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Mortgage Modification Mediation

The United States Bankruptcy Court for the Northern District of Florida has adopted uniform procedures for its Mortgage Modification Mediation (MMM) Program. This program applies to all bankruptcy Chapters and all types of real property, commercial and residential. MMM is uniform in most respects with the MMM programs in the U.S. Bankruptcy Courts for the Middle and Southern Districts of Florida. MMM has been streamlined to reduce costs, save time, and make it easier for the parties to facilitate a loan modification.

The Bankruptcy Court will not force any modification and will make no adjudication except with the consent of both parties. Any signed agreement reached at mediation must be approved by the Bankruptcy Court before it is binding and enforceable.

Details about this program may be found in the document [Uniform Mortgage Modification Mediation Procedures in the Bankruptcy Court for the Northern District of Florida](http://domain.com/sites/default/files/court_resources/mmm_procedures.pdf) (http://domain.com/sites/default/files/court_resources/mmm_procedures.pdf), which addresses filing deadlines, debtor records and financial requirements, formatting requirements, and fees.

Additional Resources:

Secure Online Communication Portal Address: <https://www.dclmwp.com/Home>
(<https://www.dclmwp.com/Home>)

List of Court Approved Mortgage Modification Mediators
(http://domain.com/sites/default/files/court_resources/flnb_approved_mediators.pdf)

Local Form A-9 (<http://domain.com/sites/default/files/forms/a9.pdf>) Application for Admission to Registry of Mediators Qualified Under the Florida Northern Mortgage Modification Mediation Program

Standing Order No. 20 (http://domain.com/sites/default/files/standing_orders/so20.pdf) Guidelines and Procedures for Mortgage Modification Mediators (Qualification Requirements)

Local Form 3 (<http://domain.com/sites/default/files/forms/lf3.pdf>) Verified Ex Parte Motion for Mortgage Modification Mediation ("MMM")

Local Form 3PS (http://domain.com/sites/default/files/forms/lf3_ps.pdf) Verified Ex Parte Motion for Mortgage Modification Mediation ("MMM")

Sample Order (http://domain.com/sites/default/files/forms/sample_mmm_order.pdf) Granting Motion for Referral to Mortgage Modification Mediation

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DATE: September 10, 2014
AMENDED: October 6, 2014
FROM: US Bankruptcy Court, Northern District of Florida
TO: Participants in Mortgage Modification Mediations in Bankruptcy
SUBJECT: Uniform Mortgage Modification Mediation Procedures in the Bankruptcy Court for the Northern District of Florida

Effective September 22, 2014, the Bankruptcy Court for the Northern District of Florida is adopting uniform mortgage modification mediation procedures (MMM). The following general terms apply:

1. MMM is available in all cases and for any type of real property.
2. A motion seeking MMM shall include, on the first page, a complete property address of the relevant property and the last four digits of the mortgage loan number(s). If this information is not included, the motion will be denied without prejudice, or abated until an amended motion containing the required information is filed.
3. No negative notice is required for a motion seeking MMM, but lenders may seek reconsideration for cause within 14 days of entry of an order directing MMM.
4. A motion seeking MMM shall be filed within 90 days of the filing or conversion of the case. The Court will enter an order directing MMM on timely filed motions. If the MMM motion is not timely filed, the Court will set a hearing and will grant the request only if good cause is demonstrated for the delay.
5. The parties will conclude the MMM process within 150 days of the filing or conversion of the case, unless that time is enlarged by written consent on the portal, by stipulation of the parties, or by Court order.
6. Parties shall have 14 days after the entry of the order directing MMM to jointly select a mediator qualified pursuant to Amended Standing Order No. 20 Guidelines and Procedures for Mortgage Modification Mediators or to object to the mediator selection process. If the parties cannot agree on a mediator, the Debtor will select a mediator, and the lender may file an objection within 7 days. If a timely objection to a mediator is filed, the Chapter 12 or 13 Trustee, or the Clerk in a Chapter 7 or 11, case will select the mediator from the Court's approved Mediator list, on a random, rotating basis.
7. Both Debtor and Lender each shall pay \$250.00 directly to the mediator within seven days of the designation of the mediator. Parties also shall equally pay the Mediator for any additional hourly fees incurred from MMM conferences that extend beyond two, one-hour sessions.
8. In an effort to expedite the exchange of information between the debtor and the lender, the Court has mandated the use of a secure online portal (the "MMM Portal")(e.g.

