

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
DAVID HORTON WARNER ) CASE NO. 06-10570  
 )  
 )  
Debtor )

DECISION AND ORDER

At Fort Wayne, Indiana, on June 12, 2006

The notice of motion and opportunity to object which Ameriquest Mortgage Company (hereinafter "Movant") served in connection with its motion for relief from stay and abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The certificate of service accompanying the notice indicates that additional parties were served by reference to an attached list. No such list was attached.

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