

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re: _____ §
_____ §
Case No.: _____ §
Debtor(s) §
§

MOTION TO ADD AN ADDITIONAL PARTY TO LOAN MODIFICATION MATTER

MOVANT(S) SEEK TO ADD THE PROPOSED ADDITIONAL PARTY NAMED HEREIN AS A PARTY TO THE LOAN MODIFICATION MATTER DESCRIBED HEREIN. ANY PARTY OPPOSING THE RELIEF SOUGHT HAS FOURTEEN (14) DAYS FROM THE DATE OF THE SERVICE OF THIS MOTION TO FILE A WRITTEN OBJECTION STATING WHY THE RELIEF SOUGHT SHOULD NOT BE GRANTED. THE OBJECTION MUST BE FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT, [INSERT ADDRESS FOR COURT]. IF A TIMELY OBJECTION IS NOT FILED, THE RELIEF SOUGHT MAY BE GRANTED WITHOUT FURTHER HEARING AND THE PROPOSED ADDITIONAL PARTY MAY BE DEEMED A PARTY TO THE LOAN MODIFICATION MATTER AND REQUIRED TO PARTICIPATE IN THAT MATTER. IF A TIMELY OBJECTION IS FILED, MOVANT(S) SHALL SET A HEARING ON THE MOTION. NOTICE OF THE HEARING WILL BE SERVED ONLY ON A PARTY FILING A WRITTEN OBJECTION.

THE BANKRUPTCY LOAN MODIFICATION PROGRAM ADOPTED BY THIS COURT MAY BE ACCESSED ON THE BANKRUPTCY COURT’S WEBSITE AT <http://www.txnb.uscourts.gov/>. THE PROCEDURES, REQUIREMENTS, DUTIES AND OBLIGATIONS OF A PARTY TO A LOAN MODIFICATION MATTER ARE SET OUT IN THE LOAN MODIFICATION PROGRAM.

YOUR RIGHTS MAY BE AFFECTED AND YOU MAY WISH TO SEEK LEGAL COUNSEL WITH REGARD TO THIS MATTER.

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now [insert name of all movants] (referred to hereafter as “Movant(s)”) and files this Motion to Add an Additional Party to Loan Modification Matter, requesting to add [insert name of proposed Additional Party] (referred to hereafter as “proposed Additional Party”) as a party to the pending Loan Modification Matter described herein and, for same, would respectfully show the Court as follows:

1. All capitalized terms which are used in this document are used and defined as in the Loan Modification Program adopted by this Court.

2. The Loan Modification Matter which is the subject of this Motion is with regard to a note dated [insert the date of the note] held by [insert the name of the Lender/Service] and secured by Eligible Property described as [describe the collateral].

3. The proposed Additional Party is necessary to the resolution of the Loan Modification Matter because [state all grounds supporting the allegation]. If the proposed Additional Party is not a party to the Loan Modification Matter, it may not be possible to fully resolve that matter.

4. The interest or claim asserted by the proposed Additional Party [is] [is not] disputed by Movant(s).

5. This Court has jurisdiction over the proposed Additional Party because [state all grounds that establish jurisdiction].

6. Movant(s) anticipate that the relief sought in this Motion to Add an Additional Party to Loan Modification Matter [will] [will not] be disputed by the proposed Additional Party.

WHEREFORE, PREMISES CONSIDERED, Movant(s) pray for an order of this Court:

- 1. Finding that this Court has jurisdiction over the proposed Additional Party;
- 2. Requiring the proposed Additional Party to participate in the Loan Modification Matter concerning the Eligible Property described in this Motion and to be deemed an LMM Party;
- 3. Requiring the proposed Additional Party to register on the Portal within seven (7) days of the date of the entry of an order granting this Motion; and
- 4. For such additional relief to which Movant(s) may be justly entitled.

[signature block for Movant(s)]

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing was served on the proposed Additional Party by [describe method of service] and on each LMM Party by [describe method of service], and on the Chapter 13 Trustee by [describe method of service], all on the _____ day of _____, 20__.

[Name of person effectuating service]