UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Adoption of Form for Motions for Relief
from Stay to Foreclose a Mortgage on Real
Property or a Security Interest in a Cooperative
Apartment

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GENERAL ORDER

       BY resolution of the Board of Judges of the Bankruptcy Court for the Eastern District of New York, it is hereby

       ORDERED, that all motions filed on or after September 1, 2008, in the United States Bankruptcy Court for the Eastern District of New York, in cases filed by individuals, seeking relief from the automatic stay pursuant to 11 U.S.C. § 362 to foreclose a mortgage on real property or a security interest in a cooperative apartment, shall include, as an exhibit to the motion, a completed copy of the annexed **Form for Motions for Relief from Stay to Foreclose a Mortgage on Real Property or a Security Interest in a Cooperative Apartment** (the "Form"); and it is further

       ORDERED, that unexcused failure to comply with this order may constitute grounds for adjournment or denial of the motion.

Dated: Brooklyn, NY
       July 18, 2008

                                       /s/Carla E. Craig
                                       CARLA E. CRAIG
                                       Chief Bankruptcy Judge

                                     #533

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
---x

CASE NO.____ - _____ (_____)

CHAPTER____

---x

RELIEF FROM STAY – REAL ESTATE AND
COOPERATIVE APARTMENTS

BACKGROUND INFORMATION

1. ADDRESS OF REAL PROPERTY OR COOPERATIVE APARTMENT:_____
_____
_____

2. LENDER NAME:_____
_____

3. MORTGAGE DATE:_____

4. POST-PETITION PAYMENT ADDRESS:_____
_____
_____

DEBT AND VALUE REPRESENTATIONS

5. TOTAL PRE-PETITION AND POST-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AS OF THE
MOTION FILING DATE: $_____
(THIS MAY NOT BE RELIED UPON AS A "PAYOFF" QUOTATION.)

6. MOVANT'S ESTIMATED MARKET VALUE OF THE REAL PROPERTY OR COOPERATIVE APARTMENT
AS OF THE MOTION FILING DATE: $_____

7. SOURCE OF ESTIMATED MARKET VALUE:_____

STATUS OF THE DEBT AS OF THE PETITION DATE

8. DEBTOR(S)'S INDEBTEDNESS TO MOVANT AS OF THE PETITION DATE:

    A. TOTAL: \$_____

    B. PRINCIPAL: \$_____

    C. INTEREST: \$_____

    D. ESCROW (TAXES AND INSURANCE):   \$_____

    E. FORCED PLACED INSURANCE EXPENDED BY MOVANT: \$_____

    F. PRE-PETITION ATTORNEYS' FEES CHARGED TO DEBTOR(S):   \$_____

    G. PRE-PETITION LATE FEES CHARGED TO DEBTOR(S):   \$_____

9. CONTRACT INTEREST RATE: _____
(IF THE INTEREST RATE HAS CHANGED, LIST THE RATE(S) AND DATE(S) THAT EACH RATE WAS IN EFFECT ON A SEPARATE SHEET AND ATTACH THE SHEET AS AN EXHIBIT TO THIS FORM. STATE THE EXHIBIT NUMBER HERE: ___.)

10. OTHER PRE-PETITION FEES, CHARGES OR AMOUNTS CHARGED TO DEBTOR(S)'S ACCOUNT AND NOT LISTED ABOVE:_____
_____
_____

(IF ADDITIONAL SPACE IS REQUIRED, LIST THE AMOUNT(S) ON A SEPARATE SHEET AND ATTACH THE SHEET AS AN EXHIBIT TO THIS FORM. STATE THE EXHIBIT NUMBER HERE: ____.)

AMOUNT OF POST-PETITION DEFAULT AS OF THE MOTION FILING DATE

11. DATE OF RECEIPT OF LAST PAYMENT:_____

12. NUMBER OF PAYMENTS DUE FROM PETITION DATE TO MOTION FILING DATE:_____ PAYMENTS.

13. POST-PETITION PAYMENTS IN DEFAULT:

PAYMENT DUE DATE	AMOUNT DUE	AMOUNT RECEIVED	AMOUNT APPLIED TO PRINCIPAL	AMOUNT APPLIED TO INTEREST	AMOUNT APPLIED TO ESCROW	LATE FEE CHARGED
TOTAL:	$	$	$	$	$	$

