

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
PAUL ANDREW MULLIS ) CASE NO. 00-11027  
 )  
 )  
Debtor )

DECISION AND ORDER

At Fort Wayne, Indiana, on June 2, 2005.

The notice of motion and opportunity to object which Mutual Federal Savings Bank (hereinafter "Movant") served in connection with its motion to lift stay does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not "contain a brief summary of the ground for the motion or have a copy of the motion attached to it." N.D. Ind. L.B.R. B-2002-2(c)(4).
- b. The notice was issued and served before the motion was filed. Can the opportunity to object to particular relief begin to run before that relief is requested?

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