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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re _____

Debtor.

Case No. _____
Chapter 13

**MOTION TO APPROVE TRIAL LOAN
MODIFICATION AGREEMENT AND
AUTHORIZING TRUSTEE TO MAKE
DISTRIBUTIONS PRIOR TO
CONFIRMATION TO LENDER**

_____ (the "Debtor") hereby moves (the "Motion") the Court for entry of an order approving a trial loan modification agreement entered into with _____ (the "Lender") and authorizing the Chapter 13 Trustee (the "Trustee") to make distributions to the Lender prior to confirmation based upon the following.

1. On _____, the Court referred the above-captioned case to the Mortgage Modification Mediation Program (the "MMM Program") [Dkt. No. ___] with respect to real property located at _____.

2. On _____, a MMM Conference was conducted whereby the Debtor and the Lender agreed to a trial loan modification agreement (the "Trial Agreement"), a true and correct copy of which is attached hereto as **Exhibit A**.

3. In order to facilitate payments required by the Trial Agreement, the parties request that the Trustee be authorized to distribute payments prior to confirmation as follows:

___ A. Monthly Payments. The Debtor's trial payments to the Lender shall be in the amount of \$ _____ per month, which includes principal, interest, and escrow

1 amounts for property taxes and insurance. The effective interest rate for the trial payments shall
2 be ____ % per annum. The trial payments shall commence on _____, 20____
3 and continue through _____, 20_____.

4 ____ B. Lump Sum Payment. The Debtor has made payments to the
5 Trustee sufficient to satisfy the Lender's requirements for ____ trial payments in the aggregate
6 amount of \$ _____, which includes principal, interest, and escrow amounts for
7 property taxes and insurance. The effective interest rate for the trial payments shall be _____ %
8 per annum. This single lump sum payment shall be disbursed immediately.

9 4. The Trustee shall make the payment(s) specified in Paragraph (3) above payable to
10 _____ and mailed to _____
11 _____ . The last four
12 digits of the account number or the other unique identifier for these trial payments is _____.

13 5. On _____, the Debtor filed a Chapter 13 Plan which
14 includes the Required Chapter 13 Plan Language specified in Section 11(C) of the MMM
15 Procedures [Dkt. No. ____].

16
17 WHEREFORE, the Debtor requests that the Court enter an order approving the Motion
18 and for such other and further relief as the Court deems just and proper.

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20 Dated: _____

Respectfully submitted,

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By: _____