

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR SEMINOLE COUNTY, FLORIDA.

CASE NO.

*

Plaintiff,

vs.

*

Defendants

NOTICE OF MEDIATION

In compliance with Administrative Order No: 09-09-S MEDIATION-MANDATORY MEDIATION CIRCUIT COURT SEMINOLE COUNTY RESIDENTIAL MORTGAGE FORECLOSURE the plaintiff and the home-owner defendant(s) in the above referenced case are scheduled to attend mediation on ***** in the mediation department at the Seminole County Courthouse, Second Floor North, 301 North Park Ave., Sanford, Florida 32771. All parties are to check-in at least 15 minutes before their scheduled time.

The Defendants are required to submit all financial information to the Plaintiff's attorney within ten (10) days, even if previously submitted to the mortgage company. See the NOTICE TO HOMEOWNER DEFENDANT(S) attached for a list of required documents.

The Plaintiff(s) will be represented by a corporate representative with full authority to settle the case. The Certificate of Authority required by the Administrative Order No. 09-09-S will be completed and filed or brought to the mediation session.

If any defendant(s) fail to appear, the defenses and responses filed of record by the defendant may be stricken and a default entered without further notice or hearing. The case will proceed to Summary Final judgment without trial.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy has been furnished by U.S. mail to the parties below this ____ day of _____ 200_.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, Seminole County Courthouse, 301 North Park Avenue, Suite N301, Sanford, Florida, 32771-1292, (407) 665-4227, within two working days of your receipt of this notice. If you are hearing or voice impaired call 1-800-955-8771.

NOTICE TO HOMEOWNER DEFENDANT(S)

Mediation is a process where the parties meet informally in a voluntary, confidential session, assisted by a neutral and independent Supreme Court Certified Mediator to discuss resolution of a legal dispute. In order to conduct a productive mediation session you are required to submit the following information to the Plaintiff's Attorney within ten (10) days:

1. **FINANCIAL OFFERS FOR PLAINTIFF LENDER:** If you intend to make offers to the lender/Plaintiff to restructure the existing loan, you should bring evidence of your ability to repay the loan
 - (a) At least two or three months of pay records
 - (b) last year's tax return and W-2 or 1099
 - (c) a basic financial statement-**a sample accompanies this statement**

2. **REFINANCE-NEW LENDER:** If you intend to refinance this debt with a new lender:
 - (a) new loan commitment
 - (b) if new loan is pending-copies of applications and any information of status of loan

3. **OUTSIDE BORROWING:** If you intend to borrow or seek assistance from family, friends or other persons to assist you in paying the debt
 - (a) any **written** evidence of any person willing to lend you money or commit to assist you to repay the debt

4. **SALE OF PROPERTY:** If you intend to sell the property subject of this foreclosure to resolve this matter
 - (a) pending contract(s)
 - (b) pending written offers
 - (c) listing agreements with real estate professionals
 - (d) appraisals or estimates of value
 - (e) information of other SIMILAR property sales in your area

FINANCIAL STATEMENT

This financial statement is for use at a confidential mediation session. The figures are intended to be reasonably accurate estimates. The borrowers acknowledge that any material misstatements may be grounds to set aside any settlement agreements and any intentional misrepresentations may be found by the courts to be fraud.

I. Borrowers/Defendant(s) Name(s): _____

II. Income	<u>Annual Gross</u>	<u>Monthly Net (after Taxes)</u>
Borrower/Def 1	\$ _____	\$ _____
Borrower/Def 2	\$ _____	\$ _____
Other source	_____	_____
_____	\$ _____	\$ _____
(describe source)		
Totals	\$ _____	\$ _____

III. Core Real Estate Expenses	<u>Balance</u>	<u>Monthly payment</u>
<i>(complete regardless of failure to pay)</i>		
First mortgage	\$ _____	\$ _____
Second Mortgage	\$ _____	\$ _____
Home equity credit	\$ _____	\$ _____
Total other liens	_____	_____
_____	\$ _____	\$ _____
(describe liens)		
Totals	\$ _____	\$ _____

