

**FORECLOSURE DIVERSION PROGRAM
MEDIATOR'S REPORT**

SUPERIOR COURT

DISTRICT COURT

,SS

Location:

Docket No. _____

Docket No. _____

Plaintiff _____ **v. Defendant(s)** _____

Mediator: _____ **Date of first mediation session:** _____

Mediation Date: _____ **Mediation Time:** _____ **a.m./p.m.** **Session #** _____

1. COURT ACTION (Check one disposition only)

A. FINAL REPORT

- 1. Resolved,
 - a. Case settled, plaintiff's counsel to file stipulation of dismissal/motion to dismiss on or before _____ (date). If neither is filed, case will be dismissed with/without (circle) prejudice on _____ (date).
 - b. Other: _____
- 2. Unresolved by mediation,
 - a. Return to Docket, Scheduling Order to issue.
 - b. Report of Noncompliance filed, case to remain in FDP pending judicial review.
- 3. Nonappearance of defendant(s), Scheduling Order to issue.

B. INTERIM REPORT

- 1. Unfinished,
 - a. Next **mediation scheduled:** _____ (date).
 - b. **Mediation to be requested** by _____ (date), or this report will become a Final Report, Scheduling Order to issue.
 - c. Report of Noncompliance filed, mediation to be scheduled after judicial review.

- 2. Partially resolved by temporary agreement. **Agreed Deadline:** _____

If the terms are met, and if the temporary agreement results in resolution of this dispute, plaintiff's counsel will file a motion to dismiss/stipulation of dismissal on or before the Agreed Deadline. Upon such filing, this Mediator's Report will become a Final Report.

If the terms are not met, and/or if the temporary agreement does not result in resolution of this dispute, either party may request further mediation, or may file a motion to terminate mediation on or before the Agreed Deadline. If the court orders that mediation terminate, this Mediator's Report will become a Final Report, and a Scheduling Order will issue.

IF NEITHER PARTY REQUESTS FURTHER MEDIATION OR FILES A MOTION/STIPULATION BY THE AGREED DEADLINE, THIS MEDIATOR'S REPORT WILL BECOME A FINAL REPORT, AND THE CASE WILL BE DISMISSED WITHOUT PREJUDICE.

- 3. Other _____

2. PARTICIPANTS (Provide full names)

Mortgagee / servicer (circle): _____

In person By telephone/video **Title:** _____

This participant had **authority** to agree to a proposed settlement, loan modification or dismissal

Mortgagee/plaintiff's counsel: _____

Mortgagor/defendant(s): _____

Mortgagor/defendant's counsel (if represented): _____

Other (specify): _____

3. PARTY AND/OR COUNSEL ACTION

Parties agree that the borrower will submit documents according to the attached FDP Document Submission Worksheet, which is incorporated into this mediator's report. Lender will review the borrower's loan for the following option(s):

Other Actions:

4. MEDIATION OUTCOME (Check one only)

Final settlement agreement reached during mediation.

Temporary agreement reached during mediation.

Temporary agreement reached before mediation.

Agreement on some issues, but mediation did not resolve the action.

No agreement on any issues, mediation concluded.

Additional mediation needed after the parties file with the court and exchange more information.

Additional mediation needed because _____(name) needs to be included in the mediation.

Additional mediation needed for other reason. Specify reason: _____ .

Plaintiff / Defendant (circle) needs time to consider proposed agreement.

Mediation not held because defendant(s) was not owner-occupant.

Mediation not held because plaintiff / defendant / plaintiff's counsel / defendant's counsel (circle) did not attend.

Other, specify: _____ .

5. PROGRAM REPORTING

A. FDIC NPV WORKSHEET (Check one only)

- Worksheet Completed and Attached. NPV Outcome: Pass Not Pass
 Worksheet not completed because: _____

B. COMMUNITY RESOURCES (Check all that apply)

- Defendant attended informational session.
 Defendant received legal counseling or assistance.
 Defendant received assistance in preparing forms for mediation.
 From attorney or legal services employee.
 From housing counselor.
 From financial counselor.

C. AGREEMENT DETAILS, IF APPLICABLE (Check all that apply)

- | | |
|--------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Loan modification: | <input type="checkbox"/> Repayment/Forbearance plan |
| <input type="checkbox"/> Temporary modification | <input type="checkbox"/> Extension agreement |
| <input type="checkbox"/> Permanent modification | <input type="checkbox"/> Principal Forbearance |
| <input type="checkbox"/> Interest rate reduction | <input type="checkbox"/> Waive fees/penalties |
| <input type="checkbox"/> ARM to fixed rate | <input type="checkbox"/> Shared appreciation mortgage (SAM) |
| <input type="checkbox"/> Amortization extended | <input type="checkbox"/> Deed in lieu of foreclosure |
| <input type="checkbox"/> Principal reduction | <input type="checkbox"/> Short sale |
| | <input type="checkbox"/> Cash for keys |
- Reinstatement of the mortgage
 Other _____

6. BRIEF NARRATIVE OF ANY AGREEMENT(S) REACHED

MEDIATOR'S REPORT

DOCKET NO.: _____

TIME MEDIATION COMPLETED: _____

SIGNATURE OF MEDIATOR

DATE

SIGNATURE OF PLAINTIFF

DATE

SIGNATURE OF PLAINTIFF'S COUNSEL

DATE

SIGNATURE(S) OF DEFENDANT(1)

DATE

SIGNATURE(S) OF DEFENDANT (2)

DATE

SIGNATURE OF DEFENDANT (1) COUNSEL

DATE

WHEN COMPLETE:

**MEDIATORS FILE ORIGINAL WITH COURT
SEND OR HAND COPIES TO PARTIES
REPORT RESULTS TO FDP**