

b. If you fail to comply with this deadline:

- (1) Movant will file a declaration to indicate: (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 or 17 days after the date of service of the notice. [LBR 9013-1(o)(3)]
- (2) Movant will lodge an order that the court may use to grant the Motion; and
- (3) The court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice. [LBR 9013-1(h)]

Respectfully submitted,

Date: _____

Signature of Movant or attorney for Movant

Printed name of Movant or attorney for Movant

MOTION TO TERMINATE LMM PROGRAM

1. An Order Granting Motion to Commence Loan Modification Management Program was entered on _____ (date)
as docket # _____.
2. Pursuant to the LMM Procedures, the parties have not reached a final resolution and Movant requests that the LMM Program be terminated.
3. Details of the reason Movant seeks a termination are:

4. **DECLARATION:** Movant declares under penalty of perjury under the laws of the State of California that the facts asserted in this Motion are true and correct.
5. **WHEREFORE,** Movant requests that the court grant the Motion.

Date: _____

Printed name of Movant

Signature of Movant

Printed name of Attorney for Movant

Signature of Attorney for Movant

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **MOTION AND NOTICE OF MOTION TO TERMINATE LMM PROGRAM** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature