

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
LUFFMAN INC. ) CASE NO. 03-15223  
 )  
 )  
Debtors )

**DECISION AND ORDER ON TRUSTEE’S MOTION TO RECONSIDER**

At Fort Wayne, Indiana, on June 8, 2005.

The trustee has asked the court to reconsider its order of May 20, 2005. That order denied the trustee’s motion for turnover due to the failure to comply with the court’s order of April 29, which directed the trustee to reserve notice of the motion and the opportunity to object to it. In the motion to reconsider the trustee contends that his counsel was not served with a copy of the order of the 29th, and, in support of this argument, points to the BNC (Bankruptcy Noticing Center) certificate of mailing which was filed on May 1, as document number 126. Admittedly, this certificate indicates that the BNC did not serve either the trustee or his counsel. Yet, that certificate relates only to the copies of the court’s order that were served by the BNC, whether by mail or by the BNC’s electronic service, and neither the trustee nor his counsel were served by the BNC. They were served electronically by the court through its ECF system.

The identity of the recipients of a document served through the court’s ECF system cannot be determined by a review of the BNC certificate. That certificate relates only to the documents served by the Bankruptcy Noticing Center. It does not disclose the identity of those who may have been served automatically through the court’s ECF system and, since they are served in that fashion,

the BNC is not directed to or expected to serve them a second time.

To determine the identity of the recipients of the electronic service automatically effectuated by the court's ECF system one begins by asking that system to generate a docket report for a particular case and, in doing so, checking the box labeled "include links to notice of electronic filing." Doing this will cause a silver button to appear next to various docket entries. Activating this button will allow the reader to determine not only the precise time that the transaction was received but also, among other things, the identity of the various individuals electronically served with notice of that transaction by the ECF system. That notice, of course, includes an electronic hyperlink for the document in question. Where the order of April 29, is concerned – docket entry number 125 – this process indicates that the trustee, Mr. Warsco, and his counsel, Susan Trent, as well as other individuals in the trustee's office, were electronically served with that document. Consequently, the argument that the court's decision should be reconsidered because the trustee was not served with the order of April 29 has no foundation. The motion to do so is, therefore, DENIED. If the trustee still wishes to pursue turnover of particular property from the debtor, he will have to begin the entire process anew, by filing a second motion.

SO ORDERED.

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