

Form improperAP

**UNITED STATES BANKRUPTCY COURT**  
Eastern District of Michigan

211 West Fort Street  
Detroit, MI 48226

In Re: Groeb Farms, Inc.,  
Debtor

Case No.: 13-58200-wsd  
Chapter 11  
Judge: Walter Shapero.Detroit

Official Committee of Unsecured Creditors Of Groeb  
Farms, Inc.  
Plaintiff

Adv. Proc. No. 13-05410-wsd

v.

Troy Groeb et al.  
Defendant

**ORDER REGARDING IMPROPER SERVICE OF SUMMONS AND COMPLAINT ON DEFENDANT(S) E.  
JEANNE GROBE LIVING TRUST AND ERNEST L. GROEB JR. TRUST**

The Plaintiff filed a complaint in the above captioned case on 12/5/13 . This Court is advised that the proof of service of the summons and complaint is deficient for the following reasons(s):

- ☐ Proof of service of the summons and complaint has not been filed. (F.R.Bank.P. 7004(a) and F.R.CivP 4(1))
- ☐ The defendant is the debtor. Service was not made on the debtor. (F.R.Bank.P. 7004(b)(9))
- ☐ The defendant is the debtor. Service was not made on the attorney representing the debtor in the bankruptcy case. (F.R.Bank.P. 7004(g)). A paper copy of the Summons and Complaint must be served on Defendant and the attorney representing the debtor in the bankruptcy case. (ECF Procedure 12(b)(2)) .
- ☐ The defendant is a domestic/foreign corporation, partnership or unincorporated association. Service was not made on a named and identified officer, managing or general agent or any other agent authorized by appointment or by law to receive service of process. (F.R.Bank.P. 7004(b)(3))
- ☐ The defendant is the United States. Service was not made on the United States at the office of the United States attorney for the district and to the Attorney General of the United States at Washington, D.C. (F.R.Bank.P. 7004(b)(4))
- ☐ The defendant is an officer or agency of the United States. Service was not made on the officer or agency of the United States, at the office of the United States attorney for the district and to the Attorney General of the United States at Washington, D.C. (F.R.Bank.P. 7004(b)(5))
- ☒ Service was not made within 14 days after the summons was issued. (F.R.Bank.P. 7004(e))
- ☐ The defendant is an Insured Depository Institution. Service was not made by certified mail on a named and identified officer of the institution. (F.R.Bank.P. 7004(h))



☒ Other – The Trust Trustee was not served.

**IT IS ORDERED THAT** the plaintiff correct the deficiency in the proof of service within seven (7) days from the date of this order. If a summons was not timely delivered or mailed, another summons shall be obtained and re-issued. If the correction requires the summons and complaint to be served again, another summons shall be obtained and re-issued.

**IT IS FURTHER ORDERED THAT** if the plaintiff fails to timely correct the deficiency, this proceeding may be dismissed without a hearing.

Dated: 1/2/14

BY THE COURT

/s/ Walter Shapero

Walter Shapero

United States Bankruptcy Judge

United States Bankruptcy Court  
Eastern District of Michigan

Official Committee of Unsecured Creditor,  
Plaintiff

Adv. Proc. No. 13-05410-wsd

Groeb,  
Defendant

**CERTIFICATE OF NOTICE**

District/off: 0645-2

User: jmuma  
Form ID: improper

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jan 02, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 04, 2014.  
aty +Bradford J. Sandler, Pachulski Stang Ziehl & Jones LLP, 919 North Market Street, 17th Floor, Wilmington, DE 19801-3034

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 04, 2014

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 2, 2014 at the address(es) listed below:

Sheryl L. Toby on behalf of Plaintiff Official Committee of Unsecured Creditors Of Groeb Farms, Inc. stoby@dykema.com, dguerrero@dykema.com

TOTAL: 1