

United States Bankruptcy Court, District of Nevada

Mortgage Modification Mediation

The United States Bankruptcy Court for the District of Nevada has adopted uniform procedures for its Mortgage Modification Mediation (MMM) Program. This program applies to Las Vegas Chapter 13 bankruptcy filings and all types of real property, commercial and residential.

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.

The **Administrative Order 2014-08** (<http://www.nvb.uscourts.gov/downloads/rules/admin-order-2014-08.pdf>), effective January 1, 2015, authorizes the use of a bankruptcy mediation program that will be available for Las Vegas chapter 13 cases.

Email Subscription

To receive **Mortgage Modification Mediation updates**, enter your email address below.

Email *

submit

The Nevada Bankruptcy Court may not refer you to any individual attorney and is not permitted to give you legal advice of any nature.

Below is a list of contacts that may be able to assist you.

- <http://www.nvb.uscourts.gov/filing/filing-pro-se/legal-services/> (<http://www.nvb.uscourts.gov/filing/filing-pro-se/legal-services/>)
- Mortgage Modification Mediation Portal Default Mitigation Management Loss Mitigation
Phone: 1-800-481-1013
There are tutorial videos in the Portal.
- Trustee Rick Yarnall Email: mmmyarnall@Lasvegas13.com (<mailto:mmmyarnall@Lasvegas13.com>)
Trustee Kathy Leavitt Email: mmmleavitt@las13.com (<mailto:mmmleavitt@las13.com>)

Mortgage Modification Mediation Resources

- **Administrative Order 2014-08: Mortgage Modification Mediation** (<http://www.nvb.uscourts.gov/downloads/rules/admin-order-2014-08.pdf>)
- **CM/ECF Docketing of Mortgage Modification Mediation Documents** ([docketing/](#))
- **Mortgage Modification Mediation Program Procedures** ([procedures/](#))
- **Mortgage Modification Mediation Program Forms** ([forms/](#))

Mortgage Modification Mediation Mediators

- **Mediator Registry** ([mediators/](#))
- **Mediator Forms** ([application/](#))

Mortgage Modification Mediation Portal Resources

- **Mortgage Modification Mediation Portal Default Mitigation Management Loss Mitigation** (<http://www.nvb.uscourts.gov/site-exit-disclaimer.html?https://www.dclmwp.com/Home>)
- **Mortgage Modification Mediation Document Preparation Software docUmods** (<http://www.nvb.uscourts.gov/site-exit-disclaimer->)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

EFFECTIVE
January 1, 2015

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In re:

MORTGAGE MODIFICATION
MEDIATION

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ADMINISTRATIVE ORDER 2014-08

The Court, being aware of bankruptcy mediation programs which have successfully enabled mortgage modifications and confirmation of chapter 13 plans, hereby issues this Administrative Order effective January 1, 2015:

1. A Mortgage Modification Mediation program (“MMM”) is adopted in accordance with 11 U.S.C. § 105(a), and shall be implemented by the MMM Program Procedures and Forms which will be posted on the Court’s website.

2. MMM shall be effective for:

A. Las Vegas Chapter 13 cases filed or converted to an eligible chapter 13 on or after January 1, 2015, as set forth in the MMM Program Procedures; or

B. Las Vegas Chapter 13 cases filed before January 1, 2015, provided that debtor(s) file a motion requesting participation in the MMM program on or before March 31, 2015, and give notice to the lender with an opportunity to be heard.

3. The compensation and cost amounts allowed for participants in the MMM program shall be set forth in the MMM Program Procedures and Local Forms, and may be amended from time to time as provided under paragraph 5 of this Administrative Order.

4. In accordance with the MMM Program Procedures, any attorney fee's and attorney's costs required to be paid by the debtor for participation in the MMM Program, shall be paid through the Chapter 13 Trustee upon an ex parte application and order.

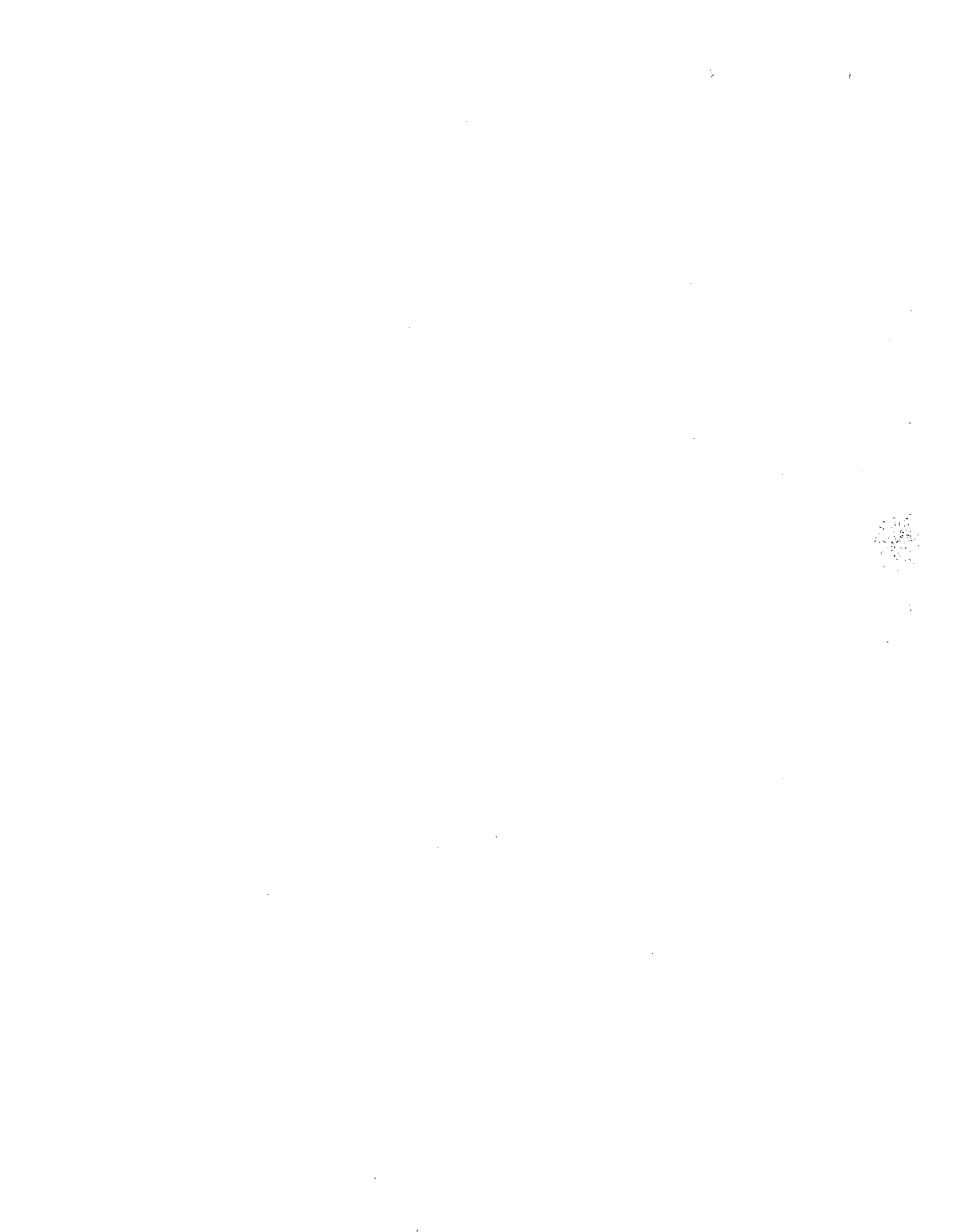
5. The Court may modify the MMM Procedures and Forms from time to time without prior notice. Changes to the procedures and/or forms will be posted on the Court's website.

6. Copies of this Administrative Order and MMM Program Procedures and forms shall be posted on the Court's website and also may be obtained from the Clerk's Office.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Mike K. Nakagawa', is written over a horizontal line.

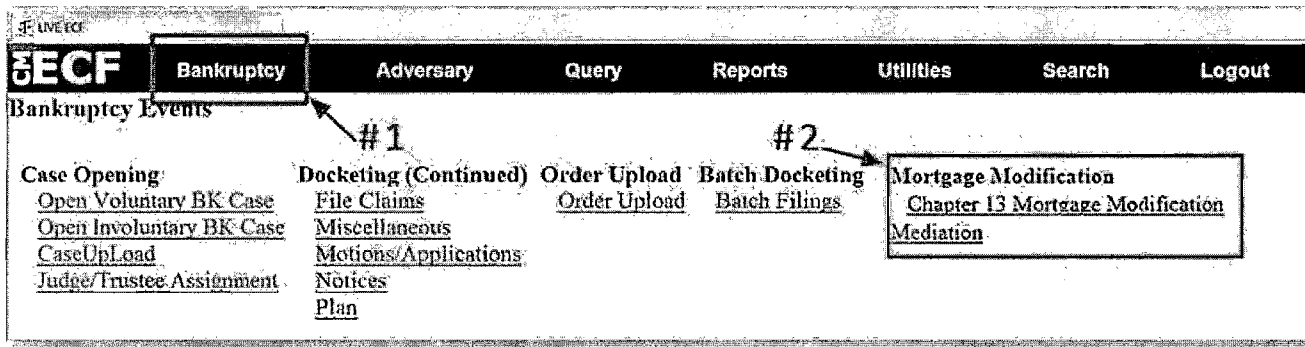
Honorable Mike K. Nakagawa
Chief Judge of the Bankruptcy Court, District of Nevada



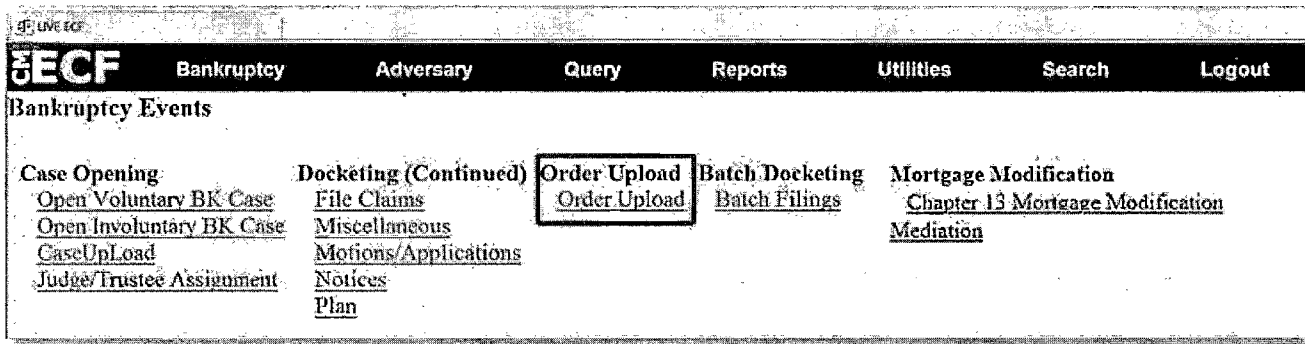
United States Bankruptcy Court, District of Nevada

CM/ECF Docketing of Mortgage Modification Mediation Documents

The Mortgage Modification Mediation CM/ECF events can be found on the **Mortgage Modification** menu under **Bankruptcy (#1)**. Click on **Chapter 13 Mortgage Modification Mediation (#2)** to enter a case number and see a list of the events.



To docket Orders, click the Order Upload link.



Questions/Help

For CM/ECF related questions, please contact ECF Support at (866) 232-1266.

MORTGAGE MODIFICATION MEDIATION PROGRAM PROCEDURES

Effective January 1, 2015 as provided under Administrative Order 2014-08

I. PURPOSE - These procedures and forms implement the Mortgage Modification Mediation (MMM) program established under Administrative Order 2014-08. This program is designed to function as a forum for individual debtor to explore mortgage modification options with their lenders for real property in which the debtor have an interest or are obligated on the promissory note or mortgage. The goal of MMM is to facilitate communication and exchange of information in a confidential setting and encourage the parties to finalize a feasible and beneficial agreement under the supervision of the United States Bankruptcy Court for the District of Nevada. Mortgage Modification Mediation options include modification of a mortgage or surrender of real property owned by an individual debtor.

II. DEFINITIONS

A. Required parties - the term “required parties” shall include, when applicable the debtor ; debtors’ attorney; lenders; lenders’ Nevada legal counsel; co-obligor; co-borrower; any third party, and the mediator. A required party may be excused from the MMM program upon approval of the bankruptcy court.

B. Lender - the term lender shall be deemed the current beneficiary and payee of the promissory note secured by the deed of trust, and/or its mortgage servicing agent.

C. Debtor – debtor includes both debtors in a joint petition.

III. DEBTORS ELIGIBLE TO PARTICIPATE

A. Subject to implementation provisions set forth in Administrative Order 2014-08, individuals who have filed for bankruptcy protection and currently have a case pending under chapter 13 are eligible to participate in MMM with respect to real property. The party seeking MMM shall include the address of the relevant property and the last 4 digits of the mortgage loan number in the MMM motion. The debtor shall set aside \$380.00 for the MMM Portal, MMM Document Preparation Software, and mediator fees.

B. A party seeking MMM shall serve on all required parties and the chapter 13 trustee a copy of the applicable motion for referral to MMM, and by a separate document, which shall not be filed with the court, providing as much of the following information as possible:

1. The common street address of the property to be modified;
2. The legal description of the property;
3. The name and address of the original lender;
4. The lenders complete loan number;
5. The name and address of the current assignee of the subject matter loan;
6. The address to which debtor send payments to; and

7. The name and address of lenders' legal counsel, if any.

C. Debtor who seek to modify a mortgage must pay their bankruptcy filing fee in full prior to filing a motion to participate in MMM.

IV. MORTGAGE MODIFICATION MEDIATION PORTAL AND DOCUMENT PREPARATION SOFTWARE

A. 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") and an on-line program that facilitates the preparation of the debtor's loan modification package ("Document Preparation Software"). The current Document Preparation Software vendor approved by the court is Default Mitigation Management LLC (DMM), whose software can be obtained at www.documods.com. In the event other vendors are approved by the court, those vendors will be listed on the court's website. Submitting documents to the MMM Portal provides transparency in the mortgage modification process making information immediately available to the parties through a secure internet site. The use of the Document Preparation Software further ensures that the initial submission to the lender is complete and accurate and should expedite the lender's review. The use of the MMM Portal and Document Preparation Software eliminates the need for multiple submissions of documents that were not received and unnecessary delay based upon incomplete documentation.

B. Unless otherwise permitted by the court, all written communication between the parties regarding the mediation must be sent exclusively through the MMM Portal. The current MMM Portal provider approved by the court is managed and maintained by Default Mitigation Management LLC (DMM), which can be accessed at www.dclmwp.com. Free training on the use of the MMM Portal shall be available to all attorneys and lenders. The court's web page on MMM also includes MMM Portal training materials on mortgage modification, including contact information for the portal vendor and information on the Document Preparation Software. Any litigated matters incidental to the mediation shall be considered as separate matters and not subject to the portal communication requirement. (For example, a motion to compel mediation or motions related to discovery must be filed in the main bankruptcy case, not through the portal.)

