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Plaintiffs and defendants' counsel shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents.
- (2) Prospects for loan modification.
- (3) Prospects for settlement.

The parties need not submit written materials to the ADR Unit for the telephone conference.

In preparation for the telephone conference, plaintiffs shall do the following:

- (1) Review relevant loan documents and investigate the claims to determine whether they have merit.
- (2) If plaintiffs are seeking a loan modification to resolve all or some of the claims, plaintiffs shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, plaintiffs shall immediately notify defendant's counsel of the request for a loan modification.
- (3) Provide counsel for defendants with information necessary to evaluate the prospects for loan modification, in the form of a financial statement, worksheet or application customarily used by financial institutions.


In preparation for the telephone conference, counsel for defendants shall do the following.

- (1) If defendants are unable or unwilling to do a loan modification after receiving notice of plaintiffs' request, counsel for defendants shall promptly notify plaintiff to that effect.
- (2) Arrange for a representative of each defendant with full settlement authority to participate in the telephone conference.

The ADR Unit will notify the parties of the date and time the telephone conference will be held. After the telephone conference, the ADR Unit will advise the Court of its recommendation for further ADR proceedings. The Court will not issue an order resolving defendant's motion to dismiss until after it receives the recommendations from the ADR Unit.

**IT IS SO ORDERED.**

Dated: November 16, 2011

  
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SUSAN ILLSTON  
United States District Judge