

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

11 HERMELINDA VALENCIA,

12 Plaintiff,

13 v.

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

16 Defendants.

Case No. 14-cv-03354 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 August 29, 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-03354 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.

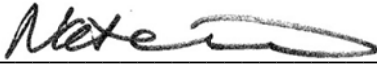
21 (2) Arrange for a representative of Wells Fargo with full settlement authority to  
22 participate in the telephone conference.

23 //

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: July 28, 2014

6   
7 \_\_\_\_\_  
8 Nathanael M. Cousins  
9 United States Magistrate Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28