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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C-14-2410 MMC

LUIS COLOM,

Plaintiff,

v.

WELLS FARGO HOME MORTGAGE, INC.,

Defendant.

**ORDER REFERRING CASE TO ADR
UNIT FOR ASSESSMENT TELEPHONE
CONFERENCE; STAYING DEADLINE
FOR DEFENDANT TO RESPOND TO
FIRST AMENDED COMPLAINT;
CONTINUING CASE MANAGEMENT
CONFERENCE**

Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court hereby REFERS this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone conference to assess the case's suitability for mediation or a settlement conference. Counsel for plaintiff and for defendant shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible but no later than August 22, 2014.

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.

1 In preparation for the telephone conference, counsel for plaintiff shall do the
2 following:

- 3 (1) Review relevant loan documents and investigate the claims to
4 determine whether they have merit.
- 5 (2) If plaintiff is seeking a loan modification to resolve all or some of the
6 claims, counsel for plaintiff shall prepare a current, accurate financial
7 statement and gather all of the information and documents customarily
8 needed to support a loan modification request. Further, counsel for
9 plaintiff shall immediately notify counsel for defendant of the request
10 for a loan modification.
- 11 (3) Provide counsel for defendant with information necessary to evaluate
12 the prospects for loan modification, in the form of a financial statement,
13 worksheet or application customarily used by financial institutions.

14 In preparation for the telephone conference, counsel for defendant shall do the
15 following:


- 16 (1) If defendant is unable or unwilling to do a loan modification after
17 receiving notice of plaintiff's request, counsel for defendant shall
18 promptly notify counsel for plaintiff to that effect.
- 19 (2) Arrange for a representative of defendant with full settlement authority
20 to participate in the telephone conference.

21 The ADR Unit will notify the parties of the date and time the telephone conference
22 will be held. After the telephone conference, the ADR Unit will advise the Court of its
23 recommendation for further ADR proceedings.

24 Lastly, in light of the reference, the deadline for defendant to file a response to
25 plaintiff's First Amended Complaint is hereby STAYED, pending further order of the Court,
26 and the Case Management Conference is hereby CONTINUED from August 29, 2014 to
27 September 26, 2014.

28 **IT IS SO ORDERED.**

Dated: July 28, 2014


MAXINE M. CHESNEY
United States District Judge