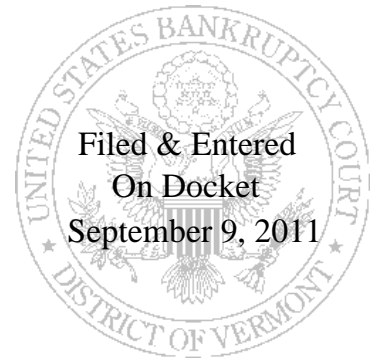


UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT



---

In re:

**David Roy Orcutt and  
Hollie Jean Stevens,  
Debtors**

**Chapter 13 Case  
# 11-10553**

---

**David Roy Orcutt and  
Hollie Jean Stevens,  
Plaintiffs,  
v.**

**Adversary Proceeding  
# 11-1013**

**GMAC Mortgage, LLC,  
Defendant.**

---

*Appearances: Michelle M. Kainen, Esq.  
White River Junction, VT  
Attorney for Plaintiffs*

*James B. Anderson, Esq.  
Rutland, VT  
Attorney for Defendant*


**ORDER  
DENYING DEFENDANT'S MOTION TO DISMISS**

For the reasons set forth in a memorandum of decision of even date, IT IS HEREBY ORDERED that GMAC Mortgage, LLC's motion to dismiss the adversary proceeding (doc. # 5) is denied.

IT IS FURTHER ORDERED that the parties shall proceed with this litigation in this proceeding as set forth in a scheduling order entered this same day, pursuant to a stipulation of the parties.

IT IS FURTHER ORDERED that the hearing scheduled for September 13<sup>th</sup> is cancelled and instead, the parties shall appear for status hearing on October 25, 2011, at 9:30 a.m., at the United States Bankruptcy Court, The Opera House, Rutland, VT.

September 9, 2011  
Burlington, Vermont

  
\_\_\_\_\_  
Colleen A. Brown  
United States Bankruptcy Judge