

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA**  
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In re:

Case No.  
Chapter

\_\_\_\_\_ Debtor(s) \_\_\_\_\_/

**EX PARTE MOTION TO APPROVE MORTGAGE MODIFICATION  
AGREEMENT WITH (LENDER)**

The above-referenced Debtor requests the Court enter an Order approving the Mortgage Modification Agreement with \_\_\_\_\_ (“Lender”) with respect to real property located at \_\_\_\_\_ (street address) and states as follows:

1. The Court referred this matter to Mortgage Modification Mediation (“MMM”) on \_\_\_\_\_ (ECF # \_\_\_\_).
2. The final MMM conference was held on \_\_\_\_\_.
3. The MMM Mediator filed a Final Report of Mortgage Modification Mediator on \_\_\_\_\_ (ECF # \_\_\_\_), reporting the parties reached an agreement.
4. Attached is a copy of the Agreement entered into between the parties (with all personal identifiers redacted).
5. Pursuant to the Agreement, the Lender will draft all documents required by the Agreement, other than pleadings or plans required to be filed in this case.

**[For chapter 13 cases only]:**

6. Pursuant to the Agreement, the Debtor shall amend/modify the last filed chapter 13 plan on or before \_\_\_\_\_ to provide for the payment.
7. All payments shall be considered timely upon receipt by the trustee, not upon receipt by the Lender.
8. The trustee may disburse the payment as adequate protection to the Lender until such time as the plan/modified plan is confirmed, or the case is dismissed or converted to another chapter.

**WHEREFORE**, the Debtor requests the Motion to Approve Mortgage Modification Agreement with \_\_\_\_\_ (“Lender”) be granted and for such other and further relief as this Court deems proper.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Motion to Approve Mortgage Modification Agreement with \_\_\_\_\_, was served by U.S, first class mail, upon the parties listed below on \_\_\_\_\_, 20\_\_\_\_.

/s/ \_\_\_\_\_  
Attorney for Debtor(s)  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Florida Bar No.: \_\_\_\_\_  
email: \_\_\_\_\_

Copies to: [all parties to mediation]