

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re

[_____],
Debtor(s).

Case # _____
Chapter ____

ORDER GRANTING MOTION FOR MORTGAGE MEDIATION

[The Debtor/ Creditor] filed a motion seeking an order directing the parties to a certain mortgage dated [date] to proceed with mediation with respect to that mortgage, more fully described in that motion, filed on [date], with respect to property located at [address]. Any objections filed in response to this motion have been withdrawn or overruled.

Based upon the record in this case and the representations set forth in the motion, **THE COURT FINDS** that adequate notice has been given, the motion satisfies the procedural requirements of the local rules, the mediation is in the best interest of the bankruptcy estate, and good cause has been shown for entry of an Order approving the Motion for Mortgage Mediation.

Based upon those findings, **IT IS HEREBY ORDERED** that the Motion for Mortgage Mediation is **GRANTED**. **IT IS FURTHER ORDERED** as follows.

1. Upon entry of this Order, the Clerk shall send the parties a list of three court approved mediators (the "List") and the parties shall respond to the Clerk within five days, either jointly agreeing to the appointment of a particular mediator from the List or each striking one name from the List; upon the expiration of the five-day period, or receipt of the parties' response, whichever is first, the Court shall enter an Order, via a docket entry, appointing a mediator.
2. Within 21 days of entry of this Order, the Debtor shall (a) serve the Mediator and Creditor with a Notice of Compliance with Mediation Order and all documents required by that form, and (b) file with the Court a copy of the Notice (without attachments) and a certificate of service.
3. Within 14 days of the date the Debtor filed the Notice of Compliance, the Creditor must serve the Debtor and Mediator with its Response to the Debtor's Mediation Documents and file the same with certificate of service. If Creditor has found the documents to be incomplete, finds Debtor has not served all documents articulated on the list, or determines additional documents are necessary, the Creditor shall file a Motion to Compel Compliance with Mediation Order.
4. The Mediator shall schedule the mediation to be held within 21 days of the filing of the Creditor's Response, or an Order adjudicating the Motion to Compel Compliance, whichever is later. The mediation shall conclude within 14 days of the first mediation session, unless the mediator determines more time is necessary.
5. The parties shall split equally the Mediator's \$750 flat fee. If a party seeks to shift the expense of a portion or all of the fees associated with the mediation, that party shall file a motion with the Court, on 14 days notice to all parties to the mediation and the case trustee, showing cause for such relief.
6. The Mediator shall file a report of mediation within 14 days of the conclusion of the mediation.

SO ORDERED.

_____, 20____
Burlington, Vermont

Colleen A. Brown
United States Bankruptcy Judge