

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
RICHARD P ALLENBAUGH, JR. ) CASE NO. 08-23224 JPK  
MARY JANE ALLENBAUGH, ) Chapter 13  
 )  
Debtors. )

ORDER REGARDING DEFECTIVE SERVICE

On April 10, 2009, the debtors, by counsel, filed a Motion to Determine Value of Lien with respect to a mortgage held by OCWEN. The motion, filed pursuant to Fed.R.Bankr.P. 3012, initiates a contested matter pursuant to Fed.R.Bankr.P. 9014, thereby invoking the service of process rules of Fed.R.Bankr.P. 7004. Service of the motion upon OCWEN does not comply with Fed.R.Bankr.P. 7004(b)(3).

IT IS ORDERED that the court will take no action with respect to the motion until it has been properly served upon OCWEN, in which event the court will then schedule a preliminary hearing with respect to the motion.

Dated at Hammond, Indiana on April 29, 2009.

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

Distribution:  
Debtors, Attorney for Debtors  
Trustee, US Trustee