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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SADIE S. SHAW,
Plaintiff,
v.
JPMORGAN CHASE BANK, N.A., et al.,
Defendants.

Case No. [15-cv-01755-JD](#)

**ORDER REFERRING CASE TO ADR
UNIT**

Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this action to the Alternative Dispute Resolution (ADR) Unit’s mortgage program for a telephone conference to assess this case’s suitability for mediation or a settlement conference. Plaintiff and defendants’ counsel will participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible but no later than September 30, 2015.

Plaintiff and defendants’ counsel will 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, plaintiff will do the following:

- (1) Review relevant loan documents and investigate the claims to determine whether they have merit.
- (2) If plaintiff is seeking a loan modification to resolve all or some of the claims, plaintiff will prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification

1 request. Further, plaintiff will immediately notify defendants' counsel of the
2 request for a loan modification.

3 (3) Provide counsel for defendants with information necessary to evaluate the
4 prospects for loan modification, in the form of a financial statement, worksheet or
5 application customarily used by financial institutions.

6 In preparation for the telephone conference, counsel for defendants will do the following:

7 (1) If defendants are unable or unwilling to do a loan modification after receiving
8 notice of plaintiff's request, counsel for defendants will promptly notify plaintiff to
9 that effect.

10 (2) Arrange for a representative of each defendant with full settlement authority to
11 participate in the telephone conference.

12 The ADR Unit will notify the parties of the date and time that the telephone conference
13 will be held. After the telephone conference, the ADR Unit will advise the Court of its
14 recommendation for further ADR proceedings.

15 The case is now stayed so the parties may focus on ADR efforts first. Accordingly, all
16 briefing and hearing dates relating to defendants Mortgage Electronic Registration Systems, Inc.
17 and OCWEN Loan Servicing, LLC's pending motion to dismiss (Dkt. No. 14) are vacated and
18 stayed pending completion of the ADR process. Defendant JPMorgan Chase Bank, N.A. need not
19 respond to the Complaint pending completion of the ADR process. If JPMorgan Chase Bank,
20 N.A. signs a settlement agreement with plaintiff, it may ask the Court to be excused from this
21 ADR process. The case management conference set for October 28, 2015 is vacated. The Court
22 may re-set a date for the case management conference after the parties' participation in the
23 telephone conference with the ADR Unit.


24 **IT IS SO ORDERED.**

25 Dated: September 3, 2015

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JAMES DONATO
United States District Judge