

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**AMENDED GENERAL ORDER REGARDING NEGOTIATIONS BETWEEN
DEBTOR(S) AND MORTGAGE SERVICER(S) TO CONSIDER LOAN
MODIFICATIONS**

WHEREAS the Court finds a need to enter a general order, amending the General Order, dated May 13, 2009, Regarding Negotiations Between Debtor(s) and Mortgage Servicer(s) to Consider Loan Modifications, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey, it is hereby;

ORDERED, that communications and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as a violation of the automatic stay;

IT IS FURTHER ORDERED, that any such communication or negotiation shall not be used by either party against the other in any subsequent litigation;

IT IS FURTHER ORDERED, that prior to consummation of a loan modification agreement, the agreement must be presented for approval to the Court by motion, on fourteen days notice to the Standing Chapter 13 Trustee and to all creditors whose claims are secured by liens against the underlying real estate. A copy of the proposed loan modification agreement must accompany the motion. Unless an objection to the loan modification is served and filed with the Court, an order may be entered approving the proposed loan modification, which will be effective as of the date on which the motion was filed. If a timely objection is filed, the Court will schedule a hearing at the earliest opportunity.

IT IS FURTHER ORDERED, that if a loan modification approved by the Court impacts on the provisions of a Chapter 13 plan, a modified plan must be filed.

IT IS FURTHER ORDERED, that a debtor need not dismiss a pending case in order to enter into negotiations with a mortgagee/mortgage servicer, or to achieve a loan modification.

DATED: July 24, 2009

/s/ Hon. JUDITH H. WIZMUR

**Hon. Judith H. Wizmur
Chief Judge
United States Bankruptcy Court
District of New Jersey**