<https://www.dclmwp.com/Home>) for submission of documents to initiate the MMM and follow guidelines included in the Court's order directing MMM. Submitting documents to the MMM Portal provides transparency in the mortgage modification process making information immediately available to the parties. The Court encourages parties to consider using an on-line program that facilitates the preparation of the debtor's loan modification package ("Document Preparation Software"). The use of Document Preparation Software may further ensure that the initial submission to the lender is complete and accurate and expedite the lender's review. The use of an MMM Portal, especially together with Document Preparation Software, should eliminate the need for multiple submissions of documents that were not received and unnecessary delay based upon incomplete documentation

9. The parties may communicate outside the Portal orally, but all written communication shall occur through the Portal.

10. Parties may submit a proposed order simultaneously with a motion seeking approval of a *temporary* MMM agreement without need of negative notice or hearing.

11. Parties may use negative notice when filing a motion seeking approval of a *permanent* MMM agreement.

12. An order approving a permanent MMM agreement (i) shall be in a format that can be recorded in the public records of the county where the relevant property is located, and (ii) should be recorded by the Debtor within 90 days of the entry of the order, unless the parties agree otherwise.

13. In Chapter 12 and 13 cases, Debtors seeking MMM must provide adequate protection as directed in the Court's order directing MMM.

14. In Chapter 12 and 13 cases, the Court may confirm a plan of reorganization subject to pending MMM.

15. In Chapter 12 and 13 cases, Debtors seeking MMM must provide adequate protection to the lenders. Unless otherwise ordered by the Court: (1) for homestead properties, the Debtor must pay the Chapter 12 or 13 Trustee the lesser of (a) 31% of their gross disposable income (after deducting homeowner association fees), or (b) the normal monthly contractual mortgage payment; (2) for non-homestead property, the Debtor shall pay to the Chapter 12 or 13 Trustee 75% of all rental income generated by the property. The Trustee shall hold the funds pending either further order of the Court or a joint stipulation of the parties. In addition, with Chapter 12 and 13 cases, the Court may confirm a plan of reorganization subject to pending MMM.

16. Individuals who seek to modify a mortgage must have paid their bankruptcy filing fee in full prior to filing a motion to participate in MMM.

17. Once the Order authorizing MMM has been entered: 1. Any pending motion for stay relief with respect to property that is subject to MMM shall be continued until such time as the MMM has been concluded; the pendency of MMM constitutes good cause and compelling circumstances under 11 U.S.C. §362(e) to delay entry of any final decision on a pending request for stay relief. Any lender seeking relief prior to the conclusion of the MMM must file a motion requesting a hearing, setting forth the reasons why relief must be considered prior to conclusion of the MMM. 2. No motion for stay relief with respect to the property subject of the MMM may be filed on an ex parte basis.

18. The referral of a matter to MMM does not relieve the parties from complying with any other court orders or applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, Administrative Orders or Local Rules. Notwithstanding a mortgage modification matter being referred to MMM, the case shall not be stayed or delayed without further order of the Court.

19. If the debtor's case is otherwise in a posture for administrative closing, the case shall remain open during the pendency of MMM, unless otherwise ordered by the Court.

20. In the event the parties reach a final resolution or, if no agreement has been reached, without application to the Court, attorneys for debtors shall be permitted to charge an attorney's fee not to exceed \$2,500.00, and \$100.00 in costs for MMM, subject to the compensation requirements for the chapter under which the case is filed. The \$2,500.00 fee shall include: (a) Filing of the MMM Motion; (b) Preparation of all forms required for mediation; (c) Filing of other required pleadings and preparation of proposed orders, and settlement papers, as applicable; (d) Communicating with the lender and the mediator, including communications through the portal; (e) Attendance at all MMM conferences and Court hearings; and (f) Review of all modified loan documents.

