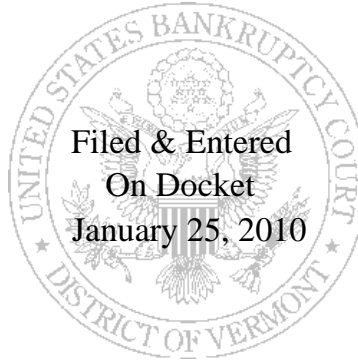


UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

In re:

Michael F. Montagne,  
Debtor.



Chapter 12 Case  
# 08-10916

Bourdeau Brothers, Inc.,  
Plaintiff,

v.

Michael F. Montagne, Diane Montagne,  
and Montagne Heifers, Inc.,  
Defendants.

Adversary Proceeding  
# 08-1024

Appearances: James Spink, Esq. and Mary Peterson, Esq. for Bourdeau Brothers, Inc.  
Lisa Chalidze, Esq. for Diane Montagne

**ORDER**

**GRANTING PLAINTIFF'S RENEWED MOTION TO DISMISS AMENDED COUNTERCLAIM  
OF DIANE MONTAGNE AND DENYING REQUEST FOR ATTORNEY'S FEES**

For the reasons set forth in the memorandum of decision of even date, the Court grants Bourdeau Brothers, Inc.'s renewed motion to dismiss the amended counterclaims of Diane Montagne (doc. # 274), and denies Bourdeau Brothers, Inc.'s request for attorney's fees.

SO ORDERED.

Rutland, Vermont  
January 25, 2010

Colleen A. Brown  
United States Bankruptcy Judge