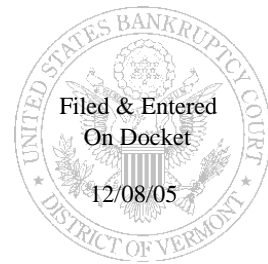


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

PAULA MARY POWERS
Debtor.

Chapter 7 Case
05-12543

PAULA MARY POWERS,
Plaintiff,

Adversary Proceeding
05-1054

v.

NELNET SUPERLOAN TRUSTEE, INC.,
Defendant.

CORRECTED ORDER*

**DIRECTING SUPPLEMENTATION OF *PRO HAC VICE* AFFIDAVIT
AND CONTINUING HEARING ON ORDER TO SHOW CAUSE**

WHEREAS, on November 22, 2005, the Court issued an Order directing attorney Daniel R. Felkel (the "Attorney") to appear and show cause on December 6, 2005 as to why he should be allowed to practice in this Court since he filed an answer in the instant adversary proceeding, and was therefore practicing in this Court, without ever having been admitted to practice in this district (doc. # 7); and

WHEREAS, on December 5, 2005, Jess T. Schwidde, Esq. filed a motion (doc # 11) seeking an Order granting the Attorney's *pro hac vice* admission, and attached thereto was the Attorney's affidavit in support of such admission (the "Affidavit"); and

WHEREAS the Affidavit is deficient under the terms of Vt. LBR 2090-1(b)(1)(B)(vi) and (vii), in that it (1) fails to provide an affirmation that the Attorney had read the District Court and Bankruptcy Court Local Rules of this district, and (2) fails to include proof that the Attorney had been registered to use CM/ECF in the district of Maine (though the Attorney asserted in the Affidavit that he had had such training and that the Maine training was sufficient to satisfy the requirements of this district);

NOW AFTER DUE CONSIDERATION of the record in this proceeding, the Affidavit and the circumstances presented,


THE COURT FINDS that the Attorney must supplement the Affidavit and satisfy the criteria of the above referenced local rule, in order to be eligible for practice in this Court.

THEREFORE IT IS HEREBY ORDERED that

1. the hearing on the Order to Show Cause is continued to **December 20, 2005 at 9:30 a.m.**;
2. the Attorney shall comply with the requirements of Vt. LBR 2090-1(b)(1)(B)(vi) and (vii) and file a supplemental affidavit certifying such compliance by **December 15, 2005**;

3. the Attorney shall appear at that hearing unless he has timely filed the supplemental affidavit and the Court has entered an Order granting his *pro hac vice* admission by noon on December 19, 2005; and
4. if the Attorney fails to comply with this Order the answer he filed in the instant adversary proceeding may be stricken, and/or he may be barred from practicing in this Court, without an additional hearing.

December 8, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge

* this Order is entered because the prior Order entered in this matter indicated that the Attorney filed a complaint when in fact he actually filed an answer; the Order is in all other respects unchanged