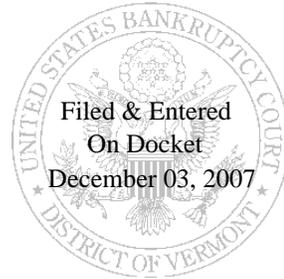


UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT



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In re:  
**ROME FAMILY CORPORATION,**  
**Debtor.**

**Chapter 7 Case**  
**# 02-11771**

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**NANAK HOSPITALITY, LLC,**  
**Plaintiff,**

v.

**HASKINS GAS SERVICE, INC.,**  
**Defendant.**

**Adversary Proceeding**  
**# 07-1010**

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*Appearances:*        *James B. Anderson, Esq.*  
                              *Ryan, Smith & Carbine, Ltd.*  
                              *Rutland, Vt.*  
                              *For the Plaintiff*

*Richard A. Lang, Jr., Esq.*  
*Bauer, Gravel, Farnham, Nuovo,*  
*Parker & Lang*  
*Burlington, Vt.*  
*For the Defendant*

**ORDER**

**DENYING BOTH PARTIES' CROSS-MOTIONS FOR JUDGMENT ON THE PLEADINGS,**  
**AND THE DEFENDANT'S MOTIONS FOR RELIEF PURSUANT TO RULE 12(B)(1) AND RULE 60(B)(6)**  
**AND AMENDING SCHEDULING ORDER**

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

1. the Plaintiff's Fed. R. Civ. P. Motion for Judgment on the Pleadings (doc. # 15), as incorporated by Bankruptcy Rule 7012(c), is denied;
2. the Defendant's Cross-Motion for Judgment on the Pleadings (doc. ## 29, 30) is denied;
3. the Defendant's Motion for Relief pursuant to Fed. R. Civ. P. 12(b)(1) (doc. ## 29, 30), as incorporated by Bankruptcy Rule 7012, is denied;
4. the Defendant's Motion for Relief pursuant to Fed. R. Civ. P. 60(b)(6) (doc. ## 29, 30), as incorporated by Bankruptcy Rule 9024, is denied; and
5. the scheduling order entered on September 21, 2007 (doc. # 23) is amended to direct that
  - (a) the parties shall complete discovery by **February 15, 2008**;
  - (b) the parties shall file a joint stipulation of facts and final pre-trial statement by **March 11, 2008**;
  - (c) the parties shall file final witness and expert disclosures by **March 21, 2008**; and
  - (d) the parties shall appear at a final pre-trial conference, either in person in Rutland or by videoconference, on **March 25, 2008 at 11:00 a.m.**

**SO ORDERED.**

December 3, 2007  
Rutland, Vermont

A handwritten signature in black ink, reading "Colleen A. Brown". The signature is written in a cursive style with a large initial "C".

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Colleen A. Brown  
United States Bankruptcy Judge