

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

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In re:

Catherine Willis,  
Debtor.

Chapter 13 Case  
# 07-10032

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Catherine Willis and  
Jan M. Sensenich, Esq., Trustee,  
Plaintiffs,

v.

Countrywide Home Loans, Inc.,  
Defendant.

Adversary Proceeding  
# 07-1008

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Appearances: *David W. Lynch, Esq.*  
*David W. Lynch, Esq., PC*  
*Colchester, VT*  
*For the Plaintiffs*

*Jan Sensenich, Esq.*  
*Chapter 13 Trustee*  
*White River Jct., VT*  
*Trustee, Pro Se*

*Jennifer Emens-Butler, Esq.*  
*Obuchowski & Emens-Butler*  
*Bethel, VT*  
*For the Defendant*

**ORDER**

**Granting Plaintiffs' Motion for Summary Judgment and  
Denying Defendant's Cross-Motion for Summary Judgment**

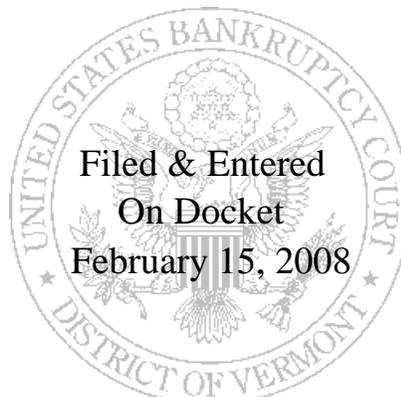
For the reasons set forth in the Memorandum of Decision of even date, the Court finds that the Debtor's mortgage deed has a fatally defective acknowledgement and failed to provide constructive notice. Consequently, the mortgage deed may be avoided by the Trustee under 11 U.S.C. § 544.

Therefore, IT IS HEREBY ORDERED that the Plaintiffs' motion for summary judgment is granted; and

IT IS FURTHER ORDERED that the Defendant's cross-motion for summary judgment is denied.

**SO ORDERED.**

February 15, 2008  
Rutland, Vermont



Colleen A. Brown  
United States Bankruptcy Judge