

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
JOSEPH FRANKLIN WELLER) CASE NO. 03-15591
AMY NICHOLE WELLER)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on May 3, 2005

The notice of motion and opportunity to object which the trustee (hereinafter "Movant") served in connection with his application for compensation and expenses does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The stated deadline for filing objections, April 29, 2005, is only 18 days after the date of the notice and creditors are entitled to at least twenty (20) days notice of the opportunity to file objections. N.D. Ind. L.B.R. B-2002-2(b)(1).

Since creditors and parties in interest have not been given appropriate notice of the application and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Application and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file a proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the application being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court