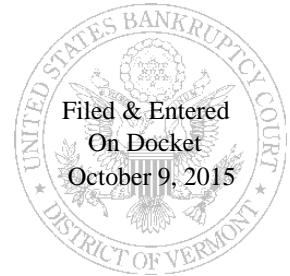


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

Edward Higley,
Debtor.

Chapter 13 Case
14-10339

Appearances: Donald F. Hayes, Esq.
Obuchowski & Emens-Butler, P.C.
Bethel, Vermont
For the Debtor

Antonin Robasson, Esq.
Ryan Smith & Carbine, Ltd.
Rutland, Vermont
For the Creditor

ORDER
ON CONTESTED MATTERS REGARDING
SURRENDER OF COLLATERAL, OBJECTIONS TO CONFIRMATION, AND ALLOWANCE OF CLAIM


For the reasons set forth in the memorandum of even date, IT IS HEREBY ORDERED that

1. GECC's objection to confirmation of the Debtor's plan based upon the Debtor's failure to establish he surrendered the Missing Trailer,¹ or otherwise met the requirements of 11 U.S.C. § 1325(a)(5), is sustained;
2. GECC's objection to confirmation of the Debtor's plan based upon the Debtor's alleged lack of good faith is overruled; and
3. the issue of whether the portion of GECC's claim secured by the Missing Trailer is properly treated as an unsecured claim in this bankruptcy case is deferred until a party in interest files an objection to GECC's claim.

IT IS FURTHER ORDERED that the Debtor shall file an amended plan within 30 days of entry of this Order, and if the Debtor intends to file an objection to GECC's proof of claim, he shall do so within 14 days of entry of this Order.

SO ORDERED.

October 9, 2015
Burlington, Vermont


Colleen A. Brown
United States Bankruptcy Judge

¹ Capitalized terms in this Order have the same meanings as in the corresponding memorandum of decision