V. **REQUEST FOR ORDER OF REFERRAL TO MMM** - Unless otherwise ordered by the court, requests for an order of referral to MMM must be filed within 90 days of the petition date. For chapter 13 bankruptcy cases filed prior to January 1, 2015, requests for an order of referral to MMM must be filed no later than March 31, 2015.

A. BY DEBTOR

1. **REQUIREMENTS FOR FILING EX PARTE MOTION** - A debtor seeking entry of an order of referral to MMM within 90 days of filing the Voluntary Petition may seek entry of an ex parte order of referral by filing the MMM Local Form "Debtor's Verified Ex Parte Motion for Referral to Mortgage Modification Mediation" ("Ex Parte Motion") and attach as an exhibit the Local Form "Order on Debtor's Ex Parte

Motion for Referral to Mortgage Modification Mediation” (“Ex Parte Order”). The debtor shall serve the Ex Parte Motion and proposed Ex Parte Order on the trustee, lender, lender’s counsel, if applicable, and any other required parties, and upload the Ex Parte Order to the court’s CM/ECF. Prior to filing the Ex Parte Motion:

- (a) The non-refundable Document Preparation Software fee of \$40.00 shall have been paid directly to the approved vendor.
- (b) Debtor’s initial loan modification forms shall have been completed using the court approved Document Preparation Software and ready for signature and submission. This includes collecting debtor’s required supporting documentation in order to submit debtor’s initial package (“Debtor’s Prepared Package”) to the lender for review through the MMM Portal.

2. ENTRY OF ORDER OF REFERRAL – DEADLINES FOR SEEKING RECONSIDERATION - Upon filing of the Ex Parte Motion, the court shall enter the Ex Parte Order. The Ex Parte Order shall establish a 14 day deadline for the lender to seek reconsideration of the Order (“Reconsideration Deadline”). If a timely motion for reconsideration is filed, the moving party will promptly schedule a hearing.

3. PROCESS FOR SELECTION OF MEDIATOR - The parties shall, in consultation with one another, select a mediator by the later of (i) the Reconsideration Deadline, or (ii) 14 days after the entry of an order denying the motion for reconsideration, if a timely motion for reconsideration is filed (such period of time, the “Mediator Selection Period”).

- (a) If the parties agree on the selection of a mediator during the Mediator Selection Period, the debtor shall file the MMM Local Form “Debtor’s Notice of Selection of Mortgage Modification Mediator” (Check Box 1 and insert mediator name and contact information), serve a copy of the Notice on all required parties, and file a Certificate of Service pursuant to Local Rule 2002.
- (b) If the lender fails to communicate with the debtor during the Mediator Selection Period, the debtor shall, within 7 days, independently select a Mediator and file the MMM Local Form “Debtor’s Notice of Selection of Mortgage Modification Mediator” (Check Box 2 and insert mediator name and contact information), serve a copy of the Notice on all required parties, and file a Certificate of Service pursuant to Local Rule 2002. In this instance, it shall be deemed that the lender has waived the right to challenge debtor’s selection of a mediator.
- (c) If the parties attempt to reach agreement on the selection of a mediator, but fail to do so during the Mediator Selection Period, the debtor shall file the MMM Local Form “Debtor’s Notice of Selection of Mortgage Modification Mediator” (Check Box 3 indicating the impasse), serve a copy of the Notice on all required parties, and file a Certificate of Service pursuant to Local

Rule 2002. The clerk shall then randomly select a mediator from the clerk's Mediation Register, in accordance with section XII below without the necessity of a hearing. The clerk shall serve notice of the mediator selection on the required parties using the MMM Local Form "Notice of Clerk's Designation of Mortgage Modification Mediator." Any challenge to the clerk's designation of mediator shall be resolved in accordance with section XII (B)(3) below.

4. FILING A REQUEST OUT OF TIME ON NEGATIVE NOTICE

- (a) A debtor seeking to initiate MMM later than 90 days from the date of filing the Voluntary Petition must file the MMM Local Form "Debtor's Verified Out of Time Motion for Referral to Mortgage Modification Mediation" ("Out of Time Motion"), and attach as an exhibit the MMM Local Form Order on Debtor's Verified Out of Time Motion for Referral to Mortgage Modification Mediation ("Order"). The motion must state the reason the debtor did not initiate the MMM within the first 90 days. The debtor shall serve the Out of Time Motion and proposed order on the trustee, lender, lenders' counsel, if applicable, and any other required parties and upload the Order to the courts' CM/ECF. A Certificate of Service must also be filed pursuant to Local Rule 2002.
- (b) Prior to filing the Out of Time Motion:
 - (i) The non-refundable Document Preparation Software fee of \$40.00 shall have been paid directly to the approved vendor.
 - (ii) Debtor's initial loan modification forms shall have been completed using the court approved Document Preparation Software and ready for signature and submission. This includes collecting debtor's required supporting documentation in order to submit debtor's initial package ("Debtor's Prepared Package") to the lender for review through the MMM Portal.
- (c) The lender shall have 14 days from the date of service of debtor's Out of Time Motion to file a response. Failure by the lender, or other party who has been properly served with the Out of Time Motion, to file a timely response shall be deemed to have consented to the entry of the Order. Within 7 days after the expiration of the 14 day response deadline, the debtor shall file the MMM Local Form "Certificate of No Response and Request for Entry of Order." The lender may also file the MMM Local Form "Lender's Consent to Attend and Participate in Mortgage Modification Mediation" at any time after filing of the Negative Notice Motion.
- (d) If the lender or other party served with the Out of Time Motion files a timely response, the opposing party shall properly schedule and notice a hearing on

the response.

- (e) If the court grants the debtor's Out of Time Motion, the Order shall establish a 14 day deadline for selection of a mediator in accordance with section V (A)(3) above.

B. BY A LENDER

1. A lender may request referral to MMM by filing and serving upon the debtor, and debtor's counsel if applicable, a motion and notice of hearing requesting referral to MMM, together with a proposed order that substantially conforms to the MMM Local Forms.
2. The lender must file a Certificate of Service pursuant to Local Rule 2002. The debtor shall have 14 days from the date of service of the motion to file a written response. If the debtor fails to file a response objecting to the lender's motion, the court may enter the Order or, if the debtor is not represented by counsel, the lender shall set the matter for hearing on no less than 21 days' notice.
3. If the lender's motion for referral to MMM is granted, the Order shall establish a 14 day deadline for the parties to agree upon the selection of a mediator. Within 7 days after expiration of the 14 day deadline, if the parties agree on the selection of a mediator, the debtor shall file the MMM Local Form "Debtor's Notice of Selection of Mortgage Modification Mediator" (Check Box 1 and insert mediator name and contact information), serve a copy of the Notice on all required parties, and file a certificate of service pursuant to Local Rule 2002.
4. If the parties fail to agree, within 7 days after expiration of the 14 day deadline, the debtor shall file the MMM Local Form "Debtor's Notice of Selection of Mortgage Modification Mediator" (Check Box 3 indicating the impasse), serve a copy of the Notice on all required parties, and file a certificate of service pursuant to Local Rule 2002. The clerk shall then randomly select a mediator from the clerk's Mediation Register pursuant to section XII below, without the necessity of a hearing. The clerk shall serve notice of the mediator selection on the required parties using the MMM Local Form "Notice of Clerk's Designation of Mortgage Modification Mediator." Any challenge to the clerk's designation of mediator shall be resolved in accordance with section XII (B)(3) below.

VI. ADDITIONAL PARTIES, CO-OBLIGORS/CO-BORROWERS, OR OTHER THIRD PARTIES - Any co-obligor, co-borrower or other third party obligated on the note or mortgage, must participate in the MMM process. If the participation of a co-obligor, co-borrower or other third party is necessary, any party may request that such co-obligor, co-borrower or other third party participates in MMM. The co-obligor, co-borrower or other third party shall sign, and the debtor shall file, simultaneously with the debtor's Ex Parte Motion, the MMM Local Form "Third Party's Consent to Attend and Participate in Mortgage Modification Mediation."

VII. ORDER OF REFERRAL TO MORTGAGE MODIFICATION MEDIATION - Upon entry of the Order the moving party shall serve the Order on the required parties, including the designated mediator, once determined, and file a certificate of service pursuant to Local Rule 2002. The parties are required to comply with all deadlines set forth in the Order. Any deadlines imposed by the Order may be extended by order of the court or by stipulation of the parties. The parties are required to participate in MMM in good faith and may be subject to possible sanctions by the court for violation of this requirement including, vacating the order.

A. DEBTOR REQUIREMENTS

1. Within 7 days after filing the Debtor's Notice of Selection of Mortgage Modification Mediator (or Notice of Clerk's Designation of Mortgage Modification Mediator) or the lender's registration on the MMM Portal, whichever occurs later, the debtor shall upload and submit through the MMM Portal the Debtor's Prepared Package together with any additional forms or documents identified in lenders Initial Package, and pay a non-refundable MMM Portal submission fee in the amount of \$40.00. As part of the debtor's submission to the MMM Portal, the debtor shall also upload a copy of the Order to the MMM Portal and identify the designated Mediator on the MMM Portal. The debtor shall also pay a non-refundable fee in the amount of \$300.00 directly to the mediator.
2. If the debtor fails to comply with any of the requirements in Section VII (A)(1), the court may consider vacating the Order upon motion by the lender and after notice and hearing.

B. LENDER REQUIREMENTS

1. Within 7 days after entry of the Order (or after all motions for reconsideration have been heard and determined), the lender, if not already registered on the MMM Portal, shall ensure that it is registered, and if the lender has Nevada legal counsel, that the lender's counsel is registered as well. (Registration on the MMM Portal is a one-time event - i.e., once the lender is registered on the MMM Portal, the lender will not have to register again).
2. As part of the lender's initial registration on the MMM Portal, the lender shall provide all of the lender's initial mortgage modification requirements ("Lender's Initial Package") to the MMM Portal vendor so that the MMM Portal vendor may post the same to the MMM Portal on behalf of the lender. Lender's Initial Package shall specify the forms and documentation the lender requires to initiate a review of debtor's request for mortgage modification options.
3. If the lender transfers the loan, the lender must provide a copy of the Order to the new holder of the loan ("Successor Lender"), and the Successor lender will be obligated to comply with all terms of the Order.
4. Within 7 days after delivery of the information provided for in section VII (A)(1) above, the lender shall, on the MMM Portal; (i) acknowledge receipt of debtor's

information and advise debtor of any additional or missing information required for lender to proceed with its review; and (ii) designate its single point of contact and its Nevada legal counsel, if any. Such lender's counsel or representative shall have the authority (within the investor's guidelines) to settle and will attend and continuously participate in all MMM conferences in the case. The lender shall timely underwrite the loan modification request. The lender shall also pay a non-refundable fee in the amount of \$300.00 directly to the mediator.

C. MEDIATOR REQUIREMENTS

1. The designated mediator shall, within 7 days of designation, or within 7 days after the debtor has complied with requirements in section VII (A)(1) above, log in to the MMM Portal to facilitate the exchange of information and documentation between debtor and lender in an effort to perfect the documentation needed for lender to complete its analysis of debtor's mortgage modification options.
2. The mediator may contact the parties in whichever manner the parties and mediator agree to communicate.
3. The mediator shall schedule the initial MMM conference no later than 7 days after the mediator determines that the lender has received and reviewed all the required information through the MMM Portal. In the event the mediator cannot determine that the lender has received and reviewed all the required information, the mediator shall schedule the initial MMM conference within 90 days of entry of the Order. The initial MMM conference shall not exceed 1 hour. The mediator shall report the scheduling of any MMM conference on the MMM Portal.

VIII. MORTGAGE MODIFICATION MEDIATION CONFERENCE - All required parties must attend the MMM conference and be authorized to settle all matters requested in the motion.

A. DEBTOR

1. A debtor represented by an attorney, and any co-obligor, co-borrower or other third party obligated on the note or mortgage, may participate in the MMM conference by telephone provided they are physically present with debtor's attorney and present identification to debtor's attorney during all MMM conferences. **The debtor shall provide a foreign language interpreter, if necessary, at the debtor's own expense.**
2. A self-represented debtor, and any co-obligor, co-borrower or other third party obligated on the note/mortgage, must be physically present with the mediator at the mediator's selected location and present identification to the mediator for all MMM conferences. **The debtor shall provide a foreign language interpreter, if necessary, at the debtor's own expense.**

B. LENDER - The lender and lender's representative may participate in the MMM conference by telephone.

C. SETTLEMENT AGREEMENT - All parties attending the MMM conference shall be ready, willing and able to sign a binding settlement agreement at the MMM conference and have the ability to scan, send and receive documents by facsimile, email or other electronic means at the time of the MMM conference.

D. PROCEDURE

1. The initial MMM conference shall not exceed 1 hour. In the event the parties are unable to reach an agreement and require a second MMM conference, the mediator shall schedule a final MMM conference not later than 30 days thereafter. The second MMM conference shall not exceed 1 hour.
2. The mediator may, upon written agreement of the parties, continue the MMM conference, if necessary, beyond the 2 one-hour MMM conferences.
3. MMM shall be concluded not later than 150 days from the date of the Order, unless extended by written consent filed on the MMM Portal, or, as provided in section VII, by court order or by stipulation of the parties.

E. CONFIDENTIAL COMMUNICATION

1. All communication and information exchanged during the MMM conference shall remain confidential and shall be inadmissible in any subsequent proceeding pursuant to Rule 408 of the Federal Rule of Evidence except in circumstances of a motion for failure to participate in good faith under these Rules and/or any subsequent mediation negotiation under this chapter and/or the State of Nevada Foreclosure Mediation Program.
2. The chapter 13 trustee shall have complete access to the MMM Portal, but shall not be able to read the content of any documentation, correspondence or other confidential information.

IX. EFFECT OF MEDIATION

A. AUTOMATIC STAY - The automatic stay will be modified to the extent necessary to facilitate MMM pursuant to the Order. After the Order has been entered:

1. All 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 and setting forth the reasons why relief must be considered prior to conclusion of the MMM.
2. During the pendency of MMM, no motion for relief from stay may be filed on an

ex parte basis with respect to the property subject of the MMM.

- B. NO DELAY** - 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.
- C. MORTGAGE PAYMENTS** – Any debtor participating in MMM shall be required to pay all post-petition installment payments to lender through the chapter 13 trustee including, but not limited to, on-going mortgage payments, trial modification payments, final modification payments, and any arrearages.
- D. CLOSING** - 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.