United States Bankruptcy Court, Northern District of Florida
Court Approved Mortgage Modification Mediators

William R. Wohlsifer
1100 East Park Avenue, Ste. B
Tallahassee, FL 32301
(850) 219-8888

Sally B. Fox
30 South Spring Street
Pensacola, FL 32502
(850) 433-6581

Charles S. Isler, III
434 Magnolia Avenue
Panama City, FL 32401
(850) 769-5532

W. David Shearer, Jr.
2204 Paget Circle
Naples, FL 34112
(239) 775-0967

Patrick J. Mastronardo
P.O. Box 915797
Longwood, FL 32779
(407) 389-4270

Gary N. Feder, CPA
P.O. Box 249177
Coral Gables, FL 33124
(305) 667-7100

Kirsten Lindquist Rowe
685 SW 137th Way
Gainesville, FL 32669
(352) 225-1877

Elizabeth McCausland
545 Delaney Avenue, Ste. 7
Orlando, FL 32801
(407) 992-8824

Louis F. Ray, Jr.
118 West Cervantes Street
Pensacola, FL 32501
(850) 982-4347

Larry A. Matthews
114 E. Gregory St.
Pensacola, FL 32502
(850) 434-2200

William Earl McClure
13940 88th Terrace N.
Seminole, FL 33776
(727) 595-1973

Stacy Bressler
8201 Peters Road, Suite 1000
Plantation, FL 33324
(954) 557-5526

Marcia T. Dunn
555 N.E. 15th St., #934-A
Miami, FL 33135
(786) 433-3866

Steven Michaelson
P.O. Box 451231
Fort Lauderdale, FL 33345
(954) 224-3802

Tracy Jayne Fraiser
2209 NW 40 Terrace, Ste. A
Gainesville, FL 32605
(352) 682-0151

Sherri L. Allan
731 Oak Avenue
Panama City, FL 32401
(850) 914-2220

Richard S. Johnson
107 N. Partin Dr.
Niceville, FL 32578
(850) 279-6868

Leanne Levett
465 S Orlando Ave #130
Maitland, FL 32751
(407) 263-7865

Jodi Daniel Cooke
501 Commendencia Street
Pensacola, FL 32502
(850) 432-2451

Ida Roberts
7205 Somersworth Drive
Orlando, FL 32835
(407) 521-7787

**APPLICATION FOR ADMISSION
TO REGISTRY OF MEDIATORS QUALIFIED UNDER
FLORIDA NORTHERN MORTGAGE MODIFICATION MEDIATION PROGRAM**

1. Name: _____

2. Address: _____

City: _____ State: _____ Zip: _____

3. Phone: _____ 4. Email: _____

5. Date certified as a Florida Supreme Court Certified Circuit Court Mediator: _____

Proof of certification attached

6. Date completed training course of at least eight (8) additional hours focused on modifying residential mortgages in bankruptcy proceedings: _____ Proof of completion attached.

7. I agree to accept two (2) mortgage modification mediation assignments per calendar year when one or more of the parties cannot pay the mediation fee.

I certify that I meet the qualifications for membership to the Florida Northern mortgage modification registry as outlined in Standing Order No. 20 and that the foregoing statements are true and correct.

Date

Signature

YOU MUST attach appropriate proof of certification and training completion in conjunction with items 5 and 6.

Mail to:

FLNB Mediation Coordinator
United States Bankruptcy Court
110 East Park Ave., #100
Tallahassee, FL 32301

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA**

In Re:

Amended Standing Order No. 20

**Guidelines and Procedures for
Mortgage Modification Mediators**

Standing Order No. 20 signed on May 31, 2013, was entered in order to implement mortgage modification mediation for Chapter 13 Debtor(s) and allow for the local rules to be amended. The order is now being amended to reflect that the Mortgage Modification Mediation (MMM) Program is available in all cases and for any type of real property. In addition, the list of mediator qualifications below has been amended. All changes are effective September 22, 2014.

A. APPOINTMENT OF MORTGAGE MODIFICATION MEDIATORS

(1) **Qualifications of Mediator** - To qualify for service as a mortgage modification mediator, individuals must:

- (a) Be a Florida Supreme Court Certified Circuit Civil Court Mediator;
- (b) Have completed at least eight (8) hours of additional training focused on modifying residential mortgages in bankruptcy proceedings; and
- (c) Agree to accept two mediation assignments, involving at least one party not being able to pay the mediation fee, per calendar year.

(2) **Mediator Application Procedures** – The application for admission to the registry of qualified mortgage mediators is posted on the Court’s website. Completed applications shall be submitted by mail to the Clerk of Court, together with the following supporting documents:

- (a) Proof of current Florida Supreme Court Circuit Civil Mediator certification;
and
- (b) Proof of completion of at least eight (8) hours of additional training focused on modifying residential mortgages in bankruptcy proceedings.

