

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
ESI SERVICE CORP.,) Case No. 16-07208-JMC-7A
)
Debtor.)

**MOTION TO LIMIT NOTICE ON THE TRUSTEE'S
MOTION FOR JOINT ADMINISTRATION OF CHAPTER 7 CASES**

Deborah J. Caruso, the chapter 7 trustee in this case (the "Trustee"), by counsel, pursuant to Local Rule B-9006-1(f), requests the Court enter an order limiting notice on the *Trustee's Motion for Joint Administration of Chapter 7 Cases* (the "Joint Administration Motion"), on the following grounds:

1. The Trustee has contemporaneously filed herewith the Joint Administration Motion requesting, pursuant to 11 U.S.C. § 105(a), Bankruptcy Rule 1015(b) and Local Rule B-1015-1(b), an order directing the joint administration of the Affiliated Debtors'¹ bankruptcy cases for procedural purposes only.

2. Due to the nature and size of the Affiliated Debtors' bankruptcy cases, there is an urgent need for the cases to be jointly administered as soon as possible. The Trustee has also contemporaneously filed herewith a *Motion to Shorten Notice on the Trustee's Motion for Joint Administration of Chapter 7 Cases* (the "Notice Motion"), requesting that the Court shorten the notice period on the Joint Administration Motion to seven (7) days and provide that in the event no objections are filed, an order approving the Joint Administration Motion will be issued without hearing.

¹ Capitalized terms used but not otherwise defined in this motion have the meanings used in the Joint Administration Motion.

3. There are approximately 200,000 creditors or parties-in-interest in the Affiliated Debtors' bankruptcy cases that the Trustee would be required to give notice of the Joint Administration Motion. Service of the Joint Administration Motion on all 200,000 parties will take a substantial amount of time and expense, creating a significant administrative burden for the Affiliated Debtors' bankruptcy estates.

4. Local Rule B-9006-1(f) states that "[i]f expedited service on the parties required to receive under the Federal Rules of Bankruptcy Procedure is impractical or cost-prohibitive, the movant may also seek to limit notice by filing a separate Motion to Limit Notice."

Accordingly, in order to avoid such a significant administrative burden to the Affiliated Debtors' bankruptcy estates, the Trustee is requesting that the notice of the Joint Administration Motion be limited to the following: (a) the Office of the United States Trustee; (b) the Affiliated Debtors' counsel; and (c) those parties who have requested notice pursuant to Bankruptcy Rule 2002. The request for joint administration is procedural in nature and is not intended to affect the substantive rights of creditors and parties in interest.

WHEREFORE, the Trustee respectfully requests entry of an Order, pursuant to Local Rule B-9006-1(f), directing that notice of the Joint Administration Motion be limited to those parties listed above, and further requests all other just and proper relief.

Respectfully submitted,

Proposed counsel to the Trustee
RUBIN & LEVIN, P.C.

By: /s/ Meredith R. Theisen
Meredith R. Theisen

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CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2016, a copy of the foregoing *Motion to Limit Notice on the Trustee's Motion for Joint Administration of Chapter 7 Cases* was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on September 23, 2016, a copy of the foregoing *Motion to Limit Notice on the Trustee's Motion for Joint Administration of Chapter 7 Cases* was mailed by first-class U.S. Mail, postage prepaid, and properly address to the following:

None.

/s/ Meredith R. Theisen
Meredith R. Theisen

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