X. POST MEDIATION CONFERENCE PROCEDURES

- A.** In the event the parties reach a final resolution or are unable to reach an agreement, the mediator shall report the results of the MMM on the MMM Portal not later than 7 days after the conclusion of the final MMM conference. The mediator shall also complete the MMM Local Form “Final Report of Mortgage Modification Mediator” (“Final Report”) on the MMM Portal and filed the Final Report generated by the MMM Portal with the court, either electronically or by conventional filing, not later than 2 business days following entry of the “Final Report” data on the MMM Portal.
- B.** Within 14 days of the filing of the Final Report, if the debtor and the lender have reached a resolution through the MMM conference, the debtor’s attorney shall file the MMM Local Form “Ex Parte Motion to Approve Mortgage Modification Mediation Agreement” and upload to the court’s CM/ECF program the proposed MMM Local Form “Order on Motion to Approve Mortgage Modification Agreement with Lender.” The debtor shall serve the ex parte motion and proposed order on all required parties and file a certificate of service pursuant to Local Rule 2002.
- C.** If the debtor is not represented by an attorney and the debtor and the lender have reached a resolution through the MMM conference, within 14 days of the filing of the Final Report the debtor shall file the MMM Local Form “Self-Represented Debtor’s Motion to Approve Mortgage Modification Mediation Agreement”, and the debtor shall promptly schedule a hearing. The debtor shall serve the motion and notice of hearing on all required parties and file a certificate of service pursuant to Local Rule 2002. Debtor will submit the “Order on self-represented Debtor’s Motion to Approve Mortgage Modification Agreement” with the Clerk’s office.

XI. CHAPTER 13 PLAN PROCEDURES

- A. MINIMUM PLAN PAYMENT** – The debtor’s chapter 13 plan payment must be no less

than 31% of the debtor's gross income, less any amount paid towards HOA fees due for the property.

B. DISBURSEMENTS BY TRUSTEE

1. Payments tendered to the trustee will be disbursed to lender pursuant to the MMM agreement. Disbursements will commence as soon as practicable after the order granting debtor's motion to approve the MMM agreement is entered by the court.
2. If MMM is initiated after confirmation of a plan that provides for the trustee to disburse payments to the lender, the trustee will hold on reserve such payments during the pendency of MMM. If MMM is successful, funds will be disbursed by the trustee as soon as practicable pursuant to the MMM agreement after confirmation of a modified plan.

C. PLAN MODIFICATION – After the MMM agreement is approved by the court, the debtor shall amend or modify the plan, as necessary, to accurately reflect the agreement. Such amendment or modification shall be filed and served no later than 30 days after the court entered its order approving the MMM agreement. In the event the required parties are unable to reach an agreement, the debtor must, within 14 days after the mediator filed the Final Report, amend or modify the plan to either (1) provide for the curing of any default and maintenance of payments on the secured claim subject to the MMM or (2) provide that said property will be surrendered.

D. CHAPTER 13 TRUSTEE GUIDELINES – Each chapter 13 standing trustee may issue guidelines for the administration of the MMM program. Unless otherwise ordered, the guidelines issued by the chapter 13 standing trustee appointed to the case must be observed. The standing trustees may revise the guidelines and shall reissue any revised guidelines with a notation of the effective date of the revision.

E. REQUIRED PLAN LANGUAGE – Any debtor participating in MMM shall include standard language in the “Other Provisions” section of the chapter 13 plan as set forth in the chapter 13 trustee's MMM Guidelines.

XII. MEDIATOR PROCEDURES

A. REGISTRATION OF MEDIATORS

1. **MEDIATION REGISTER** - The clerk shall establish and maintain a register of qualified individuals who have registered to serve as mediators for the MMM and have been approved by the court. The clerk will maintain the Register of Mediators and will provide viewing access to each mediator's completed application. Applicants who meet the qualifications shall be so registered on the Register of Mediators. Mediators must also register directly on the MMM Portal so that the debtor may designate the Mediator and provide access to the debtor's submission on the MMM Portal as required under Section VII(A)(1). Mediators not on the court's Register of

Mediators will not be approved for access to the MMM Portal.

2. **MINIMUM QUALIFICATIONS OF A MEDIATOR** - A mediator must complete and file the form "Verification of Qualification to Act as Mediator in the Mortgage Modification Mediation (MMM)" with the clerk of the United States Bankruptcy Court, Las Vegas, Nevada and must be:
 - (a) an active and licensed member of the Nevada Bar and have been admitted to practice in a state or federal court for at least the past 7 years;
 - (b) a retired Nevada state court judge or federal judge; or
 - (c) an active and licensed member of the Florida bar and an approved member on the Register of Mediators with the clerk of the United States Bankruptcy Court for the District of Florida, all divisions, accepting MMM Assignments(limited to 1 year commencing January 1, 2015).
3. **PROCEDURES FOR REGISTRATION** - Each mediator who desires to be included on the register must file the form "Verification of Qualification to Act as Mediator." The mediator may remain on the register for a period of time limited to 3 years from the date of the application. Thereafter, the mediator may reapply.
4. **REMOVAL FROM REGISTER** - The clerk shall remove a mediator from the Register of Mediators at the mediator's request. If removed at the mediator's request, the mediator may later request to be added to the register by submitting a new verification form. Upon receipt of such request, the clerk shall add the qualified mediator to the register. At the direction of the court, in the exercise of its discretion, the clerk shall remove a mediator from the Register of Mediators.
5. **MEDIATOR'S OATH** - Every mediator shall take the oath or affirmation prescribed by 28 U.S.C. §453, before serving as a mediator. The oath may be administered by any person authorized to administer oaths, and proof of the oath or affirmation shall be included on the Local Form "Verification of Qualification to Act as Mediator."
6. **STANDARDS OF PROFESSIONAL CONDUCT** - Any mediator appointed pursuant to these rules is subject to the Model Standards of Conduct for Mediators as revised and adopted in 2005 by the American Arbitration Association, American Bar Association, and Association of Conflict Resolution. Mediators shall have judicial immunity in the same manner and to the same extent as a judge.
7. **COMPENSATION OF MEDIATORS** - Mediators shall be compensated at the rate set by the U.S. Bankruptcy Court for the District of Nevada as adopted by this court by Administrative Order 2014-08, or at such rate as may be agreed to in writing by the parties and the mediator selected by the parties. Absent agreement of the parties to the contrary, the cost of the mediator's services shall be borne equally by the parties to the mediation conference.
 - (a) The debtor shall pay a non-refundable fee in the amount of \$300.00 directly to the mediator within 7 days of designation of the mediator.

- (b) The lender shall pay a non-refundable fee in the amount of \$300.00 directly to the mediator within 7 days of the designation of mediator.
- (c) These fees include the mediator's assistance in determining that all documentation is uploaded to the MMM Portal, otherwise exchanged between the debtor and lender, scheduling of the mediation, and participation in a maximum of 2 one-hour MMM conferences.
- (d) Fees for MMM conferences that extend beyond the initial 2 one-hour sessions shall be divided equally between the parties. Payment shall be made by the debtor and the lender prior to the beginning of each successive MMM conference. If the debtor is not represented by an attorney, the debtor shall provide a money order or cashier's check to the mediator in an amount equal to the debtor's share of the one-hour session 24 hours in advance of the MMM conference. Any balance owed for a session that extends beyond the pre-paid session shall be paid as soon as possible, or within 2 business days following conclusion of the final session.

B. SELECTION OF MEDIATOR

1. **MANNER OF REFERRAL** - The parties shall timely file the Local Form "Debtor's Notice of Selection of Modification Mediator," unless the parties fail to agree to the selection of the mediator. In this event, the clerk shall designate a mediator from the clerks' register on a random basis using the Local Form "Notice of Clerk's Designation of Mortgage Modification Mediator." As part of the debtor's submission to the MMM Portal, the debtor shall also upload a copy of the Order to the MMM Portal and identify the designated Mediator on the MMM Portal.
2. **DISQUALIFICATION OF MEDIATOR FOR CAUSE**- 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 judge governed by 28 U.S.C. §455.
3. **REPLACEMENT OF MEDIATOR**- If any party to the MMM conference objects to the designated mediator, then within 3 business days from the date of the notice of designation the objecting party shall file with the clerk and serve upon the mediator and all other parties to the mediation a request for an alternate mediator. The clerk shall designate a second mediator from the Register of Mediators on a random basis and shall serve a second notice of designation on all parties to the mediation conference and on the designated mediator. Each party shall be entitled to 1 challenge to any clerk-designated mediator. A mediator who is unable to serve shall, within 7 days from the date of the notice of designation, serve on the clerk and all parties to the mediation a written notice of inability to serve, and the clerk shall designate an alternate mediator in the manner described above. In the event that a Mediator is replaced, the debtor shall update the MMM Portal and designate the new Mediator on

the MMM Portal.

C. MMM CONFERENCE

- 1. NOTICE AND PROCEDURES** - Upon consultation with the parties and their attorneys, the mediator shall fix a reasonable time and place for the mediation conference, except as otherwise agreed by the parties or by order of the court, and shall give the parties at least 7 days' advance written notice of the date, time and place of the MMM conference.
 - 2. ATTENDANCE OF PARTIES MANDATORY** - An attorney who is responsible for each party's case shall attend the mediation conference. Each individual party and the representatives of each non-individual party shall appear with the full authority to negotiate the amount and issues in dispute without further consultation. The mediator shall determine when the parties are to be present in the conference room. The mediator shall permit telephonic appearances if all the parties agree, and such calls shall be initiated by the mediator. No party can be required to participate in an MMM conference for more than 2 hours.
 - 3. PHYSICAL APPEARANCE OF REQUIRED PARTY NOT MANDATORY WITH A FLORIDA MEDIATOR** - If a Florida mediator is selected to conduct the mediation conference, a required party may appear telephonically. The Florida mediator shall initiate the conference call.
 - 4. PUBLIC ENTITY AS PARTY** - If a party to mediation is any public entity, that party shall appear at the MMM conference by the physical presence of a representative with full authority to negotiate on behalf of the entity and to recommend settlement to the appropriate decision-making body of the entity.
 - 5. FINAL REPORT OF MORTGAGE MODIFICATION MEDIATOR**- The mediator shall timely complete and file the "Final Report of Mortgage Modification Mediator" form. The form shall disclose the results of the mediation.
- D. FINAL REPORT** - Within 7 days after the MMM conference, the mediator shall file with the court a report showing compliance or non-compliance by the parties with the mediation order and the results of the mediation, using the MMM Local Form "Final Report of Mortgage Modification Mediator." In the event there is an impasse, the mediator shall report that there is a lack of agreement and shall make no further comment or recommendation. If the parties have reached an agreement regarding the disposition of the matter or proceeding, the parties shall, within 14 days of the filing of the mediators report, prepare and submit to the court the appropriate Motion to Approve Mortgage Modification Agreement for its approval. Failure to file such a motion shall be a basis for the court to impose appropriate sanctions.
- E. CONFIDENTIALITY** - Conduct and statements made in the course of mediation proceedings constitute "conduct or statements made in compromise negotiations" within the meaning of Rule 408 of the Federal Rules of Evidence, and no evidence inadmissible

under Rule 408 shall be admitted or otherwise disclosed to the court.

- F. COMPLIANCE WITH BANKRUPTCY CODE AND RULES** - Nothing in these procedures shall relieve the debtor, lender, or any other party in interest, from complying with any other orders of the court, the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or any local rules or administrative rules.

XIII. COMPENSATION OF DEBTOR'S COUNSEL

- A.** Attorneys for debtors shall be permitted to charge attorney's fee not to exceed \$2,500.00, and \$100.00 in costs for each MMM. The \$2,500.00 fee shall include:
1. Filing of the Motion and proposed order;
 2. Preparation of all forms required for MMM;
 3. Filing of other required pleadings and preparation of proposed orders, and filing the Motion and Order to Approve Mortgage Modification Agreement;
 4. Communicating with the lender and the mediator, including communications through the MMM portal;
 5. Attendance at all MMM conferences and related court hearings; and
 6. Review of all modified loan documents.
- B.** Attorney for the debtor shall file an ex parte application and order with the court to be paid these fees and costs through the chapter 13 trustee upon completion of the requirements set forth in (1) and (2) below:
1. The sum of \$1,500.00 shall be presumed to compensate debtor's attorney for initial services relating to MMM, including but not limited to collecting and uploading documents to the MMM Portal, drafting and filing the motion, and communicating with the lender and mediator.
 2. The remaining balance of \$1,000.00 shall become payable once the mediator has scheduled the initial MMM conference.

XIV. FILING OF DOCUMENTS IN ERROR

Documents that are filed in error in the courts electronic filing system cannot be deleted from that system. Redactions of incorrectly filed documents can be processed in accordance with Local Rule 9037.

MORTGAGE MODIFICATION MEDIATION (MMM) PART 1: OBTAINING THE ORDER

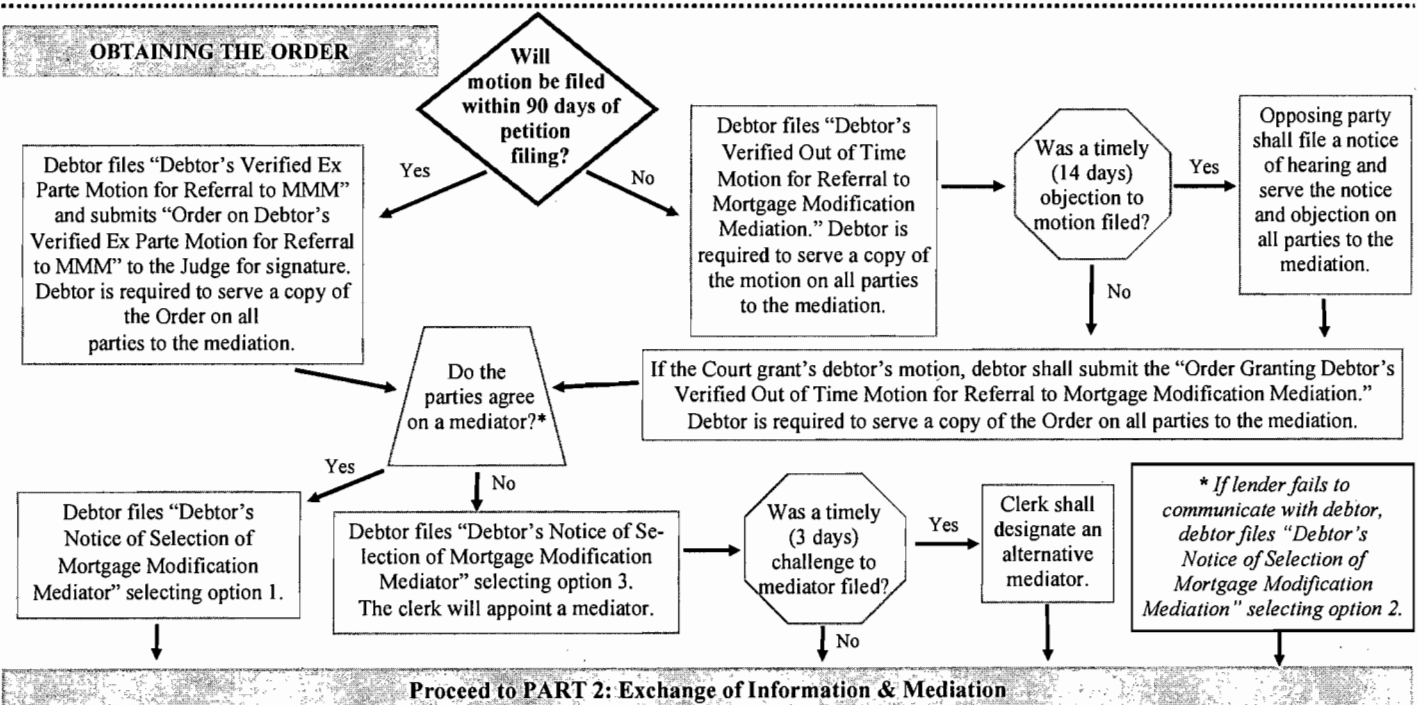
Las Vegas, NV
Last Update 1/1/2015

PREPARATION FOR FILING THE MOTION

Before filing MMM Local Form “Debtor’s Verified Motion for Referral to Mortgage Modification Mediation” Debtor must:

1. Determine if debtor is eligible to seek MMM under Administrative Order 2014-08;
2. Register debtor and debtor’s counsel, if any, on MMM Portal and determine if lender is registered;
3. Set aside \$340.00 for the MMM Portal and mediator fees;
4. Pay Document Preparation Software fee of \$40.00 to the MMM approved vendor. Use software to prepare and generate debtor’s initial loan modification package and collect all required supporting documentation so that “Debtor’s Prepared Package” is ready for signature and submission; and
5. If applicable, obtain MMM Local Form “Third Party Consent to Attend and Participate in MMM” by each co-obligor.