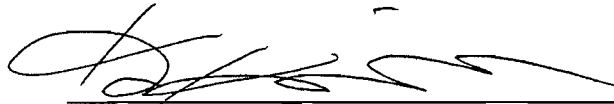
B. MEDIATION REGISTRY

(1) The Clerk of Court shall establish and maintain a registry of qualified persons to serve as mediators for mortgage modification in approved cases pending in the Court. This registry will be posted on the Court’s website.

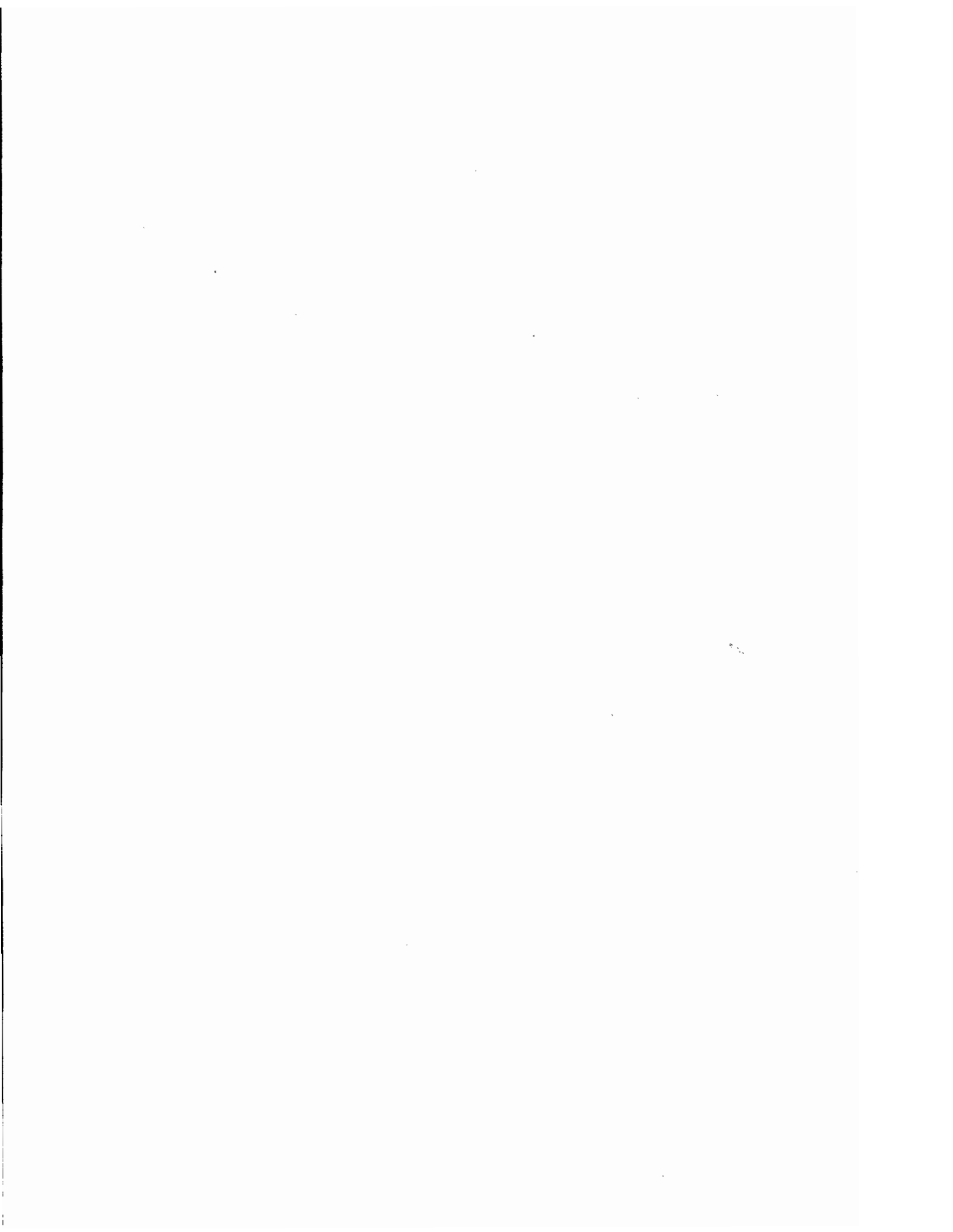
(2) **Removal** - The Clerk shall remove an approved mediator from the registry at the mediator's request or at the direction of the Court in the exercise of its discretion. If removed at the mediator's own request, the mediator thereafter may request to be reappointed to the registry without the necessity of submitting a new application. Upon receipt of such request, the Clerk shall reassign such qualified mediator to the registry.

(3) **Disqualification** - Any person selected as a mediator may be disqualified for bias or prejudice as provided in 28 U.S.C. § 144 and shall be disqualified in any action in which the mediator would be required to do so if the mediator were a judicial officer governed by 28 U.S.C. § 455.

DONE AND ORDERED in Tallahassee, Florida on October 6, 2014.



Karen K. Specie
United States Bankruptcy Judge



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA**

DIVISION

In re:

Case No.:

Chapter:

Debtor(s)

**VERIFIED EX PARTE MOTION FOR
MORTGAGE MODIFICATION MEDIATION ("MMM")**

The Debtor(s) request entry of an order referring the Debtor and Lender,

("Lender") to Mortgage Modification Mediation ("MMM"), and alleges:

1. Debtor is an individual who filed for bankruptcy relief under, or converted to chapter ____
on _____.
2. Debtor requests MMM for real property ("Property") located at the following street address:

a. The account number(s) for this Property is _____ (last four digits of all
account numbers for the same Lender).

b. The Property is (check one box):

The Debtor's primary residence

Not the Debtor's primary residence

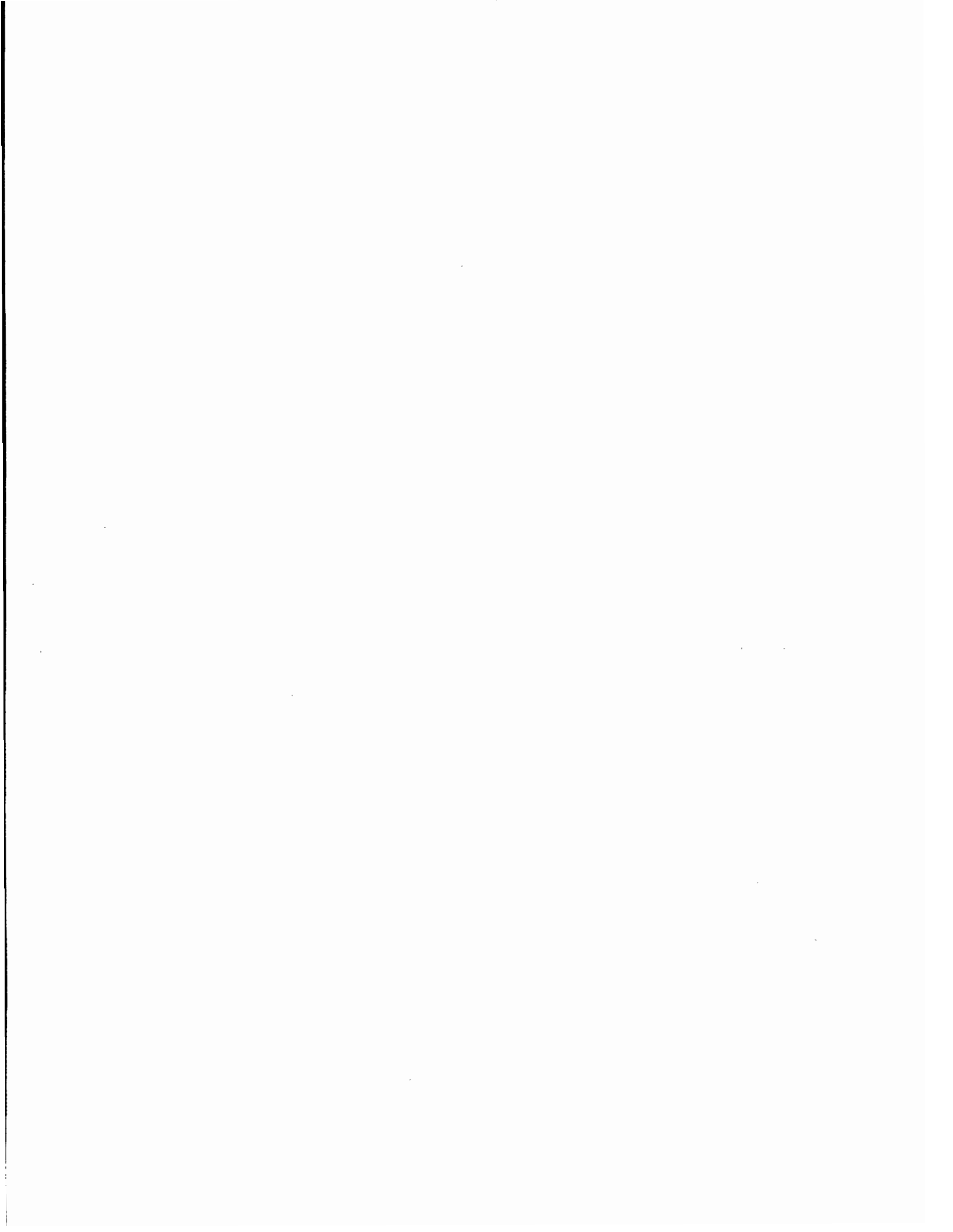
c. The Lender's full name and current address are:

