

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re

DAVID A. REED
SUZAN E. REED
f/k/a Susan E. Rice

Case No. 91-13500 K

Debtors

MEMORANDUM AND ORDER

To: Philip R. Rothschild, Esq.
David R. Wendt, Esq.
Albert J. Mogavero, Esq.

The Court originally advised counsel that Green Tree's objection to confirmation would be heard and decided by the Hon. Beryl E. McGuire, Chief Bankruptcy Judge, and directed counsel to arrange with Judge McGuire's chambers for argument. Now, however, it is

ORDERED that in light of the decision of the U.S. Court of Appeals, Second Circuit in *In re Bellamy*, 91-5045 (2d Cir. April 21, 1992) Green Tree's objection must be and is denied.

At the adjourned confirmation hearing on May 21, 1992, at 10:00 a.m., the Court will entertain argument regarding implementation of the *Bellamy* decision in this case, and confirmation of this Plan.

Dated: Buffalo, New York
April 28, 1992

/S/ MICHAEL J. KAPLAN

U.S.B.J.