

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN RE: CASE NO. 02-40430 )  
)  
LAWERANCE M. HUDAK )  
ROBERTA J. HUDAK )  
Debtors )  
)  
)  
LAWERANCE M. HUDAK, )  
ROBERTA J. HUDAK, )  
ROBERTA J. HUDAK, as next friend of )  
Matthew Hudak, a minor )  
Plaintiffs )  
)  
vs. ) PROC. NO. 04-4012  
)  
)  
JEFFREY B. WOOD, et. al. )  
Defendants )

**DECISION AND ORDER**  
**ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

At Fort Wayne, Indiana, on April 22, 2005

This matter is before the court on the motion for summary judgment filed by defendants, Paul Ricker, James Wallace, and Orville Perry. As the motion has only recently been fully briefed and trial of the issues raised in this adversary proceeding is scheduled to begin this coming Monday, the court does not have the opportunity to discuss the matter as fully as it might wish. Suffice it to say, however, that there are no genuine issues of material fact and the defendants, Paul Ricker, James Wallace and Orville Perry, are entitled to qualified immunity. Their motion for summary judgment is, therefore, GRANTED and, as to them, this action is dismissed. As to the remaining defendants, trial will proceed as scheduled.

SO ORDERED.

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