

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

Home Loan Pooling and Servicing
Agreement

Plaintiff

-VS-

Home Owner et al.,

Defendants

CASE NO.:

JUDGE:

MAGISTRATE:

MOTION TO RETURN ORDER
OF SALE WITHOUT EXECUTION

[The party who ordered sale] hereby moves the court for an order returning the [original, alias, pluries, etc.] order of sale without execution. [The party who ordered sale] no longer desires that the property subject to execution be sold for the following reason(s):

- The party who ordered sale has accepted funds sufficient to reinstate the loan.
- The party who ordered sale has accepted funds sufficient to pay the loan in full.
- The party who ordered sale has entered into a loan modification with the property owner or borrower.
- The party who ordered sale has entered into a forbearance agreement with the property owner or borrower.
- The party who ordered sale has accepted a deed in lieu of foreclosure.

- The party who ordered sale has accepted a short sale.
- The party who ordered sale is engaged in settlement negotiations with the property owner or borrower. The parties are discussing (circle all that apply): Loan Modification, Reinstatement of Loan, Short Sale, Deed in Lieu of Foreclosure, Other (explain).
- Defendant [Name of defendant] has filed for bankruptcy protection in [Bkr. Case No.], Chapter [Applicable Bkr. Chapter], on [date].
- Other (explain).

To the best of my knowledge, the property [is] [is not] vacant.

Respectfully Submitted,

Attorney for the party who ordered sale

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ORDER GRANTING MOTION TO
RETURN ORDER OF SALE
WITHOUT EXECUTION

This cause is before the Court on the motion of [the party who ordered sale] to return the order of sale without execution. The Court finds that the motion is well taken and is hereby granted. The Sheriff is ordered to return the [original, alias, pluries, etc.] order of sale without execution.

IT IS SO ORDERED

Judge