** All references to "Debtor" shall include and refer to both debtors in a case filed jointly by two individuals.*

- d. Borrowers obligated on the promissory note and mortgage on the Property are:
- Debtor only
 - Debtor and non-filing co-obligor/co-borrower/third party (within ten (10) days of the date of this Order, debtor must provide Lender the names, addresses, telephone numbers, and email addresses, if any, of any non-Debtors who are co-obligors, co-borrowers, or third parties to the obligation(s) to be modified.)

3. **Debtor and debtor's counsel, if applicable, intends to comply with the procedures and guidelines contained within the Court's *Uniform District-wide Mortgage Modification Mediation Procedures* available at www.flnb.uscourts.gov/mortgage-modification-mediation.**

4. Debtor consents to Lender communicating directly with Debtor's attorney for any and all aspects of the MMM program. The parties may communicate outside the Portal orally, but all written communication shall occur through the Portal.
5. Prior to filing this motion, Debtor or Debtor's attorney has collected all of the required supporting documentation along with the appropriate modification forms via the MMM Portal. Within seven (7) days after the selection of a Mediator or the Lender's registration on the MMM Portal, the Debtor or Debtor's attorney shall upload and submit through the MMM portal all forms needed for MMM with the Lender, and shall pay the non-refundable MMM Portal submission fee; and will upload this Order to the MMM Portal as part of the submission of Debtor's documentation.
6. The Debtor certifies that the Debtor's portion of the required mediator's fee is in hand, or has been remitted to Debtor's attorney. Debtor understands and acknowledges that after the mediator is designated, the mediator's fee is not refundable for any reason at any time.



7. The Debtor's filing fee for this case and any prior case filed in this district has been paid in full or has been waived by court order.

Wherefore, Debtor requests the entry of an order granting this Ex Parte Motion, and requests such other and further relief as this Court deems just and proper.

_____	/s/ Attorney Name
Date	_____
	Bar No.:
	Firm Name
	Address
	City, ST Zip
	Phone and Fax
	Email

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

Joint Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the **Verified Ex Parte Motion for Mortgage Modification Mediation (MMM)** was served by U.S., first class Mail, upon the parties listed below on _____, 20____.

/s/ Attorney Name _____

Bar No.:

Firm Name

Address

City, ST Zip

Phone and Fax

Email

Copies to:

Lender (identify name of Lender and where notice sent)

Lender's Counsel (if known)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

Debtor*
_____ /

Case No.
Chapter

**ORDER GRANTING MOTION FOR REFERRAL
TO MORTGAGE MODIFICATION MEDIATION**

THIS CASE came on for consideration of Debtor's Motion for Referral to Mortgage Modification Mediation [Doc. No. #] (the "Motion"). Pursuant to the *Uniform Mortgage Modification Mediation Procedures in the Bankruptcy Court for the Northern District of Florida*, it is

ORDERED:

1. The Motion is granted.
2. The property address is _____.
3. The Lender's name is _____ (the "Lender").
4. The loan number(s) applicable to the Lender and to this proceeding is _____.
5. Objections to Mortgage Modification Mediation ("MMM"). Lender may seek reconsideration for cause of this Order by written motion filed within 14 days after entry of this Order. If a timely motion for reconsideration is filed, the Court will set a hearing, and all deadlines in this Order are suspended pending resolution of the motion.
6. Selection of Mediator. Parties shall have 14 days after entry of this Order to jointly select a Mediator qualified pursuant to Standing Order No. 20 *Guidelines and Procedures for Mortgage Modification Mediators*. If the parties cannot timely agree on a Mediator, the Debtor will select the Mediator, and the Lender may file an objection within seven days. If a timely objection to a Mediator is filed, the Chapter 12 or 13 Trustee or the Clerk in a Chapter 7 or 11 case will appoint the Mediator from the Court's list of approved Mediators on a random, rotating basis. If the Debtor is not represented, the Court may select a Mediator.

