

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

**PICO MOUNTAIN, INC.,
Debtor**

**Case #96-10756
Chapter 7**

**JOHN R. CANNEY, III, TRUSTEE,
Plaintiff**

v.

**A.E.I. MUSIC NETWORK, ET AL.,
Defendants**

**Adversary Proceeding
#97-1036**

Appearances:

*James B. Anderson, Esq.
Ryan, Smith & Carbine
Rutland, VT
Attorney for CVPS*

*Mary Kehoe, Esq.
Lisman, Webster, Kirkpatrick &
Leckerling, PC
Burlington, VT
Attorney for Harold and Edith Herbert*

ORDER

In conjunction with the Court's Memorandum of Decision Granting Central Vermont Public Service Corporation's ("CVPS") Motion to Determine Scope of Injunctive Order (doc. #52),

THE COURT HEREBY FINDS that this Court's prior Injunction (doc. #25) does not bar CVPS from intervening in the Vermont state court action entitled Harold Herbert and Edith Herbert v. Pico Management Co. and American Skiing Company, Inc., No. S1268-00CnC (Vt. filed Sept. 28, 2000).

THE COURT THEREFORE ORDERS that CVPS may intervene in said state court action for the purpose of collecting the debt owed to it by the Debtor from the funds withheld at the closing which occurred on or about December 9, 1996, provided that CVPS takes no action against funds determined by the state court to be property of Harold and Edith Herbert and CVPS takes no action which is inconsistent with the Memorandum of Decision filed herewith.

SO ORDERED.

November 26, 2002
Rutland, Vermont

A handwritten signature in black ink, appearing to read "Colleen A. Brown".

Colleen A. Brown
United States Bankruptcy Judge