

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

In re:

PAMELA J. FIFIELD,  
Debtor.

Chapter 7 Case  
# 04-10867

**ORDER GRANTING MOTION FOR PERMISSION TO FILE REPLY BRIEF  
AND SETTING ORAL ARGUMENT**

WHEREAS John R. Canney, III, in his capacity as the Chapter 7 Trustee in the above-referenced bankruptcy case (the "Trustee"), filed a memorandum of law in support of his amended notice of intent to sell residential property, alleging, *inter alia*, that the recent, retroactive amendment to 27 V.S.A. § 341 is unconstitutional (doc. # 31); and

WHEREAS the Court issued an order providing the requisite notice to the Vermont Attorney General (doc. #35) and the Vermont Attorney General did not respond, seek to intervene, or file an appearance in this matter; and

WHEREAS the Court established a briefing schedule for the Trustee and Countrywide Home Loans, Inc., the mortgagee ("Countrywide"), to address the Trustee's constitutional argument; and

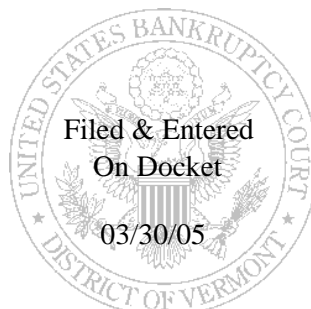
WHEREAS Countrywide has requested permission to file a reply brief addressing the additional arguments developed by the Trustee in his supplemental memorandum and for the Court to schedule oral argument on whether the retroactive application of the recent amendments to the Vermont statute are unconstitutional;


Upon consideration of Countrywide's request, THE COURT FINDS that both additional briefing and oral argument are warranted under the circumstances.

THEREFORE, IT IS HEREBY ORDERED that: (1) Countrywide may file a reply brief **no later than noon on Friday, April 8, 2005**; (2) if the Trustee chooses to file a sur-reply, he must do so **no later than noon on Tuesday, April 12, 2005**; (3) the parties shall appear for oral argument on **Thursday, April 14, 2005 at 1:00 P.M.** at the U.S. Bankruptcy Court, U.S. Federal Building, 11 Elmwood Avenue, Burlington, Vermont. Each party's argument will be limited to fifteen (15) minutes; and (4) the matter shall be deemed fully submitted upon completion of oral argument.

**SO ORDERED.**

March 29, 2005  
Rutland, Vermont



  
Colleen A. Brown  
United States Bankruptcy Judge