Vermont Superior Court
Filed 10/09/26
Washington Unit

VERMONT SUPERIOR COURT
Washington Unit
65 State Street
Montpelier VT 05602
802-828-2091
www.vermontjudiciary.org

CIVIL DIVISION
Case No. 25-CV-05488

Terry Ostrout v. Walt Krukowski

ENTRY REGARDING MOTION

Title: Motion to Reconsider (Motion: 6)
Filer: Walt Krukowski
Filed Date: September 16, 2026

The motion is DENIED.

Following a bench trial and the Court's written decision finally resolving all claims in this case, Defendant Mr. Krukowski has filed a motion seeking additional or amended findings, a potentially amended judgment and, in the alternative, to reopen the case for further consideration of his claims under V.R.C.P. 52(b) and 59(e). This motion is **DENIED**.

The thrust of Mr. Krukowski's motion is that he is uncertain whether the Court considered all his evidence and whether it fully considered his counterclaims.

As the Court explained in its decision, both parties' evidentiary presentations left much to be desired. Nevertheless, the Court liberally allowed the parties, both unrepresented, to present their evidence best they could, it considered the evidence that was admitted, and it assigned whatever weight that evidence deserved in arriving at its decision.

As to the counterclaims, they were addressed summarily in the decision. The Court clarifies as follows. By the time of trial, it was fully apparent that this case boiled down to the parties' competing claims for contribution for snow removal and road maintenance expenses in the context of their indefatigably fractious relationship. Those competing claims were fully considered and resolved by the Court's decision.

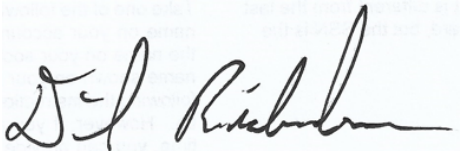
Nominally, Mr. Krukowski also claimed abuse of process and negligent misrepresentation. These claims were never the focus of the parties in this case, including at trial, and nothing in the record ever disclosed that they could have had any legal merit. The

Court expressly indicated in its decision that the claims other than for shared expenses were denied. More analysis was not warranted, then or now.

There is no basis for relief under Rules 52(b) or 59(e). The Court's September 1, 2026, decision resolved all remaining issues in this case, leaving nothing left to be decided.

So Ordered.

Electronically signed on 10/8/2026 4:23 PM pursuant to V.R.E.F. 9(d)



Daniel Richardson
Superior Court Judge