

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

IN RE:)
)
CORPORATION OF SOUTHERN) Case No. 20-10268-cab
VERMONT COLLEGE, INC.) Chapter 7
Debtor.)

NOTICE OF MOTION AND HEARING ON TRUSTEE'S MOTION FOR ENTRY OF AN ORDER (I) APPROVE PROPOSED SALE OF CERTAIN REAL ESTATE, FURNITURE, FURNISHINGS, FIXTURES AND EQUIPMENT, ALL OF WHICH ARE LOCATED IN BENNINGTON, VERMONT, AND INFRASTRUCTURE FREE AND CLEAR OF ALL LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. SECTIONS 363(b) & (f) WITH LIENS TO ATTACH TO PROCEEDS TO SOUTHWESTERN VERMONT HEALTH CARE CORPORATION FOR THE SUM OF \$3,200,000.00; AND (II) APPROVING THE TERMS AND CONDITIONS OF THE PROPOSED SALE

*(Southern Vermont College Campus Real Estate and Personal Property
Located at 982 Mansion Drive, Bennington, Vermont)*

Raymond J. Obuchowski, Chapter 7 Trustee, filed his Trustee's Motion For Entry of an Order (I) Approving proposed sale of certain real estate, furniture, furnishings, fixtures and equipment, all of which are located in Bennington, Vermont, and infrastructure free and clear of all liens, claims, interests and encumbrances pursuant to 11 U.S.C. Sections 363(b) & (f) with liens to attach to proceeds; (ii) approving the terms and conditions of the proposed sale pursuant to 11 U.S.C. § 363(b) & (f), Fed. R. Bankr. P. Rule 6004(C), Vt. LBR 6004-1 and Vt. LBR 6005-1, seeking the Court's approval of a proposed sale of certain real property assets of the Bankruptcy Estate to Southwestern Vermont Health Care Corporation for the negotiated sum of \$3,200,000.00 has been filed on or about Monday, November 16, 2020 by Raymond J. Obuchowski, Chapter 7 Trustee.

A HEARING ON THE MOTION and any responses, objections or higher or better counter-offers will be held at **11:00 A.M. on December 11, 2020** at 11:00 am, via Zoom, i.e., at the Court's "audio-video / zoom location; and the Courtroom Deputy shall provide the zoom information to all key parties (as identified by the Trustee). Anyone else who wishes to participate in this hearing may contact the courtroom deputy (jody_kennedy@vtb.uscourts.gov) to get the necessary zoom access information.

IF YOU OPPOSE THE MOTION OR WISH TO MAKE A HIGHER OR BETTER COUNTER-OFFER, you are encouraged to file a written opposition or counter-offer with the Clerk of Court, on or before 4:00 p.m. on December 7, 2020. If you file a written opposition or counteroffer, a copy must also be served on the Case Trustee as the Moving Party, the proposed Buyer, Debtor's counsel, the United States Trustee. Addresses for those parties are set forth below.

ANY HIGHER OR BETTER COUNTER OFFER SHALL BEGIN AT \$3,250,000 WITH ALL FOLLOWING OFFERS TO BE MADE BEFORE THE COURT BY INCREMENTS OF NOT LESS THAN \$50,000.00. All higher and better offers must include satisfactory evidence to the Trustee, in his sole discretion, of the financial capability to close, by December 7, 2020. All higher and better offers, if such offer is not the Successful offer approved by the Court, will remain irrevocable until two (2) business days after closing of the Sale and remains open until that time as a "back-up bid" at the last price and terms presented to the Court.

DATED at Royalton, Vermont: Monday, November 16, 2020.

/s/ Raymond J. Obuchowski
Raymond J. Obuchowski, Esq.
Chapter 7 Trustee
PO Box 60
Bethel, VT 05032
(802) 234-6244
ray@oebllaw.com

PARTIES TO BE NOTICED:

Lisa Penpraze, Esq.
US Trustee's Office
11A Clinton Ave., Room 620
Albany, NY 12207

Raymond J. Obuchowski
Chapter 7 Trustee
P. O. Box 60
Bethel, Vermont 05032

Elizabeth Glynn, Esq.
Attorney to Trustee
PO Box 310
Rutland, Vermont 05702

Andre Bouffard, Esq.
Attorney to SVHCC
PO Box 190
Burlington, VT 05402

Heather Cooper, Esq.
Attorney to Debtor
PO Box 578
Rutland, Vermont 05702

Chris Desiderio, Esq.
Attorney to Community Bank NA
Nixon Peabody LLP
Tower 46, 55 West 46th Street
New York, NY 10036-4120