

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

CHAPTER _ (RDD)

CASE NO.

Debtor(s).

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ORDER APPROVING TRIAL LOAN MODIFICATION AGREEMENT

Upon the motion, by notice of presentment dated _____ (the "Motion"), for an order pursuant to Fed. R. Bankr P. 9019 and General Order #M-413 approving the entry into and performance by the above debtor(s) (the "Debtor(s)") of a Trial Loan Modification Agreement dated _____, a copy of which is attached hereto as **Exhibit "A"** (the "Trial Loan Modification"), modifying, on a trial basis, the loan referred to therein and related mortgage on the Debtors' residence; and there being due and sufficient notice of the Motion and the opportunity for a hearing thereon; [and there being no opposition to the requested relief; and no additional notice of or a hearing on the Motion being required under the circumstances;] [and on the record of the hearing held by the Court on the Motion on _____;] and it appearing that the Trial Loan Modification is fair and reasonable and in the best interests of the Debtor(s) [and the estate], it is hereby

ORDERED, that the Motion is granted, the Trial Loan Modification is approved and the parties thereto are authorized to enter into and perform it according to its terms; and it is further

ORDERED, that the parties to the Trial Loan Modification and their successors and assigns are authorized, without the need for further Court Order, to enter into and perform any permanent modification of the foregoing loan and mortgage that is on the same or better terms as the Trial Loan Modification, subject to any Bankruptcy discharge of the Debtors' personal obligations thereunder; and it is further

ORDERED, that if the parties enter into a permanent loan modification authorized by the preceding decretal paragraph, any timely proof of claim filed in this case based on the loan and/or

mortgage covered by such permanent loan modification is deemed modified and governed by such permanent loan modification.

Dated: White Plains, New York

_____ , _____

United States Bankruptcy Judge