

STATE OF VERMONT

VERMONT SUPERIOR COURT
Orange Unit

CIVIL DIVISION
Docket No.

JOHN DURKEE, EXECUTOR OF THE)
ESTATE OF DECEDENT H. BLAISDELL, JR.,)
Plaintiff,)
)
v.)
)
TRINI BRASSARD, COURTNEY BRASSARD,)
BRIAN FALZO, DANIEL BRASSARD, AND)
BRASSARD SUGARWORKS AND MAPLE)
SUPPLY, LLC,)
Defendants.)

ORDER APPROVING WRIT OF ATTACHMENT

Before the Court is Plaintiff's Motion for Writ of Attachment to attach certain real property of Defendants. After notice to the Defendants and hearing, the Court finds that there is a reasonable likelihood that Plaintiff will recover judgment on its complaint in this action against Defendants in an amount equal to or greater than the amount of the attachment.

Plaintiff has shown that it is owed monies from Defendants from improper real estate transactions, improper real property sales and purchases, and that further Defendants owe Plaintiff substantial funds for misappropriation of farm income to the Defendants.

The Court finds that there is no liability insurance, bond or other security known or reasonably believed to be available to satisfy any judgment that will be forthcoming against the Defendants.

IT IS HEREBY ORDERED that a non-possessory attachment of the non-exempt real property of the Defendants is approved. (A list of exemptions is attached).

Dated: _____

Orange Superior Court Judge

LIST OF EXEMPTIONS

The following is a list of potentially applicable rights of a debtor to exemption from trustee process, attachment, or other seizure to satisfy a court judgment. This list contains only the more common exemptions. It is not intended to be exhaustive. For more information, contact an attorney.

- 1) Social Security and Supplemental Security Income (SSI). (42 U.S.C. §§ 407 and 1383).
- 2) Veteran's Benefits. (38 U.S.C. § 5301).
- 3) Unemployment Compensation Benefits. (21 V.S.A. § 1367).
- 4) Pension Benefits. (29 U.S.C. § 1056(d), 45 U.S.C. § 231m, 5 U.S.C. § 8346), also, self-directed retirement accounts, not to exceed \$10,000 per debtor. (12 V.S.A. § 2740(16)).
- 5) Workers' Compensation Benefits. (21 V.S.A. § 687).
- 6) Welfare or Public Assistance Benefits. (33 V.S.A. § 124).
- 7) Insurance Payments from Fire Insurance, Life Insurance, Disability Insurance or Annuity Contracts; Fraternal Benefit Society Benefits. (8 V.S.A. §§ 3706-3709, 4478; 12 V.S.A. § 3020).
- 8) As to wages: 75% of disposable earnings, or 30 times the federal minimum wage, whichever is greater. (If this is a consumer credit transaction, the exemption is 85% of disposable earnings or 40 times the federal minimum wage, whichever is greater.) (12 V.S.A. § 3170, V.R.C.P. 4.2).
- 9) A debtor's homestead, up to a limit of \$75,000 in value. (27 V.S.A. § 101).
- 10) A debtor's interest, not to exceed \$700.00 in value, in bank deposits or deposit accounts of the debtor. (12 V.S.A. § 2740(15)).
- 11) A debtor's interest, not to exceed \$2,500.00 in aggregate value, in a motor vehicle or motor vehicles. (12 V.S.A. § 2740(1)).
- 12) A debtor's interest, not to exceed \$5,000.00 in aggregate value, in professional trade books or tools of the profession or trade of the debtor or a dependent of the debtor. (12 V.S.A. § 2740(2)).
- 13) A wedding ring of any value, or a debtor's interest, not to exceed \$500.00 in aggregate value, in other jewelry held primarily for the personal, family or household use of the debtor or a dependent of the debtor. (12 V.S.A. § 2740(3), (4))
- 14) A debtor's interest, not to exceed \$2,500.00 in aggregate value, in household furnishings, goods or appliances, books, wearing apparel, animals, crops or musical instruments that are held primarily for the personal, family or household use of the debtor or a dependent of the debtor. (12 V.S.A. § 2740(5)).

- 15) A debtor's aggregate interest in any property, not to exceed \$400.00 in value, plus up to \$7,000.00 of any unused amount of the above-described exemptions for motor vehicles, tools of trade, jewelry or household items. (12 V.S.A. § 2740(7)).
- 16) All other exemptions for a debtor as set forth in 12 V.S.A. § 2740.