

1 NVB 105-2 (Rev.1/17)

2 Attorney \_\_\_\_\_  
3 Nevada Bar # \_\_\_\_\_  
4 Firm Name \_\_\_\_\_  
5 Address \_\_\_\_\_  
6 City, State, Zip \_\_\_\_\_  
7 Phone Number \_\_\_\_\_  
8 Email Address \_\_\_\_\_  
9 Pro-se Debtor \_\_\_\_\_

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF NEVADA**

8 \* \* \* \* \*

9 In re: ) BK-S-  
10 Debtor(s). ) CHAPTER 13  
11 ) **EX PARTE MOTION FOR REFERRAL**  
12 ) **TO MORTGAGE MODIFICATION**  
13 ) **MEDIATION PROGRAM**

13 The Debtor files this Ex Parte Motion for Referral to Mortgage Modification Mediation  
14 Program (“Ex Parte Motion”) and requests the Court enter an Order Granting Debtor’s Ex Parte  
15 Motion for Referral to Mortgage Modification Mediation” (“Ex Parte Order”) referring Debtor  
16 and \_\_\_\_\_ (“Lender”) to Mortgage Modification Mediation (“MMM”)

17 Program and states as follows:

18 1. Debtor is an individual who has filed for bankruptcy relief under, or converted to,  
19 chapter 13 on \_\_\_\_\_.

20 2. This Motion is being filed:

21  within ninety (90) days after the petition date.

22  later than ninety (90) days after the petition date for the following reason(s):

23 \_\_\_\_\_

24

1 3. Debtor requests MMM for real property ("Property") located at the following street  
2 address: \_\_\_\_\_

3 \_\_\_\_\_ . The account number for this

4 Property is \_\_\_\_\_ (last four digits).

5 a. The Property is (check one box):

6  the Debtor's primary residence.

7  not the Debtor's primary residence.

8 b. Borrowers obligated on the promissory note and mortgage on the Property are

9 (check one box):

10  Debtor only.

11  Debtor and non-filing co-obligor/co-borrower/third party.

12 Contact information for co-obligor/co-borrower/third party:

13 Name: \_\_\_\_\_

14 Address: \_\_\_\_\_

15 \_\_\_\_\_  
16 Telephone: \_\_\_\_\_

17 Email: \_\_\_\_\_

18  Other:

19 Name: \_\_\_\_\_

20 Address: \_\_\_\_\_

21 \_\_\_\_\_  
22 Telephone: \_\_\_\_\_

23 Email: \_\_\_\_\_

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1 c. If applicable, Debtor has filed with this Motion the MMM Local Form “Third-  
2 Party Consent to Attend and Participate in Mortgage Modification Mediation”  
3 signed by each co-obligor/co-borrower/third party listed above.

4 4. Debtor:  has  has not (check one) previously sought Mortgage Modification  
5 Mediation for the subject property. (If previously sought in this or any other Chapter  
6 13 case, identify all bankruptcy case number(s) and result of Mortgage Modification  
7 Mediation(s): \_\_\_\_\_  
8 \_\_\_\_\_).

9 5. Debtor intends to (check all boxes that apply):

10  modify the mortgage on the Debtor’s primary residence.

11  modify the mortgage on Property that is not the Debtor’s primary residence.

12 6. Prior to filing this motion, Debtor has completed the initial loan modification forms  
13 completed using the court-approved Document Preparation Software, and collected  
14 the supporting documentation required for submission to Lender for review through  
15 the MMM Portal. Debtor has paid the Document Preparation Software fee to the  
16 approved vendor.

17 7. Prior to filing this motion, Debtor has determined that:

18  Lender is registered with the approved Mortgage Modification Mediation  
19 Portal (“MMM Portal”);

20  Lender is not registered. Debtor requests the Court require Lender, within  
21 seven days after the entry of the Order, to register with the MMM Portal and  
22 provide to the MMM Portal vendor any forms or documents which Lender  
23 may require to initiate a review under the MMM. The MMM Portal vendor  
24

1 shall post any such forms or documents to the Lender's profile on the MMM  
2 Portal.

3 8. Debtor requests Lender consider (check as many boxes as applicable):

4  a loan modification.

5  a deed in lieu of foreclosure.

6  surrender options.

7  other: \_\_\_\_\_.

8 9. IF DEBTOR IS REQUESTING NON-RETENTION (SURRENDER) OPTIONS:

9 a. Debtor will submit all additional documents required for surrender as  
10 provided for on the MMM Portal.

11 b. Debtor represents that the property  has or  has not been listed for sale.

12 10. Debtor has verified the eligibility of \_\_\_\_\_ to  
13 serve as a Mediator under the MMM Procedures and requests that the Court assign  
14 this individual as the Mediator in the case.

15 11. If the Debtor is represented by an attorney, Debtor remitted the required Mediator's  
16 fee pursuant to the MMM Procedures to the Debtor's attorney, or has made other  
17 arrangements with Debtor's attorney for payment of the Mediator's fee. Debtor  
18 understands and acknowledges that after the Mediator is assigned, the Mediator's fee  
19 is not refundable for any reason at any time.

20 12. If the Debtor is not represented by an attorney, the Debtor obtained a money order or  
21 a cashier's check to pay the required Mediator's fee pursuant to the MMM  
22 Procedures, and a copy of that money order or cashier's check is attached. Debtor  
23  
24

1 understands and acknowledges that after the Mediator is assigned, the Mediator's fee  
2 is not refundable for any reason at any time.

3 13. Within seven days after entry of an Order Granting Ex Parte Motion for Referral to  
4 Mortgage Modification Mediation Program, Debtor shall pay a non-refundable MMM  
5 Portal submission fee to the MMM Portal vendor and upload to the MMM Portal:

- 6 a. A copy of the Order referring the case to the MMM Program; and
- 7 b. Debtor's Prepared Package (prepared using the Document Preparation  
8 Software);

9 14. Within seven (7) days after entry of an Order Granting Ex Parte Motion for Referral  
10 to Mortgage Modification Mediation Program, Debtor shall identify the assigned  
11 Mediator on the MMM Portal.

12 15. Debtor will forward the Mediator's fee directly to the Mediator within seven (7) days  
13 after receiving initial contact and payment instructions from the assigned Mediator on  
14 the MMM Portal.

15 16. If Debtor is represented by counsel, Debtor consents to Lender communicating  
16 directly with Debtor's attorney for any and all aspects of the mortgage modification  
17 mediation program.

18 17. If Debtor is not represented by counsel, Debtor may be contacted at the following  
19 phone number(s) and email address: \_\_\_\_\_

20 \_\_\_\_\_.

21 WHEREFORE, Debtor requests that this Ex Parte Motion be granted and for such other  
22 and further relief as this Court deems proper.

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**DEBTOR'S VERIFICATION**

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury the foregoing is true and correct  
on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Debtor

Submitted by:

\_\_\_\_\_  
Attorney for Debtor(s) or Pro Se Debtor

Dated: \_\_\_\_\_