

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**

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**

CMC Date: 12/10/2013
Time: 10:30 a.m.
Courtroom: 5
Judge: Hon. Edward M. Chen

26 ///

27 ///

28



1 Defendant Wells Fargo and Plaintiffs in the *Chandler* action (Case C11-3841
2 EMC) hereby submit this joint Case Management Conference Statement.

3 **CASE STATUS**

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

11 All Defendants have been served and have answered.

12 To facilitate global resolution, the parties to the *Chandler* action agreed to
13 take a single plaintiff's case to trial as a test case before a magistrate judge without a
14 jury. The parties selected Plaintiff Kelly Dodd as the test plaintiff, and she and
15 Wells Fargo entered into a stipulation and proposed order setting forth their
16 agreement. Judge Chen signed the order (Docket 44), and severed Kelly Dodd's
17 case from the rest of the *Chandler* action (Docket 45). The *Dodd* matter was
18 assigned to Magistrate Judge Maria-Elena James in Courtroom B, and given case
19 number C-13-01365 MEJ. (Docket number 46.) The *Dodd* matter has been set for
20 trial on April 21, 2014. Discovery in the *Dodd* matter is underway.

21 **SETTLEMENT DISCUSSIONS**

22 The parties have been working together cooperatively in an attempt to settle
23 the matter globally. There were originally 58 individual plaintiffs in this action. The
24 claims of 12 have been resolved and dismissed so far, and 46 plaintiffs remain.

25 The parties continue to negotiate in an attempt to resolve the remaining
26 claims.

27
28

1 **FURTHER CASE MANAGEMENT**

2 The parties request that this matter continue to remain stayed pending
3 resolution of the *Dodd* matter, and that the Case Management Conference scheduled
4 for December 10, 2013 be taken off calendar and continued until May 6, 2014 to
5 allow the parties to complete trial of the *Dodd* matter if not settled first.

6
7 The filer attests that concurrence in the filing of the document has been
8 obtained from each of the other signatories.

9 DATED: December 3, 2013

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

11 By /s/ Charles S. Russell
12 ROBERT W. THOMPSON
13 CHARLES S. RUSSELL
14 **CALLAHAN, THOMPSON, SHERMAN**
15 **& CAUDILL, LLP**
16 2601 Main Street, Suite 800
17 Irvine, California 92614
18 Tel.: (949) 261-2872
19 Fax: (949) 261-6060
20 Email : rthompson@ctsclaw.com
21 Email : crussell@ctsclaw.com
22 Attorneys for Plaintiff
23 **KAI CHANDLER and all other plaintiffs**

24 DATED: December 3, 2013

LITTLER MENDELSON, P.C.

25 By /s/ Lindbergh Porter
26 LINDBERGH PORTER
27 **LITTLER MENDELSON, P.C.**
28 650 California Street, 20th Floor
 San Francisco, CA 94108-2693
 Tel.: (415) 399-8445
 Fax: (415) 743-6541
 Email : lporter@littler.com
 Attorneys for Defendants
 WELL FARGO & COMPANY, WELLS
 FARGO HOME MORTGAGE, INC., and
 WELLS FARGO BANK, N.A.

CERTIFICATE OF SERVICE

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

December 3, 2013

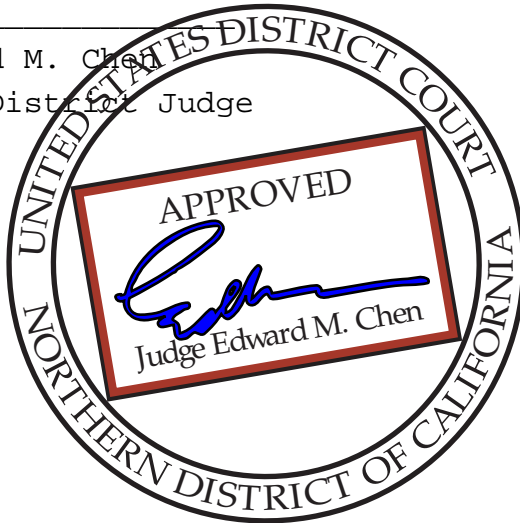
/s/ Charles S. Russell

Charles S. Russell

G:\PLF\0110002\Pldgs\CMC Statement 12-3-13.doc

IT IS SO ORDERED that the CMC is reset for 5/8/14 at 10:30 a.m.
An updated joint CMC statement shall be filed by 5/1/14.

Edward M. Chen
U.S. District Judge



CTSC|law
CALLAHAN THOMPSON SHERMAN & CAUDILL LLP

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