**UNITED STATES BANKRUPTCY COURT**

**EASTERN DISTRICT OF NORTH CAROLINA**

**[CITY] DIVISION**

**IN RE:**

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

**CHAPTER**

**DEBTOR(S).**

**ORDER FOR LOAN MODIFICATION MANAGEMENT**

A *Motion for Loan Modification Management* was filed by *\_\_\_\_\_\_\_\_\_\_\_\_* on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Parties have had notice and an opportunity to object and the Court has reviewed any objections filed thereto. Now therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The following parties are directed to participate in the Court’s *Loan Modification Management Program* (LMM) in good faith.

Debtor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Creditor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The Facilitator in this case will be chosen by the parties from the list of approved facilitators in this district and notified within seven (7) days of the entry of this order.
2. During the LMM Period, the Debtor shall make (or cause to be made) adequate protection payments in the amount of $ \_\_\_\_\_\_\_ per month to the Creditor or the Creditor’s designee. Such adequate protection payments will be disbursed by the Chapter 13 Trustee and will commence following the entry of this order, whether or not a plan has been confirmed. During the LMM Period, the Creditor shall still comply with the requirements of Rule 3002.1(b) regarding Notices of Mortgage Payment Changes, but the Trustee shall hold the adjustment of monthly payments in abeyance.
3. Within ten (10) days from the entry of this Order, the Creditor and Creditor’s North Carolina counsel (if any) shall register on the Portal (if not previously registered) and Creditor shall provide Creditor’s most current Initial LMM Package to the Program Manager.
4. Within seven (7) days from the entry of this Order or Creditor’s registration on the Portal, whichever is later, the Debtor shall: (i) upload to the Portal, Debtor’s Initial LMM Package; (ii) upload to the Portal a copy of this LMM Order; (iii) pay to the Portal vendor, the $50.00 Portal fee; and (iv) pay $250.00 directly to the Facilitator (representing one half of the Facilitator fee). The attorney for the Debtor shall be allowed reimbursement of this amount through the Debtor’s Chapter 13 plan as an administrative expense.
5. Within seven (7) days after Debtor submits Debtor’s completed Initial LMM Package to Creditor on the Portal, Creditor shall: (i) acknowledge receipt of Debtor’s completed Initial LMM Package on the Portal; (ii) designate its single point of contact and outside legal counsel (if any) on the Portal; and (3) pay $250.00 directly to the Facilitator (representing one half of the Facilitator fee). Creditor shall be allowed reimbursement of this amount through the Debtor’s Chapter 13 plan as a post-petition fee and may, but is not required to, file a Notice of Post-Petition Fees, Expenses, and Charges pursuant to Bankruptcy Rule 3002.1(c).
6. During the LMM Period, Creditor shall promptly review Debtor’s Initial LMM Package to determine Debtor’s eligibility for any loss mitigation options which may be available to Debtor. In the event that Creditor shall require additional (or corrected) documentation, Creditor shall promptly notify Debtor through the Portal of such requirements and promptly respond to Debtor’s submissions thereof as well as any inquiries made by the Debtor.
7. During the LMM Period, upon the request of Creditor through the Portal, Debtor shall promptly provide any additional documents requested by Creditor or Facilitator and/or answer any questions.
8. Within sixty (60) days after Debtor submitted the Initial LMM Package to Creditor on the Portal, the Debtor, on notice to the Creditor, shall file and serve an LMM Status Report with an attached printout of the current and complete account history from the Portal. The LMM Status Report shall be completed on the Portal in accordance with the instructions provided thereon.
9. One Hundred and Eighty (180) days from the entry of this Order, the LMM Period shall terminate unless extended.
10. Within seven (7) days of the termination of the LMM Period, the Debtor, on notice to the Creditor, shall file and serve an LMM Final Report with an attached printout of the current and complete account history from the Portal. The LMM Final Report shall be completed in accordance with the instructions provided in the Portal.
11. Debtor shall immediately serve a copy of this Order on Creditor and file a certificate of service evidencing same.
12. During the LMM Period, unless otherwise permitted by the Court, all material communications shall be conducted exclusively through the Portal.
13. During the LMM Period, on behalf of each participating party, a person with complete knowledge of the file so as to be reasonably capable of answering questions posed by the Court related to the LMM shall attend all LMM-related hearings and conferences before the Court.
14. The automatic stay as provided for under 11 U.S.C. § 362(a) shall be modified to the extent necessary to facilitate the LMM Program as more particularly provided in the Loan Modification Management Program Procedures.
15. A presumptive attorney fee of $2000.00 for representation of the debtor in the LMM is approved and allowed, to be paid through the chapter 13 plan, due and payable as follows:
16. $750 upon entry of the Order for Loan Modification Management;
17. $750 upon entry of an order approving a trial loan modification; and
18. $500 upon entry of an order approving a permanent loan modification.
19. The stated fee amounts may be paid by the trustee upon satisfaction of the associated condition without necessity of further motion or order. Any fees sought in excess of the presumptive amount are subject to court approval after filing and serving a separate fee application with notice upon interested parties.

END OF DOCUMENT