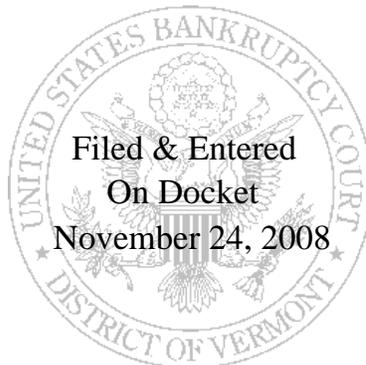


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

Ben Burd,
Plaintiff.



Chapter 13 Case
03-11590

Ben Burd,

Plaintiff,

Adversary Proceeding
08-01018

v.

Educational Credit Management Corp.;
Department of Health and Human Services;
and New York Chiropractic College,
Defendants.

ORDER
DISMISSING ADVERSARY PROCEEDING
AGAINST DEFENDANT DEPARTMENT OF HEALTH AND HUMAN SERVICES

For the reasons set forth in the memorandum of decision of even date,

IT IS HEREBY ORDERED that the motion of the United States seeking dismissal pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure is GRANTED.

IT IS FURTHER ORDERED that the United States is dismissed as a party defendant in this Adversary proceeding.

IT IS FURTHER ORDERED that the Debtor's HEAL loan shall not be discharged and the Debtor's obligation to repay the HEAL loan shall survive this bankruptcy case.

Dated at Rutland, in the District of Vermont, this 24th day of November, 2008.

Hon. Colleen A. Brown
U.S. Bankruptcy Judge