

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
JASON P. DELKAMP) CASE NO. 02-11029
STEPHANIE L. DELKAMP)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on June 15, 2006.

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with their motions to avoid the liens of Platinum Fin Svc and Burnell Group do not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notices do not correctly state the date upon which the motions were filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The motions were filed on May 25, 2006, while the notices refer to motions filed on May 24, 2006.
- b. The notice was issued and served before the motion was filed. Can the opportunity to object to particular relief begin to run before that relief is requested? Could a defendant's obligation to answer a complaint arise before suit is filed?

Since creditors and parties in interest have not been given appropriate notice of the motions and the opportunity to object thereto, the court cannot grant them at this time. Movant shall prepare and serve an Amended Notices of the Motions and Opportunity to Object which comply 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 motions being denied without prejudice and without further notice.

SO ORDERED.

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