

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
SCOTT PATRICK FEE ) CASE NO. 05-13699  
 )  
 )  
Debtor )

DECISION AND ORDER

At Fort Wayne, Indiana, on May 11, 2006.

The notice of motion and opportunity to object which AmeriCredit Financial Services, Inc., (hereinafter "Movant") served in connection with its motion to approve stipulation terminating co-maker stay does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not correctly state the name of the motion. N.D. Ind. L.B.R. B-2002-2(c)(2). The request the court acts on is the motion that has been filed, see, Fed. R. Bankr. P. Rule 9013, not the order the court is asked to approve.

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 thereof 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