

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
MOSSBERG INDUSTRIES, INC. ) CASE NO. 03-12993  
 )  
Debtor )

DECISION AND ORDER

At Fort Wayne, Indiana, on May 11, 2005

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

- a. The stated deadline for filing objections, May 6, 2005, is only 15 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).
- b. The address of the clerk's office to which objections should be mailed is incorrect. N.D. Ind. L.B.R. B-2002-2(c)(5).
- c. The notice does not indicate that debtor's counsel shall be served with a copy of any objections. See, N.D. Ind. L.B.R. B-2002-2(c)(5).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion 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 motion being denied without prejudice and without further notice.

SO ORDERED.

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