OBTAINING THE ORDER



MMM PART 2: EXCHANGE OF INFORMATION & MEDIATION

ORDER ENTERED: MMM must be completed not later than 150 days from the date of Order unless extended by order or by stipulation of the parties.

LENDER: 7 days after entry of order

Lender and, if applicable, Lender's counsel, must register with the approved MMM Portal and remit the nonrefundable \$300.00 fee to mediator.

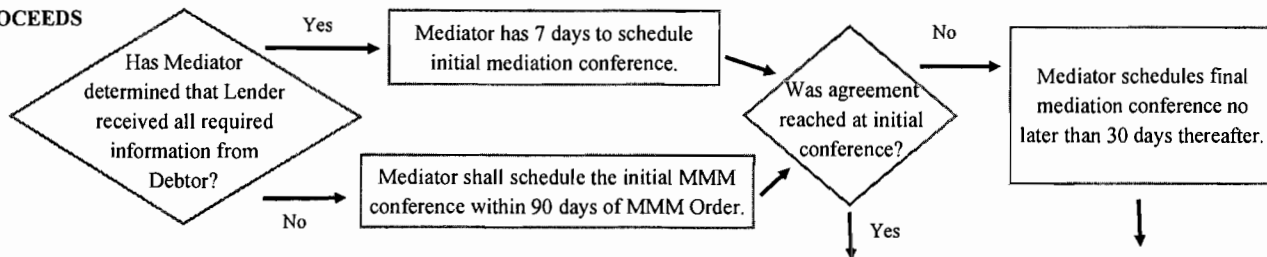
DEBTOR: 7 days after entry of order or registration of lender whichever is later,

Debtor remits to the MMM Portal the required non-refundable portal submission fee in the amount of \$40.00, and uploads Debtor's "Completed Package" consisting of Debtor's Prepared Package, a copy of the MMM Order; and any additional lender-specific information identified by Lender on the MMM Portal, assigns mediator to case on the portal, and remits \$300.00 non-refundable fee to mediator.

MEDIATOR: 7 days after entry of order

Mediator must use the MMM Portal to facilitate the exchange of information and documentation between Debtor and Lender.

MEDIATION PROCEEDS



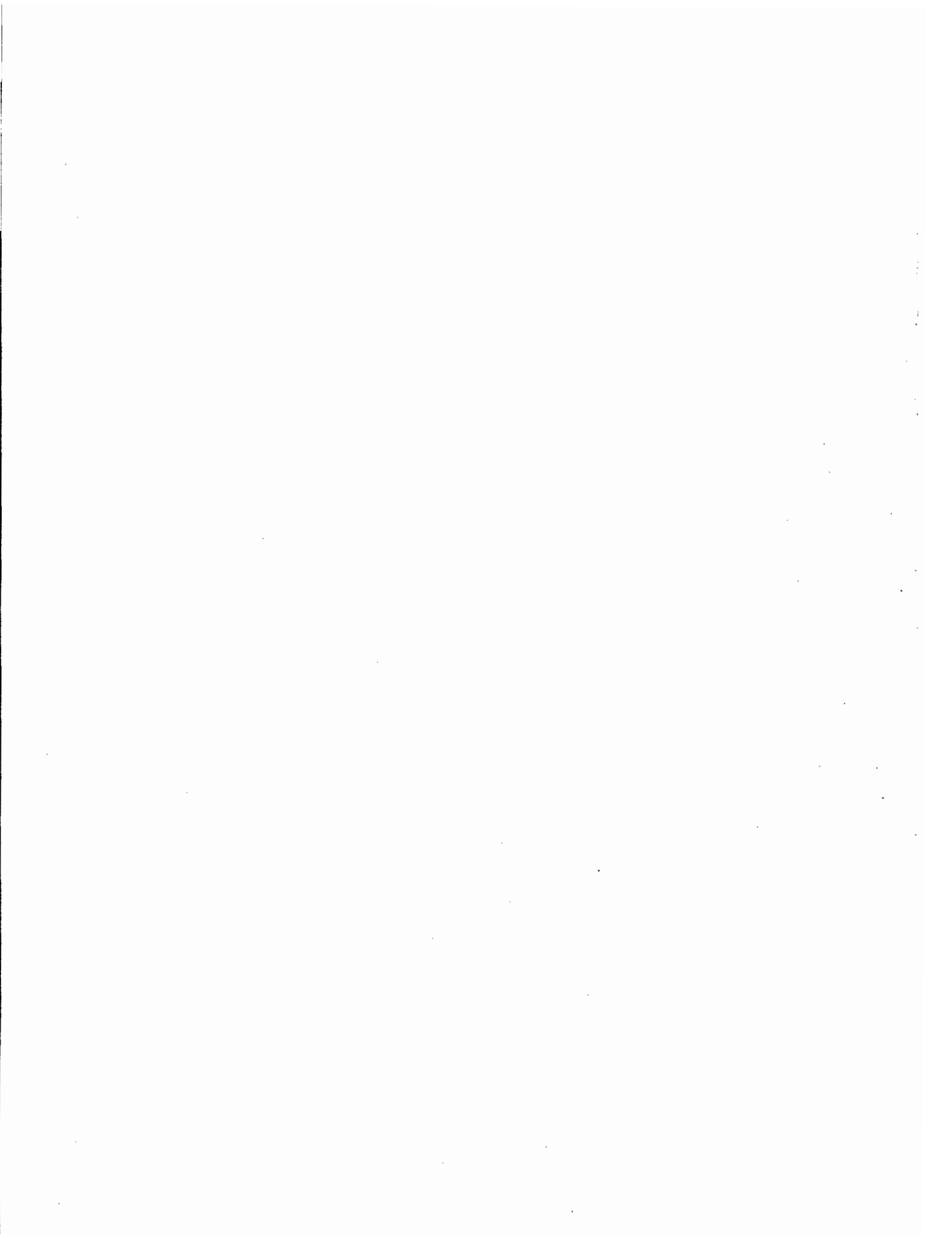
Within 7 days after the final mediation conference, Mediator shall file with the Court the MMM Local Forum "Final Report of Mortgage Modification Mediator."

Debtor files and serves appropriate Motion to Approve MMM Agreement with Lender no later than 14 days following the filing of the Mediator's Final Report



Order Entered: Debtor is required to serve a copy of the order on all parties to the mediation.

The parties shall also seek any necessary Court approval and formalize any required legal documents in a timely fashion. The "Chapter 13 Plan Language" set forth in the chapter 13 trustee guidelines must be followed.



United States Bankruptcy Court, District of Nevada

Mortgage Modification Mediation Forms

Form Number		Form Title	Revision Date
Word	PDF		
DEBTORS – Pro Se & Represented by Attorneys			
Debtor's Verified Ex Parte Motion for Referral to Mortgage Modification Mediation			
NVB 105-2 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-2_DebtorsMtnReferraltoMMM.docx)</small>	NVB 105-2 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-2_DebtorsMtnReferraltoMMM.pdf)</small>	Debtor's Verified Ex Parte Motion for Referral to Mortgage Modification Mediation	01/15
NVB 105-3 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-3OrderDebtorsVerifiedMtnReferraltoMMM.docx)</small>	NVB 105-3 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-3OrderDebtorsVerifiedMtnReferraltoMMM.pdf)</small>	Order on Debtor's Verified Ex Parte Motion for Referral to Mortgage Modification Mediation	01/15
Debtor's Verified Out of Time Motion for Referral to Mortgage Modification Mediation			
NVB 105-4 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-4DebtorsMtnOutOfTimeReferraltoMMM.docx)</small>	NVB 105-4 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-4DebtorsMtnOutOfTimeReferraltoMMM.pdf)</small>	Debtor's Verified Out of Time Motion for Referral to Mortgage Modification Mediation	01/15
NVB 105-6 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-6CertificateNoResponseRequestOrder.docx)</small>	NVB 105-6 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-6CertificateNoResponseRequestOrder.pdf)</small>	Certificate of No Response and Request for Entry of Order	01/15
NVB 105-5 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-5OrderDebtorsMtnOutOfTimeReferraltoMMM.docx)</small>	NVB 105-5 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-5OrderDebtorsMtnOutOfTimeReferraltoMMM.pdf)</small>	Order on Debtor's Verified Out of Time Motion for Referral to Mortgage Modification Mediation	01/15
Debtor's Notice of Selection of Mortgage Modification Mediator			
NVB 105-9 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-9DebtorsNoticeofSelection.docx)</small>	NVB 105-9 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-9DebtorsNoticeofSelection.pdf)</small>	Debtor's Notice of Selection of Mortgage Modification Mediator	01/15
Attorney Represented Debtor's Ex Parte Motion to Approve Mortgage Modification Mediation			
NVB 105-10 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-10AttyRepDebtorMtnApproveMMAgreement.docx)</small>	NVB 105-10 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-10AttyRepDebtorMtnApproveMMAgreement.pdf)</small>	Attorney Represented Debtor's Ex Parte Motion to Approve Mortgage Modification Mediation	05/15
NVB 105-15 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-15OrderAttyRepresentedDebtorsMtnApproveMMAgreement.docx)</small>	NVB 105-15 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-15OrderAttyRepresentedDebtorsMtnApproveMMAgreement.pdf)</small>	Order on Attorney Represented Debtor's Ex Parte Motion to Approve Mortgage Modification Agreement	01/15
DEBTORS – Pro Se ONLY File with Clerk's Office in Las Vegas			
NVB 105-12 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-12SelfRepDebtorMtnApproveMMAgreement.docx)</small>	NVB 105-12 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-12SelfRepDebtorMtnApproveMMAgreement.pdf)</small>	Self-Represented Debtor's Motion to Approve Mortgage Modification Agreement	01/15
NVB 105-13 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-13NoticeHearingSelfRepDebtorMtnApproveMMAgreement.docx)</small>	NVB 105-13 <small>(http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-13NoticeHearingSelfRepDebtorMtnApproveMMAgreement.pdf)</small>	Notice of Hearing on Self-Represented Debtor's Motion to Approve	01/15

http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-13NtcHearingSelfRepDebtorMtnApproveMMAgreement.docx	http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-13NtcHearingSelfRepDebtorMtnApproveMMAgreement.pdf	Motion to Approve Mortgage Modification Agreement	01/15
NVB 105-11 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-11OrderSelfRepresentedDebtorsMtnToApprove.docx	NVB 105-11 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-11OrderSelfRepresentedDebtorsMtnToApprove.pdf	Order on Self-Represented Debtor's Motion to Approve Mortgage Modification Agreement	01/15
LENDERS			
NVB 105-7 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-7LendersConsent.docx	NVB 105-7 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-7LendersConsent.pdf	Lender's Consent to Attend and Participate in Mortgage Modification Mediation	01/15
NVB 105-8 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-8ThirdPartyConsent.docx	NVB 105-8 (<i>v</i> NVB105-8ThirdPartyConsent.pdf)	Third Party's Consent to Attend and Participate in Mortgage Modification Mediation	01/15
MEDIATORS			
NVB 105-1 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-1VerificationofQualification(NoPleadingNumbering).docx	NVB 105-1 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-1VerificationofQualification(NoPleadingNumbering).pdf	Verification of Qualifications to Act as Mediator in the Mortgage Modification Mediation (MMM) – File with Clerk's Office in Las Vegas	01/15
NVB 5005 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB5005LimitedMMM1-15.docx	NVB 5005 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB5005LimitedMMM1-15.pdf	CM/ECF Limited Use Registration Mortgage Modification Mediation (use only if not a CM/ECF user in Nevada) – File with Clerk's Office in Las Vegas	01/15
NVB 105-14 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-14FinalReportofMMMmediator.docx	NVB 105-14 http://www.nvb.uscourts.gov/downloads/mmm/forms/NVB105-14FinalReportofMMMmediator.pdf	Final Report of Mortgage Modification Mediator	01/15

1 NVB 105-2(1/15)

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

10 **UNITED STATES BANKRUPTCY COURT**
 11 **DISTRICT OF NEVADA**

12 * * * * *

13 In re:) BK
 14) CHAPTER 13
 15 Debtor(s).) DEBTOR'S VERIFIED EX PARTE
) MOTION FOR REFERRAL TO
) MORTGAGE MODIFICATION
) MEDIATION

16 The Debtor files this Verified Ex Parte Motion for Referral to Mortgage Modification
 17 Mediation ("Ex Parte Motion") and requests the Court enter an Order Granting Debtor's Ex Parte
 18 Motion for Referral to Mortgage Modification Mediation" ("Ex Parte Order") referring Debtor
 19 and _____ ("Lender") to Mortgage Modification Mediation ("MMM")
 20 and states as follows:
 21

- 22 1. Debtor is an individual who has filed for bankruptcy relief under, or converted to,
 23 chapter 13 on _____.
 24
 25 2. Debtor requests MMM for real property ("Property") located at the following
 26 street address: _____
 27
 28

_____ ; account number for this

Property is _____ (last four digits).

a. The Property is (check one box):

the Debtor's primary residence.

not the Debtor's primary residence.

b. Borrowers obligated on the promissory note and mortgage on the Property are
(check one box):

Debtor only.

