

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

IN THE MATTER OF:

DANIEL B. LONG
ADRIENNE LONG

Debtors

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CASE NO. 05-40079

DECISION AND ORDER

At Fort Wayne, Indiana, on August 31, 2005.

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with their immaterial modification does not comply with the requirements of N.D. Ind.

L.B.R. B-2002-2 because:

- a. The notice differs from Local Bankruptcy Forms 3a and 3b, by omitting language those forms contain, so that it is not "substantially similar thereto." N.D. Ind. L.B.R. B-2002-2(c).
- b. The notice does not adequately "state the relief sought" by the modification. N.D. Ind. L.B.R. B-2002-2(c)(3)

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the immaterial modification and the opportunity to object thereto, confirmation of the chapter 13 plan is DENIED.

SO ORDERED.

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