14. OTHER POST-PETITION FEES CHARGED TO DEBTOR(S):

     A. TOTAL: $_____

     B. ATTORNEYS' FEES IN CONNECTION WITH THIS MOTION: $_____

     C. FILING FEE IN CONNECTION WITH THIS MOTION: $_____

     D. OTHER POST-PETITION ATTORNEYS' FEES: $_____

     E. POST-PETITION INSPECTION FEES: $_____

     F. POST-PETITION APPRAISAL/BROKER'S PRICE OPINION FEES: $_____

     G. FORCED PLACED INSURANCE EXPENDED BY MOVANT: $_____

15. AMOUNT HELD IN SUSPENSE BY MOVANT: $_____

16. OTHER POST-PETITION FEES, CHARGES OR AMOUNTS CHARGED TO DEBTOR(S)'S ACCOUNT AND NOT LISTED ABOVE:_____
_____
_____

(IF ADDITIONAL SPACE IS REQUIRED, LIST THE AMOUNT(S) ON A SEPARATE SHEET AND ATTACH THE SHEET AS AN EXHIBIT TO THIS FORM. STATE THE EXHIBIT NUMBER HERE: _____.)

REQUIRED ATTACHMENTS TO MOTION

PLEASE ATTACH THE FOLLOWING DOCUMENTS TO THIS MOTION AND INDICATE THE EXHIBIT NUMBER ASSOCIATED WITH EACH DOCUMENT.

(1)   COPIES OF DOCUMENTS THAT ESTABLISH MOVANT'S INTEREST IN THE SUBJECT PROPERTY. FOR PURPOSES OF EXAMPLE ONLY, THIS MAY BE A COMPLETE AND LEGIBLE COPY OF THE PROMISSORY NOTE OR OTHER DEBT INSTRUMENT TOGETHER WITH A COMPLETE AND LEGIBLE COPY OF THE MORTGAGE AND ANY ASSIGNMENTS IN THE CHAIN FROM THE ORIGINAL MORTGAGEE TO THE CURRENT MOVING PARTY. (EXHIBIT _____.)

(2)   COPIES OF DOCUMENTS THAT ESTABLISH MOVANT'S STANDING TO BRING THIS MOTION. (EXHIBIT _____.)

(3)   COPIES OF DOCUMENTS THAT ESTABLISH THAT MOVANT'S INTEREST IN THE REAL PROPERTY OR COOPERATIVE APARTMENT WAS PERFECTED. FOR THE PURPOSES OF EXAMPLE ONLY, THIS MAY BE A COMPLETE AND LEGIBLE COPY OF THE FINANCING STATEMENT (UCC-1) FILED WITH THE CLERK'S OFFICE OR THE REGISTER OF THE COUNTY IN WHICH THE PROPERTY OR COOPERATIVE APARTMENT IS LOCATED. (EXHIBIT _____.)

DECLARATION AS TO BUSINESS RECORDS

I,_____, THE _____ OF
_____, THE MOVANT HEREIN, DECLARE PURSUANT TO 28 U.S.C. SECTION 1746 UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS FORM AND ANY EXHIBITS ATTACHED HERETO (OTHER THAN THE TRANSACTIONAL DOCUMENTS ATTACHED AS REQUIRED BY PARAGRAPHS 1, 2, AND 3, ABOVE) IS DERIVED FROM RECORDS THAT WERE MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH KNOWLEDGE OF THOSE MATTERS; THAT THE RECORDS WERE KEPT IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY; AND THAT THE RECORDS WERE MADE IN THE COURSE OF THE REGULARLY CONDUCTED ACTIVITY AS A REGULAR PRACTICE.

I FURTHER DECLARE THAT COPIES OF ANY TRANSACTIONAL DOCUMENTS ATTACHED TO THIS FORM AS REQUIRED BY PARAGRAPHS 1, 2, AND 3, ABOVE, ARE TRUE AND CORRECT COPIES OF THE ORIGINAL DOCUMENTS.

EXECUTED AT _____
ON THIS _____ DAY OF _____, 20____

_____
<NAME>
<TITLE>
<MOVANT>
<STREET ADDRESS>
<CITY, STATE AND ZIP CODE>

DECLARATION

I,_____, THE _____ OF
_____, THE MOVANT HEREIN, DECLARE PURSUANT TO 28 U.S.C. SECTION 1746 UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT BASED ON PERSONAL KNOWLEDGE OF THE MOVANT'S BOOKS AND BUSINESS RECORDS.

EXECUTED AT _____
ON THIS _____ DAY OF _____, 20____

_____
<NAME>
<TITLE>
<MOVANT>
<STREET ADDRESS>
<CITY, STATE AND ZIP CODE>