

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

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In re:	:	
ARNOLD KILBERG	:	BK No. 04-10632
Debtor	:	Chapter 7
	:	
JOSEPH M. DIORIO, CHAPTER 7	:	
TRUSTEE OF ARNOLD KILBERG	:	
Plaintiff	:	
v.	:	A.P. No. 06-1023
	:	
JOAN KILBERG	:	
Defendant	:	

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**ORDER**

Heard on June 1, 2006, on the Defendant's Motion for Summary Judgment and the Plaintiff's Cross Motion for Partial Summary Judgment. Upon consideration of the arguments presented, I find that there exist genuine issues of material fact for both parties that precludes disposition of the issues presented on summary judgment. See Fed. R. Bankr. P. 7056 and Fed. R. Civ. P. 56(c). Accordingly, Defendant's Motion for Summary Judgment is DENIED and the Plaintiff's Cross Motion for Partial Summary Judgment is DENIED.

ORDER:

ENTER:



\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Arthur N. Votolato  
U.S. Bankruptcy Judge

Entered on Docket: 6/2/2006  
Document Number: \_\_\_\_\_

Date: June 2, 2006