

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN RE: CASE NO. 06-10004)
)
SCOTT A. KAEHR)
BRITTANY N. KAEHR)
)
Debtors)
)
)
AMERICAN GENERAL FINANCIAL)
SERVICES, INC.)
)
Plaintiff)
)
vs.) PROC. NO. 06-1011
)
SCOTT A. KAEHR)
)
Defendant)

DECISION AND ORDER

At Fort Wayne, Indiana, on March 21, 2006

Plaintiff's second motion for default judgment, filed on March 20, 2006, is DENIED due to Plaintiff's failure to serve the summons and complaint as required by Bankruptcy Rule 7004(b)(9), which requires mailing "the summons and complaint to the debtor. . .and, if the debtor is represented by an attorney, to the attorney. . . ." In this case, debtor is represented by counsel to wit Fred Wehrwein.

SO ORDERED.

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