

STATE OF VERMONT

SUPERIOR COURT
Environmental Division Unit

ENVIRONMENTAL DIVISION
Docket No.6-1-11 Vtec, 102-6-09 Vtec &
101-6-09 Vtec

ANR v Bacon d/b/a Bacon Timber Harvest

ENTRY REGARDING MOTION

Title: Motion to Continue Post-Judgment hearing (Motion 10)
Filer: Ken Bacon
Attorney: Jason J. Sawyer
Filed Date: February 5, 2016

ANR Response filed during February 8, 2016 hearing.

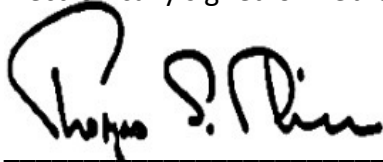
The motion is GRANTED.

The Court is very troubled by the repeated continuances that Respondents have requested, both pre- and post-trial in these various Dockets. The Court recognizes and is sympathetic towards Ken Bacon, Jr., due to his injuries from a logging accident last fall. However, this most recent continuance request was filed with the Court less than a week prior to the upcoming hearing; that hearing was scheduled shortly after the prior continuance request was granted during the Court's last in-person hearing on October 27, 2015.

Due to the significant claims presented by ANR, including the claim that Respondents' repeated contempt of the Court's Orders justifies incarceration, the Court does hereby **GRANT** Respondents' continuance request. Based upon representations made by Respondents' attorney at the February 8, 2016 hearing (in reliance upon Respondents' representations to him), The Court has rescheduled the hearing on ANR's further motion to compel and for contempt. See attached Notice of Hearing. Any further motions to continue must be filed **no later than March 15, 2015**, and must be supported by an explanation from Mr. Bacon's treating physician that details his injuries, current capacity to confer with his attorney, whether he has reached a medical end result, and his ability to attend even abbreviated court hearings.

So ordered.

Electronically signed on February 09, 2016 at Burlington, Vermont, pursuant to V.R.E.F. 7(d).



Thomas S. Durkin, Judge
Environmental Division

Notifications:

John S. Zaikowski (ERN 4276), Attorney for Petitioner Agency of Natural Resources
Jason J. Sawyer (ERN 4192), Attorney for Respondents Ken Bacon, Sr. and Ken Bacon, Jr.