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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KABITA CHOUDHURI,
Plaintiff,
v.
WELLS FARGO BANK, N.A., et al.,
Defendants.

Case No. [15-cv-03608-VC](#)

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

Counsel for Wells Fargo has agreed to accept service by email of all papers filed in this case up to today. Choudhuri is ordered to email to Wells Fargo's counsel, by today, all papers that have been filed in the case.

A hearing on Choudhuri's motion for a preliminary injunction is scheduled for October 1, 2015 at 10 a.m. Wells Fargo's opposition to the motion is due September 3, 2017. Any reply by Choudhuri must be filed on or before September 17, 2015. The parties agree that the temporary restraining order issued by Judge Donato remains in place until a ruling on the motion for a preliminary injunction.

If Wells Fargo wishes to file a motion to dismiss, it must do so in time for a hearing to take place on the motion on October 1, 2015.

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

Plaintiff and Defendants' counsel shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible but no later than September 17, 2015.

Plaintiff and Defendants' counsel shall be prepared to discuss the following subjects:

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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 shall 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 shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, Plaintiff shall immediately notify Defendants' 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 Plaintiff's 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.

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IT IS SO ORDERED.

Dated: August 18, 2015



VINCE CHHABRIA
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KABITA CHOUDHURI,
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Case No. [15-cv-03608-VC](#)

CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 19, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kabita Choudhuri
331 Richardson Way
Mill Valley, CA 94941

Dated: August 19, 2015

Richard W. Wieking
Clerk, United States District Court

By: 
Kristen Melen, Deputy Clerk to the
Honorable VINCE CHHABRIA