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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

SEP 05 2013

In re

LEE WADDELL,

Debtor.

OFFICE OF THE BANKRUPTCY CLERK

Case No. 12-12411 ALBANY, NY

Chapter 7

ADAM CONWAY,

Plaintiff(s),

vs.

Adv. No. 12-90088

LEE WADDELL,

Defendant(s).

Hon. Robert E. Littlefield, Jr., Chief United States Bankruptcy Judge

ORDER

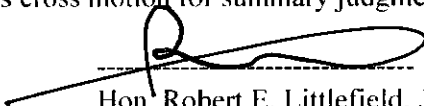
A motion pursuant to Federal Rule of Civil Procedure 56, made applicable by Federal Rule of Bankruptcy Procedure 7056, and Local Bankruptcy Rule 7056 (the "Motion") was filed by Adam Conway (the "Plaintiff") on April 1, 2013, seeking an order granting summary judgment on the § 523(a)(6) cause of action in favor of the Plaintiff and against Lee Waddell (the "Debtor/Defendant"). A cross-motion for summary judgment and a response in opposition to the Motion was filed by the Debtor/Defendant on April 17, 2013. A hearing was held on April 24, 2013 in connection with the dueling motions. Appearances were made at the hearing by Ganz, Wolkenbreit & Siegreld, LLP (Conor Brownell, Esq.), attorneys for the Plaintiff, and Tully Rinckey PLLC (Robert J. Rock, Esq.), attorneys for the Debtor/Defendant.

NOW, after due deliberation and over the opposition of the Plaintiff and the Debtor/Defendant, it is hereby

ORDERED, that the Plaintiff's motion for summary judgment is **DENIED**; and it is further

ORDERED, that the Debtor/Defendant's cross motion for summary judgment is **DENIED**.

DATED: September 6, 2013


Hon. Robert E. Littlefield, Jr.
Chief United States Bankruptcy Judge