

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
BRIAN KEITH STEELE,) CASE NO. 10-24242
) Chapter 13
Debtor.)

ORDER REGARDING MOTION FOR
SUBSTITUTION OF COLLATERAL ("MOTION")

The Motion was filed on June 23, 2011, accompanied by a form of drop dead notice as provided by N.D.Ind.L.B.R. B-2002-2. Technically, the Motion is not within one of the 25 specifically designated categories in that rule. More important, however, is the fact that the Motion was not served upon a critical player in the relief which it seeks, i.e., State Farm Insurance. The Motion actually seeks a form of affirmative injunction with respect to State Farm, by which it would be required to issue the policy proceeds to the Trustee, exclusive of the interests of Credit Acceptance in those proceeds. Nothing has been served on State Farm Insurance in order to seek to effect this relief, or to provide the court with jurisdiction over an entity against which its order is proposed to operate.

IT IS ORDERED that the court will take no action on the Motion until it has been served on State Farm Insurance Company, and a certificate of service evidencing that service has been filed with the court.¹

Dated at Hammond, Indiana on August 3, 2011.

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

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

¹ The "drop dead" procedure should not be used with State Farm Insurance Company. Upon compliance with this order, the court will schedule a hearing and provide notice of the hearing to all necessary parties.