

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF:)
)
JOSEPH R. MAXSON) CASE NO. 05-41011
LINDA S. MAXSON)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on June 8, 2006.

The amended notice of motion and opportunity to object which debtors (hereinafter “Movant”) served in connection with their motion for modification of chapter 13 plan does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. Based upon counsel’s certificate of service, all creditors and parties in interest have not been served with a copy of the notice, as required by Bankruptcy Rule 2002(a) and Local Bankruptcy Rule 2002-2(d).

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

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