

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

JAMES F. REARDON,
Debtor.

Chapter 7 Case
05-10402

JOHN R. CANNEY, III, as Chapter 7
Trustee for the Bankruptcy Estate of James F.
Reardon,

Plaintiff,

Adversary Proceeding
05-1049

v.

WHITE RIVER PAPER COMPANY,
Defendant.

Appearances: *John R. Canney, III, Esq.*
 Chapter 7 Case Trustee
 Rutland, Vt.
 For the Plaintiff

Erin Miller Heins, Esq.
Langrock Sperry & Wool, LLP
Burlington, Vt.
For the Defendant

ORDER
DENYING CROSS MOTIONS FOR SUMMARY JUDGMENT,
DIRECTING THE FILING OF FINAL JOINT PRE-TRIAL STATEMENTS
AND SETTING FINAL PRE-TRIAL CONFERENCE

For the reasons set forth in the memorandum of decision of even date, THE COURT HEREBY ORDERS that

1. the Plaintiff's motion for summary judgment is DENIED,
2. the Defendant's motion for summary judgment is DENIED,
3. the Parties shall file a final joint pre-trial statement **by July 24, 2006**; and
4. the Parties shall appear at a final pre-trial conference on **August 8, 2006 at 11:30 a.m. in Burlington, Vt.** at which time the Court will set a date for the trial on the complaint, the ordinary course of business defense, and the value of the subject property.

SO ORDERED

June 27, 2006
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge