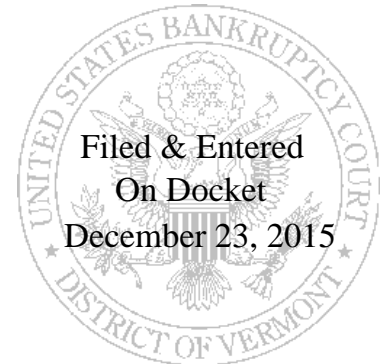


**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**



In re:

**Philip Nardini
Debtor.**

**Chapter 13
Case # 15-10244**

*Appearances: Rebecca Rice, Esq.
Cohen & Rice
Rutland, Vermont
Attorney for the Debtor*

*Andrew S. Cannella, Esq.
Bendett & McHugh, P.C.
Farmington, Connecticut
Attorney for Objecting Creditor*

ORDER
ON THE CREDITOR-MORTGAGEE'S OBJECTIONS TO CONFIRMATION

For the reasons set forth in the memorandum of decision of even date, IT IS HEREBY
ORDERED that


1. the Creditor's objection based upon the Plan's temporary reduction in the amount of the monthly mortgage payment, pending the outcome of mortgage mediation, impermissibly modifies the Creditor's claim in violation of § 1322(b)(2) is **OVERRULED**;
2. the Creditor's objection that the Plan's payments to the Creditor in an amount less than the regular monthly payment under the Note fails to comply with the Local Rules is **OVERRULED**;
3. the Creditor's objection that the Plan, which is contingent upon a successful mortgage modification mediation, was filed in bad faith is **OVERRULED**;
4. the Creditor's objection based upon the Debtor's failure to specify how the Creditor's claim will be treated if mediation results in a monthly payment different than is in the Plan is **SUSTAINED**;
and
5. the Creditor's objection that the Debtor has failed to properly compute the administrative arrearage in the Plan is **OVERRULED**, **WITHOUT PREJUDICE** to the Creditor's right to re-assert this objection if, at the conclusion of the mediation, there is still a dispute as to the amount of the administrative arrears that must be paid under the Plan.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall file a proposed confirmation order within 14 days of entry of this Order, consistent with the Court's corresponding memorandum of decision, and that the confirmation order shall require the Debtor to modify the Plan within 14 days of the completion of mediation if the mediation does not result in an agreement permitting the Debtor to make the payment proposed in the Plan.

IT IS FURTHER ORDERED that the confirmation hearing set for January 29, 2016 shall proceed only if no confirmation order has been entered by January 27, 2016.

SO ORDERED.

December 23, 2015
Burlington, Vermont



Colleen A. Brown
United States Bankruptcy Judge