

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
JEFFREY ALLEN BUCHHAAS and ) CASE NO. 12-22570 jpk  
KELLY DIANE BUCHHAAS, ) Chapter 13  
Debtor. )  
\*\*\*\*\* )  
JEFFREY ALLEN BUCHHAAS and )  
KELLY DIANE BUCHHAAS )  
Plaintiff, )  
 )  
V. ) ADVERSARY NO. 12-2216  
 )  
HSBC MORTGAGE SERVICES, INC )  
 )  
Defendant. )

ORDER FOR HEARING REGARDING SERVICE OF PROCESS

A Certificate of Service was filed in this case as record No. 4. The Certificate does not evidence service in conformity with Fed.R.Bankr.P. 7004. First, HSBC Mortgage Services, Inc., is not an insured depository institution under the provisions of Rule 7004(h), and thus service by certified mail is not required. Even if it were, service under that provision must be “addressed to an officer of the institution”, and the Certificate of Service does not evidence compliance with that form of service. The applicable service rule is Fed.R.Bankr.P. 7004(b)(3), and the requirement in that Rule that service must be made “to the attention of an officer, a managing or general agent...” means exactly what it says: That precise language must be used in the service. Even if one were to utilize the Indiana State Rules regarding service of process under Fed.R.Bankr.P. 7004(b)(7), those rules require the same form of service as does Rule 7004(b)(3).

The service at this point is ineffective.

IT IS ORDERED that a hearing will be held on **March 11, 2013, at 1:00 P.M.**, at which counsel Minh C. Wai shall personally appear before the court to address the matter in which

proper service may be effected in this case.

Dated at Hammond, Indiana on February 15, 2013.

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

Distribution:  
Attorneys of Record