

1 ROBERT W. THOMPSON, Esq. (SBN 106411)
 2 CHARLES S. RUSSELL, Esq. (SBN 219934)
 3 **CALLAHAN, THOMPSON, SHERMAN**
 4 **& CAUDILL, LLP**
 5 2601 Main Street, Suite 800
 6 Irvine, California 92614
 7 Tel.: (949) 261-2872
 8 Fax: (949) 261-6060
 9 Email : rthompson@ctsclaw.com
 10 Email : crussell@ctsclaw.com

11 Attorneys for Plaintiffs,
 12 **KAI CHANDLER et al** (see signature page for full listing)

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**



16 KAI CHANDLER, et al.

17 Plaintiffs,

18 vs.

19 WELLS FARGO & COMPANY, a
 20 Delaware corporation; WELLS FARGO
 21 HOME MORTGAGE, INC., a
 22 California corporation, WELLS
 23 FARGO BANK, N.A., and DOES 1 –
 24 10, inclusive,

25 Defendants.

Case No.: C11-3841 EMC
 JUDGE EDWARD M. CHEN
 COURTROOM: 5
 COMPLAINT DATE: 08/04/11

**JOINT CASE MANAGEMENT
 CONFERENCE STATEMENT
 ORDER RESETTING CMC**

CMC Date: 3/2/2012
Time: 10:30 a.m.
Courtroom: 5
Judge: Hon. Edward M. Chen

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1 Pursuant to the Court’s November 7, 2011 Civil Minutes (Docket # 17,
2 entered in Case 3:10-cv-02678 EMC), Defendant Wells Fargo and Plaintiffs in the
3 *Chandler* action (Case C11-3841 EMC) hereby submit this joint Case Management
4 Conference Statement.

5 **CASE STATUS**

6 The *Chandler* matter involves claims by individual plaintiffs who worked as
7 Home Mortgage Consultants for defendant Wells Fargo, and alleges unpaid
8 overtime wages pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*
9 The plaintiffs in the *Chandler* matter were either involved in the prior MDL action
10 *In Re Wells Fargo Overtime Litigation* as class members prior to the class being
11 decertified as part of a settlement, or worked for Wells Fargo after the class period in
12 the prior action.

13 On December 6, 2011, this Court terminated the MDL action. (Docket # 18
14 (all docket entries refer to the *Chandler* matter unless otherwise indicated).) On
15 January 9, 2012, Plaintiffs filed a second administrative motion to determine
16 whether this case is related to other individual cases that were once associated with
17 the MDL, which Wells Fargo did not oppose. (Docket # 24 in *Aiello v. Wells Fargo*
18 *Bank NA*, case 3:10-cv-00744-EMC.) This Court ordered the *Chandler* case related
19 to the other individual cases on January 11, 2012. (Docket # 19.)

20 All parties have been served and have answered, and no trial date has been
21 set. On plaintiff, George Turner, filed a Stipulation of Dismissal of his claims.
22 (Docket # 21.)

23 **SETTLEMENT DISCUSSIONS**

24 At the last Case Management Conference on November 11, 2011, the parties
25 to the *Chandler* action informed the Court they were working together cooperatively
26 in an attempt to settle the matter. The Court placed limitations on discovery to assist
27 with settlement discussions, and set a further Case Management Conference for
28 March 2, 2012. (Docket # 20.)

1 Since the last Case Management Conference, the parties have continued to
2 work together toward settlement. After the last Case Management Conference,
3 Plaintiffs informally requested certain data from Wells Fargo necessary for
4 settlement discussions, including dates of employment and compensation
5 information. On February 22, 2012, Wells Fargo produced such data for
6 approximately 35 of the 57 remaining plaintiffs in the *Chandler* matter. Wells Fargo
7 is in the process of gathering the data for the remaining plaintiffs.

8 As the parties are continuing to work together cooperatively toward
9 settlement, the parties request that the Court set a further Case Management
10 Conference for 90 to 120 days out in order to give the parties sufficient time to
11 complete their discussions.

12
13 The filer attests that concurrence in the filing of the document has been
14 obtained from each of the other signatories.

15
16 DATED: February 23, 2012

**CALLAHAN, THOMPSON, SHERMAN
& CAUDILL, LLP**

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18
19 By /s/ Charles S. Russell
20 ROBERT W. THOMPSON
21 CHARLES S. RUSSELL
22 **CALLAHAN, THOMPSON, SHERMAN**
23 **& CAUDILL, LLP**
24 2601 Main Street, Suite 800
25 Irvine, California 92614
26 Tel.: (949) 261-2872
27 Fax: (949) 261-6060
28 Email : rthompson@ctsclaw.com
Email : crussell@ctsclaw.com
Attorneys for Plaintiff
**GEORGE TURNER (and all other
plaintiffs)**

1 DATED: February 23, 2012

LITTLER MENDELSON, P.C.

3 By /s/ Lindbergh Porter

4 LINDBERGH PORTER
LITTLER MENDELSON, P.C.

5 650 California Street, 20th Floor
San Francisco, CA 94108-2693

6 Tel.: (415) 399-8445

7 Fax: (415) 743-6541

8 Email : lporter@littler.com

Attorneys for Defendants

9 **WELL FARGO & COMPANY, WELLS**
10 **FARGO HOME MORTGAGE, INC., and**
11 **WELLS FARGO BANK, N.A.**

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that a copy of the foregoing was filed electronically and notice
14 of this filing will be sent by e-mail to all parties by operation of the court's
15 electronic filing system or by mail to anyone unable to accept electronic filing as
16 indicated on the Notice of Electronic Filing. Parties may access this filing through
17 the court's EM/ECF System.

18
19 February 23, 2012

/s/ Charles S. Russell

20 Charles S. Russell

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24 IT IS SO ORDERED that the Further CMC is reset from 3/2/12 to 6/22/12 at 10:30 a.m. An
25 updated joint CMC Statement shall be filed by 6/15/12.

26 _____
Edward M. Chen
27 U.S. District Judge

