

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
AUBURN FOUNDRY, INC.) CASE NO. 04-10427
)
)
Debtor)

DECISION AND ORDER

At Fort Wayne, Indiana, on August 2, 2005.

The notice of motion and opportunity to object which debtor (hereinafter “Movant”) served in connection with its agreed motion to approve settlement with Motion Industries, Inc. does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not adequately “state the relief sought” by the motion.
N.D. Ind. L.B.R. B-2002-2(c)(3).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion 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 motion being denied without prejudice and without further notice.

SO ORDERED.

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