**LMM Form 5 September 2021**

**UNITED STATES BANKRUPTCY COURT**

**WESTERN DISTRICT OF NORTH CAROLINA**

**[insert correct division name] DIVISION**

IN RE: )

)

)CASE NO.

)CHAPTER 13

TIN: XXX-XX- )

)

Debtor(s).)

)

**EX PARTE MOTION TO SUBSTITUTE LMM CREDITOR**

NOW COMES [Former Creditor’s name] (“Former Creditor”) and hereby submits the following motion and shows unto the Court as follows:

1. On [DATE OF MOTION FOR LOAN MODIFICATION MANAGEMENT], the Debtor(s) filed a Motion for Loan Modification Managementupon which the Court entered an Order for Loan Modification Management (“LMM Order”) dated [DATE OF DOCKETING], naming the Former Creditor as the creditor in the Loan Modification Management Program (“LMM Program”) and setting forth certain deadlines.
2. Subsequent to entry of the LMM Order, the Debtor(s) was notified that [FULL AND COMPLETE NAME OF SUCCESSOR CREDITOR] (“Successor Creditor”) with an address of [FULL AND COMPLETE ADDRESS OF SUCCESSOR CREDITOR] has replaced the Former Creditor.

WHEREFORE, the Former Creditor respectfully requests that the Court enter an order:

1. Relieving the Former Creditor of any further responsibility pursuant to the LMM Order and vacating the LMM Order as to it;
2. Designating [SUCCESSOR CREDITOR] as the Successor Creditor responsible for completion of all LMM Program duties, responsibilities, and obligations previously imposed on the Former Creditor, including compliance with all LMM Program requirements as if originally designated in the LMM Order in the first instance. Without limiting the generality of the foregoing, the Successor Creditor shall be obligated to accept all of the documentation submitted by the Debtor to the Former Creditor;
3. Requiring the Former Creditor to upload an Order Substituting LMM Servicer and to serve the Order Substituting LMM Servicer electronically on the Chapter 13 trustee within three days of its entry at the following email address: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**; and
4. Authorizing and directing the Chapter 13 trustee to make payments to [SUCCESSOR CREDITOR] beginning with the next distribution date that is not less than ten days from service of this orderupon the Chapter 13 trustee.

Date:

[Attorney Name]

[State Bar #]

[Address]

[Telephone #]

[Email address]

Attorney for Debtor(s)