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

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

Name: _____

Address: _____

Telephone: _____

Email: _____

Other:

Name: _____

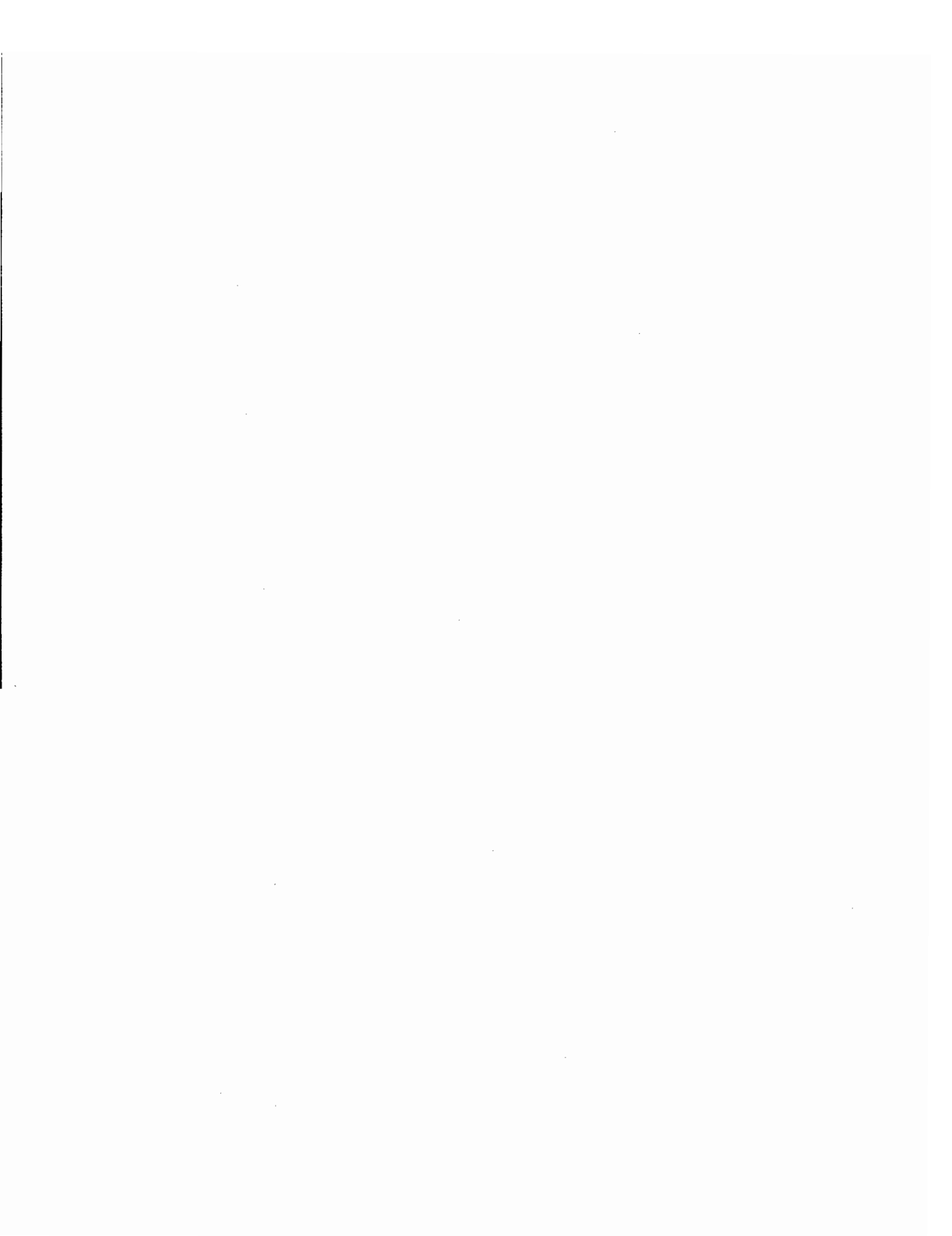
Address: _____

Telephone: _____

Email: _____

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

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



- modify the mortgage on the Debtor's primary residence.
- modify the mortgage on Property that is not the Debtor's primary residence.
- surrender the Property to the Lender.

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6 4. Prior to filing this motion, Debtor's information was entered into the court-
7 approved on-line program that facilitates the preparation of the Debtor's loan
8 modification package ("Document Preparation Software"). Debtor's initial loan
9 modification forms have been generated and are ready for signature and
10 submission. Debtor has also collected all of the required supporting
11 documentation as required by the Document Preparation Software (such
12 documentation and forms referred collectively to as "Debtor's Prepared
13 Package") and is prepared to submit the supporting documentation along with the
14 modification forms. Debtor has paid the Document Preparation Software fee to
15 the approved vendor.
16
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19 5. Prior to filing this motion, Debtor has determined that:

- Lender is registered with the approved Mortgage Modification Mediation Portal ("MMM Portal");
 - Lender is not registered. Debtor requests the Court require Lender, within seven days after the entry of the Order, to register with the MMM Portal and provide to the MMM Portal vendor any forms or documents which Lender may require to initiate a review under the
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1 MMM. The MMM Portal vendor shall post any such forms or
2 documents to the Lender's profile on the MMM Portal.

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

5 a HAMP or government sponsored loan modification.

6 a conventional loan modification.

7 a deed in lieu of foreclosure.

8 surrender options.

9 other: _____

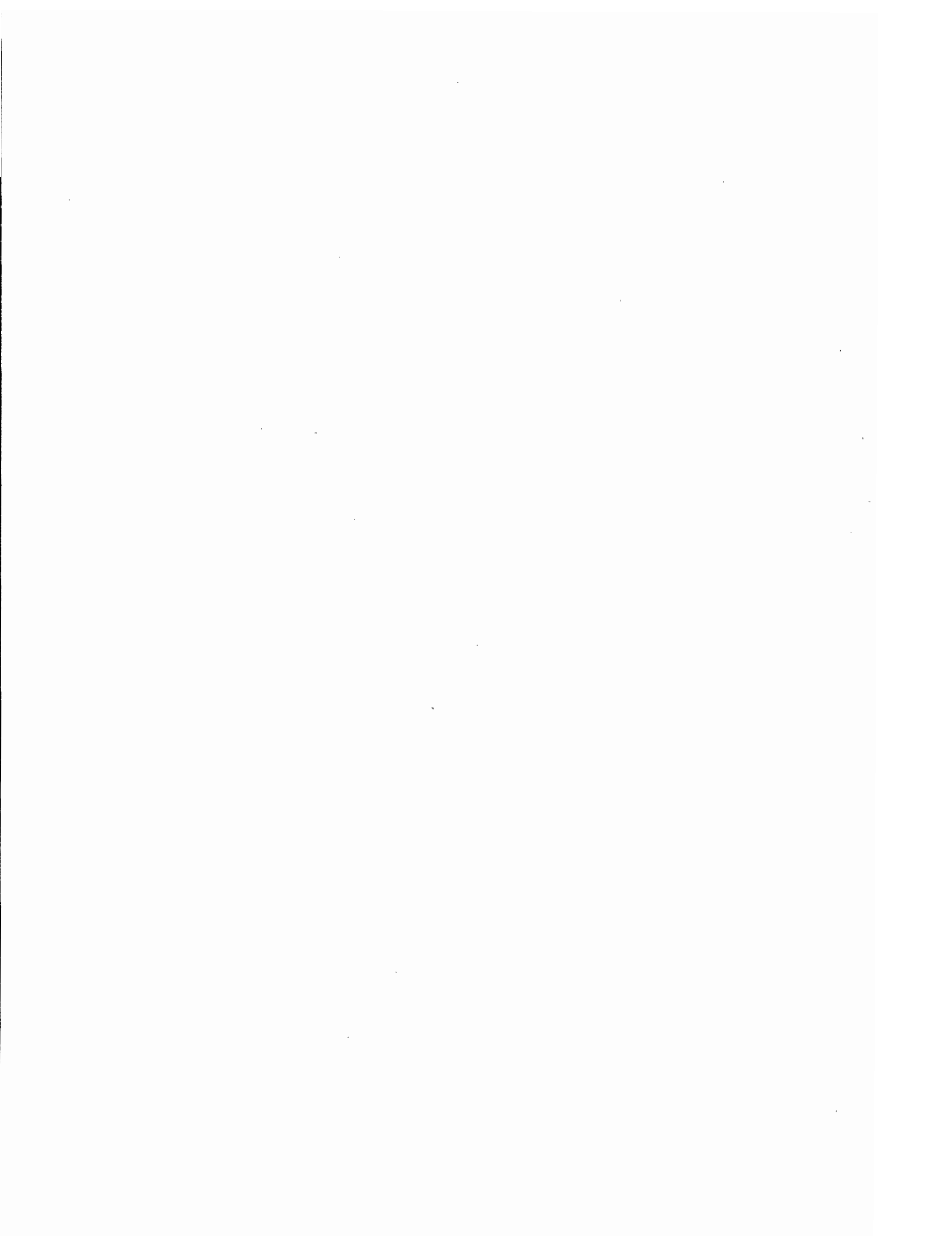
10
11 7. IF DEBTOR IS REQUESTING NON-RETENTION (SURRENDER) OPTIONS:

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

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

15
16
17 8. If the Debtor is represented by an attorney, Debtor remitted the required
18 Mediator's fee pursuant to the MMM Procedures to the Debtor's attorney. Debtor
19 understands and acknowledges that after the mediator is designated, the
20 mediator's fee is not refundable for any reason at any time;

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23 9. If the Debtor is not represented by an attorney, the Debtor obtained a money order
24 or a cashier's check to pay the required mediator's fee pursuant to the MMM
25 Procedures; a copy of that money order or cashier's check is attached. Debtor
26 understands and acknowledges that after the mediator is designated, the
27 mediator's fee is not refundable for any reason at any time;



1 10. Within seven days after filing the MMM Local Form “Debtor’s Notice of
2 Selection of Mortgage Modification Mediator” (or “Notice of Clerk’s Designation
3 of Mortgage Modification Mediator”) or the Lender’s registration on the MMM
4 Portal, whichever occurs later, Debtor shall upload and submit through the MMM
5 Portal, Debtor’s Prepared Package, together with any additional forms or
6 documents which Lender has posted on the MMM Portal, and pay a non-
7 refundable MMM Portal submission fee. In addition, the Debtor will upload the
8 Order to the MMM Portal and designate the selected mediator as part of the
9 Debtor’s submission;
10

11
12 11. Debtor will forward the mediator’s fee directly to the mediator within seven days
13 after designation of the mediator;
14

15 12. 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
17 modification mediation program;
18

19 13. If Debtor is not represented by counsel, Debtor may be contacted at the following
20 phone number(s) and email address: _____
21 _____
22 _____

23
24 WHEREFORE, Debtor requests that the Ex Parte Motion be granted and for such other
25 and further relief as this Court deems proper.
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DEBTOR'S VERIFICATION

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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: _____

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NVB 105-3(3/15)

Debtor Attorney _____
Nevada Bar # _____
Firm Name _____
Address _____
City, State, Zip _____
Phone Number _____
Pro-se Debtor _____

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK
) CHAPTER 13
) ORDER ON DEBTOR’S VERIFIED EX
Debtor(s).) PARTE MOTION FOR REFERRAL TO
) MORTGAGE MODIFICATION
) MEDIATION

This matter came before the Court upon the Debtor’s Verified Ex Parte Motion for Referral to Mortgage Modification Mediation (“Ex Parte Motion”) filed on _____.

It is **ORDERED** as follows:

- 1. The Ex Parte Motion is granted. The Lender may seek reconsideration of this Order by filing a written motion on or before 14 days after entry of the Order. If a timely motion for reconsideration is filed, the moving party will promptly

1 schedule a hearing. In the event a motion for reconsideration is timely filed, all
2 deadlines set forth in this Order shall be suspended pending resolution of the
3 motion, but all other provisions shall remain in effect;

4 2. The Debtor and Lender are required to participate in Mortgage Modification
5 Mediation (“MMM”) in good faith and may be subject to possible sanctions by
6 the Court for violation of this requirement, including vacating this order. MMM
7 shall be concluded not later than 150 days from the date of the Order, unless
8 extended by written consent on the approved Mortgage Modification Mediation
9 Portal (“MMM Portal”), by stipulation of the parties or by court order;

10 3. All communications and information exchanged during MMM are privileged and
11 confidential and shall be inadmissible in any subsequent proceeding as provided
12 by Rule 408 of the Federal Rules of Evidence, except in circumstances of a
13 motion for failure to participate in good faith under the MMM program and
14 procedures and/or subsequent mediation negotiation under this Chapter and/or the
15 State of Nevada Foreclosure Mediation Program;

16 4. All written communication between the parties regarding the mediation must be
17 sent through the approved MMM Portal only, unless otherwise ordered by the
18 Court. Any litigated matters incidental to the mediation shall be considered as
19 separate matters and not subject to the portal communication requirement;

20 5. Within seven days after entry of this Order, the Lender and, if applicable,
21 Lender’s counsel shall register with the MMM Portal, unless already registered,
22 and provide to the MMM Portal vender any forms or documents which Lender
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1 may require to initiate a review under the MMM. The MMM Portal vendor shall
2 post any such forms or documents to the Lender's profile on the MMM Portal. If
3 the Lender fails to so register, the Debtor may file a motion with the Court
4 seeking sanctions against the Lender for Lender's failure to register;
5

6 6. Lender's counsel or representative shall have the authority (within the investor's
7 guidelines) to settle and will attend and continuously participate in all MMM
8 conferences in this case;
9

10 7. Debtor shall, within seven days after the filing of Debtor's Notice of Selection of
11 Mortgage Modification Mediator (or Notice of Clerk's Designation of Mortgage
12 Modification Mediator), or after confirming that the Lender is registered on the
13 MMM Portal, whichever occurs later, remit to the MMM Portal the required non-
14 refundable MMM Portal submission fee, and upload to the MMM Portal the
15 following (collectively, the "Completed Package"):
16

- 17 (a) Debtor's loan modification package (prepared using the Document
18 Preparation Software);
- 19 (b) a copy of this Order; and
- 20 (c) any additional lender-specific information identified by Lender on
21 the MMM Portal.
22

23
24 8. The Lender shall, within seven days after Debtor's delivery of the "Completed
25 Package," acknowledge receipt of Debtor's information on the MMM Portal and
26 designate its single point of contact and outside legal counsel (if any);
27
28

1 9. In the event the Lender requires additional or missing information to consider the
2 Debtor's requested mortgage modification options as specified in the Ex Parte
3 Motion, the Lender shall so notify Debtor through the MMM Portal within seven
4 days of Debtor's submission ("Notice"). The Debtor shall provide all additional
5 documents through the MMM Portal within seven days of the Notice;
6

7 10. The Lender shall timely underwrite the loan modification request;
8

9 11. If the Lender transfers the loan, the Lender must provide a copy of the Order to
10 the new holder of the loan ("Successor Lender"), and the Successor Lender will
11 be obligated to comply with all terms of this Order;
12

13 12. **PROCESS FOR SELECTION OF MEDIATOR:**

14 (a) The parties shall have 14 days from the date of this Order to select a
15 mediator. If the parties agree on the selection of a mediator, the Debtor
16 shall file the MMM Local Form "Debtor's Notice of Selection of
17 Mortgage Modification Mediator" (Check Box 1 and insert mediator name
18 and contact information), serve a copy of the notice on all required parties,
19 and file a Certificate of Service pursuant to Local Rule 2002;
20
21

22 (b) If the Lender fails to communicate with the Debtor within the 14 day
23 period established for the mediator selection process, the Debtor shall,
24 within seven days, independently select a mediator and file the "Debtor's
25 Notice of Selection of Mortgage Modification Mediator" (Check Box 2
26 and insert mediator name and contact information), serve a copy of the
27
28