7. Mediator Fees. Both Debtor and Lender each shall pay \$250 directly to the Mediator within seven days of the designation of the Mediator. Parties also shall equally pay the Mediator for any additional hourly fees incurred from MMM conferences that extend beyond two, one-hour sessions.
8. MMM Portal. Parties must use a secure Portal (e.g. <https://www.dclmwp.com/Home>) for the submission of all documents related to the MMM process. A fee must be paid by the Debtor or Debtor's attorney during the Portal registration process. Any Lender ordered to participate in the MMM process shall register and post on the Portal those documents required by that Lender for the mediation to proceed and designate its single point of contact and outside legal counsel, if any, within seven days after entry of this Order. If the Lender fails to register and is represented by counsel in this case, the Debtor may file a motion with the Court seeking sanctions for Lender's failure to post the needed information on the Portal. The parties may communicate outside the Portal orally, but all written communication relating to the MMM process shall occur through the Portal. Any litigated matters incidental to the mediation are considered separate matters, and parties are not required to use the Portal for these separate matters.
9. Identification of Mediators. Debtor shall identify the Mediator on the Portal within seven days of the Mediator's selection.
10. Submission of Documents on Portal. No later than seven days after identifying the Mediator on the Portal or confirming that the Lender is registered on the Portal, whichever occurs later, the Debtor shall a) pay the Portal fee, b) upload a copy of this Order to the Portal, and c) submit all documents and financial information requested by the Lender to the Portal. Within 14 days thereafter, the Lender shall acknowledge receipt of the Debtor's information and advise the Debtor of any additional or missing information needed by the Lender to proceed with its review. Debtor must supply any missing or additional information to the Lender via the Portal within seven days from the time of the Lender's request.
11. Scheduling Mediation. Within 14 days of the selection of the Mediator, the Mediator shall work diligently with the parties to coordinate a mutually convenient date, time, and place of the mediation. All parties must attend and continuously participate in all mediation sessions.
12. Conclusion of Mediation within 150 Days. Parties will conclude the MMM process within 150 days of the filing or conversion of the case, unless that time is enlarged by written consent on the Portal, by stipulation of the parties, or by Court order.
13. Settlement Authority. All parties in attendance at mediation must have full settlement authority (within investor guidelines) and will attend and continuously participate in all scheduled mediation sessions.
14. Video or Telephonic Attendance. Parties may participate in mediation sessions by telephone or video with the Mediator's approval. Debtor shall provide a foreign language interpreter, if necessary, at the Debtor's expense. All parties not physically present must be ready,

willing, and able to sign a binding settlement agreement by facsimile, email, or other electronic means at the time of mediation.

15. Lender Obligations. Lender shall timely underwrite the loan modification request. If the Lender transfers the loan, the Lender must provide a copy of this Order to the Successor Lender, who is obligated to comply with all terms of this Order and is bound by all agreements, whether interim or final.

16. Mediator Obligations. The mediator shall:

- a. Be governed by the standards of professional conduct set forth in the Florida rules for certified and court-appointed mediators and shall have judicial immunity in the same manner and the same extent as a judge;
- b. Receive compensation in the amount of \$250.00 each from the Debtor and the Lender within seven days of the designation of the mediator for preparation for the mediation, execution of required documents, facilitation of document and information exchange between the parties, and participation in no more than two one-hour conferences;
- c. Receive compensation equally from the parties at an agreed hourly rate for any MMM conferences that extend beyond two one-hour conferences;
- d. Login to the MMM portal within seven days after designation and use the Portal to facilitate the exchange of information of additional documentation between the Parties in an effort to perfect the documents needed for Lender to complete its review;
- e. Report on the Portal the scheduling of all mediation sessions and maintain a log of attendees at each session;
- f. If a required party is not present, the mediator shall report the non-appearance of that party on the written roll;
- g. If the mediator determines that the Lender's representative present does not have full authority to settle, the mediator shall report that the Lender's representative did not appear on the written roll as a representative with full settlement authority as required by this order; and
- h. File with the Court a final report not later than seven days after conclusion of the final mediation session indicating whether an agreement was reached or not. Parties are directed to promptly seek any necessary court approval for the mortgage modification and to formalize the modification in any needed legal documents.

