

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

Michael F. Montagne,
Debtor-in-Possession.

Chapter 12 Case
08-10916

Ag Venture Financial Services, Inc.,
Plaintiff,

v.

Michael F. Montagne, *et al.*,
Defendants.

Adversary Proceeding
08-1023

Appearances: Lisa Chalidze, Esq.
for Diane Montagne
Lauren Kolitch, Esq.
for John Montagne

Gary Franklin, Esq. and
Douglas Wolinsky, Esq.
for Ag Venture Financial
Services, Inc.

ORDER

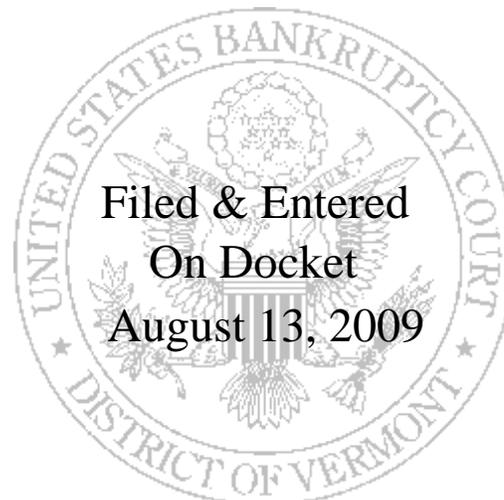
**GRANTING AG VENTURE'S CROSS-MOTION FOR SUMMARY JUDGMENT AND
DENYING DIANE MONTAGNE'S AND JOHN MONTAGNE'S MOTION FOR SUMMARY JUDGMENT
ON PRIORITY OF SECURITY INTERESTS IN CASH PROCEEDS**

For the reasons set forth in the memorandum of decision of even date, THE COURT FINDS that Ag Venture Financial Services, Inc. has first a perfected first priority security interest in the proceeds from the Debtor's sale of Montagne Heifers Inc. collateral (livestock) superior to that of Diane Montagne and John Montagne.

Accordingly, IT IS HEREBY ORDERED that Ag Venture's cross-motion for summary judgment (doc. # 119) is GRANTED and Diane Montagne and John Montagne's motion for summary judgment on this same issue is DENIED.

SO ORDERED.

August 13, 2009
Rutland, Vermont



Filed & Entered
On Docket
August 13, 2009



Colleen A. Brown
United States Bankruptcy Judge