IV. Other real estate costs	<u>Annual Expense</u>
<i>(not included in mortgage)</i>	
Taxes	\$ _____
Insurance	\$ _____
Homeowner dues	\$ _____
Other	\$ _____

V. Titled Assets (auto etc.)	<u>Balance</u>	<u>Monthly payment</u>
Auto primary	\$ _____	\$ _____
Auto 2	\$ _____	\$ _____
Auto 3	\$ _____	\$ _____
Other _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____
Totals	\$ _____	\$ _____

VI. Unsecured Debt	<u>Balance</u>	<u>Monthly Payment</u>
<i>(credit cards, credit lines, student loans etc)</i>		
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
Totals	\$ _____	\$ _____

Dated _____

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR SEMINOLE COUNTY, FLORIDA.

CASE NO:

*

Plaintiff,

vs.

*

Defendants
_____ /

**PLAINTIFF'S CERTIFICATION OF COMPLIANCE
WITH PROCEDURES FOR SETTING MEDIATION UNILATERALLY**

THE UNDERSIGNED COUNSEL, as counsel of record for the plaintiff in this cause and as an officer of the court, pursuant to the Administrative Order No: 09-09-S of the Chief Judge of the Eighteenth Judicial Circuit and Local Rule of Civil Procedure No: 08-20-S-01, does hereby certify as follows:

1. Plaintiff's counsel has used good faith efforts to coordinate setting a mediation session with all required defendants and as to all cooperating defendants mediation has been scheduled in this cause as ordered.

2. The following are defendants(s) that were nonresponsive to contact by plaintiff's counsel. As to each such defendant plaintiff's counsel certifies to the court (1) the name of the defendant, (2) the phone number(s) used and/or the directory utilized to obtain the telephone number, (3) the person or persons attempting each contact and (4) the specific dates and times of attempted contact.

DEFENDANT: (name) _____

1. Telephone number from pleadings: _____

_____ No telephone was provided in the pleadings

2. Telephone number(s) known to the plaintiff and source of the numbers

_____ No telephone numbers are known to the plaintiff

3. _____ With no known telephone numbers for the defendant the plaintiff utilized the following regionally recognized directories to attempt to locate the defendant _____

4. (1) As to the above telephone number _____ plaintiff's counsel personally/ (name) _____ under the direct supervision of counsel attempted telephonic contact with the defendant on (date) _____ at (time) _____ and on (date) _____ at (time) _____.

4. (2) As to the above telephone number _____ plaintiff's counsel personally/ _____ under the direct supervision of counsel attempted telephonic contact with the defendant on (date) _____ at (time) _____ and on (date) _____ at (time) _____.

(repeat form for each phone detail and for each non-responsive defendant)

I HERBY CERTIFY that a true and correct copy of this Notice has been sent to all required parties together with the NOTICE OF MEDIATION on this ___ day of _____, 2009.

(printed name) _____

Attorney for Plaintiff

Bar Number _____

Address _____

Tel. No. _____

IN THE CIRCUIT COURT OF THE
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CASE NO:

*

Plaintiff,

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_____ /

CERTIFICATION OF SETTLEMENT AUTHORITY

THE UNDERSIGNED COUNSEL, as counsel of record in this cause and as an officer of the court, pursuant to the Administrative Order of the Chief Judge of the Eighteenth Judicial Circuit, does hereby certify as follows:

1. Mediation has been scheduled in this cause as noticed.
2. The plaintiff/lender will be represented by _____
_____ by personal appearance
_____ by telephone at _____ (toll free phone #)
3. The plaintiff's representative relationship to the plaintiff /lender is _____
_____.

4. The undersigned has personally spoken with the above designated representative and said representative has confirmed that the representative has full settlement authority.

I HERBY CERTIFY that a true and correct copy of this Notice has been sent to all required parties together with the NOTICE OF MEDIATION this ___ day of _____, 2009.

(printed name)

Attorney for Plaintiff

Bar Number _____

Address _____

Tel. No. _____