

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
JOHN K. WATERS ) CASE NO. 05-17526  
SHEILA R. CURRY-WATERS )  
 )  
Debtors )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on February 17, 2006.

The notice of motion and opportunity to object which National City Bank of Indiana (hereinafter "Movant") served in connection with its Motion for Abandonment and Relief from Stay 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).

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