1 notice on all required parties, and file a Certificate of Service pursuant to
2 Local Rule 2002. In this instance, it shall be deemed that the Lender
3 has waived the right to challenge Debtor's selection of a Mediator;
4

5 (c) If the parties attempt to reach agreement on the selection of a Mediator,
6 but fail to do so, the Debtor shall file the "Debtor's Notice of Selection of
7 Mortgage Modification Mediator" (Check Box 3 indicating an impasse),
8 serve a copy of the notice on all required parties, and file a Certificate of
9 Service pursuant to Local Rule 2002. The clerk shall then randomly
10 select a mediator from the clerk's Mediation Register pursuant to the
11 MMM Program Procedures, without the necessity of a hearing. The clerk
12 shall serve notice of the mediator selection on the Debtor using the MMM
13 Local Form "Notice of Clerk's Designation of Mortgage Modification
14 Mediator." Any challenge to the clerk's designation of mediator shall be
15 resolved in accordance with the MMM Program Procedures.
16
17

18
19 13. Debtor shall assign the mediator as the mediator in this case on the MMM Portal
20 as part of Debtor's submission on the MMM Portal as provided in Paragraph 7
21 above;
22

23 14. The mediator shall be:

24 (a) governed by the subject to the Model Standards of Conduct for Mediators
25 as adopted by the American Arbitration Association, American Bar
26 Association, and Association of Conflict Resolution. Mediators shall have
27 judicial immunity in the same manner and to the same extent as a judge;
28

1 (b) subject to paragraph 15 below, be compensated in the amount required
2 pursuant to the MMM Procedures for preparation for MMM, execution of
3 required documents, facilitation of document and information exchange
4 between the parties, and participation in no more than two one-hour
5 MMM conferences;
6

7
8 (c) compensated at the rate set by the U.S. Bankruptcy Court for the District
9 of Nevada as adopted by this court by Administrative Order 2014-08, or at
10 such rate as may be agreed to in writing by the parties and the mediator
11 selected by the parties for any MMM conferences that extend beyond the
12 initial two one-hour conferences;
13

14 15. The mediator's fee shall be paid equally by the parties as follows:
15

16 (a) The Debtor shall pay the non-refundable fee pursuant to the MMM
17 Procedures directly to the mediator within seven days designation of the
18 mediator;
19

20 (b) The Lender shall pay the non-refundable fee pursuant to the MMM
21 Procedures directly to the mediator within seven days after designation of
22 the mediator; and
23

24 (c) The mediator's fee for MMM conferences that extend beyond two, one-
25 hour conferences, shall be paid equally by the parties and is due and
26 payable at the beginning of each successive MMM conference in
27 accordance with the program procedures.
28

1 16. The mediator shall log in to the MMM Portal within seven days after designation
2 and use the MMM Portal to facilitate any additional exchange of information or
3 documentation between Debtor and Lender in an effort to perfect the documents
4 needed for Lender to complete its analysis of Debtor's mortgage modification
5 mitigation options;
6

7
8 17. If the mediator either fails to timely register or log in to the MMM Portal to begin
9 to facilitate the MMM process, any party to the mediation may file a motion
10 requesting that the mediator be removed from this case and, if applicable, be
11 removed from the clerk's Mediation Register;
12

13 18. **MEDIATION CONFERENCE:**

14 (a) The mediator shall schedule the initial MMM conference no later than
15 seven days after determining that the Lender has received and reviewed all
16 requested information. In the event the mediator cannot determine that the
17 Lender has received all the requested information, the mediator shall
18 schedule the initial MMM conference within 90 days of this Order. The
19 initial MMM conference shall not exceed one hour. The mediator shall
20 report the scheduling of all MMM conferences on the MMM Portal;
21
22

23 (b) If the Debtor is represented by an attorney, the Lender and Lender's
24 representative may participate in the MMM conference by telephone;
25

26 (c) If the Debtor is represented by an attorney, the Debtor and any co-
27 obligors/co-borrowers or other third party may participate in the MMM
28

1 conference by telephone provided they are physically present with
2 Debtor's attorney and present identification to Debtor's attorney during all
3 MMM conferences;

4
5 (d) If the Debtor is not represented by an attorney, the debtor and any co-
6 borrower shall be physically present with the mediator at the mediator's
7 selected location and present identification to the mediator for all MMM
8 conferences;

9
10 (e) Debtor shall provide a foreign language interpreter, if necessary, at the
11 Debtor's own expense; and

12
13 (f) All parties attending the MMM conference must be ready, willing and able
14 to sign a binding settlement agreement at the MMM conference and have
15 the ability to scan, send and receive documents by facsimile, email or
16 other electronic means at the time of the MMM conference.
17

18
19 19. In the event the parties are unable to reach an agreement and require an additional
20 MMM conference, the mediator shall schedule a final MMM conference no later
21 than 30 days thereafter. The final MMM conference shall not exceed one hour;
22

23 20. In the event the parties reach a final resolution or, if no agreement has been
24 reached, the mediator shall report the results of the MMM on the MMM Portal
25 not later than seven days after the conclusion of the final MMM conference. The
26 mediator shall also complete and file with the Court, via CM/ECF, the MMM
27
28

1 Local Form “Final Report of Mortgage Modification Mediator,” within two
2 business days following entry of the final report data on the MMM Portal;

3
4 21. If an agreement has been reached, Debtor shall file the MMM Local Form “Ex
5 Parte Motion to Approve Mortgage Modification Mediation Agreement with
6 Lender,” no later than 14 days following the filing of the Final Report and upload
7 the MMM Local Form “Order on Motion to Approve Mortgage Modification
8 Mediation Agreement” to the Court’s CM/ECF. The parties shall also seek any
9 necessary Court approval and formalize any required legal documents in a timely
10 fashion thereafter;
11

12
13 22. The automatic stay is modified to the extent necessary to facilitate MMM
14 pursuant to this Order;

15
16 23. Any of the deadlines imposed by this Order may be extended by order of the
17 Court;

18
19 24. If any parties or counsel fail to comply with the terms of this Order, the Court will
20 consider a motion to vacate the Order and may also impose sanctions; and

21
22 25. The Debtor shall serve a copy of this Order on all parties to the mediation,
23 immediately upon receipt. Service shall be by regular U.S. Mail, electronic
24 service, or email, if the party’s email address is known.
25

26
27 **IT IS SO ORDERED.**
28

Submitted by:

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Attorney for Debtor(s) or Pro Se Debtor

Dated: _____

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1 NVB 105-4(1/15)

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

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10
11 **UNITED STATES BANKRUPTCY COURT**
12 **DISTRICT OF NEVADA**

13 * * * * *

14 In re:) BK
15) CHAPTER 13
16 Debtor(s).) DEBTOR'S VERIFIED OUT OF TIME
17) MOTION FOR REFERRAL TO
18) MORTGAGE MODIFICATION
19) MEDIATION

20
21 **ANY INTERESTED PARTY WHO FAILS TO FILE AND**
22 **SERVE A WRITTEN RESPONSE TO THIS MOTION WITHIN**
23 **14 DAYS AFTER SERVICE OF THIS MOTION SHALL,**
24 **PURSUANT TO ADMINISTRATIVE ORDER 2014-08, BE**
25 **DEEMED TO HAVE CONSENTED TO THE ENTRY OF AN**
26 **ORDER IN THE FORM ATTACHED TO THIS MOTION.**

27 The Debtor files this Verified Out of Time Motion for Referral to Mortgage Modification
28 Mediation ("Out of Time Motion") and requests the Court enter an Order Granting the Out of
Time Motion referring Debtor and _____ ("Lender") to Mortgage
Modification Mediation ("MMM") and states as follows:

1. Debtor is an individual who has filed for bankruptcy relief under, or converted to,
chapter 13 on _____. In support of Debtor's request to participate in

1 MMM "Out of Time," Debtor states the following:

2 _____
3 _____
4 _____.

- 5
6 2. Debtor requests MMM for real property ("Property") located at the following
7 street address: _____;
8 account number for this property is _____ (last four digits).

9
10 a. The Property is (check one box):

- 11 The Debtor's primary residence.
12 Not the Debtor's primary residence.
13

14
15 b. Borrowers obligated on the promissory note and mortgage on the Property are
16 (check one box):

- 17 Debtor only.
18 Debtor and non-filing co-obligor/co-borrower/third party.
19

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

21 Name: _____

22 Address: _____
23 _____

24 Telephone: _____

25 Email: _____

26 Other:

27 Name: _____

28 Address: _____

1 Telephone: _____

2 Email: _____

3 c. If applicable, Debtor has filed with this motion the MMM Local Form "Third
4 Party's Consent to Attend and Participate in Mortgage Modification
5 Mediation" signed by each co-obligor/co-borrower/third party listed above.
6

7
8 3. Debtor intends to (check all boxes that apply):

9 Modify the mortgage on the Debtor's primary residence.

10 Modify the mortgage on Property that is not the Debtor's primary
11 residence.

12 Surrender the Property to the Lender.
13

14 4. Prior to filing this motion, Debtor has completed Debtor's information using the
15 court-approved on-line program that facilitates the preparation of the Debtor's
16 loan modification package ("Document Preparation Software") and has paid the
17 Document Preparation Software fee to the approved vendor. Debtor's initial loan
18 modification forms have been generated and are ready for signature and
19 submission. Debtor has also collected all of the required supporting
20 documentation as required by the Document Preparation Software (such
21 documentation and forms referred collectively to as "Debtor's Prepared
22 Package") and is prepared to submit the supporting documentation along with the
23 modification forms.
24

25
26
27 5. Prior to filing this motion, Debtor has determined that:
28

1 Lender is registered with the approved Mortgage Modification
2 Mediation Portal (“MMM Portal”).

3 Lender is not registered. Debtor requests the Court require Lender to
4 register with the MMM Portal within seven days after entry of the
5 Order. The Debtor will upload to the MMM Portal, Debtor’s
6 Prepared Package together with any additional forms or documents
7 which Lender may post on the MMM Portal, within seven days after
8 the Lender has registered.
9

10
11 6. Debtor requests Lender consider (check as many boxes as applicable):

12 a HAMP or government sponsored loan modification.

13 a conventional loan modification.

14 a deed in lieu of foreclosure.

15 surrender options.

16 other: _____
17

18
19 7. IF DEBTOR IS REQUESTING NON-RETENTION (SURRENDER) OPTIONS:

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

22 b. Debtor represents that the property has or has not been listed for sale.
23

24 8. If the Debtor is represented by an attorney, Debtor remitted the required
25 Mediator’s fee to Debtor’s attorney pursuant to the MMM Procedures. Debtor
26 understands and acknowledges that after the mediator is designated, the
27 mediator’s fee is not refundable for any reason at any time;
28

1 9. If the Debtor is not represented by an attorney, the Debtor obtained a money order
2 or a cashier's check to pay the required mediator's fee pursuant to the MMM
3 Procedures; a copy of that money order is attached. Debtor understands and
4 acknowledges that after the mediator is designated, the mediator's fee is not
5 refundable for any reason at any time.
6

7 10. Within seven days after filing the MMM Local Form "Debtor's Notice of
8 Selection of Mortgage Modification Mediator (or "Notice of Clerk's Designation
9 of Mortgage Modification Mediator") or the Lender's registration on the MMM
10 Portal, whichever occurs later, Debtor shall upload and submit through the MMM
11 Portal, Debtor's Prepared Package, together with any additional forms or
12 documents which Lender may post on the MMM Portal, and pay a non-refundable
13 MMM Portal submission fee. In addition, the Debtor's will upload the Order to
14 the MMM Portal as part of the submission of Debtor's documentation;
15
16

17 11. Debtor will forward the mediator's fee directly to the mediator within seven days
18 after designation of the mediator;
19

20 12. If Debtor is represented by counsel, Debtor consents to Lender communicating
21 directly with Debtor's attorney for any and all aspects of the mortgage
22 modification mediation program;
23

24 13. If Debtor is not represented by counsel, Debtor may be contacted at the following
25 phone number(s) and email address: _____
26
27
28



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WHEREFORE, Debtor requests that the Out of Time Motion be granted and for such other and further relief as this Court deems proper.

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: _____

1 NVB 105-6(1/15)

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

9
10
11 **UNITED STATES BANKRUPTCY COURT**
12 **DISTRICT OF NEVADA**

13 * * * * *

14 In re:) BK
15) CHAPTER 13
16 Debtor(s).) CERTIFICATE OF NO REPOSE AND
17) REQUEST FOR ENTRY OF ORDER

18 The Debtor filed a Verified Out of Time Motion for Referral to Mortgage Modification
19 Mediation (“Out of Time Motion”) on _____ (DOCKET # _____), pursuant to the
20 Mortgage Modification Mediation (“MMM”) program adopted under Administrative Order
21 2014-08. The Debtor represents the following:

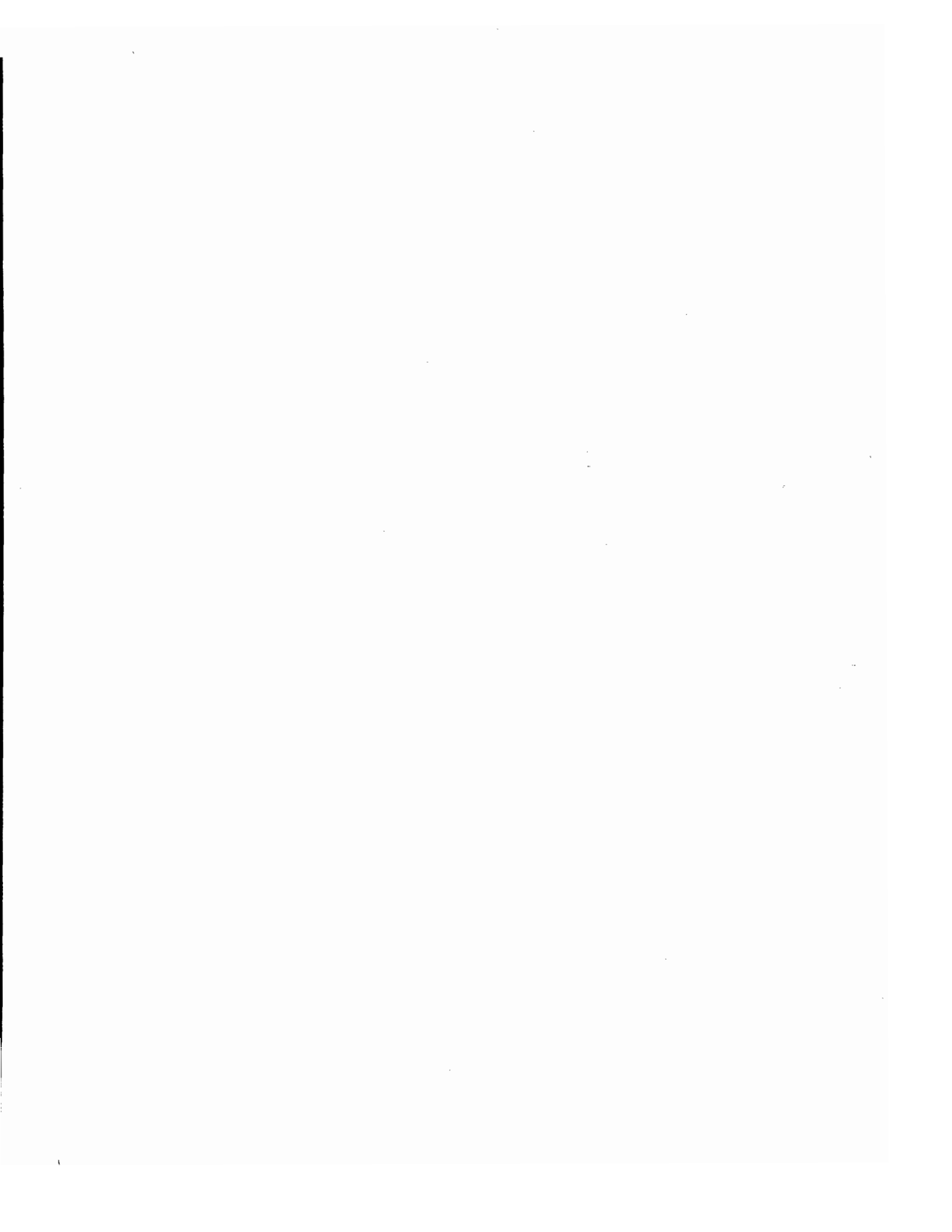
- 22 1. The motion and a proposed order were timely served on the Lender and other
23 interested parties;
- 24 2. The motion contained the required negative notice bulletin;
- 25 3. The deadline for response to the motion was _____; and
- 26 3. A check of the electronic entries docketed in this case as of _____
27 confirms that no objections to or requests for hearing on the motion have been filed.

