**UNITED STATES BANKRUPTCY COURT**

**EASTERN DISTRICT OF NORTH CAROLINA**

**[CITY] DIVISION**

**IN RE:**

**[Debtor(s) name] CASE NO.**

 **CHAPTER**

 **DEBTOR(S).**

**Certification of LMM Eligibility and Readiness**

1. **CERTIFICATION OF THE DEBTOR(S)**

[I \_\_\_\_\_\_\_\_\_ am / We \_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_ are] the [debtor / debtors] in this case and hereby certify that:

1. [I / We] will participate in the Court’s *Loan Modification Management Program* (LMM) in good faith.
2. [I / We] understand and agree to the ongoing obligation to promptly provide information and documentation that may be reasonably requested by the Creditor during the LMM process.
3. [I / We] will make (or cause to be made) adequate protection payments to [FULL NAME OF CREDITOR] in the amount of $ \_\_\_\_\_\_\_\_ each month during the LMM period, unless and until otherwise ordered by the Court.
4. [I / We] understand that commencing the LMM is voluntary, and that [I am / we are] not required to enter into any agreement or settlement with any other party, and no other party is required to enter into any agreement or settlement with [me / us] as part of the LMM.
5. [I / We] understand that [I am / we are] not required to request dismissal of this case as part of any resolution or settlement that is offered or agreed to during the LMM.
6. [I / We] understand that if [I / we] do not fully comply with the requirements of the LMM, our participation in the LMM may be terminated.
7. [I / We] have completed the Document Preparation Software and [I /we have or my/our attorney has] paid the non-refundable fee directly to the Document Preparation Software approved vendor. [My / Our] Initial LMM Package has been completed and ready for signature and submission. Attached is the Certification of Document Preparation [I / we] received upon completion of the Document Preparation Software.
8. [I / We] understand and agree that upon issuance of an order approving this Motion, {[I / we] will be required to pay} **OR** {[my/our] attorney has agreed to pay, with reimbursement through our Chapter 13 plan,} (i) a non-refundable portal fee directly to the approved Portal vendor, and (ii) $300 to the Facilitator (representing one half of the Facilitator fee).}
9. Prior to filing the Motion for Loan Modification Management, [I / we] determined that: (select one)

 \_\_\_\_ Creditor is already registered with approved Portal.

\_\_\_\_ Creditor is not registered with the approved Portal. [I / We] request the Court require the Creditor (and the Creditor’s North Carolina counsel, if applicable), within ten (10) days after the entry of an order approving this Motion, to register with the Portal and provide Creditor’s most current Initial LMM Package to the Facilitator, who will promptly post same on the Portal.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Debtor

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Joint Debtor (if any)

1. **CERTIFICATION OF COUNSEL TO DEBTOR(S)**

I, [ATTORNEY NAME] represent [NAME(S) OF DEBTOR(S)] (my “Client(s)”) in this case and hereby certify that:

1. I have discussed the details of the Court’s *Loan Modification Management Program* (LMM) with my Client(s).
2. I performed adequate due diligence to determine my Client’s eligibility for the LMM.
3. In light of my due diligence, I [am aware of no reasons why the commencement of the LMM in this case would be futile or otherwise contrary to reasonable expectations of a successful outcome.] OR [I have a colorable argument for LMM notwithstanding the following fact(s) which might hinder the pursuit of a successful outcome: [IF KNOWN, COUNSEL MUST SPECIFY THESE FACT(S), for example, the debt-to-income ratio is outside of the standard range for loan modification, the loan was recently denied for modification, the loan is currently under a modification, and any similarly problematic facts]. I am moving for the commencement of the LMM because [FOR EACH OF THE AFOREMENTIONED FACTS, PROVIDE SPECIFIC REASONS WHY LMM IS SOUGHT IN GOOD FAITH].
4. I have fully complied with the requirements set forth in the *LMM Program* and I am prepared to upload the required documents to the Portal upon entry of order approving this Motion.

Dated:

[Signature of Attorney]

[Printed name of attorney]

[Bar number of attorney]

[Address of attorney]

[Phone number of attorney]

[Email address of attorney]

Attorney for Debtor(s)