

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:

FRANK EDWARD BRUMMETT and
SUSAN BRUMMETT,

Debtors.

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BANKRUPTCY NO. 05-68690 JPK
Chapter 13

ORDER GRANTING MOTION TO JOIN TRUSTEE AS PARTY

On May 12, 2006, the debtors, by counsel, and the Chapter 13 Trustee Paul R. Chael, filed a "Joint Motion to Join Trustee as Party-Plaintiff," requesting that the Trustee be joined as a party, aligned with the debtors, with respect to the debtors' objection to claim number 10 of Select Portfolio Servicing, Inc., and the debtors' counterclaim seeking to avoid the lien interest of Select Portfolio Servicing, Inc. in the debtors' residence.

The Court deems the debtors, with the consent of the Chapter 13 Trustee (which has previously been given) to be proper parties-in-interest to pursue the above-designated matters; however, the joinder of the Chapter 13 Trustee as a party in alignment with the debtors precludes any potential argument that only the Chapter 13 Trustee has standing to assert the avoidance action advanced by the debtors' counterclaim. The Court thus finds that the Joint Motion should be granted.

IT IS ORDERED that Paul R. Chael, as the Chapter 13 Trustee of the debtors' chapter 13 case number 05-68690 is joined as a party defendant with respect to the debtors' objection to claim number 10 of Select Portfolio Services, Inc., and as a counter-claimant with respect to the debtors' counterclaim, as those matters are addressed by the Court's order entered on April 10, 2006 docketed as docket record entry #79.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall be deemed a party to those matters, and shall be designated as such on the record, without the requirement of a separate entry of appearance by the Chapter 13 Trustee with respect to those matters.

Dated at Hammond, Indiana on May 24, 2006.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtors, Attorney for Debtors
Trustee
U.S. Trustee
All Creditors
All Parties-in-interest