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| **UNITED STATES BANKRUPTCY COURT**  **SOUTHERN DISTRICT OF NEW YORK**  ------------------------------------------------------------------x  In re:    Debtor(s).  ------------------------------------------------------------------x |  | Case No. - ( )  Chapter |
|  |  |  |

**SLM ORDER**

A SLM Request was filed on *[Date]* \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_;

Pursuant to the SLM Program Procedures, the parties have had notice and an opportunity to object, and [there has been no objection] [the objection to the request has been denied]. Upon the foregoing, it is hereby

**ORDERED**, that the following SLM Parties are directed to participate in SLM on the Loan ending in *[last four (4) digits of account number]*:

1. The Debtor, *[name of Debtor]*;

2. The Creditor, *[name of Creditor],* The Servicer, *[Name of Servicer]* with respect to *[borrower/obligor’s name]*; and

3. Any additional non-SLM Parties (as applicable).

**ORDERED**, that the SLM Parties shall comply with the Southern District of New York SLM Program Procedures; and it is further

**ORDERED**, that the SLM Parties are required to communicate but nothing in this Order should be construed as compelling any SLM Party to offer or accept any settlement terms except on a voluntary basis; and it is

**ORDERED**, that the SLM Parties shall observe the following deadlines:

* **Within 7 days of the entry of this Order**: this Order must be served pursuant to the SLM Program Procedures and an affidavit of service must be filed on the Court’s Electronic Case Filing System (“ECF”).

If the Debtor seeks Student Loan Repayment Option relief, the Debtor’s Student Loan Application portal results must be included with the service of this Order.

* **Within 14 days of the service of this SLM Order:**
* **Designation of Contact Persons:** Each SLM Party shall designate contact persons**,** and disclose contact information, and file such information with the Court. As part of this obligation, the Creditor/Servicer shall furnish each SLM Party with written notice of the name, address and direct telephone number of the person who has **FULL** settlement authority on the loan in question as well as the attorney or law firm representing the Creditor/Servicer in the SLM; and
* **Creditor/Servicer SLM Affidavit:** The Creditor/Servicer shall serve upon the Debtor and Debtor’s attorney an affidavit attaching its Initial SLM Package and file proof of service of same on ECF. The Creditor/Servicer may designate its contact and attorney in the affidavit.

If the Debtor seeks Student Loan Repayment Option relief and has served Debtor’s Student Loan Application portal results, the Initial SLM Package shall include the Creditor/Servicer’s reasonably detailed response to such analysis.

* **Within 14 days of the service of the Creditor SLM Affidavit:**
* **Debtor SLM Affidavit:** The Debtor shall serve upon the Creditor/Servicer all documents requested in a response to Creditor/Servicer’s request for information and Debtor shall file proof of service of said documents on ECF. All documents shall be sent in one complete package and served upon the Creditor/Servicer’s designated contact person and the Creditor/Servicer’s attorney; provided that if the Debtor cannot include a requested document in such package, an explanation and timeline for its production shall be included.
* **Within 75 days of service of the SLM Order:**
* **Status Report:** The SLM Parties shall file a status report in the form of a letter evidencing compliance with this Order and updating the Court on the status of the SLM, including am summary of all communications between the parties. The status report must be filed at least 7 days before any status conference.
* **Status Conference:** The first status conference shall be held in this case on *[check with chambers or Court’s website for a SLM hearing date within 75 days of the service of this Order]* at [*time provided by chambers or Court’s website*] *at* the United States Bankruptcy Court [include full address?] (the “Initial Status Conference”). The SLM Parties shall appear at the Status Conference and provide the Court with a verbal status report. ***The Initial Status Conference and any subsequent status conferences cannot be adjourned without permission of the Court, requested on notice to, or based on the consent of the other SLM Parties.***

And it is further

**ORDERED**, that any matters in the bankruptcy case that are currently pending between the SLM Parties pertaining to the loan in question, may be adjourned by the Court to the date of the Initial Status Conference to the extent those matters concern: (1) relief from the automatic stay, (2) an objection to the allowance of a proof of claim, (3) an adversary proceeding, (4) an objection to confirmation of a plan of reorganization, or (5) any other matter so scheduled by the Court; and it is further

**ORDERED**, that Creditor and Servicer are authorized and directed to accept postpetition Student Loan payments; provided that in a chapter 11**,** 12 or 13 case, the Debtor’s plan provides for such payments; provided and subject, further, to possible reallocation of such payments if a plan is *not* confirmed that does not provide for such payments; and it is further

**ORDERED,** that the automatic stay is hereby lifted to permit the foregoing payments as well as the SLM Parties’ conversations/communication/proposals about the Student Loan; and it is further

**ORDERED,** that nothing in this Order shall be construed to render dischargeable a debt that would be non-dischargeable under 11 U.S.C. § 523(a)(8), or render non-dischargeable a debt that would be dischargeable under such section. A discharge in a chapter 7 case shall not be issued and this case shall not be closed until at least 30 days after the entry of the *Order Terminating SLM and Final Report*; and it is further

**ORDERED**, that the time for each Creditor that is a SLM Party in this case to file an objection to a plan under chapter 11, 12, or 13 of the Bankruptcy Code shall be extended until 14 days after the filing of an *Order Terminating SLM and Final Report*; and it is further

**ORDERED,** that upon the conclusion of SLM, the SLM Parties shall be responsible to ensure that the proposed *Order Terminating SLM and Final Report* is promptly submitted to the Court for entry.

Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

United States Bankruptcy Judge