

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
ROBERT L. LAMB) CASE NO. 05-17287
RITA K. LAMB)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on February 3, 2006.

The notice of motion and opportunity to object which debtors (hereinafter “Movants”) served in connection with their Amended Motion to Avoid Judicial Lien 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 certificate of service accompanying the notice does not indicate that the notice was served on the creditor whose lien is sought to be avoided.

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. Movants 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