

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
MARY ELIZABETH STEFANSKI,) CASE NO. 08-23178 JPK
) Chapter 13
Debtor.)

ORDER REGARDING DEFECTIVE NOTICE

On February 9, 2009, the debtor's counsel filed an Application for Affidavit of Attorney Fees, together with a proposed form of notice to creditors with respect to that application. The notice is defective in the following particulars:

1. The form chosen to be used was essentially LBF 3A. The use of this form – which is not accompanied by the document with respect to which notice is given – requires a detailed statement of the relief requested by the application, concluding with the statement: “If you have not received a copy of the motion, you may get one by contacting the person who signed this notice or at the clerk’s office.”

2. The notice period provided to creditors was ten days: the correct notice period is 20 days; N.D.Ind.L.B.R. B-2002-2(a)(7)/(b).

3. An incorrect creditor list was used. The correct list is obtained from the ECF system by first clicking “Utilities”; then on the next screen, clicking “Mailings...” under the sub-heading “Miscellaneous”; then in the next screen, clicking “Mailing Labels by Case”.

IT IS ORDERED that the court will take no action with respect to the Application. If a conforming notice has not been filed within 21 days of the date of entry of this order, the Application will be denied, without prejudice.

Dated at Hammond, Indiana on March 12, 2009.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, US Trustee