

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

SHARON M. SWEENEY,
Debtor.

Chapter 13 Case
05-12315

WILLIAM SWEENEY,
Plaintiff

Adversary Proceeding
05-1068

v.

SHARON M. SWEENEY,
Debtor/Defendant.

Appearances: *Gregg M. Meyer*
Kohn Rath & Meyer LLP
Hinesburg, Vt.
For the Plaintiff

David R. Edwards
Burlington, Vt.
For the Debtor/Defendant

ORDER

GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT,
DENYING DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT,
SCHEDULING EVIDENTIARY HEARING AND SETTING DUE DATE FOR FINAL PRETRIAL STATEMENT

For the reasons set forth in the Memorandum of Decision of even date, IT IS HEREBY ORDERED that

1. the Plaintiff's motion for summary judgment (doc. # 18) is granted;
2. the Defendant's cross motion for summary judgment (doc. # 19) is denied;
3. the Parties shall participate in an evidentiary hearing, not to exceed three hours in length, to be held on **October 24, 2006 at 2:30 P.M.*** at the Federal Courthouse, 11 Elmwood Avenue, Burlington, VT, limited to the issues of the value of the Plaintiff's interest in the Marital Residence, the costs of sale, the computation of the gross and net sale proceeds, the applicable interest rate on the debt, whether the Plaintiff is entitled to reasonable attorney's fees and any other factors necessary to determine the amount due to the Plaintiff on the debt incurred in connection with the Defendant's sale of his one-half interest in the Marital Residence; and
4. the Parties shall file a Joint Final Pretrial Statement by **October 17, 2006 at 4:00 P.M.**

SO ORDERED.

September 27, 2006
Rutland, Vermont

Colleen A. Brown
United States Bankruptcy Judge

* Counsel shall appear at 2:00 P.M. to mark and exchange exhibits and be prepared to begin at 2:30.