

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

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

UPON CONSIDERATION of the recommendation of the Chapter 13 Subcommittee of the Lawyers' Advisory Committee to the United States Bankruptcy Court for the District of New Jersey, the Court finds a need to enter a general order regarding loan modification negotiations and agreements between debtors and mortgagee/mortgage servicers. Accordingly, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey;

IT IS 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 loan modification agreements must be presented by motion to the Court for approval prior to consummation.

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 mortgage/servicer, or to achieve a loan modification.

DATED: MAY 13, 2009

/S/ Hon. JUDITH H. WIZMUR

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