17. Privileged Communications. All oral or written statements made by the parties, attorneys, and other participants at or associated with the mediation are privileged and confidential

except that the log of attendees maintained by the Mediator is not confidential. All confidential statements shall not be reported, recorded, placed into evidence, made known to the Court, or construed for any purposes as an admission. No party shall be bound by any statement made or action taken at the mediation conference unless an agreement is reached.

18. Written Role. The written roll and communication of authority of the mediation is not a mediation communication. If a mediation does not occur because a party fails to attend or the creditor(s)' representative lacks settlement authority, the Court may order the non-attending party to physically appear at all future scheduled mediations, tax costs of another mediation to the non-attending party, or impose other sanctions as the Court deems appropriate, including entering an Order Granting the Modification of the Mortgage substantially complying with the HAMP guidelines or awarding attorney's fees and costs to the opposing party.
19. Stay Modified to Allow Loan Modification. The automatic stay is modified, to the extent necessary, to facilitate the MMM process. Participation in mediation conducted pursuant to this Order does not preclude participation in state court foreclosure mediation.
20. Pending Motions for Stay Relief. Any pending motion for stay relief with respect to property that is subject to MMM shall be continued until such time as the MMM has been concluded; the pendency of MMM constitutes good cause and compelling circumstances under 11 U.S.C. §362(e) to delay entry of any final decision on a pending request for stay relief. Any lender seeking relief prior to the conclusion of the MMM must file a motion requesting a hearing, setting forth the reasons why relief must be considered prior to conclusion of the MMM. No motion for stay relief with respect to the property subject of the MMM may be filed on an ex parte basis.
21. Adequate Protection Payments in Chapter 12 and 13 Cases. In Chapter 12 and 13 cases, Debtors seeking MMM must provide adequate protection to the Lenders. Unless otherwise ordered by the Court: (1) for homestead properties, the Debtor must pay the Chapter 12 or 13 Trustee the lesser of (a) 31% of their gross disposable income (after deducting homeowner association fees), or (b) the normal monthly contractual mortgage payment; (2) for non-homestead property, the Debtor shall pay to the Chapter 12 or 13 Trustee 75% of all rental income generated by the property. The Trustee shall hold the funds pending either further Order of the Court or a joint stipulation of the parties. In addition, with Chapter 12 and 13 cases, the Court may confirm a plan of reorganization subject to pending MMM.
22. Attorney Fees. In the event the parties reach a final resolution or, if no agreement has been reached, without application to the Court, attorneys for debtors shall be permitted to charge an attorney's fee not to exceed \$2500.00, and \$100.00 in costs for MMM, subject to the compensation requirements for the chapter under which the case is filed. The \$2500.00 fee shall include: (a) Filing of the Motion and proposed Order; (b) Preparation of all forms required for mediation; (c) Filing of other required pleadings and preparation of proposed orders, and settlement papers, as applicable; (d) Communicating with the lender and the mediator, including communications through the portal; (e) Attendance at all MMM conferences and Court hearings; and (f) Review of all modified loan document.

23. Other Matters. The referral of a matter to MMM does not relieve the parties from complying with any other court orders or applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, Administrative Orders or Local Rules. Notwithstanding a mortgage modification matter being referred to MMM, the case shall not be stayed or delayed without further order of the Court.
24. Abatement of Payment Changes and Deferral of 3002.1 Notices. All changes to the regular contractual mortgage payments are abated and all notices required by Bankruptcy Rule 3002.1 (b) and (c) are deferred pending the conclusion of the MMM process, including during any trial payment period.
25. Good Faith Requirement. All parties are directed to comply with this Order and to engage in the MMM process in good faith. Failure to do so may result in the imposition of damages and sanctions.
26. Extension of Deadlines. Any of the deadlines imposed by this Order may be extended by order of the Court.
27. Parties Directed to Comply. If any parties or their counsel fail to comply with the terms of this Order, the Court will consider a motion to vacate this Order and also may impose sanctions.

DONE AND ORDERED at Tallahassee, Florida this _____.

Karen K. Specie
U.S. Bankruptcy Judge

Service:

Movant's Attorney is directed to serve a copy of this order on interested parties and file a Proof of Service within 3 days of entry of the order.

*All references to "Debtor" shall include and refer to both the Debtors in a case filed jointly by two individuals.