

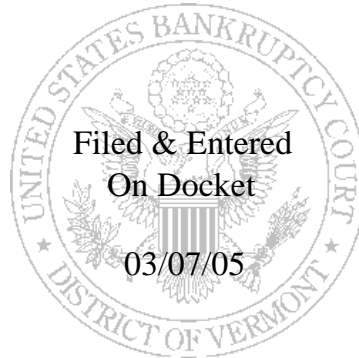
UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

In re:

**Rome Family Corporation,  
Debtor.**

**Chapter 7 Case  
# 02-11771**

**John R. Canney, III, Successor Interim  
Chapter 7 Trustee of the Estate of  
Rome Family Corporation,  
Plaintiff,**



v.

**Adversary Proceeding  
# 03-1023**

**Engelberth Construction, Inc.  
Defendant.**

*Appearances:*      *John R. Kennelly Esq.  
Pratt Vreeland Kennelly Martin & White, Ltd.  
Rutland, VT  
Attorney for the Plaintiff*

*Shireen Hart, Esq.  
Eggleston & Cramer, Ltd.  
Burlington, VT  
Attorney for the Defendant*

**ORDER**


**DENYING PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT AND  
GRANTING DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT**

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

1. The Plaintiff's Motion for Summary Judgment is denied..
2. Summary Judgment for the Defendant is granted on the Plaintiff's claims questioning the validity and enforceability of the Defendant's asserted liens.
3. The status conference currently scheduled for **Tuesday, March 8, 2005** will continue as originally scheduled for the Court to enter a scheduling order with respect to the Trustee's remaining claims.

**SO ORDERED.**

March 7, 2005  
Rutland, Vermont

  
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Colleen A. Brown  
United States Bankruptcy Judge