1 Debtor seeks the entry of the Order Granting Debtor's Verified Out of Time Motion for
2 Referral to Mortgage Modification Mediation.

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4
5 Submitted by:

6
7
8 _____
9 Attorney for Debtor(s) or Pro Se Debtor

Dated: _____



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NVB 105-5(3/15)

Debtor Attorney _____
Nevada Bar # _____
Firm Name _____
Address _____
City, State, Zip _____
Phone Number _____
Pro-se Debtor _____

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

* * * * *

In re:) BK
) CHAPTER 13
) ORDER ON DEBTOR’S VERIFIED OUT OF
Debtor(s).) TIME MOTION FOR REFERRAL TO
) MORTGAGE MODIFICATION
) MEDIATION

The Debtor filed a Verified Out of Time Motion for Referral to Mortgage Modification Mediation (“Out of Time Motion”) on _____, and served it on the Lender in accordance with this Court’s Mortgage Modification Mediation Program Procedures (select one):

- The Debtor has filed a “Certificate of No Response and Request for Entry of Order”;
- The Lender has filed a Lender’s Consent to participate in MMM; or

1 The matter was opposed and the Court conducted a hearing on _____.

2 **IT IS ORDERED AS FOLLOWS:**

- 3 1. The Motion is GRANTED;
- 4
- 5 2. The Debtor and Lender are required to participate in Mortgage Modification
6 Mediation (“MMM”) in good faith and may be subject to possible sanctions by
7 the Court for violation of this requirement, including vacating this order. MMM
8 shall be concluded not later than 150 days from the date of the Order, unless
9 extended by written consent on the approved Mortgage Modification Mediation
10 Portal (“MMM Portal”), by stipulation of the parties or by court order;
- 11
- 12
- 13 3. All communications and information exchanged during MMM are privileged and
14 confidential and shall be inadmissible in any subsequent proceeding as provided
15 by Rule 408 of the Federal Rules Evidence, except in circumstances of a motion
16 for failure to participate in good faith under the MMM program and procedures
17 and/or subsequent mediation negotiation under this chapter and/or the State of
18 Nevada Foreclosure Mediation Program;
- 19
- 20
- 21 4. The chapter 13 trustee shall have access to the DMM Portal but shall not be able
22 to read/review any documentation, correspondence or any other confidential
23 information;
- 24
- 25 5. All written communication between the parties regarding the mediation must be
26 sent through the approved MMM Portal only, unless otherwise ordered by the
27
- 28

1 Court. Any litigated matters incidental to the mediation shall be considered as
2 separate matters and not subject to the portal communication requirement;

3
4 6. The Lender shall register with the MMM Portal, unless already registered, within
5 seven days after entry of this Order, and designate its single point of contact and
6 outside legal counsel who must register within seven days after designation. If
7 the Lender fails to register, the Debtor may file a motion with the Court seeking
8 sanctions against the Lender for Lender's failure to register;

9
10
11 7. Lender's counsel or representative shall have the authority (within the investor's
12 guidelines) to settle and will attend and continuously participate in all MMM
13 conferences in this case;

14
15 8. Debtor shall, within seven days after the filing of Debtor's Notice of Selection of
16 Mortgage Modification Mediator (or Notice of Clerk's Designation of Mortgage
17 Modification Mediator), or after confirming that the Lender is registered on the
18 MMM Portal, whichever occurs later, remit to the MMM Portal the required non-
19 refundable MMM Portal submission fee, and upload to the MMM Portal the
20 following (collectively, the "Completed Package"):

21
22 (a) Debtor's loan modification package (prepared using the Document
23 Preparation Software);

24 (b) a copy of this Order; and

25 (c) any additional lender-specific information identified by Lender on
26 the MMM Portal.
27
28

- 1 9. The Lender shall, within seven days after Debtor's delivery of the "Completed
2 Package," acknowledge receipt of Debtor's information and advise Debtor of any
3 additional or missing information required for Lender to proceed with its review;
4
5 10. In the event the Lender requires additional or missing information to consider the
6 Debtor's requested mortgage modification options as specified in the Ex Parte
7 Motion, the Lender shall so notify Debtor through the MMM Portal within seven
8 days of Debtor's submission ("Notice"). The Debtor shall provide all additional
9 documents through the MMM Portal within seven days of the Notice;
10
11 11. The Lender shall timely underwrite the loan modification request;
12
13 12. If the Lender transfers the loan, the Lender must provide a copy of the Order to
14 the new holder of the loan ("Successor Lender"), and the Successor Lender will
15 be obligated to comply with all terms of this Order;
16
17 13. **PROCESS FOR SELECTION OF MEDIATOR:**
18
19 (a) The parties shall have 14 days from the date of this Order to select a
20 mediator. If the parties agree on the selection of a mediator, the Debtor
21 shall file the MMM Local Form "Debtor's Notice of Selection of
22 Mortgage Modification Mediator" (Check Box 1 and insert mediator name
23 and contact information), serve a copy of the notice on all required parties,
24 and file a Certificate of Service pursuant to Local Rule 2002;
25
26 (b) If the Lender fails to communicate with the Debtor within the 14 day
27 period established for the mediator selection process, the Debtor shall,
28

1 within seven days, independently select a mediator and file the “Debtor’s
2 Notice of Selection of Mortgage Modification Mediator” (Check Box 2
3 and insert mediator name and contact information), serve a copy of the
4 notice on all required parties, and file a Certificate of Service pursuant to
5 Local Rule 2002. In this instance, it shall be deemed that the Lender
6 has waived the right to challenge Debtor’s selection of a Mediator;
7

8 (c) If the parties attempt to reach agreement on the selection of a Mediator,
9 but fail to do so, the Debtor shall file the “Debtor’s Notice of Selection of
10 Mortgage Modification Mediator” (Check Box 3 indicating an impasse),
11 serve a copy of the notice on all required parties, and file a Certificate of
12 Service pursuant to Local Rule 2002. The clerk shall then randomly
13 select a mediator from the clerk’s Mediation Register pursuant to the
14 MMM Program Procedures, without the necessity of a hearing. The clerk
15 shall serve notice of the mediator selection on the required parties using
16 the MMM Local Form “Notice of Clerk’s Designation of Mortgage
17 Modification Mediator.” Any challenge to the clerk’s designation of
18 mediator shall be resolved in accordance with the MMM Program
19 Procedures.
20
21
22

23
24 14. Debtor shall assign the mediator as the mediator in this case on the MMM Portal
25 within seven days after designation;

26
27 15. The mediator shall be:
28

1 (a) governed by the subject to the Model Standards of Conduct for Mediators
2 as revised and adopted in 2005 by the American Arbitration Association,
3 American Bar Association, and Association of Conflict Resolution.
4 Mediators shall have judicial immunity in the same manner and to the
5 same extent as a judge;
6

7 (b) subject to paragraph 16 below, be compensated in the amount of \$600.00
8 for preparation for MMM, execution of required documents, facilitation of
9 document and information exchange between the parties, and participation
10 in no more than two one-hour MMM conferences;
11

12 (c) compensated at the rate set by the U.S. Bankruptcy Court for the District
13 of Nevada as adopted by this court by Administrative Order 2014-08, or at
14 such rate as may be agreed to in writing by the parties and the mediator
15 selected by the parties for any MMM conferences that extend beyond the
16 initial two one-hour conferences.
17
18

19 16. The mediator's fee shall be paid equally by the parties as follows:
20

21 (a) The Debtor shall pay the required non-refundable fee pursuant to the
22 MMM Procedures directly to the mediator within seven days designation
23 of the mediator;
24

25 (b) The Lender shall pay the required non-refundable fee pursuant to the
26 MMM Procedures directly to the mediator within seven days after
27 designation of the mediator; and
28

1 (c) The mediator's fee for MMM conferences that extend beyond two, one-
2 hour conferences, shall be paid equally by the parties and is due and
3 payable at the beginning of each successive MMM conference in
4 accordance with the program procedures.
5

6
7 17. The mediator shall log in to the MMM Portal within seven days after designation
8 and use the MMM Portal to facilitate any additional exchange of information or
9 documentation between Debtor and Lender in an effort to perfect the documents
10 needed for Lender to complete its analysis of Debtor's mortgage modification
11 mitigation options;
12

13 18. If the mediator either fails to timely register or log in to the MMM Portal to begin
14 to facilitate the MMM process, any party to the mediation may file a motion
15 requesting that the mediator be removed from this case and, if applicable, be
16 removed from the clerk's Mediation Register;
17

18
19 **19. MEDIATION CONFERENCE:**

20 (a) The mediator shall schedule the initial MMM conference no later than
21 seven days after determining that the Lender has received and reviewed all
22 requested information. In the event the mediator cannot determine that the
23 Lender has received all the requested information, the mediator shall
24 schedule the initial MMM conference within 90 days of this Order. The
25 initial MMM conference shall not exceed one hour. The mediator shall
26 report the scheduling of all MMM conferences on the MMM Portal;
27
28



- 1 (b) If the Debtor is represented by an attorney, the Lender and Lender's
2 representative may participate in the MMM conference by telephone;
3
- 4 (c) If the Debtor is represented by an attorney, the Debtor and any co-
5 obligors/co-borrowers or other third party may participate in the MMM
6 conference by telephone provided they are physically present with
7 Debtor's attorney and present identification to Debtor's attorney during all
8 MMM conferences;
9
- 10 (d) If the Debtor is not represented by an attorney, the debtor and any co-
11 borrower shall be physically present with the mediator at the mediator's
12 selected location and present identification to the mediator for all MMM
13 conferences;
14
- 15 (e) Debtor shall provide a foreign language interpreter, if necessary, at the
16 Debtor's own expense; and
17
- 18 (f) All parties attending the MMM conference must be ready, willing and able
19 to sign a binding settlement agreement at the MMM conference and have
20 the ability to scan, send and receive documents by facsimile, email or
21 other electronic means at the time of the MMM conference.
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25 20. In the event the parties are unable to reach an agreement and require an additional
26 MMM conference, the mediator shall schedule a final MMM conference no later
27 than 30 days thereafter. The final MMM conference shall not exceed one hour;
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21. In the event the parties reach a final resolution or, if no agreement has been reached, the mediator shall report the results of the MMM on the MMM Portal not later than seven days after the conclusion of the final MMM conference. The mediator shall also complete and file with the Court, via CM/ECF, the MMM Local Form "Final Report of Mortgage Modification Mediator," within two business days following entry of the final report data on the MMM Portal;

22. If an agreement has been reached, Debtor shall file the MMM Local Form "Ex Parte Motion to Approve Mortgage Modification Mediation Agreement with Lender," no later than 14 days following the filing of the Final Report and upload the MMM Local Form "Order Granting Motion to Approve Mortgage Modification Mediation Agreement with Lender" to the Court's CM/ECF. The parties shall also seek any necessary Court approval and formalize any required legal documents in a timely fashion thereafter;

23. The automatic stay is modified to the extent necessary to facilitate MMM pursuant to this Order;

24. Any of the deadlines imposed by this Order may be extended by order of the Court;

25. If any parties or counsel fail to comply with the terms of this Order, the Court will consider a motion to vacate the Order and may also impose sanctions; and

1 26. The Debtor shall serve a copy of this Order on all parties to the mediation,
2 immediately upon receipt. Service shall be by regular U.S. Mail, electronic
3 service, or email, if the party's email address is known.
4

5 **IT IS SO ORDERED.**
6

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8 Submitted by:

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11 _____
12 Attorney for Debtor(s) or Pro Se Debtor
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Dated: _____

1 NVB 105-9(1/15)
 2 Debtor Attorney _____
 3 Nevada Bar # _____
 4 Firm Name _____
 5 Address _____
 6 City, State, Zip _____
 7 Phone Number _____
 8 Email Address _____
 9 Pro-se Debtor _____

8 **UNITED STATES BANKRUPTCY COURT**
 9 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:) BK
 13) CHAPTER 13
 14 Debtor(s).) DEBTOR'S NOTICE OF SELECTION OF
 15) MORTGAGE MODIFICATION MEDIATOR

16 Pursuant to the Mortgage Modification Mediation (MMM) procedures adopted under
 17 Administrative Order 2014-08, this Notice is filed by the Debtor to notify the court on the status
 18 of the selection of mediator in the above referenced case.
 19

20 1. The parties agree to and select the following Mediator:

21 Name of Mediator _____
 22 Company _____
 23 Address _____
 24 City, State, Zip _____
 25 Phone Number _____
 26 Email Address _____

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2. The Lender, _____, failed to contact the Debtor within the time prescribed in the order of referral, and has therefore waived the right to participate in the mediator selection process.

The Debtor has selected the following Mediator:

Name of Mediator _____
Company _____
Address _____
City, State, Zip _____
Phone Number _____
Email Address _____

3. The parties have conferred but are unable to agree upon the selection of a mediator, and Debtor requests that the clerk select a mediator from the Clerk's Mediation Register.

