

STATE OF VERMONT

SUPERIOR COURT

CIVIL DIVISION

Addison Unit

Docket No.: 24-CV-00002

Case Title: **KEYBANK NATIONAL ASSOCIATION v. Thomas McKean, et al.**

SUMMONS AND ORDER FOR PUBLICATION

THIS SUMMONS IS DIRECTED TO Thomas McKean and Elizabeth McKean

1. YOU ARE BEING SUED. The plaintiff has started a lawsuit against you. A copy of the Plaintiff's Complaint against you is on file and may be obtained at the office of the Clerk of the Court, County Court House, Addison Civil and Probate Division, 7 Mahady Court, Middlebury, Vermont.

Do not throw this paper away. It is an official paper that affects your rights.

2. PLAINTIFF'S CLAIM. Plaintiff's claim is for FORECLOSURE OF REAL PROPERTY, COLLECTION OF PROMISSORY NOTE, ENTRY OF DEFICIENCY JUDGMENT.

(brief statement of the object of the action, property or credits affected, relief sought).

3. YOU MUST REPLY WITHIN 42 DAYS TO PROTECT YOUR RIGHTS. You must give or mail the Plaintiff a written response, called an Answer, within 42 days after the date on which this Summons was first published, which is Monday, May 13, 2024. You must send a copy of your Answer to the Plaintiff's attorney located at:

Sheldon Katz, ERN 2808, BROCK & SCOTT, PLLC, 23 Messenger Street, 2nd Floor, Plainville, MA 02762

You must also give or mail your Answer to the Court located at:

Addison Civil and Probate Division, 7 Mahady Court, Middlebury, VT 05753

4. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

5. YOU WILL LOSE YOUR CASE IF YOU DO NOT GIVE YOUR WRITTEN ANSWER TO THE COURT. If you do not send the Plaintiff and the Court your Answer within 42 days, you will probably lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint.

6. YOU MUST MAKE ANY CLAIMS AGAINST THE PLAINTIFF IN YOUR REPLY. Your Answer must state any related legal claims you have against the Plaintiff. Your claims against the Plaintiff are called Counterclaims. If you do not make your Counterclaims in writing in your Answer, you may not be able to bring them up at all. Even if you have insurance and the insurance company will defend you, you must still file any Counterclaims you may have.

7. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you cannot afford a lawyer, you should ask the Court Clerk for information about places where you can get free legal help. Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights or you may lose the case.

ORDER. The verified Complaint or Affidavit filed in this action shows that service cannot be made with due diligence by any of the methods provided in Rule 4(d)-(f), (k), or (l) of the Vermont Rules of Civil Procedure. Accordingly, it is ORDERED that service of the Summons set forth above shall be made upon the defendant, Thomas McKean and Elizabeth McKean, by publication as provided in Rules 4(d)(1) and 4(g) of those Rules.

This Order shall be published once a week for two weeks beginning on or before Monday, May 13, 2024, in the Addison County Independent, a newspaper of general circulation in Addison County, and a copy of this Summons and Order as published shall be mailed to the Defendant, Thomas McKean and Elizabeth McKean, if an address is known.

Date: 4/30/2024

/s/ David R. Fenster
Superior Court Judge