

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 LUIS COLOM,

12 Plaintiff,

13 v.

14 WELLS FARGO HOME MORTGAGE,
15 INC. and DOES 1-10 inclusive,

16 Defendants.

Case No. 14-cv-02410 NC

**ORDER REFERRING CASE TO
ADR UNIT FOR ASSESSMENT
TELEPHONE CONFERENCE**

17
18 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this
19 foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone
20 conference to assess this case's suitability for mediation or a settlement conference.

21 Plaintiff's counsel and counsel for Wells Fargo must participate in a telephone conference,
22 to be scheduled by the ADR Unit as soon as possible but no later than June 27, 2014.

23 Plaintiff's counsel and counsel for Wells Fargo must be prepared to discuss the
24 following subjects:

- 25 (1) Identification and description of claims and alleged defects in loan documents.
26 (2) Prospects for loan modification.
27 (3) Prospects for settlement.
28

Case No. 14-cv-02410 NC
ORDER REFERRING CASE TO ADR
UNIT

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

3 In preparation for the telephone conference, Plaintiff's counsel must do the
4 following:

5 (1) Review relevant loan documents and investigate the claims to determine
6 whether they have merit.

7 (2) If Plaintiff is seeking a loan modification to resolve all or some of the claims,
8 Plaintiff must prepare a current, accurate financial statement and gather all of the
9 information and documents customarily needed to support a loan modification request.
10 Further, Plaintiff's counsel must immediately notify counsel for Wells Fargo of the request
11 for a loan modification.

12 (3) Provide counsel for Wells Fargo with information necessary to evaluate the
13 prospects for loan modification, in the form of a financial statement, worksheet or
14 application customarily used by financial institutions.

15 (4) Arrange for Plaintiff to participate in the telephone conference.

16 In preparation for the telephone conference, counsel for Wells Fargo must do the
17 following:

18 (1) If Wells Fargo is unable or unwilling to do a loan modification after receiving
19 notice of Plaintiff's request, counsel for Wells Fargo must promptly notify Plaintiff's
20 counsel to that effect.

21 (2) Arrange for a representative of Wells Fargo with full settlement authority to
22 participate in the telephone conference.

23 //

24

25

26

27

28

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

4 IT IS SO ORDERED.

5 Date: May 27, 2014

6 
Nathanael M. Cousins
United States Magistrate Judge