING AND FINANCIAL RECORDS OF MS. MIZRACHI AND (III) ANY OTHER THIRD-PARTY SUBPOENAS THAT HAVE BEEN ISSUED AND/OR SERVED BY THE LIQUIDATION TRUSTEE THAT HAVE YET TO BE DISCLOSED TO MS. MIZRACHI AND HER COUNSEL SEEKING RECORDS OF MS. MIZRACHI; (B) GRANTING PROTECTIVE ORDER BARRING ACCESS TO AND STRIKING THE USE OF ANY DISCOVERY OBTAINED IN RESPONSE TO THE CBRM SUBPOENAS; AND (C) AWARDING MS. MIZRACHI HER REASONABLE FEES AND EXPENSES INCURRED IN CONNECTION WITH THE MOTION PURSUANT TO FED. R. CIV. P. 45(d)(1)

THIS MATTER having been opened to the Court by Miriam Mizrachi ("Ms. Mizrachi"), by and through her counsel, Okin Hollander LLC, upon a motion for entry of an Order (A) quashing (I) the unserved Rule 2004 Subpoena issued by the Liquidation Trustee of the CBRM Creditor Recovery Trust to Miriam Mizrachi, (II) the Subpoena issued by the Liquidation Trustee to JPMorgan Chase Bank, N.A. seeking banking and financial records of Ms. Mizrachi and (III) any other third-party subpoenas that have been issued and/or served by the Liquidation Trustee that have yet to be disclosed to Ms. Mizrachi and her counsel seeking records of Ms. Mizrachi (collectively, the "CBRM Subpoenas"); and (B) for a protective order barring access to and striking the use of any discovery obtained in response to the CBRM Subpoenas (the "Motion")[1]; and good and sufficient notice of the Motion having been provided; and the Court having considered the Motion, the objections thereto, if any, the arguments of counsel, if any, and all of the papers submitted in support of the Motion and in opposition thereto, if any; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and sufficient notice of the Motion having been given under the particular circumstances and it appearing that no other or further notice need be given; and after due deliberation thereon and good cause appearing for the entry of this Order, it is hereby

[1] Capitalized terms not defined herein shall have the meanings ascribed to them in the Memorandum of Law submitted in support of the Motion.

ORDERED as follows:

1. The Motion is hereby **GRANTED**.

2. The CBRM Subpoenas shall be and hereby are quashed.

3. The Liquidation Trustee shall, within three (3) business days of the entry hereof, provide Ms. Mizrachi copies of all CBRM Subpoenas issued and all documents and communications received in response thereto.

4. The Liquidation Trustee is barred from reviewing or using for any purpose whatsoever, any documents obtained in response to the CBRM Subpoenas. To the extent the Liquidation Trustee has given any third parties copies of, or access to, records of Ms. Mizrachi produced in response to the CBRM Subpoenas: (i) the Liquidation Trustee shall, within three (3) business days of the entry hereof, disclose the names and contact information of such third parties so that they may be served with a copy of this Order; and (ii) the Liquidation Trustee and such third parties shall be bound by the prohibitions involving the use of records of Ms. Mizrachi described herein and barred and precluded from using such records for any purpose.

5. The Liquidation Trustee shall notify in writing all recipients of the CBRM Subpoenas that such subpoenas have been quashed and that such parties are directed hereby not to respond thereto.

6. The Liquidation Trustee shall return, delete and/or destroy and certify as to such return, deletion and/or destruction, any copies of documents obtained in response to the CBRM

Subpoenas.

7. Ms. Mizrachi is hereby awarded her reasonable attorneys' fees and expenses incurred in connection with this Motion pursuant to Rule 45(d)(1), which shall be paid by the Liquidation Trustee within seven (7) days following delivery of an invoice setting forth the amount of such fees and expenses.