

United States Bankruptcy Court  
Northern District of Ohio

In re:  
Douglas Paul Fay  
Debtor

Case No. 16-30825-maw  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0647-3

User: mknei  
Form ID: pdf755

Page 1 of 2  
Total Noticed: 36

Date Rcvd: May 03, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 05, 2016.

db  
24224957 +Douglas Paul Fay, 3325 Wilbur Dr, Lima, OH 45805-4504  
24225092 +Allen County Clerk of Courts, PO Box 1243, Lima, OH 45802-1243  
24224959 +American Coradius Internatinal, LLC, 35A Rust Lane, Boerne, TX 78006-8202  
24224956 +Bluffton Aeration, 9485 Shifferly Rd, PO Box 209, Bluffton, OH 45817-0209  
24224955 +Charles L Butts, DDS Inc., 2721 Shawnee Rd, Lima, OH 45806-1444  
24224960 +Cleveland Clinic, PO Box 89410, Cleveland, OH 44101-6410  
+Computer Collection Services, Inc., 640 W 4th St, PO Box 5233,  
Winston-Salem, NC 27113-5233  
24224969 +Daven Stedke, 1359 E Hanthorn Rd, Lima, OH 45804-3933  
24224971 +Dotson Plumbing and Heating, 100 W Market St, Cridersville, OH 45806  
24224972 +EPNO, PO Box 88087, Chicago, IL 60680-1087  
24225093 +Esurance, PO Box 55126, Boston, MA 02205-5126  
24225087 +Fortune Accounting, 1825 Allentown Rd, Lima, OH 45805-1846  
24224967 +Huffman, Kelley Brock and Gottschalk, 540 W. Market, Lima, OH 45801-4718  
24224968 +Hume Supply, 1359 E Hanthorn Rd, Lima, OH 45804-3933  
24225094 +Integrity Excavating II LLC, Robert S Roby, 30 Northwoods Blvd, #300,  
Columbus, OH 43235-4708  
24224958 +JP Recovery Services, PO Box 16749, Rocky River, OH 44116-0749  
24224970 +Lima Brace and Limb, PO Box 569, Lima, OH 45802-0569  
24225005 +Mercy Health, PO Box 1279, Oaks, PA 19456-1279  
24225006 +NorthWest Ohio Medical Equipment, 1749 Tiffin Ave, Findlay, OH 45840-6833  
24225090 +Office of Ohio Attorney General, 150 E Gay St, Columbus, OH 43215-3130  
24225089 +Ohio Bureau of Workers' Compensation, PO Box 89492, Cleveland, OH 44101-6492  
24225086 +Ohio Dept of Human Svcs, 200 W Market St, Lima, OH 45801-4820  
24225007 +Orthopedic Institute of Ohio, 801 Medical Drive, Lima, OH 45804-4031  
24224965 +Performant Recovery, PO Box 9054, Pleasanton, CA 94566-9054  
24224966 +Pioneer Credit Recovery, 26 Edward St, Arcade, NY 14009-1012  
24225091 +RRR Service, 13851 Cemetary Rd, Wapak, OH 45895-8479  
24225085 +Radisphere, 3200 Wilcrest Dr #600, Houston, TX 77042-6000  
24225088 +Select Portfolio Svcs, 38115 S West Temple Ste 2000, Salt Lake City, UT 84115  
24224954 +Stacey Fay, 2290 Koop Rd, Lima, OH 45805  
24224951 +State of Ohio, PO Box 182404, Columbus, OH 43218-2404  
24225095 +Wabash Garbage Inc., PO Box 625, Celina, OH 45822-0625

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

24224953 E-mail/Text: cio.bncmail@irs.gov May 03 2016 22:33:04 IRS, Ogden, UT 84201  
24224962 +E-mail/Text: processing@keybridgemed.com May 03 2016 22:34:49 Keybridge, PO Box 1568,  
Lima, OH 45802-1568  
24224961 +E-mail/Text: blroller@limamemorial.org May 03 2016 22:34:56 Lima Memorial Hospital,  
PO Box 713223, Columbus, OH 43271-3223  
24224973 +E-mail/Text: bnc-capio@quantum3group.com May 03 2016 22:34:05 MBA Law,  
2222 Texoma Pkwy #160, Sherman, TX 75090-2482  
24224952 +E-mail/Text: litinquiry@jfs.ohio.gov May 03 2016 22:34:44 Ohio Dept of Job & Family Svcs,  
PO Box 182404, Columbus, OH 43218-2404

TOTAL: 5

\*\*\*\*\* 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.

Transmission times for electronic delivery are Eastern Time zone.

**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 309): 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: May 05, 2016

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

District/off: 0647-3

User: mknei  
Form ID: pdf755

Page 2 of 2  
Total Noticed: 36

Date Rcvd: May 03, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 3, 2016 at the address(es) listed below:

Bruce C. French   brucecfrench@earthlink.net,  
bcfrench@woh.rr.com;bcf@trustesolutions.com;BCF@trustesolutions.net  
Matthew B. Bryant   on behalf of Debtor Douglas Paul Fay mbryant@bryantlegalllc.com,  
matthew@mockltd.com;bryantlegalllc@gmail.com

TOTAL: 2

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.



Dated: May 3 2016

  
Mary Ann Whipple  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>In Re</b>	)	<b>Case No. 16-30825</b>
	)	
Douglas Paul Fay	)	<b>Chapter 7</b>
	)	
<b>Debtor(s).</b>	)	
	)	<b>JUDGE MARY ANN WHIPPLE</b>

**HEARING ORDER**

This case comes before the court on the motion to reconsider dismissal of case, filed by Debtor.

The court entered its order dismissing this case, with prejudice, on April 29, 2016. The basis for dismissal is that Debtor failed to show that he was eligible to be a Debtor under Title 11 in accordance with 11 U.S.C. § 109(h) and the attendant rules of procedure. The basis for the prejudice attaching thereto was non-payment of the filing fee in accordance with an order of the court.

Debtor has now filed a motion for reconsideration asking for expedited consideration. The basis for the motion is stated as Rule 60(b) of the Federal Rules of Civil Procedure, as applicable under Bankruptcy Rule 9024, although it may also implicate Rule 59(e) of the Federal Rules of Civil Procedure, as applicable under Bankruptcy Rule 9023.

On review of the case docket and the motion, the court acknowledges that Debtor is correct

that the dismissal order must be amended, at least in part. The court overlooked the payment of \$100 of the filing fee on April 5, 2016. Thus, the amount due as specified in the court's dismissal order is wrong and should be \$235 instead of \$335. The dismissal order needs to and will be amended to that extent to correct the court's mistake.

It is not clear to the court, however, whether Debtor is seeking only to have the court amend the 180 day limitation on re-filing and the limitation on re-filing until the correct fee amount balance due for this case is paid, or whether he is also seeking to reinstate the case upon payment of the filing fee balance. The motion will therefore be set for hearing to address that issue, and if Debtor seeks the latter relief, he must also submit evidence at the hearing that he is eligible to be a Debtor in this case in the form of a timely and conforming certificate of credit counseling.

For good cause shown,

**IT IS ORDERED** that Debtor's Expedited Motion for Reconsideration of Dismissal With Prejudice [Doc #16] is set for hearing before the Honorable Mary Ann Whipple on **May 12, 2016, at 10:00 a.m.**, in Courtroom No. 2, Room 103, United States Courthouse, 1716 Spielbusch Avenue, Toledo, Ohio.

###