

**United States Bankruptcy Court**  
**District of Massachusetts**

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In re  
**JAMES J. LATINI AND**  
**ELIZABETH N. LATINI,**  
Debtors

Chapter 7  
Case No. 04-12572-JNF

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**VICTOR VONER,**  
Plaintiff  
v.  
**WILLIAM G. BILLINGHAM, TRUSTEE**  
**OF THE ESTATE OF JAMES J. LATINI,**  
Defendant

Adv. P. No. 05-1014

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**MEMORANDUM**

**I. INTRODUCTION**

Several matters are before the Court: 1) the Chapter 7 Trustee's Motion to Dismiss for Failure to State a Claim upon which Relief May Be Granted (the "Motion to Dismiss") and Objections to the Motion to Dismiss filed by Victor Voner and Rockland Trust Company; and 2) the Motion of Rockland Trust Company for Leave to Intervene as a Plaintiff in the Adversary Proceeding (the "Motion to Intervene") and Objections to the Motion to Intervene filed by Victor Voner and the Chapter 7 Trustee of the estate of James