

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EUGENIO AND ROSA CONTRERAS,
WILLIAM AND MELVA PHILLIPS,
TERESA BARNEY, KEITH AND
TERESA MARCEL, SHERLIE
CHARLOT, COLLEEN ANN
O'HALLORAN, JENNIE MILLER, and
EDWARD YAGER, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

NATIONSTAR MORTGAGE LLC, A
DELAWARE LIMITED LIABILITY
COMPANY; SOLUTIONSTAR, LLC, A
DELAWARE LIMITED LIABILITY
COMPANY; and DOES 1 through
1000,

Defendants.

No. 2:16-cv-302-MCE-EFB

ORDER AFTER HEARING

This case was before the court on December 19, 2019, for hearing on plaintiffs' motion to compel defendants to provide further responses to requests for production of documents. ECF No. 55. Attorney Ian Mensher appeared on behalf of the plaintiffs; attorney Rachele Morowitz appeared on behalf of the defendants.

For the reasons stated on the record, plaintiffs' motion to compel (ECF No. 55) is granted in part and denied in part as follows:

1 1. The motion is granted in part as to Request for Production of Documents Number 37.
2 By no later than January 18, 2019, defendants shall provide plaintiff with a list of prior lawsuits
3 involving claims challenging the pay-to-pay and property inspections practices at issue in this
4 action. Also by that date, defendants shall produce all deposition transcripts and exhibits from
5 *Garcia v. Nationstar Mortgage LLC*, No 2:15-cv-1808 TSZ (W.D. Wash. 2018) that relate to the
6 pay-to-pay and property inspection practices at issue in this action.

7 2. The motion is granted as to Request for Production of Documents Number 38. By no
8 later than January 9, 2019, defendants shall produce a list of all investigations concerning its pay-
9 to-pay and property inspection practices. By no later February 6, 2019, defendants shall produce
10 all nonprivileged documents concerning these investigations. If any documents are withheld as
11 privileged, defendants shall serve plaintiffs with a privilege log identifying and describing each
12 withheld document and specifying the grounds for it is being withheld.

13 3. The motion is granted as to Requests for Production of Documents Numbers 19 and
14 23. Defendants shall perform a reasonable search for additional responsive documents and
15 produce any documents found by January 4, 2019. Defendants shall also produce a signed
16 verification describing the search conducted and stating that all responsive documents have been
17 produced or that no additional responsive documents were found. The verification shall be signed
18 under penalty of perjury by the individual(s) who conducted the search.

19 4. The motion is granted as to Requests for Production of Documents Numbers 33, 41,
20 and 42. Defendants shall produce all documents responsive to these requests by January 18,
21 2019.

22 5. The motion is granted as to Request for Production of Documents 43. Defendants shall
23 produce all responsive documents by no later than January 9, 2019. If defendants do not have
24 documents responsive to this request, it shall serve plaintiffs with a verification describing the
25 search for documents that conducted and signed under penalty of perjury by the individual who
26 conducted the search.

27 /////

28 /////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. The balance of the motion is denied.

DATED: December 21, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE