

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

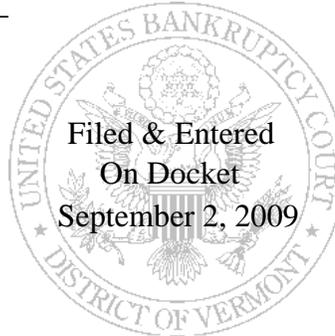
Michael F. Montagne,
Debtor-in-Possession.

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.

AMENDED 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 PROCEEDS¹

For the reasons set forth in the amended 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.

September 1, 2009
Rutland, Vermont


Colleen A. Brown
United States Bankruptcy Judge

¹ This Amended Order is entered to conform with the Amended Memorandum of Decision in this case, which was entered to modify the last sentence of Material Undisputed Fact #10.