

United States Bankruptcy Court
For the District of Massachusetts
Western Division

In re

Alfonso Raffaele Carrano,
Antonietta Anna Carrano,
Debtor.)

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Case No. 07-42094
Chapter 13

AGREED MOTION TO COMPROMISE

With SunTrust Mortgage, Inc.'s (hereinafter "SunTrust") assent, debtors request approval for a compromise of their claims against SunTrust. In support thereof, debtors state:

1. Debtors filed their Chapter 13 petition on June 2, 2007, and their proposed Chapter 13 Plan on July 3, 2007. The Meeting of Creditors was held on July 25, 2007.
2. The proposed Plan was premised upon resolution of debtors' claims of rescission and related consumer protection damages against SunTrust for an alleged violation of the Massachusetts Consumer Credit Cost Disclosure Act (CCFDA), G.L.M. c. 140D, and §1635 of the Truth-in-Lending Act (TILA), 15 U.S.C. §1601 et seq. by not honoring debtors' rescission demand concerning the mortgage upon 750 Dickinson Street, Springfield, MA; property which was debtors' residence at the time of the SunTrust financing but was subsequently vacated by Debtor's on or about October 1, 2006 and rented to tenants.
3. SunTrust objected to the proposed Plan and moved for the Court to prescribe rescission procedures, effectively requesting that the debtors tender the \$204,000 principal of the mortgage loan before rescission takes place, without waiving any other defenses and

5-28-2009:
The Court having subsequently determined that BK Services, LLC is an Authorized Notice Provider (see www.uscourts.gov/bankruptcycourts/approvedNoticeProviders.html), the Court finds that notice was sufficient. The Motion is GRANTED, and the hearing set for June 25, 2009 is canceled.