

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

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

**MOTION TO SHORTEN NOTICE ON THE TRUSTEE’S APPLICATION  
TO EMPLOY RUST CONSULTING/OMNI BANKRUPTCY AS CLAIMS AND  
NOTICING AGENT EFFECTIVE *NUNC PRO TUNC* AS OF SEPTEMBER 16, 2016**

Deborah J. Caruso, the chapter 7 trustee in this case (the “Trustee”), by counsel, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Local Rule B-9006-1, requests the Court enter an order shortening the notice period on the *Trustee’s Application to Employ Rust Consulting/Omni Bankruptcy as Claims and Noticing Agent Effective Nunc Pro Tunc as of September 16, 2016* (the “Rust Omni Employment Application”) on the following grounds:

1. The Trustee has contemporaneously filed herewith the Rust Omni Employment Application requesting, pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 105(a), an order authorizing the Trustee to employ and retain Rust Consulting/Omni Bankruptcy, a division of Rust Consulting, Inc. (“Rust Omni”) as the claims and noticing agent in the Affiliated Debtors’<sup>1</sup> bankruptcy cases.

2. Due to the nature and size of the Affiliated Debtors’ bankruptcy cases, there is an urgent need to retain Rust Omni as the claims and noticing agent in order to alleviate the administrative burden on the Trustee, the Court and the Clerk’s Office. Specifically, there are over 200,000 potential creditors in the Affiliated Debtors’ bankruptcy cases that require service

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<sup>1</sup> Capitalized terms used but not otherwise defined in this motion have the meanings used in the Rust Omni Employment Application.

of Form 309D (Notice of Chapter 7 Bankruptcy Case – Proof of Claim Deadline Set) (the “341 Notice”). The employment of Rust Omni is needed in order to avoid the administrative burden on the Clerk’s Office of serving the 341 Notice on the over 200,000 potential creditors in the Affiliated Debtors’ bankruptcy cases.

3. Accordingly, the Trustee is requesting the Court shorten the notice of the Rust Omni Employment Application to seven (7) days and provide that, in the event no objections are filed, an order approving the Rust Omni Employment Application will be entered without hearing.

**WHEREFORE**, the Trustee respectfully requests entry of an Order, pursuant to Bankruptcy Rule 9006(c) and Local Rule B-9006-1, shortening the notice period for the Rust Omni Employment Application to seven (7) days and provide that, in the event no objections are filed, an order approving the Rust Omni Employment Application will be entered without hearing, and granting 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 25, 2016, a copy of the foregoing *Motion to Shorten Notice on the Trustee’s Application to Employ Rust Consulting/Omni Bankruptcy as Claims and Noticing Agent Effective Nunc Pro Tunc as of September 16, 2016* 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 25, 2016, a copy of the foregoing *Motion to Shorten Notice on the Trustee’s Application to Employ Rust Consulting/Omni Bankruptcy as Claims and Noticing Agent Effective Nunc Pro Tunc as of September 16, 2016s* was mailed by first-class U.S. Mail, postage prepaid, and properly address to the following:

None.

/s/ Meredith R. Theisen  
Meredith R. Theisen