

STATE OF VERMONT

SUPERIOR COURT
ORLEANS Unit

CIVIL DIVISION
Docket No. 22-CV-01817

U.S. BANK TRUST NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY
AS COLLATERAL TRUST TRUSTEE OF FIRSTKEY
MASTER FUNDING 2021-A COLLATERAL TRUST,

Plaintiff

v.

LARRY A. PLANKEY AND FRANCES I. PLANKEY,
WILMINGTON SAVINGS FUND SOCIETY, FSB,
D/B/A CHRISTIANA TRUST AS TRUSTEE FOR
PNPMS TRUST II Et Al., MIDLAND FUNDING, LLC
and all UNNAMED OCCUPANTS RESIDING AT
3960 VT RT 105, WEST CHARLESTON, VERMONT

Defendants

PLAINTIFF'S MOTION TO EXTEND SALE DATE NUNC PRO TUNC

NOW COMES Plaintiff, by and through counsel, respectfully moves the Court for a short extension of time to conduct the foreclosure sale date to December 31, 2026, nunc pro tunc, and for cause states as follows:

1. The Court issued a Judgment Order and Decree of Foreclosure establishing the applicable redemption period and directing that, upon expiration of the last date to redeem, Plaintiff may proceed to conduct a foreclosure auction.
2. Due to an inadvertent calendaring error by undersigned counsel, the sale was scheduled based on the date the certificate non-redemption was issued by the clerk of the court which was June 2, 2026 rather than the last redemption date set forth in the Judgment Order.
3. As a result, the sale has been arranged for November 19, 2026, a date that falls slightly outside the period permitted by the Judgment Order when calculated correctly.
4. Notice of the foreclosure sale has been prepared for publication in The Newport Daily Express and for distribution to all parties who have entered an appearance and to the defendants at least 30 days prior to sale date.
5. A brief extension will avoid unnecessary delay, additional expense, and the need to re-schedule the sale.

6. No party will be prejudiced by the requested nunc pro tunc extension, which merely aligns the sale date with the parties' expectations and the practical realities of the calendaring error.

WHEREFORE, Plaintiff respectfully requests that the Court:

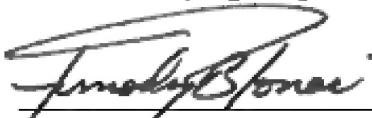
A. Extend the time to conduct foreclosure sale to December 31, 2026 to permit the sale to occur on November 19, 2026 as scheduled; and

B. Grant such other and further relief as the Court deems just and proper.

Dated at South Royalton, Vermont, this 6th day of October, 2026.

/s/ Donald F. Hayes
Donald F. Hayes, Esq.
Hayes Law, P.C.
50 South Street
South Royalton, VT 05068
802-565-1905
don@hayeslawvt.com

Electronically signed pursuant to V.R.E.F. 9(d).



Timothy B. Tomasi
Superior Court Judge

10/7/2026