

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

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In Re: Romano, David and Kris,
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Case No. 8:10-bk-31068-CPM

**ORDER ON MOTION TO CONFIRM
THE PRIORITY OF MODIFIED MORTGAGE**

This motion came before me for consideration of the Debtors' request to confirm the priority of the first mortgagee, **WELLS FARGO MORTGAGE**, after modification. The motion was filed on 04/04/2013 under docket no. 76. No objection to the motion was filed, and the time period has expired for same. However, a hearing was called by the Court with Attorney for Wells Fargo present and Attorney for Debtors via telephone appearance. After both parties stated their position and the Court made notation that the motions for priority should be made by the Creditor and not the Debtor in the future, and that said Order granting and confirming priority of modified mortgages is not necessary in the Judge's opinion. The motion is hereby granted.

As the Debtors' attorney requested the attorney fees and two hearings were held on the matter, the Debtors' attorney is hereby granted the presumptive legal fee of \$300.00

Accordingly, **WELLS FARGO MORTGAGE**, now modified, shall retain its first priority over any other lien for this Debtor, including **AMERICAN GENERAL** and the Attorney for the Debtor is hereby granted the presumptive legal fee of \$300.00.

DONE AND ORDERED

Dated: _____

CATHERINE PEEK McEWEN
U.S. BANKRUPTCY JUDGE

Service Attorney Debra D. Newman is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order on the following interested parties:

Trustee Jon Waage via e-service
Taxch13Ach13tampa.com

American General
P O Box 3251
Evansville, IN 47731

Ronald Wolfe & Associates
e-service address: thair@wolflawfl.com
Attorney for Wells Fargo Mortgage

Sara Lambert
Wells Fargo Mortgage
1 Home Campus
Des Moines, IA 50328