Submitted by:

Attorney for Debtor(s) or Pro Se Debtor

Dated: _____

1 NVB 105-10(5/15)

2 Debtor Attorney _____
3 Nevada Bar # _____
4 Firm Name _____
5 Address _____
6 City, State, Zip _____
7 Phone Number _____
8 Email Address _____

9 **UNITED STATES BANKRUPTCY COURT**
10 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:) BK
13) CHAPTER 13
14 Debtor(s).) ATTORNEY REPRESENTED DEBTOR'S
15) EX PARTE MOTION TO APPROVE
MORTGAGE MODIFICATION
MEDIATION AGREEMENT

16 The above-referenced Debtor requests the Court enter an Ex Parte Order approving the
17 Mortgage Modification Agreement with _____ ("Lender") and states as
18 follows:

- 19 1. The Court referred this matter to Mortgage Modification Mediation ("MMM")
20 on _____ (DOCKET # ____).
21
22 2. The final MMM conference was held on _____.
23
24 3. The MMM Mediator filed a Final Report of Mortgage Modification Mediator
25 on _____ (DOCKET # ____), reporting the parties reached an agreement.
26
27 4. Attached is a copy of the Agreement entered into between the parties (with all
28

personal identifiers redacted).

1
2
3 5. Pursuant to the Agreement, the Lender will draft all documents required by the
4 Agreement, other than pleadings or plans required to be filed in this case.

5
6 6. Pursuant to the Agreement, the debtor shall amend or modify the plan, as
7 necessary, to accurately reflect the agreement. Such amendment or modification shall be filed
8 and served no later than 30 days of entry of the Order granting the instant motion.

9
10 7. All payments shall be considered timely upon receipt by the trustee, not upon
11 receipt by the Lender.

12
13 8. The trustee may disburse the payment to the lender until such time as a modified
14 plan is confirmed, or the case is dismissed or converted to another chapter.

15 WHEREFORE, the Debtor requests the Ex Parte Motion to Approve Mortgage
16 Modification Agreement with _____ (“Lender”) be granted and for such other and
17 further relief as this Court deems proper.
18

19
20
21 Submitted by:

22
23
24 _____
Attorney for Debtor(s)

Dated: _____

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NVB 105-15(3/15)

Debtor Attorney _____
Nevada Bar # _____
Firm Name _____
Address _____
City, State, Zip _____
Phone Number _____
Email Address _____

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK
) CHAPTER 13
) ORDER ON ATTORNEY REPRESENTED
Debtor(s).) DEBTOR'S EX PARTE MOTION TO
) APPROVE MORTGAGE MODIFICATION
) AGREEMENT

Upon submission of Attorney-Represented Debtor's Ex-Parte Motion to Approve
Mortgage Modification Agreement on _____.

IT IS ORDERED that the Debtor's Ex Parte Motion to Approve Mortgage Modification
Agreement is GRANTED;

IT IS FURTHER ORDERED that the Mortgage Modification Agreement resulted in:

1 a final loan modification agreement. The terms of the final agreement are
2 summarized as follows:

3

	Old Loan Terms	New Loan Terms
4 Principal Balance		
5 Interest Rate		
6 Interest Type		
7 Maturity Date		
8 Principal and Interest		
9 Amount		
10 Total Payment (including		
11 escrow, if applicable)		
12		
13		
14		

15 If the monthly payment is scheduled to change at any time within five years after
16 the modification, indicate the amount of the change and the new payment in a
17 statement attached to this order.

18 The final agreement does or does not incorporate pre-petition arrears.

19 The final agreement does or does not incorporate post-petition arrears.

20
21 a trial loan modification agreement. A separate motion to approve the final loan
22 modification agreement must be filed with the court.

23 IT IS FURTHER ORDERED that the Lender will draft all documents required by the
24 Agreement, other than pleadings or plan required to be filed in this case;

25
26 IT IS FURTHER ORDERED that pursuant to the terms of the agreement filed with the
27 Debtor's motion, the debtor shall amend or modify the plan, as necessary, to accurately reflect
28

1 the agreement. Such amendment or modification shall be filed and served no later than 30 days
2 of entry of this order, which provides for the payment;

3 IT IS FURTHER ORDERED that all payments shall be considered timely upon receipt
4 by the trustee, not upon receipt by the Lender; and

5 IT IS FURTHER ORDERED that the trustee may disburse the payment to the lender
6 until such time as a modified plan is confirmed, or the case is dismissed or converted to another
7 chapter;
8

9 **IT IS SO ORDERED.**

10
11
12
13 Submitted by:

14
15 _____
16 Attorney for Debtor(s)

Dated: _____

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1 NVB 105-7(1/15)
 2 Attorney Name _____
 3 Nevada Bar # _____
 4 Firm Name _____
 5 Address _____
 6 City, State, Zip _____
 7 Phone Number _____
 8 Email Address _____

9 **UNITED STATES BANKRUPTCY COURT**
 10 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:) BK
 13) CHAPTER 13
 14 Debtor(s).) LENDER'S CONSENT TO ATTEND AND
 15) PARTICIPATE IN MORTGAGE
 16) MODIFICATION MEDIATION

17 _____, ("Lender") consents and agrees to participate in
 18 Mortgage Modification Mediation ("MMM") in the above-referenced case. By this consent,
 19 Lender agrees:

- 20 1. To participate in MMM;
- 21 2. To register with the Mortgage Modification Mediation Web Portal ("MMM Portal") at
 22 www.dclmwp.com, if not already registered, within seven days of this consent and post
 23 Lender's initial loss mitigation package, specifying the forms and documentation required
 24 to initiate a review of Debtor's request for loss mitigation options ("Lender's Initial
 25 Package");
 26

- 1 3. In the event, Lender requires additional information to consider Debtor's requested
2 options, Lender will notify debtor through the MMM Portal within seven days of receipt
3 of Lender's Initial Package;
- 4
- 5 4. To designate its single point of contact and its Nevada legal counsel (if any) on the MMM
6 Portal, if not already designated, within seven days of this consent;
- 7
- 8 5. Lender's single point of contact and its Nevada legal counsel (if any) will have the
9 authority (within the investor's guidelines) to settle, and will attend, and continuously
10 participate in, all MMM conferences in this case;
- 11
- 12 6. To pay the non-refundable fee pursuant to the MMM Procedures directly to the mediator
13 within seven days of designation of the mediator;
- 14
- 15 7. To pay half the mediator's fee directly to the mediator in the event MMM extends beyond
16 two one-hour conferences;
- 17
- 18 8. In the event a settlement is reached, Lender will promptly prepare and execute all
19 necessary documents in a timely fashion.
- 20

21
22 Dated: _____

23
24 Submitted by:
25
26 _____
27
28

1 NVB 105-8(1/15)
 2 Debtor Attorney _____
 3 Nevada Bar # _____
 4 Firm Name _____
 5 Address _____
 6 City, State, Zip _____
 7 Phone Number _____
 8 Email Address _____
 9 Pro-se Debtor _____

8 **UNITED STATES BANKRUPTCY COURT**
 9 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:) BK
 13) CHAPTER 13
 14 Debtor(s).) THIRD PARTY'S CONSENT TO ATTEND
 15) AND PARTICPATE IN MORTGAGE
 16) MODIFICATION MEDIATION

17 The undersigned, _____, consents to participate in
 18 Mortgage Modification Mediation ("MMM") and attend all MMM conferences for property
 19 located at _____ as follows:

- 20 1. I am not a Debtor in this case.
- 21 2. I am:
 - 22 a. the Debtor's non-filing spouse;
 - 23 b. a co-obligor on the promissory note ;
 - 24 c. a co-borrower on the mortgage; or
 - 25 d. other/third party: _____
- 26 3. I am willing to enter into a binding settlement agreement with the Lender,
- 27
- 28

but understand I am not required to do so.

4. I am willing to provide Debtor's attorney, or if the Debtor is not represented, the Debtor, with all documents required for MMM upon request.

5. I have not entered into a written legal representation agreement with Debtor's attorney, and acknowledge that I am not represented by Debtor's attorney for MMM or any other matter, if the Debtor is represented by an attorney.

6. I understand I am entitled to retain my own attorney to represent me in this matter if I so choose.

7. I understand all communication and information exchanged during MMM is confidential.

Dated: _____

Printed Name

Signature

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STATE OF NEVADA
COUNTY OF _____

Subscribed and sworn to before me this
_____ day of _____,
20__ by _____,
 who is personally known to me or who
has produced _____ as
identification.

Notary Public, State of Nevada
Commission No.
My Commission Expires:

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

* * * * *

**VERIFICATION OF QUALIFICATIONS TO ACT AS MEDIATOR
IN THE MORTGAGE MODIFICATION MEDIATION (MMM)**

Name: _____

Bar ID (list all applicable state bar numbers): _____

Address: _____

Phone Number: _____ E-mail Address: _____

In accordance with Administrative Order 2014-08, I verify that I am qualified for and agree to serve as a mediator for a period of three years, after which I must reapply, under this rule as follows:

1. Minimum Qualifications to act as a Mediator in the Nevada MMM program: (check one)
 - I am an active and licensed member of the Nevada Bar and have been admitted to practice in a state or federal court for at least the past 7 years.
 - I am a retired Nevada state court judge or federal judge.
 - I am a registered user on PACER and CM/ECF.
 - Notwithstanding the 3 year period to act as a mediator above, I am an active and licensed member of the Florida bar and an approved member on the Register of Mediators with the Clerks of the United States Bankruptcy Courts for the Districts of Florida and will accept MMM Assignments for a period limited to one year commencing January 1, 2015 and ending December 31, 2015.

2. Additional Qualifications to be considered: (check all that apply)
 - I have completed a minimum of a 40 hour course on mediation offered by an accredited mediation school. (ATTACH CERTIFICATE TO THIS SHEET)
 - I have completed at least 25 mediation sessions.
 - I am a full or part-time bankruptcy practitioner with _____ years' experience.

I have working knowledge of HAMP I and II, as well as other Governmental and banking mortgage modification programs (please list):

Add here any other relevant factors that should be considered:

3. Additional required information: (answer all that apply)

There are or have been no disciplinary proceedings instituted against mediator, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

Mediator has never been denied admission to the State Bar of Nevada. (Give particulars of ever denied admission):

Mediator is a member of good standing in all the following Bar Associations:

4. I have taken the oath or affirmation prescribed by 28 U.S.C. §453 and have attached proof thereof to this Verification.

5. I agree to accept the current compensation rate established by the United States Bankruptcy Court District of Nevada.
6. I am familiar with and will comply with all notice and reporting requirements as implemented in Administrative Order 2014-08 and the MMM Program Procedures and Forms.
7. I will disclose to the court any bias or prejudice which may disqualify me as a mediator.
8. I will accept referrals for cases filed in the southern division.

I certify under penalty of perjury that all the information on this form is true.

By:

(Signature)

(Print Name)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

MEDIATOR'S OATH

Each mediator of the United States Bankruptcy Court shall take the following oath or affirmation before performing the duties of his office:

"I, _____ do solemnly swear or affirm that I will administer justice without respect to persons, and do equal rights to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a mediator for the United States Bankruptcy Court, District of Nevada, under the Constitution and laws of the United States."

By: _____
(Signature)

(Print Name)

SWORN TO AND SUBSCRIBED

before me on _____.

by _____.

NOTARY PUBLIC, State of _____, County of _____

My Commission Expires:

**THIS FORM MUST BE FILED WITH THE CLERK'S OFFICE AT 300 LAS VEGAS
BOULEVARD SOUTH, LAS VEGAS, NV 89101.
YOU MAY ATTACH A ONE PAGE RESUME TO THIS VERIFICATION.**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA
CM/ECF LIMITED USE REGISTRATION
MORTGAGE MODIFICATION MEDIATION**

This form is to be used to register for LIMITED FILING PRIVILEGES for filing the Final Report of Mortgage Modification Mediator and requests for notice to be added to the mailing list.

The following information is required for CM/ECF registration:

Contact Information

Name (First, Middle, Last): _____

Agency/Company: _____

E-Mail Address: _____

Street Address: _____

Phone Number: _____ Fax Number: _____

Does your agency e-file in any other U.S. Bankruptcy Courts? _____ If so, where:

Designated ECF contact person: _____

Phone Number: _____ E-Mail Address: _____

By signing and submitting this registration form, I agree to abide by the following requirements:

1. Signatures shall be indicated by "/s/" and the typed name of the person signing in the following format: "/s/ Janet Smith" on the signature line. I understand that use of my Limited Use password to file a document in the record of a bankruptcy case will constitute my signature for all purposes authorized and required by law, including, without limitation, the United States Code, Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, Federal Rules of Criminal Procedure and any applicable non bankruptcy law.
2. The login and password for filing via the Internet shall be used exclusively by me. All documents filed using my password will contain my signature as set forth above.
3. I agree to abide by all of the requirements set in the Local Rules and Procedures for Electronic Filing Procedures posted at www.nvb.uscourts.gov and any changes or additions that later may be made.

4. Limited filing privileges are narrow in scope. I will only use CM/ECF to electronically file the following: Final Report of Mortgage Modification Mediator and requests for notice to be added to the mailing list. The court reserves the right to modify these options or add additional options as deemed necessary.
5. I understand that using my limited filer account to monitor general activity in any case in which I have not filed a document is beyond the scope of my limited filing privileges. The limited filer account is intended for performing the specified transactions in paragraph 4. In order to view and retrieve electronic docket sheets and documents available on CM/ECF, I will use PACER. [Note: A PACER login and password may be obtained from the PACER Service Center. Registration for a PACER account is available online at <http://pacer.psc.uscourts.gov>. For assistance, call 1-800-676-6856.]
6. At any time without advance notice, the court may, *sua sponte*, terminate my account for any reason and require future documents to be filed conventionally or in any other format specified by the court.

Date: _____

Signature

Please return to:

ATTN: CM/ECF DEPARTMENT
United States Bankruptcy Court
The Foley Federal Building and U.S. Courthouse
300 Las Vegas Blvd. South,
Las Vegas, Nevada 89101

1 NVB 105-14(1/15)

2 Attorney _____
3 Nevada Bar # _____
4 Firm Name _____
5 Address _____
6 City, State, Zip _____
7 Phone Number _____
8 Email Address _____

9 **UNITED STATES BANKRUPTCY COURT**
10 **DISTRICT OF NEVADA**

11 * * * * *

12 In re:) BK
13) CHAPTER 13
14 Debtor(s).) FINAL REPORT OF MORTGAGE
15) MODIFICATION MEDIATOR

16 The undersigned court-appointed mortgage modification mediator, reports to the Court as
17 follows:

18 A. The final Mortgage Modification Mediation ("MMM") conference was conducted on
19 _____ and the following parties were present:

- 20 1. [] The Debtor [and Debtor's attorney], _____
21 2. [] The co-obligor/co-borrower/or other third party, _____
22 3. [] The Lender's representative, _____
23 and Lender's attorney, _____
24 4. [] Other: _____

25 B. The final MMM conference was scheduled for _____, but not conducted
26 for the following reason:

- 27 1. [] The parties settled prior to attending.
28 2. [] The case was dismissed.
3. [] The Debtor or [] Debtor's attorney failed to attend.
4. [] The Lender's representative or [] Lender's attorney failed to attend.

5. Other: _____.

C. The result of the MMM conference is as follows:

1. The parties reached an agreement.
2. The parties did not reach an agreement.

Dated: _____

Signature of Mediator

Print name: _____

Address: _____

Telephone: _____

Email: _____

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