

02/02/05

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

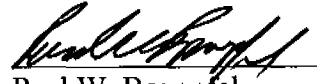
IN RE:	:	
	:	CASE NO. 04-41969-PWB
RORY ROSS STEWART and	:	
MARY WARMACK STEWART,	:	Chapter 13
	:	
Debtors.	:	
	:	
RORY ROSS STEWART and	:	
MARY WARMACK STEWART,	:	
	:	
Movants,	:	
	:	
vs.	:	
	:	
LENDMARK FINANCIAL SERVICES, INC.,	:	
	:	
Respondent.	:	

ORDER ON OBJECTION TO CLAIM
OF LENDMARK FINANCIAL SERVICES, INC.

The Debtors objected to the proof of claim filed by Lendmark Financial Services, Inc., asserting that it should be allowed only as an unsecured claim. The certificate of service shows that the objection and notice of hearing was served on Lendmark at its address as shown on the proof of claim, but it does not show that it was addressed to the person who signed it. Proper service of an objection to claim or other pleading initiating a contested matter be served on a person. Moreover, it is not clear from the certificate of service that notice of the hearing on the objection was served.

Counsel for the Debtors is directed to serve the objection on Lendmark to the attention of the person signing the proof of claim, together with a notice of a hearing thereon scheduled in accordance with this Court's procedures, and to certify such service to the Court.

IT IS SO ORDERED this 2 day of February, 2005.


Paul W. Bonapfel
U. S. Bankruptcy Judge

DISTRIBUTION LIST

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