

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
IVAN W. GIBSON ) CASE NO. 04-12633  
MICHELLE ANN GIBSON )  
 )  
Debtors )

DECISION AND ORDER

At Fort Wayne, Indiana, on June 30, 2006

The notice of motion and opportunity to object which debtors (hereinafter “Movant”) served in connection with their agreed order regarding trustee’s motion to dismiss does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice is not accompanied by a copy of the court’s order authorizing notice to creditors and establishing deadlines for filing objections. N.D. Ind. L.B.R. B-2002-2(e).

Since creditors and parties in interest have not been given appropriate notice of the agreed order 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 may result in the trustee’s motion to dismiss being granted without further notice or hearing.

SO ORDERED.

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