

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:)
)
[Name of Debtor(s)],) Case No. (xx-xxxxx)
Debtor (s).)

ORDER ON REQUEST FOR LOSS MITIGATION

The Court, after reviewing the Request for Loss Mitigation filed by the Debtor(s), finds that the motion conforms to General Order 22-0003 and hereby **grants** said motion.

It is hereby ORDERED that:

1. [If a portal has been designated by the Debtor and not opposed by the lender] The parties shall use the portal designated by the Debtor in its Request for Loss Mitigation.

Or

[If the lender has proposed an alternative portal] The parties shall use the portal designated by the Lender in its objection to the Request.

2. The parties shall comply with the following deadlines as set forth in General Order 22-0003:
 - a. A mortgage lender who is a party to loss mitigation pursuant to this order shall, within seven days after entry of this order, advise the Debtor of the documents required by the lender to consider a mitigation in addition to the documents listed in General Order 22-0003.
 - b. The Debtor shall, within seven days after the identification of the documents required by the lender, provide those documents (in the manner prescribed by the mortgage lender or through the portal designated by this order).
 - c. The mortgage lender shall, within fourteen days after the Debtor has submitted the required documentation:
 - i. acknowledge receipt of the information;
 - ii. report the mortgage lender's designated counsel for the loss mitigation, if any;
 - iii. notify the attorney for the Debtor of any incomplete, additional or updated information required to process the application.
3. [If a portal has been designated] All communication between the mediator and parties shall be sent through the portal.
4. Negotiations pursuant to this order shall commence within sixty days after the entry of an order granting loss mitigation and be concluded within one hundred twenty days of the order. Any extensions of the deadline for concluding loss mitigation may be granted only upon written motion and only for cause.
5. Negotiations shall be conducted via telephone on a conference call established by the Debtor. The Debtor and any co-obligor shall participate in each negotiation session

6. All communication and information exchanged during the negotiation session shall remain confidential and shall be inadmissible in any subsequent proceeding.
7. The Debtor shall, within three days after the conclusion of the loss mitigation process, notify the trustee of the terms of any settlement agreement.
8. The Debtor shall, within seven days after the conclusion of the loss mitigation process, file with the Court a report of settlement or impasse.
9. The Debtor shall, within twenty-one days after the conclusion of the loss mitigation process, file:
 - a. [If an agreement is reached] either a motion to approve a loss mitigation agreement, or a motion to approve a trail modification agreement, providing for payments to the mortgage lender to continue to be distributed via the trustee conduit and providing the same information required for a motion to modify mortgage by Local Rule B-4001-4;
 - b. [If no agreement is reached] an amended chapter 13 plan which provides for (i) the surrender of the real estate in question or (ii) the cure of any mortgage arrearage pursuant to 11 U.S.C. § 1322(b)(3) and the conduit payment of continuing mortgage payments.

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