

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

The Hoehl Family Foundation v. John P. Aubin and Kevin D. Gaboriault

The Hoehl Family Foundation v. Aubin, No. 5:19-cv-229 (D. Vt. Jan. 22, 2026) · No. 5:19-cv-229 · Decided January 22, 2026

SUMMARY

The United States District Court for the District of Vermont partially grants the plaintiff's motion to adopt a pretrial schedule. The court prohibits further discovery, sets a deadline for summary judgment motions, reappoints an early neutral evaluation evaluator, and adopts a June 5, 2026 trial-readiness date. The underlying case concerns alleged fiduciary-duty breaches and self-dealing related to a \$1 million investment in G-Form, LLC.

CASE DETAILS

COURT	United States District Court for the District of Vermont
WRITING FOR THE COURT	Geoffrey W. Crawford
JURISDICTION	United States District Court for the District of Vermont
DECIDED	January 22, 2026
DOCKET	5:19-cv-229
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to adopt a proposed pretrial schedule that contemplated additional fact and expert depositions, a trial-readiness date, and a deadline for defendants' summary-judgment motions. Defendants objected to further discovery. The district court granted the motion in part and entered a revised schedule.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	The Hoehl Family Foundation v. John P. Aubin, Kevin D. Gaboriault

TOPICS

[discovery dispute](#) [summary judgment](#) [civil procedure](#) [commercial litigation](#) [breach of fiduciary duty](#)

PRACTICE AREAS

[civil procedure](#) [commercial litigation](#) [breach of fiduciary duty](#)

QUESTIONS PRESENTED

1. Whether the court should permit additional fact and expert discovery as part of the proposed pretrial schedule.
2. What deadlines and trial-readiness schedule should govern the case after the stay.

HOLDINGS

1. No further discovery is permitted because discovery concluded in 2023 after extensive document production and depositions.
2. The motion to adopt the pretrial schedule is granted in part, subject to the court's prohibition on further discovery and the schedule established in the order.

KEY QUOTATIONS

“Discovery concluded in this case in 2023. Both the production of documents and the depositions of parties and witnesses were very extensive. No further discovery is permitted.” (Order ¶ 1)

“The court GRANTS IN PART Plaintiff’s Motion to Adopt Pretrial Schedule (Doc. 266) and orders as follows:” (Order)

FACTUAL BACKGROUND

The action concerns alleged breach of fiduciary duty and self-dealing arising from the investment of \$1 million in G-Form, LLC. Related losses sustained by BDP Holdings, LLC resulted in a substantial New Hampshire judgment against Ronald Roberts and investment-management entities associated with him, and that judgment was affirmed on appeal. Roberts later died, the entities ceased doing business, and the parties represented that recovery against those defendants was unlikely, leaving Aubin and Gaboriault as the remaining defendants.

PROCEDURAL HISTORY

The case involves breach-of-fiduciary-duty and self-dealing claims concerning a \$1 million investment in G-Form, LLC. The court previously continued and then stayed the case while related New Hampshire litigation proceeded; during the stay, defendant Ronald Roberts died and two investment-management entities ceased doing business. After the court requested a proposed pretrial schedule, plaintiff submitted the pending motion, which the court resolved by prohibiting additional discovery, setting a summary-judgment deadline, reappointing an ENE evaluator, and adopting a trial-readiness date.

DISPOSITION

other

CASES CITED

- BDP Holdings, LLC v. Eideard Grp., LLC, No. 2024-0046, 2025 WL 2181225 (N.H. Aug. 1, 2025)

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