



IT IS ORDERED as set forth below:

Date: May 07, 2008

James E. Massey

**James E. Massey
U.S. Bankruptcy Court Judge**

IN RE:

CEP Holdings, Inc. and Colon End Parenthesis
Trust, LLC,

Debtors.
_____||

CASE NOS. 07-71810 and 07-7183
Jointly Administered under #07-71810

CHAPTER 11

JUDGE MASSEY

CEP Holdings, Inc. and Colon End Parenthesis
Trust, LLC,

Plaintiffs,

v.

Arthur Zavala,

Defendant.
_____||

ADVERSARY NO. 07-6498

ORDER DENYING MOTION FOR DEFAULT JUDGMENT

On September 11, 2007, Plaintiffs filed a complaint against Defendant Arthur Zavala seeking to avoid as preferences and fraudulent transfers certain transfers made to Defendant by Debtors and to recover from Defendant the sum of \$,18,600.00 plus post-judgment interest. Thereafter, Plaintiffs' counsel filed a proof of service, certifying that the summons and complaint

were served by United States Mail on Defendant on September 12, 2007 at a post office box.

Bankruptcy Rule 7004(b)(1) provides:

Except as provided in subdivision (h), in addition to the methods of service authorized by Rule 4(e)--(j) F.R.Civ.P., service may be made within the United States by first class mail postage prepaid as follows:

(1) Upon an individual other than an infant or incompetent, by mailing a copy of the summons and complaint to the individual's dwelling house or usual place of abode or to the place where the individual regularly conducts a business or profession.

Defendant has not appeared in this adversary proceeding. The method of service described in the certificate of service did not comply with Bankruptcy Rule 7004, and hence the motion for a default judgment is DENIED.

END OF ORDER