

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF:

JON M. PROVO
TARA A. PROVO

Debtors

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CASE NO. 04-41618

DECISION AND ORDER

At Fort Wayne, Indiana, on June 21, 2005.

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with their modification of the proposed chapter 13 plan does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not correctly state the date upon which the modification was filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The modification was filed on February 3, 2005, while the notice refers to a modification filed on February 2, 2005

Since creditors and parties in interest have not been given appropriate notice of the modification and the opportunity to object thereto, the court cannot approve it at this time. Movant shall prepare and serve an Amended Notice of Modification and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file 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 proposed chapter 13 plan being denied without prejudice and without further notice.

SO ORDERED.

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