

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
THURMAN LEE PACK, SR.) CASE NO. 05-14332
REBECCA LYNN PACK)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on May 31, 2006.

The notice of motion and opportunity to object which the trustee (hereinafter "Movant") served in connection with its motion for authority to sell timeshare does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not contain information concerning the time and place of any public sale or the terms and conditions of any private sale, as required by Rule 2002(c)(1) of the Federal Rules of Bankruptcy Procedure.

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